

## Madison County Ditch Improvement Record.

The Buswell Ditch Improvement

## The Buswell Ditch Improvement.

Petition - Filed June 17<sup>th</sup> 1901. B. A. Taylor, County Auditor.

Plain City, Ohio, June 14<sup>th</sup> 1901.

We the undersigned do hereby petition the County Commissioners of Madison County, Ohio, asking for the construction of a tile ditch sufficient to carry away the surplus water as follows:

Commencing on lands owned by Eva Buswell and Stanley Kilbury (came to them by will of Thomas Kilbury) in an easterly direction across lands known as Thomas Kilbury land and emptying in a big run on the farm of Mike Minoque; and across the lands of Mike Minoque and emptying into the above mentioned Run.

The names of all persons and corporations, either public or private, who in the opinion of the petitioners are in any way affected or benefited thereby are as follows:

Martha Francis	Rose, Anna <sup>and</sup> Bora Kilbury
Solomon Kilbury	Clarie, Ira <sup>and</sup> Ida Kilbury
Lyle Kahler	Eva Buswell
Lena Dodson Steir	Alice Huber
Jennie Kilbury	M. Minoque
Grant Frazell	Libbie Killen
Blyde Frazell	Rosanne Kilbury
Eva Pennington	Claud <sup>and</sup> Maud Kilbury
Wary Millikin, Guardian Grace and Robert Millikin	

Eva Buswell, Alice B. Huber, M. Minoque } Petitioners.  
Libbie Killen and Rosanne Kilbury }

Petitioner's Bond. Filed June 17<sup>th</sup> 1901. B. A. Taylor, County Auditor

Know all men by these presents, that Eva Buswell, as principal and H. W. Buswell and M. M. Huber as sureties, are held and firmly bound unto the State of Ohio in the penal sum of Two Hundred Dollars, good and lawful money, for which we bind ourselves, and our heirs, executors and administrators.

Signed by us and dated this 15<sup>th</sup> day of June, A. D. 1901. The condition of the above obligation is such, nevertheless, that whereas, on the 15<sup>th</sup> day of June, A. D. 1901, the above bounden Eva Buswell made application to the Commissioners of Madison County, and on said day filed with the Auditor of said County a petition for the construction of a tile ditch in pursuance of the Statute in such case made and provided, on the following route and termini to-wit;

Commencing on the lands owned by Eva Buswell and Stanley Kilbury (came to them by will of Thomas Kilbury) in an easterly direction across lands known as Thomas

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Kilbury land and emptying in a big run on the farm of Mike Minogue, and across the lands of Mike Minogue and emptying into the above mentioned run. Now, if the above bounden Eva Buswell shall pay all costs if the prayer of said petition be not granted, or if for any other cause the same shall be dismissed, then this obligation shall be void.

Eva Buswell  
 P. W. Buswell  
 N. M. Shuler.

1 Stamp 1 Stamp

The above bond and the sureties thereon are approved by me this 17<sup>th</sup> day of June, A. D. 1901.

B. A. Taylor, County Auditor.

Notice to Commissioners of Petition Filed and Time for Hearing.  
 Office of Auditor of Madison County, Ohio, June 17<sup>th</sup> 1901.  
 To the Honorable Board of Commissioners of said County:  
 Gentlemen:

You are hereby notified that a petition and bond for a ditch improvement has been filed in this office on the 15<sup>th</sup> day of June, A. D. 1901, a copy of which petition is attached below; and as required by law I have fixed the 12<sup>th</sup> day of July, A. D. 1901, at 10 o'clock, A. M. at the beginning of said proposed ditch described in said petition for your hearing of said matter.

Copy of Ditch Petition.

Plain City, Ohio, June, 14<sup>th</sup> 1901, Petition for construction of a tile ditch.

To the Honorable Board of Commissioners of Madison County, Ohio:

The undersigned owners of lots and lands which will be drained or benefited by the improvement here in prayed for, hereby make application to your honorable body, and now file with the Auditor of said County, this, their petition, and now and hereby pray for the construction of a tile ditch on the route hereinafter set forth.

The necessity for and the benefits of the improvement so prayed for is that it will drain and reclaim the lands along the line thereof and adjacent thereto, and will promote the public health, convenience and welfare.

The following is the beginning, route and termini of said proposed improvement, to-wit:

Commencing on lands owned by Eva Buswell and Stanley Kilbury (came to them by will of Thomas Kilbury) in an easterly direction across lands known as Thomas Kilbury land and emptying in a big run on the farm of Mike Minogue and across the lands of Mike Minogue and emptying into the above mentioned run.

The names of all persons and corporations, either

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public or private, who in the opinion of the petitioners are in any way affected or benefited thereby are as follows:

- Eva Buswell
- Alice Huber
- M. Minoque
- Libbie Killen
- Rosanne Kilbury
- Martha Francis
- Isomon Kilbury
- Lyle Kahler
- Wary Millikin, Guardian
- Clarid, Ira, and Iza Kilbury.
- Lena Dodson Heirs
- Jennie Kilbury
- Grant Frazell
- Blyde Frazell
- Orva Pennington
- Claud Kilbury
- Maud Kilbury
- Rose, Ann + Cord Kilbury
- Grace and Robert Millikin.

Eva Buswell, Alice W. Huber, M. Minoque, Libbie Killen and Rosanne Kilbury - Petitioners.

I hereby certify the foregoing to be a true copy of a Ditch Petition filed in my office on the 17<sup>th</sup> day of June, A.D. 1901. B.A. Taylor, County Auditor.

Commissioner's Office, Madison County, London, Ohio, June 17<sup>th</sup> 1901.

Commissioner's Journal Vol. 7 Page 311

Board of Commissioners met today in regular session.  
 Present: Chas. S. Markley, H. E. Bradley and Jas. B. Anderson.  
 In the matter of the Ditch Imp. Petitioned for by Eva Buswell et al. } Notice of filing of petition<sup>2d</sup> & time fixed for view.

The County Auditor having delivered to this Board a certified copy of the petition filed with him on the 17<sup>th</sup> day of June, 1901, signed by Eva Buswell et al, praying for the construction of a tile ditch, between the termini and along the route stated below, to wit:

Commencing on lands owned by Eva Buswell and Stanley Kilbury (came to them by will of Thomas Kilbury) in an easterly direction across lands known as Thomas Kilbury land and emptying in a big run on the farm of Mike Minoque and across the lands of Mike Minoque and emptying into the above mentioned run.

And it appearing that said petitioners have given bond as required by law, which has been approved by said Auditor, and said Auditor having fixed the 12<sup>th</sup> day of July, 1901, as the day for hearing said petition, it is ordered that this Board meet on said day, at the place of beginning of said ditch, as described in said petition, to hear proof offered by any of the parties affected by said improvement and others competent to testify and to determine as to the necessity of said improvement.

On the question of the adoption of the foregoing motion,

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all members voted "Aye".

Chas. H. Markley	} Commissioners of Madison County
H. E. Bradley	
Jas. B. Anderson.	

Auditor's Office, Madison County, Ohio,  
June 17<sup>th</sup> 1901.

In the matter of the  
Ditch Imp. Petitioned  
for by Eva Buswell et al.

} Notice to Lot and Land Owners.

To the lot or land owners and to the corporations, either public or private, affected by said improvement:

You and each of you, are hereby notified that on the 17<sup>th</sup> day of June, A. D. 1901, Eva Buswell and others filed a petition with the Auditor of Madison County, the prayer of which is for the construction of a tile ditch, on the following starting point, route and terminus to wit:

Commencing on lands owned by Eva Buswell and Stanley Kilbury (came to them by will of Thomas Kilbury) in an easterly direction across lands known as Thomas Kilbury lands and emptying in a big run on the farm of Mike Minoque and across the lands of Mike Minoque and emptying into the above mentioned run.

You are also notified that the following time and place have been fixed when and where the Commissioners of said County will meet for the hearing of said petition, to wit: Friday, July 12<sup>th</sup> 1901, at 10 o'clock, A. M. at the beginning of said proposed ditch improvement, for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement, whether the said ditch will be conducive to the public health, convenience and welfare; and whether the route described is the best route and any and all objections to said proposed ditch improvement.

Any application for compensation or damage, or for any change of route, must be in writing and filed with the Commissioners on or before the day set for hearing. No further notice of any proceedings will be given.

B. A. Taylor, Auditor Madison County.

The State of Ohio, } Proof of Notice  
Madison County, ss: }

On this 22<sup>nd</sup> day of June, A. D. 1901, personally appeared before the undersigned authority B. W. Buswell, who being first duly sworn, deposes and says that he served the annexed and above notice

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on the respective parties named by delivering to each a true copy thereof, except such as have waived the service thereof, by placing their signature hereto.

