

Record of proceedings in the matter of The Barry Ditch Improvement, petitioned for by Andrew Barry et al and located in Range Township, Madison County, Ohio.

Ditch Petition - Filed June 18th 1900, B. A. Taylor, County Auditor c. London, Ohio, June 18th 1900. Petition for deepening of a ditch.

To the Honorable Board of Commissioners of Madison County, Ohio: The undersigned owners of lots and land which will be drained or benefited by the improvement herein 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 deepening of a 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:

Being in Darby Township, Madison County, Ohio.

Commencing at the terminus of a tile ditch on the east side of the Dams Road and opposite the culvert on said road between the residence of L. M. Marshall, and Michael Noon and being in the line of Andrew Barry's fence on east side of said road, said ditch to begin at a depth of at least 6 inches below the bottom of said tile; thence in a westerly direction through said culvert to the east line of E. M. Fiebiger's land and continuing with the meanders of the old ditch at a proper grade through the said Fiebiger's land to the P. O. O. & St. L. Railway Company's land or right of way; thence crossing said railway company's land and under said railway company's tracks through a culvert to the line of said railway company's land and the land of N. A. Drayton; thence through the lands of said Drayton far enough to get a sufficient outlet.

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:

- Andrew Barry
- Michael Noon
- E. M. Fiebiger
- L. M. Marshall
- Lizzie L. Barry
- W. Fitz Henry
- D. H. Kirwin
- J. B. Ballenger

- N. A. Drayton
- Richard Dams
- Ellsworth Robey
- Laurence Robey
- The Pittsburg Cincinnati, Chicago, and St. Louis Rail Way Company

- Andrew Barry
- E. M. Fiebiger
- W. Fitz Henry

- M. ^{his} Noon _{mark}
- L. M. Marshall
- Kirwin and Ballenger

- Richard Dams
- Lizzie L. Barry
- N. A. Drayton

} Petitioners.

Petitioners Bond. Filed June 18th 1900. B. A. Taylor, Auditor. c.
 Know all Men by These Presents, That Andrew Wary as prin-
 cipal and E. M. Fiebiger and Howard W. Black 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 ad-
 ministrators.

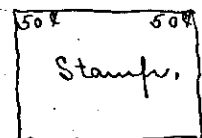
Signed and dated this 18th day of June, A. D. 1900.
 The condition of the above obligation is such, nevertheless,
 that whereas, on the 18th day of June, A. D. 1900, the above bounden
 Andrew Wary et al, made application to the Commissioners
 of Madison County and on said day filed with the Audi-
 tor of said County, and he petitioned for the deepening
 of a ditch in pursuance of the statute in such case made
 and provided, on the following route and termini to wit:
 Being in Darby Township, Madison County, Ohio.

Commencing at the terminus of a tile ditch on the
 east side of the Hans Road and opposite the culvert on
 said road; between the residences of L. M. Marshall and
 Michael Noon and being in the line of Andrew Wary's fence
 on east side of said road; said ditch to begin at a depth
 of at least six inches below the bottom of said tile;
 thence in a westerly direction through said culvert
 to the east line of E. M. Fiebiger's land and continuing with
 the meanders of the old ditch at a proper grade, through
 the said Fiebiger's land to the C. O. & St. L. Railway Company's
 land or right of way; thence crossing said Railway Com-
 pany's land and under said Railway Company's tracks,
 through a culvert to the line of said Railway Company's
 land and the land of N. A. Drayton; thence through
 the lands of said Drayton far enough to get a sufficient
 outlet.

Now if the above bounden Andrew Wary shall pay all costs,
 if the prayer of the petition be not granted, or if for
 any other cause the same shall be dismissed, then this
 obligation shall be void.

The above bond and the
 sureties thereon, are approved
 by me this 18th day of June, 1900.
 B. A. Taylor, County Auditor.

Andrew Wary,
 E. M. Fiebiger
 Howard W. Black.



Notice to Commissioners of Petition filed and time for hearing.
 Office of Auditor of Madison County, Ohio, June 18th 1900.
 To the Honorable Board of Commissioners of said County.
 Gentlemen: You are hereby notified that a petition and
 bond for the deepening of a ditch improvement has been
 filed in this office on the 18th day of June, A. D. 1900, at 10
 o'clock A. M., a copy of which petition is attached below,
 and as required by law, I have fixed the 17th day of June,

A. D. 1900, at 10 o'clock, a. m. at the beginning of said proposed ditch, described in said petition, for your hearing of said matter
B. A. Taylor, County Auditor.

Copy of Ditch Petition. London, Ohio, June 18th A. D. 1900.

Petition for the deepening of a ditch.

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

The undersigned owners of lots and land which will be drained or benefited by the improvement herein 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 deepening of a ditch on the route herein after set forth.