Name of Person Served.	How Served.	When Served.
Maud Kilbury,	Personally	June 20 <sup>th</sup> 1901
Jennie Kilbury,	Personally	June 20 <sup>th</sup> 1901
Blyde Frazell,	Personally	June 20 <sup>th</sup> 1901
Libbie Killen,	Personally	June 20 <sup>th</sup> 1901
Rosanne Kilbury,	Personally	June 20 <sup>th</sup> 1901
A. W. Millikin,	Personally	June 22 <sup>nd</sup> 1901
Alice W. Huber,	Personally	June 22 <sup>nd</sup> 1901
Corie E. Kilbury,	Personally	June 22 <sup>nd</sup> 1901
Mike Minogue,	Left at Residence	June 22 <sup>nd</sup> 1901
Claude Kilbury,	Left at Residence	June 22 <sup>nd</sup> 1901
Eva Buswell,	Left at Residence	June 22 <sup>nd</sup> 1901

We acknowledge service of the above notice.

Maud Kilbury, Jennie Kilbury, Blyde Frazell, Libbie Killen, Roseanne Kilbury, A. W. Millikin, Alice W. Huber, Corie E. Kilbury, and further this deponent saith not.

Sworn to by E. W. Buswell before me and by him subscribed in my presence this 22<sup>nd</sup> day of June, A. D. 1901.

D. C. Thornton,

Notary Public in and for Madison and Union Counties.

Auditor's Office, Madison County, Ohio,  
June 17<sup>th</sup> A. D. 1901.

In the matter of the  
Ditch Imp. Petitioned for } Notice to Non Resident Lot or Land Owners  
by Eva Buswell et al. } For Publication.

To the Lot or Land Owners and to the corporations, either public or private, affected by said improvement:

You and each of you are hereby notified that on the 17<sup>th</sup> day of June, A. D. 1901, Eva Buswell and others, filed a petition with the Auditor of Madison County, the prayer of which is for the construction of a tile ditch, on the following starting point, route and terminus, to wit:

Commencing on lands owned by Eva Buswell and Stanley Kilbury (came to them by will of Thomas Kilbury) in an easterly direction across lands known as Thomas Kilbury land and emptying in a big run on the farm of Mike Minogue and across the lands of Mike Minogue and emptying into the above mentioned run.

You are also notified that the following time and place have been fixed when and where the Commissioners of said County will meet for the hearing of said petition, to wit: Friday, July, 12<sup>th</sup> 1901, at 10 o'clock

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A. M., at the beginning of said proposed ditch improvement, for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement, whether the said ditch will be conducive to the public health, convenience and welfare; and whether the route described is the best route, and any and all objections to said proposed ditch improvement.

Any application for compensation and damages, or for any change of route, must be in writing and filed with the Commissioners on or before the day set for hearing.

No further notice of any proceedings in this matter will be given.

B. A. Taylor, Auditor of Madison County.

The State of Ohio. } Proof of Notice by Publication.  
Madison County }

On this 28<sup>th</sup> day of June, A. D. 1901, personally appeared before the undersigned authority, E. E. Arbuckle who being first duly sworn, deposes and says that a copy of said annexed notice was published for two weeks in the London Times, a newspaper printed in and of general circulation in said County, the first publication being on the 20<sup>th</sup> day of June, A. D. 1901.

And further this deponent saith not.

E. E. Arbuckle.

Sworn to by E. E. Arbuckle before me and by him subscribed in my presence this 28<sup>th</sup> day of June, A. D. 1901.

Adv. #4.<sup>50</sup>

B. A. Taylor, Auditor Madison County

## Notice

To non resident lot or land owners.

Auditor's Office, Madison County,

London, Ohio, June 17<sup>th</sup> 1901

To the Lot or Land Owners and to the Corporations either Public or Private, affected by said Improvement: You and each of you are hereby notified, that on the 17<sup>th</sup> day of June, A. D. 1901, Eva Buswell and others filed a petition with the Auditor of Madison County, Ohio, the prayer of which is for the construction of a tile ditch on the following starting point, route and terminus to wit:

Commencing on the lands owned by Eva Buswell, and Stanley Kilbury (came to them by will of Thomas Kilbury) in an easterly direction across the lands known as the Thomas Kilbury land, and emptying in a big run on the farm of Mike Minogue, and across the lands of Mike Minogue and emptying

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into the above mentioned run.

You are also notified that the following time and place have been fixed when and where the Commissioners of said County will meet for the hearing of said petition, to wit:

Friday, July 12<sup>th</sup> 1901,

at 10 o'clock, A.M., at the beginning of said proposed ditch improvement, for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement, whether the said ditch will be conducive to the public health, convenience and welfare; and whether the route described is the best route and any and all objections to said proposed ditch improvement.

Any application for compensation or damage, or for any change of route, must be in writing and filed with the Commissioners on or before the day set for hearing. No further notice of any proceedings in this matter will be given.

B. A. Taylor, Auditor Madison County, Ohio.

Copy of Notice to Land Owners.

Auditor's Office, Madison County, Ohio,  
June 17<sup>th</sup> A. D. 1901.

In the matter of the }  
Ditch Imp. Petitioned for } Copy of Notice to Lot or Land Owners.  
by Eva Buswell et al. }

To the lot or land owners and to the corporations, either public or private, affected by said improvement:

You, and each of you, are hereby notified that on the 17<sup>th</sup> day of June, A. D. 1901, Eva Buswell and others, filed a petition with the Auditor of Madison County, the prayer of which is for the construction of a tile ditch on the following starting point, route and terminus, to wit:

Commencing on lands owned by Eva Buswell and Stanley Kilbury (came to them by will of Thomas Kilbury) in an easterly direction across lands known as Thomas Kilbury land and emptying in a big run on the farm of Mike Minogue and across the lands of Mike Minogue and emptying into the above mentioned run.

You are also notified that the following time and place have been fixed when and where the Commissioners of said County will meet for the hearing of said petition, to wit: Friday, July 12<sup>th</sup> 1901, at 10 o'clock, A.M. at the beginning of said proposed ditch improvement, for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement, whether the said ditch will be conducive to the public health, convenience and welfare; and whether the route described

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is the best route and any and all objections to said proposed ditch improvement.

Any application for compensation and damages, or for any change of route must be in writing and filed with the Commissioners on or before the day set for hearing.

No further notice of any proceedings in this matter will be given.

B. A. Taylor, Auditor, Madison County, Ohio.

Commissioner's Finding on the Petition.

In the matter of the } Auditor's Office, Madison County, Ohio.  
Ditch Imp. petitioned } July 15<sup>th</sup> A. D. 1901.  
for by Eva Buswell et al. }

This day the Commissioners of Madison County being in regular session, members present, Chas. S. Markley, H. B. Bradley and Jas. B. Anderson; a copy of the petition for the construction of a tile ditch having been delivered to us by the County Auditor, and it appearing to us that the proper bond has been filed with the Auditor, and by him approved, conditioned for the payment of all costs if the prayer of the petition be not granted or be dismissed for any cause, we therefore, on the 12<sup>th</sup> day of July, 1901, the day fixed by the Auditor for hearings, did meet at the place of beginning of said ditch, as described in the petition, and heard all proof offered by any of the parties affected by said ditch improvement and other persons competent to testify and we went over and along the line of said improvement and by actual view of said ditch and the premises along and adjacent thereto and to be drained or benefited thereby, and determine the necessity thereof.

And we do hereby find that said improvement is necessary and will be conducive to the public health, convenience and welfare; and a benefit to the lots and lands along the line thereof by furnishing drainage thereto.

And we further find that the route described is the best, viz: Commencing on the lands owned by Eva Buswell and Stanley Kilbury (same to them by will of Thomas Kilbury in an easterly direction across lands known as Thomas Kilbury land and emptying in a big run on the farm of Mike Minogue and across the lands of Mike Minogue and emptying into the above mentioned run.

The following laterals were located, viz:

Lateral No. 1 - Beginning on the lands of Alice Huber, running thence in a south easterly direction, crossing the line of said Alice Huber, and Eva Buswell,

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and entering main ditch at Station 20.

Lateral No. 2. - Beginning on line between Fragell Heirs and Maud and Bland Kilbury; thence in a north easterly direction across lands of said Maud and Bland Kilbury and lands of Rose Kilbury, Elizabeth Killen and Melina Dodson; entering main ditch at Station 34+4.

Lateral No. 3: - Beginning on lands of Alice Huber; thence in a south easterly direction across lands of Alice Huber, Martha Francis and Melina Dodson heirs, entering main ditch at Station 36+57.

Lateral No. 4 - Beginning on land of Fragell Heirs, 20 feet north of Kirwin and Ballenger line; Thence across lands of said Fragell heirs, Maud and Bland Kilbury and Rose Kilbury, crossing Middle Pike; Thence across the lands of Lyle Kohler entering main ditch at Station 50+22.

The six inch tile already in from Station 12+47 to main ditch if found in good condition to be left in said lateral, otherwise to be cleared, and relaid to proper grade.

Lateral No. 5: - Beginning near line of Clara, Ira and Ida Kilbury on lands of Michael Minogue; thence in a north easterly direction through the lands of said Minogue entering main ditch about 200 feet from outlet.

We also find that due and legal notice has been given to each person and corporation benefited or affected by said proposed improvement.

And we do hereby order the Auditor to enter this, our finding, in writing, on the Commissioner's journal. And we do further find and authorize the Auditor to enter upon said journal an order directing the County Surveyor to go upon the line as described in the petition, and survey and level the same, and set a stake at every hundred feet numbering down stream, and to embody in said order, direction to the said Surveyor to make and return a schedule of all lots or lands and public or corporate roads or railroads that will be benefited, and an apportionment of the estimated cost of locating and constructing said improvement, in money, according to the benefits which will result to each, and to perform such other duties as are required in Sections 4454, 4455, + 4456 R. D. as now in force and effect, and to file his report with the County Auditor on or before the time hereinafter fixed for hearing the same.

It is further ordered that the 8<sup>th</sup> day of August, 1901, at 10 o'clock a. m. at the County Auditor's Office, is hereby fixed for the hearing of applications for any appropriations of land taken for said improvement and damages said parties affected by said improvement, or any of them, may sustain thereby, and for the approval of the report of the Surveyor.

B. A. Taylor,  
Auditor.

H. E. Bradley,  
President Board of Commissioners.

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Finding on the Petition - Copy for Surveyor.

Auditor's Office, Madison County, Ohio,  
July 15<sup>th</sup> A. D. 1901.In the matter of the  
Buswell Ditch Imp. Petition  
ed for by Eva Buswell et al.

This day the Commissioners of Madison County being in regular session, members present, Chas. B. Markley, H. C. Bradley and Jas. B. Anderson, and a copy of a petition for the construction of a tile ditch having been delivered to us by the County Auditor and it appearing to us that the proper bond had been filed with the Auditor, and by him approved, conditioned for the payment of all costs if the prayer of the petition be not granted or be dismissed for any cause, we, therefore, on the 12<sup>th</sup> day of July, 1901, the day fixed by the Auditor for hearings, did meet at the place of beginning of said ditch, as described in the petition, and heard all proof offered by any of the parties affected by said improvement and others competent to testify, and we went over and along the line of said improvement, and by actual view of said ditch, and the premises along and adjacent thereto, and to be drained or benefited thereby, and determine the necessity thereof. And we do hereby find that said improvement is necessary, and will be conducive to the public health, convenience and welfare, and a benefit to the lots and lands by furnishing drainage thereto.

And we further find the route described is the best. Commencing on the lands owned by Eva Buswell and Stanley Kilbury in an easterly direction across the lands known as the Thomas Kilbury land and emptying in a big run, on the farm of Mike Minogue, and across the lands of Mike Minogue and emptying into the above mentioned run.

The following laterals were located, viz:

Lateral No. 1. Beginning on the lands of Alice Huber, running thence in a south easterly direction, crossing the line of said Alice Huber and Eva Buswell, and entering main ditch at Station 20.

Lateral No. 2. Beginning on the line between Frazell Heirs and Maud and Bland Kilbury; thence in a north easterly direction across lands of said Maud and Bland Kilbury and lands of Rose Kilbury, Elizabeth Killen, and Helina Dodson heirs; entering main ditch at Station 34+4.

Lateral No. 3. Beginning on lands of Alice Huber; thence in a south easterly direction across lands of said Alice Huber, Martha Francis and Helina Dodson heirs; entering main ditch at Station 36+57.

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Lateral No. 4. Beginning on lands of Frazell heirs, 20 feet north of Kirwin and Ballenger line; thence across lands of said Frazell heirs, Mand and Oland Kilbury and Rose Ann Kilbury, crossing Middle Pike; thence across the lands of Lyle Kahler, entering main ditch at Station 50+22.

The six inch tile already in from Station 12+47 to main ditch if found in good condition to be left in said lateral; otherwise to be cleaned and relaid to proper grade.

Lateral No. 5. Beginning near line of Obara, Ira and Sea Kilbury on lands of Michael Minogue; thence in a north easterly direction through the lands of said Minogue entering main ditch about 200 feet from outlet.

We also find that due and legal notice has been given to each person and corporation benefited or affected by said proposed improvement.

And we do hereby order the Auditor to enter this, our finding, in writing, on the Commissioners' journal. And we do further authorize the Auditor to enter upon said journal an order, directing the County Surveyor to go upon the line as described in the petition, and survey and level the same, and set a stake at every hundred feet numbering down stream, and to embody in said order, direction to the said Surveyor to make and return a schedule of all lots or lands, and public or corporate roads or railroads, that will be benefited, and an apportionment of the estimated cost of locating, and constructing said improvement, in money, according to the benefits which will result to each, and to perform such other duties as are required in Sections 4454, 4455, and 4456 R. S. as now in force and effect, and to file his report with the County Auditor, on or before the time hereinafter fixed for hearing the same.

It is further ordered that the 8<sup>th</sup> day of August, 1901, at 10 o'clock A. M. at the County Auditor's Office, is hereby fixed for the hearing of applications for any appropriation of land taken for said improvement and damages said parties affected by said improvement, or any of them, may sustain thereby and for the approval of the report of the Surveyor.

B. A. Taylor,

Auditor.

Chas. B. Markley,

President Board of Commissioners.

I certify the foregoing to be correctly copied from the records of the proceedings of the board.

B. A. Taylor,

County Auditor.

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Commissioners  
Journal Vol. 7  
Page 321

Commissioners Office, Madison County  
London, Ohio, July, 15, 1901.

Board met today in regular session.

Present: Chas. B. Markley, H. E. Bradley and James B. Anderson.

In the matter of the  
Ditch Imp. Petitioned  
for by Eva Buswell et al.

Commissioners Finding on Petition.

This day the Commissioners of Madison County being in regular session, members present, Chas. B. Markley, H. E. Bradley and Jas. B. Anderson, and a copy of a petition for the construction of a tile ditch having been delivered to us by the County Auditor, and it appearing to us that the proper bond has been filed with the Auditor and by him approved conditioned for the payment of all costs if the prayer of the petition be not granted or be dismissed for any cause, we, therefore, on the 12<sup>th</sup> day of July, 1901, the day fixed by the Auditor for hearing, did meet at the place of beginning of said ditch as described in the petition, and heard all proof offered by any of the parties affected by said improvement, and other persons competent to testify; and we went over and along the line of said improvement, and by actual view of said ditch and the premises along and adjacent thereto, and to be drained or benefited thereby, and determine the necessity thereof, and we do hereby find that said improvement is necessary, and will be conducive to the public health, convenience and welfare, and a benefit to the lots and lands along the line thereof by furnishing drainage thereto.

And we further find that the route described is the best, commencing on the lands owned by Eva Buswell and Stanley Kilbury (came to them by will of Thomas Kilbury in an easterly direction across land known as the Thomas Kilbury land and emptying in a big run on the farm of Mike Minogue and across the lands of Mike Minogue and emptying into the above mentioned run.

The following laterals were located, viz:

Lateral No. 1. Beginning on the lands of Alice Huber, running thence in a south easterly direction, crossing the line of said Alice Huber and Eva Buswell and entering main ditch at Station 20.

Lateral No. 2. Beginning on line of Brazell heirs and Maud and Oland Kilbury; thence in a north easterly direction across the lands of said Maud and Oland Kilbury, and the lands of Rose Kilbury, Elizabeth Killen and Helina Dodson heirs, entering main ditch at Station 34+4.

Lateral No. 3. Beginning on lands of Alice Huber,

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thence in a south easterly direction across the lands of said Alice Huber, Martha Francis and Helina Dodson heirs, entering main ditch at Station 36+57.

Lateral No. 4- Beginning on the land of Frazell heirs 20 feet north of Kirwin and Ballengers line; thence across lands of said Frazell heirs, Maud and Claud Kilbury, Rose Ann Kilbury, crossing Middle Pike; thence across the lands of Lyle Kahler entering main ditch at Station 50+22. The six inch tile already in from Station 12+47 to main ditch, if found in good condition to be left in said lateral otherwise to be cleared and relaid to proper grade.

Lateral No. 5. Beginning near line of Clara, Ora and Ora Kilbury or land of Michael Minogue; thence in a north easterly direction through the lands of said Minogue entering main ditch about 200 feet from outlet.

We also find that due and legal notice has been given to each person and corporation benefited or affected by said proposed improvement.

And we do hereby authorize the Auditor to enter this, our finding, in writing, on the Commissioners journal. And we do further authorize the Auditor to enter upon said journal an order, directing the County Surveyor to go upon the line as described in the petition, and survey and level the same and set a stake at every hundred feet, numbering down stream, and to embody in said improvement direction to the said Surveyor to make and return a schedule of all lots and lands, and public or corporate roads or rail roads, that will be benefited, and an apportionment of the estimated cost of location and construction of said improvement, in money, according to the benefits which will result to each, and to perform such other duties as are required in Sections 4454, 4455 and 4456 R. S. as now in force and effect, and to file his report with the County Auditor on or before the time hereinafter fixed for hearing the same; It is further ordered that the 8<sup>th</sup> day of August, 1901, at 10 o'clock, A. M. at the County Auditor's Office, is hereby fixed for the hearing of applications for any appropriations of land taken for said improvement and damages said parties affected by said improvement or any of them may sustain thereby and for the approval of the report of the Surveyor.

The roll being called for the approval of the foregoing entries and orders relating to said petition and ditch, all members voted Aye.

B. A. Taylor,  
Auditor and Clerk.

Chas. B. Markley } Commissioners  
H. E. Bradley }  
Jas. B. Anderson. } Madison County

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Auditor's Office, Madison County, Ohio,  
August 8<sup>th</sup> A. D. 1901.

In the matter of the }  
Ditch Imp. Petitioned } Report and Schedules of Engineer.  
for by Eva Russell et al. }

To the Honorable Board of Commissioners of Madison County, Ohio.  
The undersigned Engineer, in obedience to the direction of your honorable body, made on the 12<sup>th</sup> day of July, 1901, has proceeded in the above matter, and has made a level and survey of the line of said improvement, and set a stake at every hundred feet numbering down stream; and I have made a note of the intersection of lines and boundaries of lands, township and county lines, land marks, bench marks, and road and railway crossings; and I herewith make report of the same, with profile, and flat and an estimate of the number of cubic yards of earth or other substance to be removed, and the cost per cubic yard for each working section on said report indicated and of each section of one hundred feet.

I have also made, and return herewith, a schedule of all the lots and lands, and public and corporate roads and rail roads, together with the name of the owners of such rail road companies, and the names of the lessees operating the same, that will be benefited by said improvement; and an apportionment of the cost of location and construction, in money, to each lot and tract of land, road and railroad, according to the benefits which will result to each from the said improvement; and in apportioning the costs of such improvement the benefits to any lots or lands, by siting the same in whole or in part, have been by me considered with other benefits; and a specification of the manner in which the improvement shall be made and completed; the number of flood gates, water ways, farm crossings and bridges, including kinds and dimensions thereof; and such other matters as the undersigned deems important. The said survey, level reports and schedules are herewith attached and made a part thereof.

The following is an itemized cost bill, made by me, in the proper discharge of my duty under this order,

J. H. Asher, Engineer,	10 days.	at \$4.00 per day,	\$40.00
Ralph Asher, Rodman,	3 "	" \$1.25 "	\$ 3.75
Boss Ballenger, Chairman,	2 "	" \$1.25 "	\$ 2.50
Lute McCloud "	2 "	" \$1.25 "	\$ 2.50
Geo. Russell, Asman,	2 "	" \$1.25 "	\$ 2.50
Gas. Keller "	2 "	" \$1.25 "	\$ 2.50
Do stakes			\$ 2.89
A. B. Dignit, Team,			\$ 7.50
J. H. Asher, Engineer,			\$ 64.14

Report of Engineer

Madison County Ditch Improvement Record. Schedule 'a'  
The Russell Ditch Improvements.

Stake every 100 feet numbered down stream	Surface Elevation	Grade Elevation	Total fall from Station 0	Centre Depth	Course & Distance	
					Main Ditch	
B.M.	100.00	95.50				Burr Oak Right
0	99.01	95.00	.16	4.00	0 to 5+55	
1	98.71	94.84	.32	3.87	St. 65 1/2 E. - 555'	
2	99.01	94.68	.48	4.33		
3	98.56	94.36	.64	4.04		
4	98.35	94.20	.80	3.99		
5	98.53	94.12	.88	4.33	5+55 to 10	
5+55	98.30	94.04	.96	4.18	St. 66 1/2 E. 400'	
6	98.00	93.96	1.04	3.96		
7	98.00	93.80	1.20	4.04		
8	98.47	93.64	1.36	4.67		
9	98.59	93.48	1.52	4.95		
10	96.89	93.32	1.68	3.41	10 to 13+15	
11	97.10	93.16	1.84	3.78	St. 89 E. - 315'	
12	97.20	93.00	1.84	4.04		
B.M.	97.85	93.00				Hickory - Right
13	96.76	92.97	2.00	3.76	13+15 to 16	
+15	96.53	92.84	2.03	3.56	St. 77 1/2 E. 285'	
14	96.51	92.68	2.16	3.67		
15	95.89	92.52	2.32	3.21		
16	95.82	92.36	2.48	3.30	16 to 19+15	
17	95.77	92.20	2.64	3.41	St. 67 E. 315'	
18	95.41	92.04	2.80	3.21		
19	95.32	92.02	2.96	3.28	19+15 to 23+10	
+15	95.53	91.88	2.98	3.51	St. 88 E. 395'	
20	96.18	91.88	3.12	4.20		
B.M.	96.86					Maple - Left
21	96.17	91.72	3.28	4.45		
22	95.41	91.42	3.58	3.99		
23	94.82	91.12	3.88	3.70	23+10 to 29+54	
24	94.37	90.82	4.18	3.55	St. 75 1/2 E. 649'	
25	93.99	90.52	4.48	3.47		
26	93.82	90.22	4.78	3.60		
27	93.58	89.92	5.08	3.66		
28	92.82	89.62	5.38	3.20		
29	92.93	89.32	5.68	3.61	29+54 to 31+24	
+54	93.03	89.17	5.83	3.86	St. 80 1/2 E. 170'	
B.M.	93.33					Left
30	92.93	89.02	5.98	3.91		
31	92.64	88.72	6.28	3.92	31+24 to 32+48	
+24	92.70	88.65	6.35	4.05	St. 63 1/2 E. 124'	

Stake every 100 feet numbered down stream	Surface Elevation	Grade Elevation	Total fall from Station 0	Entire Ditch	Course & Distance	
32	92.57	88.42	6.58	4.15		
+48	92.38	88.27	6.73	4.11	32+48 to 34+80	
33	92.11	88.12	6.88	4.99	N. 70 1/2 E. 232'	
34	92.19	87.82	7.18	4.37		
B.M.	91.46					Small Elm - Right
+80	91.90	87.58	7.42	4.32	34+80 to 36+57	
35	91.85	87.52	7.48	4.33	N. 38 E. 177'	
36	91.42	87.22	7.78	4.20		
+57	91.16	87.05	7.95	4.11	36+57 to 39	
37	90.36	86.92	8.08	3.44	N. 72 E. 240'	
38	89.40	86.62	8.38	2.78		
39	90.50	86.32	8.68	3.18	39 to 41+50	
40	90.30	86.02	8.98	4.28	S. 87 E. 250'	
41	90.24	85.72	9.28	4.52	41+50 to 43+52	
+50	90.13	85.57	9.43	4.56	S. 67 E. 202'	
42	89.06	85.42	9.58	3.64		
43	89.36	85.12	9.88	4.24	43+52 to 45	
+52	89.15	84.97	10.03	4.28	S. 43 1/2 E. 148'	Top of Elm Stump - R.
44	89.31	84.82	10.18	4.49		
B.M.	91.61					
45	91.57	84.52	10.48	7.05	45 to 46+78	
46	89.29	84.22	10.78	5.07	S. 49 E. 178'	
+78	88.30	84.00	11.00	4.30	46+78 to 50	
47	87.69	83.92	11.08	3.77	S. 79 1/2 E. 322'	
48	87.95	83.62	11.38	4.33		
49	87.45	83.32	11.68	4.13		
50	85.65	83.02	11.98	2.63	50 to 57	
B.M.	89.10				N. 89 E. 700'	Tree - Right
51	86.45	82.72	12.28	3.73		
52	85.73	82.42	12.58	3.31		
53	85.26	82.12	12.88	3.14		
54	85.28	81.42 <sup>70</sup>	13.58	3.86		
55	85.26	80.72	14.28	4.54		
56	84.79	80.02	14.98	4.77		
57	83.08	79.32	15.68	3.76	57 to 60+73	
58	82.99	78.62	16.38	4.37	S. 88 3/4 E. 373'	
59	82.87	77.92	17.08	4.95		
60	81.46	77.22	17.78	4.24		
+73	79.53	76.72	18.28	2.81		

Report of Engineer

Madison County Ditch Improvement Record. Schedule "A".

The Russell Ditch Improvement

Back-sight feet depth at station	Surface Elevation	Grade Elevation	Total fall from station 0	Entire depth	Course & Distance
Lateral No. 1 at Sta. 20.					
0	96.82	92.57		4.25	0 to 2, S. 34° E = 200'
1	95.30	92.32	.25	2.98	
2	96.18	92.07	.50	4.11	
Lateral No. 2 at Sta. 34.					
0	95.36	91.86		3.50	0 to 974, N. 10° E. 974'
1	95.26	91.56	.30	3.70	
2	94.86	91.26	.60	3.60	
3	93.61	90.96	.90	2.65	
4	93.81	90.66	1.20	3.15	
5	93.40	90.36	1.50	3.04	
6	92.49	90.06	1.80	2.33	
7	92.07	89.53	2.33	3.54	
8	92.10	89.00	2.86	3.10	
9	91.76	88.47	3.39	3.29	
+74	92.06	88.06	3.80	4.00	
B.M.	91.46				See Elev off. 34 m. Ditch
Lateral No. 3 at Sta. 36+57.					
0	94.61	91.11		3.50	0 to 8+72, S. 47 1/2° E = 872'
1	94.51	90.86	.25	3.65	
2	93.71	90.61	.50	3.10	
3	93.49	90.36	.75	3.13	
4	93.76	90.11	1.00	3.65	
5	94.20	89.86	1.25	4.34	
6	93.94	89.61	1.50	4.33	
7	93.42	89.36	1.75	4.06	
8	93.01	89.11	2.00	3.90	8+72 to 10+90 S. 79 1/2° E = 218'
+72	92.61	88.76	2.35	3.85	
9	92.44	88.61	2.50	3.83	
10	91.83	88.11	3.00	3.73	
+90	91.14	87.66	3.45	3.48	
B.M.	91.46				See Elev off. 34 main Ditch

Stake every 100 feet numbered down stream	Surface Elevation	Grade Elevation	Total fall from Station 0	Entire Depth	Course & Distance	
D.M. 100.00					Lateral No. 4 at Sta. 50+22.	Burr oak on line of Kinin + Ballengers 20 ft. fence
0	98.75	96.25	2.50	2.50	0 to 7+37 Jr. 2 1/2" G = 737'	
1	98.70	96.07	.18	2.63		
2	99.23	95.89	.36	3.36		
3	99.85	95.71	.54	4.14		
4	100.15	95.53	.72	4.62		
5	99.85	95.35	.90	4.50		
6	98.82	95.17	1.08	3.65		
7	99.76	94.99	1.26	3.77	7+37 to 10 Jr. 7 1/2" G = 263'	
+37	98.07	94.92	1.33	3.15		
8	98.35	94.81	1.44	3.50		
9	97.75	94.63	1.62	3.12		
10	98.33	94.45	1.80	3.88	10 to 12 + 47 Jr. 7 1/2" G = 247'	
B.M.	98.31					2 nails in 1st. pole R.
11	97.00	94.27	1.98	2.73		
12	96.40	94.09	2.16	2.31		
+47	96.45	94.00	2.25	2.45		

Statement of Working Sections of the Buswell Ditch

No. of Working Section	No. of Stakes		No. of Lined Feet	No. of Rods	Cubic Yards	Amount		Remarks
	Down	Up				D.	C.	
I	60+73	36	2473	150	.75	112	50	
	150	Rods	12"	Tile	1.60	240	00	
II.	36	11	2500	151.5	.80	121	20	
	103	Rods	12"	Tile	1.60	164	80	
	48.5	"	10"	"	1.25	60	63	
III	11	0	1055	63.9	.70	44	73	
	63.9	Rods	10"	Tile	1.25	79	88	
IV	0	2	200'	12	.80	9	60	
	12	rods	8"	Tile	.75	9	00	
V	0	9+74	974	59	.50	29	50	
	59	Rods	4" tile		.25	14	75	
VI	0	10+90	1090	66	.60	39	60	
	66	Rods	6"	Tile	.50	33	00	
VII	0	12+47	1247	75.6	.50	37	80	
	75.6	Rods	4"	Tile	.25	18	90	

Owners Name as found on Duplicate	No. of Entry	Main Ditch. Description	Acres Owned	Acres Drained	Estimated Cost of Contribution	Estimated Cost of Location	Total Cost	Apportioned
Martha Francis	3508		44.2	25.	25 00	1 50	26 50	
Solomon Kilbury	7057		7.60	4.60	13 28	80	14 08	
Delilah Nichols	7057		7.60	7.60	18 00	1 10	19 10	
Helina Dodson	7057		11.17	11.17	60 00	3 70	63 70	
Martha Frazell	7057		7.45	7.45	6 00	38	6 38	
Oland Kilbury	7057		3.72	3.72	3 00	20	3 20	
Maud Kilbury	7057		3.72	3.72				
Rose Ann & Vera Kilbury	7057		7.45	7.45	6 00	38	6 38	
Clare, Ora & Ida Kilbury	7057		7.60	5.60	5 00	31	5 31	
Thomas Kilbury	7057		204.90	180.	554 00	34 60	588 60	
Alice Huber	7057		42.	25.	20.	1 25	26 45	
M. Mignone	8437		76.94	18	90 00	5 60	95 60	
Elizabeth Keller } Chas. H. Wiltsie S.S. }	7057		11.17	11.17	17 00	1 06	18 06	
Madison County					646	41	6 87	

Owner's Name as found on Duplicate	Laterals. Description	Estimated Cost of construction	Estimated Cost of Location	Total Cost	Apportioned
Alice Huber	Lateral No. 1	18 61	1 17	19 78	
Maud and Roland Kilbury	Lateral No. 2.	12 75	80	13 55	
Rose Kilbury		12 52	97	13 49	
Chas. H. Wiltsie "S.S."		18 97	1 21	20 18	
Martha Francis	Lateral No. 3.	55 00	3 44	58 44	
Alice Huber		17 60	1 10	18 70	
Delilah Nichols	Lateral No. 4.	7 00	44	7 44	
Martha Frazell		17 40	1 10	18 50	
Maud and Roland Kilbury		12 30	83	13 13	
Rose Kilbury		17 00	1 09	18 09	
Madison County		3 00	20	3 20	
" "	Lateral now in to Buswell Orchard.	8 00	50	8 50	

The within report approved this 8<sup>th</sup> day of August, 1901.

Chas. S. Markley,  
H. E. Bradley,  
Jas. B. Anderson } Commissioners  
of  
Madison County

Auditor's Office, Madison County, Ohio,  
August 8<sup>th</sup> A. D. 1901.

In the matter of the  
Ditch Imp. Petitioned  
for by Eva Buswell et al.

Specifications of the Manner of Construction.

The main ditch in this improvement is to be tiled from Station 0 to Station 19 with 10 inch tile, and from station 19 to station 60+73, the terminus, with 12 inch tile. The 10 inch tile now in from station 50 to 60+73 are to be taken up and relaid in the part of this ditch where 10 inch tile are specified.

For all of said 10 inch tile which are suitable to be used. Michael Miroque, on whose lands they now are, shall be allowed the same price per rod, delivered where they are to be used as that paid for other 10 inch tile on this improvement.

Said payment to be made from funds to the credit of this ditch.

Lateral No. 1 is to be tiled from 0 to 2 with 8 inch tile,

Lateral No. 2 from station 0 to station 9+74 with 4 inch tile.

Lateral No. 3 from station 0 to 10+90 with 6 inch tile.

Lateral No. 4 from station 0 to station 12+47 with 4 inch tile.

The trenches of main ditch and all laterals to be cut down to grade as specified in this report and on the profile filed herewith.

All tile to be evenly laid and well jointed up.

Tile to be left uncovered until after inspection by the engineer, after which the dirt removed in excavating as far as practicable is to be filled into the trenches.

The estimated cost of construction includes the putting in of Y's and making connections of any tile which are now in that will have its outlet through this ditch.

All trees and brush to a safe distance on each side of ditch must be removed by the contractor, except where the land is to be cleared in the near future.

All tile must be well burned, cylindrical drain tile or well selected second class sewer pipe and all Y's are included in the estimate for tile.

The tile must be delivered near the bank of the ditch each size and kind in its proper place.

Any expense incurred by having to remove any misplaced tile will be deducted from the tile contract.

J. H. Asher,  
Engineer.

Madison County Ditch Improvement Record.

The Buswell Ditch Improvement.

Auditor's Office, Madison County, Ohio,  
August 8<sup>th</sup> A. D. 1901.

In the matter of the  
Ditch Imp. Petitioned for  
by Eva Buswell et al

} Finding of the Commissioners on Report of Engineer

This day the Board of Commissioners being in special session, present Chas. B. Markley, H. E. Bradley, Jas. B. Anderson and this being the day adjourned to by said Board for the hearing of the report and apportionment of the Engineer of the above styled matter, the Board, after proper examination, do find that due notice has been given, for the length of time required by law, to all lot and land owners and to the authorities of all municipal and private corporations affected by said improvement, notifying them of the pendency, substance, and prayer of the petition for said improvement.

Said Board also find that no persons have made application in writing for compensation and damages, and that no person has made application in writing for a change in the line of said ditch through his premises. After having examined the report of the Engineer, with the apportionment by him made, do find that said report and apportionments are in all respects fair and just, according to the benefits to be derived from the proposed improvement by the owner of each lot and tract of land, and by municipal and private corporations and rail road companies. It is therefore ordered that said report and apportionment be and the same are hereby approved and confirmed.

B. A. Taylor,  
Auditor.

Chas. B. Markley,  
President Board of Commissioners.

Auditor's Office, Madison County, Ohio,  
August 8<sup>th</sup> A. D. 1901.

In the matter of the  
Ditch Imp. Petitioned  
for by Eva Buswell et al.

} Order to Sell the Labor of Construction

This day, this matter came before the Board of Commissioners in special session, present: Chas. B. Markley, H. E. Bradley and Jas. B. Anderson; and it appearing to the Board that no appeal has been taken, It is now and therefore ordered that the 22<sup>nd</sup> day of August, A. D. 1901, at 10 o'clock, A. M. of said day, be fixed as the time for commencing the sale of the work of constructing said improvement, and that the same be sold at public outcry. The place of said sale is fixed on the line of the ditch and said sale to commence with the working section, constituting the mouth of said improve-

Madison County Ditch Improvement Record.

The Russell Ditch Improvement

ment, at the hour above named, and from that point to continue to the starting point: each section shall be offered at public outcry until all the sections are offered; said work shall be sold in sections of not less than one hundred feet nor more than twenty five hundred feet. And it also ordered that the Auditor of said County give notice of said sale by circulating hand bills.

And it is also ordered and directed that the County Surveyor J. H. Asher attend at the time and place of said sale and conduct the same and receive all bids for the construction of said work; and that he make contracts with the lowest responsible bidder and take good and sufficient bonds for the labor of said improvement, conditioned for the faithful performance of said contract so to be made and for the completion of the work within the time fixed by the contract; and for all damage which may occur by reason of failure to complete the same within the time stipulated in said contract, in a sum not less than double the estimated value of the work and labor of constructing the portion bid off by said contracting party.

B. A. Taylor,

County Auditor,

Chas. H. Markley,

Pres. Board of Commissioners.

Commissioner's Office, Madison County,

London, Ohio, August 8<sup>th</sup> 1901.

Commissioner's Journal Vol. 7 Page 329

Board met today in special session.

Present: Chas. H. Markley, H. E. Bradley and Jas. B. Anderson.

In the matter of the }  
Russell Ditch } Hearing on Engineer's Report.  
Improvement. }

This being the day adjourned to by said Board for the hearing of the report and apportionment of the Engineer of the above styled matter, the Board, after proper examination, do find that due notice has been given, for the length of time required by law, to all lot and land owners and to the authorities of all municipal and private corporations affected by said improvement, notifying them of the pendency, substance and prayer of the petition for said improvement.

Said Board also find that no person has made application in writing for compensation and damages; and that no person has made application in writing for a change in the line of the ditch through his premises. After having examined the report of the Engineer, with the apportionment by him made, do find that said report and apportionment are in all respects fair and just, according to the benefits to be derived from the proposed improvement by the owner of each lot and

Madison County Ditch Improvement Record.  
The Russell Ditch Improvement

tract of land and by municipal and private corporations and rail road companies.

It is therefore ordered that said report and apportionment be and the same are hereby approved and confirmed. It is now and therefore ordered that the 22<sup>nd</sup> day of August, A. D. 1901, at 10 o'clock A. M. of said day, be fixed as the time for commencing the sale of the work of constructing said improvement, and that the same be sold at public outcry.

The place of said sale is fixed on the line of the ditch, and said sale to commence with the working section, constituting the mouth of the ditch, at the hour above named, and from that point to continue to the starting point; each section shall be offered at public outcry until all the sections are offered; and said work shall be sold in sections of not less than one hundred feet nor more than twenty five hundred feet in length; and it is also ordered that the Auditor of said County give notice of said sale by circulating hand bills.

And it is also ordered and directed that the County Surveyor, J. H. Asher, attend at the time and place of said sale and conduct the same and receive bids for the construction of said work; and that he make contracts with the lowest responsible bidders and take good and sufficient bonds for the labor of said improvement, conditioned for the faithful performance of said contract so to be made and for the completion of the work within the time fixed by the contract, and for all damage which may occur by reason of a failure to complete the same within the time stipulated in said contract in a sum not less than double the estimated value of the work and labor of constructing that portion bid off by said contracting party.

The roll being called for the approval of the foregoing entries, and orders relating to said ditch improvement, all members voted "Aye".

B. A. Taylor,  
Auditor and Clerk.

Chas. H. Markley } Commissioners  
H. E. Bradley }  
Jas. B. Anderson. } of  
Madison County

# Madison County Ditch Improvement Record.

## The Basswell Ditch Improvement.

### Ditch Sale

#### Notice to Contractors.

Notice is hereby given that the undersigned Engineer will sell at public outcry on Thursday, August 22<sup>nd</sup> 1901, at 10 o'clock, A.M. (Standard time) of said day, to the lowest responsible bidder therefor, the work of furnishing the tile and constructing the

Basswell Ditch Improvement,

located in Davaan Township, Madison County, Ohio. Said work will be sold in sections as follows, and then offered as a whole.

#### Main Ditch.

Section I. From Station 60.73 to Station 36.

150 rods 12-inch tile, at \$1.60 per rod.	\$240.00
150 rods excavation, at .75 per rod.	<u>112.50</u>
	\$352.50

Section II. From Station 36 to Station 11.

103 rods 12-inch tile, at \$1.60 per rod,	\$164.80
48.5 rods 10-inch tile, at \$1.25 per rod.	60.63
151.5 rods excavation, at .80 per rod	<u>121.20</u>
	\$346.63

Section III. From Station 11 to Station 0

63.9 rods 10-inch tile at \$1.25 per rod,	\$79.88
63.9 rods excavation at .70 per rod	<u>44.73</u>
	\$124.61

Section IV. Lateral No. 1.

12 rods 8-inch tile, at \$.75 per rod,	\$9.00
12 rods excavation, at .80 per rod,	<u>9.60</u>
	\$18.60

Section V. Lateral No. 2.

59 rods 4-inch tile, at \$.25 per rod,	\$14.75
59 rods excavation, at .50 per rod	<u>29.50</u>
	\$44.25

Section VI. Lateral No. 3.

66 rods 6-inch tile, at \$.50 per rod,	\$33.00
66 rods excavation, at .60 per rod.	<u>39.60</u>
	\$72.60

Section VII. Lateral No. 4.

75.6 rods 4-inch tile at \$.25 per rod,	\$18.90
75.6 rods excavation, at .50 per rod.	<u>37.80</u>
	\$56.70

Bidders desiring to view the line of ditch should do so prior to the time of sale.

Bidders will meet at the place where the main ditch crosses the Middle Pike, near the residence of James Keller, about four miles south of Plain City.

A cash (no checks taken) deposit of \$20.00 will be required as guarantee of good faith before any bid will be entertained.

## Madison County Ditch Improvement Record.

The Buswell Ditch Improvement.

Bond and contract must be given within five days from date of sale.

The right to reject any or all bids is reserved.

Specifications are on file in the Auditor's Office at London, and will be with the Engineer on day of sale.

By Order of Commissioners of Madison County, Ohio.  
B. A. Taylor, Auditor. J. H. Asher, Engineer.

Auditor's Office, Madison County, Ohio,  
August 26<sup>th</sup> A. D. 1901.

In the matter of the }  
Ditch Imp. Petitioned for } Report of Sale of Labor of Construction.  
by Eva Buswell et al. }

To the Honorable Commissioners of Madison County, Ohio  
Gentlemen:

In obedience to your direction and also in pursuance of the notice, duly given by the Auditor, of the sale of the work of constructing the above styled improvement, at the time and place herein specified, I offered the said several working sections for sale to the lowest responsible bidder at public outcry, and sold the same to the persons hereinafter named, at the prices herein stated, and took their contracts and bonds respectively, conditioned according to law, and return the same herewith for your approval.

Working Sections, Nos. 1, 2, 3, 4, 5, 6 + 7 sold to Michael Straff for the sum of Two Hundred <sup>24</sup>/<sub>100</sub> Forty Four <sup>5</sup>/<sub>100</sub> Dollars. (\$244.<sup>50</sup>/<sub>100</sub>)  
Amount for which it was estimated, Three Hundred and Ninety Four and <sup>94</sup>/<sub>100</sub> Dollars. (\$394.<sup>94</sup>/<sub>100</sub>).

To be completed on or before January 1<sup>st</sup> 1902.  
Bids to Geo. W. Millholland for the sum of Five Hundred and Thirty Nine <sup>24</sup>/<sub>100</sub> Dollars. (\$539.<sup>24</sup>/<sub>100</sub>)  
Amount for which it was estimated, Five Hundred and Forty and <sup>2</sup>/<sub>100</sub> Dollars. (\$540.<sup>2</sup>/<sub>100</sub>)

J. H. Asher, Engineer.

Auditor's Office, Madison County,  
London, Ohio, August 22<sup>nd</sup> A. D. 1901.

In the matter of the }  
Ditch Imp. Petitioned } Contract for Labor of Construction.  
for by Eva Buswell et al. }

Whereas, the above styled improvement has been duly ordered and advertised for sale according to law, and the construction of Working Sections Nos. 1, 2, 3, 4, 5, 6 + 7 allotted to owners of the following described land, viz: (see Report of Engineer) and sold by the duly appointed Engineer on the 22<sup>nd</sup> day of August, A. D. 1901, to the undersigned for Two Hundred and Forty Four, and



## Madison County Ditch Improvement Record.

The Buswell Ditch Improvement.

Auditor's Office, Madison County,  
London, Ohio, August 22<sup>nd</sup> A.D. 1901.In the matter of the  
Ditch Imp. Petitioned  
for by Eva Buswell et al.

Contract for Furnishing Tile.

Whereas, the above styled improvement has been duly ordered and advertised for sale according to law, and the furnishing of tile on the ground for all of main Ditch Station 10+68 to Station 60+73, and its Laterals No. 1 to No. 4 inclusive, allotted to land owners benefited there by and sold by the duly appointed Engineer on the 22<sup>nd</sup> day of August, A.D. 1901 to the undersigned in the following lots and sizes: 253 rods 12 inch, 47.65 rods 10 inch, 12 rods 8 inch, 66 rods 6 inch and 134.60 rods 4 inch amounting to Five Hundred and Thirty Nine <sup>and</sup>  $\frac{2}{100}$  Dollars (\$539.<sup>42</sup>) pursuant to said order and notice.

Now, in consideration of the premises, it is agreed by me, to and with whomsoever may be interested therein, that I will deliver said tile in dimensions and quantities as per specifications for said improvement, in parcels of 100 feet of tile upon each 100 feet of ditch and within 10 feet of the center line of the same where used.

All of the above tile to be delivered on or before the First day of December, A.D. 1901.

Provided this contract shall be of no force until approved by the Commissioners of said Madison County, Ohio, and it is further expressly agreed that 75 per cent of said cost of tile shall be paid when delivered and the remaining 25 per cent when all the tile are laid in ditch.

J. H. Asher, Engineer. J. W. Millholland, Contractor.

Auditor's Office, Madison County,  
London, Ohio, August 22<sup>nd</sup> A.D. 1901.In the matter of the  
Ditch Imp. Petitioned  
for by Eva Buswell et al.

Contractor's Bond.

Know all men by these presents, that J. W. Millholland, as principal and J. F. Feather and Monroe Bidwell as sureties, are firmly held and bound unto the State of Ohio in the penal sum of Ten Hundred and Eighty Dollars, good and lawful money.

Signed and dated this 22<sup>nd</sup> day of August, A.D. 1901.

The condition of the above obligation is such, however, that whereas, the above bounden principal contractor has bid off the labor of furnishing the tile in quantities and kinds, and to be delivered as per above contract, and has duly entered into the

Madison County Ditch Improvement Record.  
The Buswell Ditch Improvement.

annexed contract, subject to the condition that the same shall be approved by the Commissioners and Engineer of said Madison County, and has agreed to fully do and perform all of said labor of furnishing said tile in accordance with the specifications of said improvement, as shown on the record of said proceedings on or before the first day of December, A.D. 1901. Now if the said J. W. Millholland shall well and truly perform all the obligations of his said contract and complete the same within the time fixed therein and pay all damage which may occur by reason of a failure to complete the same within the time agreed upon in said contract, then this obligation shall be void, otherwise to be in full force and effect in law.

J. W. Millholland  
J. B. Feather  
Monroe Bidwell

This Contract and Bond, and Sureties on said Bond approved this 2<sup>nd</sup> day of September, A. D. 1901.

J. H. Asher,  
Engineer

Chas. B. Markley } Commissioners  
H. E. Bradley } of  
Jas. B. Anderson } Madison County

Auditor's Office, Madison County, Ohio,  
September 2<sup>nd</sup> 1901.

In the matter of the  
Ditch Imp. Petitioned  
for by Eva Buswell et al.

} Approval of Contracts and Bonds.

J. H. Asher, The County Surveyor, having made his report of the sale of the work of constructing said improvement, and having within the time required by law filed the contracts entered into with Michael Straff (Cutting) and J. W. Millholland (Tile) for doing said work, and the bonds of said contractors, which contracts and bonds have all been examined and approved by this Board, and they are ordered to be filed according to law.

The Auditor is hereby ordered to notify each of said contractors of the approval of his contract and bond, and that he is required to comply therewith.

B. A. Taylor, Auditor. Chas. B. Markley, Pres. Board of Comrs.

Commissioner's Office, Madison County,  
London, Ohio, Sept. 2<sup>nd</sup> 1901

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Commissioners met today in regular quarterly session  
Present: Chas. B. Markley, H. E. Bradley and Jas. B. Anderson.

In the matter of the  
Ditch Imp. Petitioned for  
by Eva Buswell et al.

} Journal Entry approving Contracts and Bonds.

Madison County Ditch Improvement Record.

The Buswell Ditch Improvement.

J. St. Asher, the County Surveyor having made his report of the sale of the work of constructing said improvement and having within the time required by law, filed the contracts entered into with Michael Straff, (Cutting) and J. W. Millholland (Tile) for doing said work, and the bonds of said contractors, which contracts and bonds have all been examined and approved by this Board, and they are ordered to be filed according to law. The Auditor is hereby ordered to notify each of said contractors of the approval of his contract and bond and that he is required to comply therewith. The roll being called for the approval of the above entry, all members voted "Aye."

	H. E. Bradley,	} Commissioners of Madison County
B. A. Taylor,	Chas. S. Markley	
Auditor & Clerk.	Jas. B. Anderson.	

Notice of Approval of Contract and Bond.  
for constructing ditch.

Auditor's Office, Madison County, Ohio:

September 2<sup>nd</sup> 1901.

To Michael Straff, Contractor:

You are hereby notified that the Contract and Bond made and taken between you and the Engineer for constructing working sections nos. 1, 2, 3, 4, 5, 6 & 7 of the Ditch Improvement petitioned for by Eva Buswell et al, now on file with the Auditor of said County, has been duly approved by the Commissioners.

B. A. Taylor, County Auditor.

Notice of Approval of Contract and Bond  
for furnishing tile.

Auditor's Office, Madison County, Ohio.

September 2<sup>nd</sup> 1901.

To J. W. Millholland, Contractor:

You are hereby notified that the Contract and Bond made and taken between you and the Engineer for furnishing tile for the ditch improvement petitioned for by Eva Buswell et al, now on file with the Auditor of said County has been duly approved by the Commissioners.

B. A. Taylor, County Auditor.

Auditor's Office, Madison County,

September 27<sup>th</sup> 1901.

In the matter of the }  
Ditch Imp. Petitioned } Assessment.  
for by Eva Buswell et al. }

## Madison County Ditch Improvement Record.

The Buswell Ditch Improvement.

The several working sections of said improvement having been let according to law, and the costs and expenses of the location and construction, and all compensation and damages having been ascertained, this Board therefore determine and require that said costs and expenses of location and construction (and all compensation and damages) shall be paid in 5 annual assessments, as follows:

And it is hereby ordered that said assessments be placed on the duplicate, accordingly, against all lots or lands, or corporate roads, or rail roads assessed, payable as follows:

for the year 1901, 25% of the gross assessment.

The County Auditor is hereby directed to make and furnish to the Treasurer of the County, a special duplicate with the assessments arranged thereon, as hereinbefore required.

B. A. Taylor,

Auditor.

Chas. B. Markley,

President of Board of Commissioners

Commissioner's Office, Madison County,  
London, Ohio, September 27<sup>th</sup> 1901.

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Board met today in regular session.

Present: H. E. Bradley, Jas. B. Anderson and Chas. B. Markley.

In the matter of the } Assessments for 1901.  
Assessments for the year }  
1901 on Buswell Ditch Imp. }

The Buswell Ditch Improvement having been provided for according to law, and the Board of County Commissioners having determined to sell Bonds of the County to raise money necessary for the expense of said improvement, it is hereby ordered that assessments shall be made upon the lots and lands benefited payable in five annual installments.

That assessments for the year 1901, sufficient to pay the costs of location and the bonds and interest due, the first and all claims for compensation and damages allowed be made in proportion to the estimates made on the said improvement.

It is further ordered that the County Auditor be directed to make and furnish to the County Treasurer a duplicate for the year 1901, charging each of the lots and lands assessed for said improvement 25 per centum of the gross assessment.

And that assessments shall be made annually hereafter, sufficient to pay the bonds and interest due each year until paid.

Upon motion for the approval of the foregoing

Madison County Ditch Improvement Record.

*The Buswell Ditch Improvement.*

matter, Messrs. Bradley, Anderson and Markley voted "Aye". Motion carried.

B. G. Taylor,  
Auditor and Clerk.

H. E. Bradley,  
Jas. B. Anderson  
Chas. B. Markley.

Commissioners  
of  
Madison County

Commissioners' Office, Madison County,  
London, Ohio, May 12, 1902.

Commissioners  
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In the matter of the  
Issue and Sale of Bonds  
for the Buswell Ditch Imp.

Order of Issue and Sale of Bonds.

This day the Commissioners had under consideration the matter of issuing and selling bonds to meet the expense of "The Buswell Ditch Improvement". It was moved by Chas. B. Markley and seconded by Jas. B. Anderson, that for the purpose of raising money necessary to pay for said improvement, and in pursuance of the authority granted by Sections 4479, 4481 + 4482, of the Revised Statutes of Ohio, and the laws amendatory thereof and supplementary thereto, that Bonds of the County be issued for said improvement as follows: viz:

*The Buswell Ditch Improvement.*

- One Bond for \$90, due January 1<sup>st</sup> 1903
- One Bond for \$90, due July 1<sup>st</sup> 1903
- One Bond for \$90, due January 1<sup>st</sup> 1904
- One Bond for \$90, due July 1<sup>st</sup> 1904
- One Bond for \$90, due January 1<sup>st</sup> 1905
- One Bond for \$90, due July 1<sup>st</sup> 1905
- One Bond for \$90, due January 1<sup>st</sup> 1906
- One Bond for \$90, due July 1<sup>st</sup> 1906
- One Bond for \$90, due January 1<sup>st</sup> 1907
- One Bond for \$90, due July 1<sup>st</sup> 1907

Total amount of said Bonds - Nine Hundred Dollars (\$900.00)

Total amount of Interest,

Said Bonds to bear date of July 1<sup>st</sup> 1902, and bear interest at the rate of four (4) per cent per annum, represented by coupons payable as follows:

First installment due January 1<sup>st</sup> 1903, and payable semi-annually thereafter and due January 1<sup>st</sup> and July 1<sup>st</sup> of each year.

Said Bonds are to be issued in pursuance of the authority granted by Sections 4479, 4481 + 4482 of the Revised Statutes of Ohio, and the laws amendatory thereof and supplementary thereto.

Bids to be received for the entire issue or any part thereof and no bids to be sold for less than their face value.

Madison County Ditch Improvement Record.  
The Russell Ditch Improvement.

Bidders to be required to state the gross amount they will pay for said bonds or any portion or part thereof.

Bonds and interest payable at the County Treasurer's Office, at London, Ohio, and said bonds will be delivered to the successful bidder or bidders, at said Treasurer's Office, upon the payment of purchase price together with any accrued interest.

Each bidder will be required to deposit an amount at least equaling five percent of the bid to bind the purchase; the deposited amount of the unsuccessful bidder will be returned to the owner.

The Commissioners reserve the right to reject any or all bids.

The County Auditor is directed to cause legal notice of such proposed bond sale to be published in "The London Times" a newspaper in general circulation in Madison County, Ohio.

Upon the approval of the foregoing entry as to said bond sale, the roll being called, H. E. Bradley, Jas. B. Anderson and Chas. H. Markley voted "Aye. Carried"

B. A. Taylor,  
Auditor and Clerk.

H. E. Bradley,  
Jas. B. Anderson,  
Chas. H. Markley.

Commissioners  
of  
Madison County

Legal notice of the above bond sale was published in "The London Times" a weekly newspaper printed and in general circulation in Madison County, Ohio.

Proof of Notice by Publication

The State of Ohio, Madison County, S. S:  
W. D. Bacome, being duly sworn says he is the manager of "The London Times" a weekly newspaper printed and of general circulation in said County, and that a notice, of which the annexed is a copy, was published in said newspaper for at least 5 consecutive weeks prior to the 21<sup>st</sup> day of June, 1902.

W. D. Bacome.

Sworn to and subscribed before me this 21<sup>st</sup> day of June, 1902.

Printers Fee. \$45.<sup>75</sup> B. A. Taylor, Auditor.

Notice of Bond Sale.

Notice is hereby given that the Board of County Commissioners of Madison County, Ohio, will receive sealed bids filed with the Auditor of said County, in London, Ohio up to twelve o'clock, noon, standard time, on Saturday June 21<sup>st</sup> 1902, for the purchase by the highest bidder, of certain Bonds, amounting in the aggregate to Twelve

Madison County Ditch Improvement Record.  
The Russell Ditch Improvement

Nine Hundred (\$900.00) Dollars.  
 Said Bonds are for raising money for the purposes hereinafter mentioned, and are specifically described as follows:  
 Ten Bonds of Ninety Dollars each; due January 1<sup>st</sup> and July 1<sup>st</sup> of each year.  
 Said Bonds will bear date of July 1<sup>st</sup> 1902, and will bear interest at the rate of four (4) per cent per annum, represented by coupons payable as follows; first installment due January 1<sup>st</sup> 1903, and payable semi annually thereafter and due January 1<sup>st</sup> and July 1<sup>st</sup> of each year.  
 Said Bonds are issued in pursuance of the authority granted by sections 4479, 4481, & 4482, Revised Statute of Ohio, and the laws amendatory thereof and supplementary thereto. Bids will be received for the entire issue or any part thereof and no bond will be sold for less than their face value. Bidders will be required to state the gross amount they will pay for said bonds or any fraction or part thereof. Bonds and Interest payable to the County Treasurer's Office, in London, Ohio, and said Bonds will be delivered to the successful bidder or bidders at said Treasurer's Office, upon the payment of purchase price together with any accrued interest. Each bidder will be required to deposit cash to an amount at least equalling five per cent of the amount of the Bonds bid to bind the purchase; the deposited amount of the unsuccessful bidders will be returned to the owner.

Commissioners reserve the right to reject any or all bids.  
 By Order of County Commissioners, B.A. Taylor, Auditor Madison Co. Ohio.

Commissioner's Office, Madison County,  
 London, Ohio, June 21<sup>st</sup> 1902.  
 Sale of Bonds.

This being the day fixed by the Board for the sale of Ditch Imp. Bonds, which Bonds are specifically described in the order for the sale of the same, date May 12<sup>th</sup> 1902, and described on page 504 this volume of the proceedings of the Commissioners. And the Board being satisfied that said sale of Bonds has been duly and legally advertised, proceeded to conduct the same in accordance with the aforesaid order. Bids were received and recorded as follows: Madison Nat. Bank, London, Ohio, Central Bank, London, Ohio. After due consideration of all the bids it was moved by Chas. H. Markley and seconded by Jas. B. Anderson, that the bid of the Madison Nat. Bank be accepted.  
 Yeas: H. E. Bradley, Jas. B. Anderson, and Chas. H. Markley.  
 B.A. Taylor, Auditor & Clerk. H. E. Bradley, }  
 Jas. B. Anderson, } Commissioners  
 Chas. H. Markley. }  
 of  
 Madison County.

Recorded, October, Aug 30<sup>th</sup> 1902.

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