The necessity for and the benefits of the improvement so prayed for is that it will drain and reclaim the lands and 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:

Being in Darby Township said Madison County, Ohio:
Commencing at the terminus of a tile ditch on the east side of the Dams Road and opposite the culvert on said road, between the residences of L. M. Marshall and Michael Noon and being in the line of Andrew Barry's fence on east side of said road; said ditch to begin at a depth of at least six (6) inches below the bottom of said tile; thence in a westerly direction through said culvert to the east line of E. M. Fiebiger's land, and continuing with the meanders of the old ditch at a proper grade through the said Fiebiger's land to the P. C. C. & St. L. Railway Company's land or right of way; thence crossing said Railway Company's land and under said Railway Company's tracks through a culvert to the line of said Railway Company's land and the land of N. A. Crayton; thence through the lands of N. A. Crayton far enough to get a sufficient outlet.

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:

- Andrew Barry, Michael Noon, E. M. Fiebiger, L. M. Marshall,
- Lizzie L. Barry, W. Fitz Henry, D. H. Kirwin, J. L. Ballenger,
- N. A. Crayton, Richard Dams, Ellsworth Robey, Lawrence Robey,
- The Pittsburg, Cincinnati, Chicago and St. Louis Railway Company.

- | | |
|------------------|----------------|
| Lizzie L. Barry, | } Petitioners. |
| Andrew Barry, | |
| E. M. Fiebiger, | |
| W. Fitz Henry, | |
| N. A. Crayton, | |

I hereby certify the foregoing to be a true copy of a Ditch Petition filed in my office on the 18th day of June, 1900.
B. A. Taylor, County Auditor.

Commissioners
Journal Vol. 7
Page 47

Commissioner's Office, Madison County,
London, Ohio, June 18th 1900.

Board of Commissioners met today in Regular Session.
Members present: Jas. B. Anderson, Chas. S. Markley^{2nd} & H. E. Bradley.
In the matter of the }
Ditch Improvement Petition- } Notice of filing of petition^{2nd} time fixed for view-
ed for by Andrew Barry et al. }

The County Auditor having delivered to this board a certified copy of the petition filed with him on the 18th day of June, 1900, signed by Andrew Barry et al, praying for the deepening of a county ditch between the termini and along the route stated below;

Commencing at the terminus of a tile ditch on the east side of the Sans Road and opposite the culvert on said road, between the residences of L. M. Marshall and Michael Kroon and being in the line of Andrew Barry's fence on east side of said road; said ditch to begin at a depth of at least six (6) inches below the bottom of said tile; thence in a westerly direction through said culvert to the east line of said E. M. Fiebiger's land and continuing with the meanders of the old ditch at a proper grade through the said Fiebiger's land to the P. O. & St. L. Railway Company's land or right of way; thence crossing said Railway Company's land and under said Railway Company's tracks through a culvert to the line of said Railway Company's land and the land of N. A. Brayton; thence through the lands of the said N. A. Brayton far enough to get a sufficient outlet. Said ditch being in Darby Township, Madison County Ohio.

And it further appearing that said petitioners have given bond as required by law, which bond has been approved by said Auditor, and said Auditor having fixed the 17th day of July, 1900, 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 the petition, to hear proof offered by any of the parties affected by the 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 entry, relating to said petition and ditch, Jas. B. Anderson, Chas. S. Markley and H. E. Bradley voted "Aye."

B. A. Taylor,
Auditor and Clerk.

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

Auditor's Office, Madison County, Ohio,
June, 18th A. D. 1900.

In the matter of the }
Ditch Improvement Petition- } Notice to Lot or Land Owners,
ed for Andrew Barry et al. } To the Lot or Land Owners and to

the corporations, either public or private, affected by said Improvement; You and each you, are hereby notified that on the 18th day of June, A.D. 1900, Andrew Bary and others, filed a petition with the Auditor of Madison County, the prayer of which is for the location and deepening of a ditch on the following starting point, route and terminus to-wit: Being in Darby Township, Madison County, Ohio: Commencing at the terminus of a tile ditch on the east side of the Janss Road, and opposite the culvert on said road, between the residences of L. M. Marshall and Michael Noon, and being in the line of Andrew Bary's fence on the east side of said road, said ditch to begin at a depth of at least six (6) inches below the bottom of said tile; thence in a westerly direction through said culvert to the east line of E. M. Fiebiger's land and continuing with the meanders of the old ditch at a proper grade, through the said Fiebiger's land at a to the P. O. O. & St. L. Railway Company's land or right of way; thence crossing said Railway Company's land, and under said Railway Company's tracks, through a culvert to the line of said Railway Company's land and the land of N. A. Grayton, thence through the lands of said Grayton far enough to get a sufficient outlet; 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: Tuesday, July 17th 1900, 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 and damages, or for any change 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.

Auditor's Office, Madison County, Ohio,
June 18th A. D. 1900.

In the matter of the }
Ditch Improvement Ac- } Copy of Notice to Lot or Land Owners.
tioned for by Andrew Bary 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

18th day of June, A. D. 1900, Andrew Bary and others filed a petition with the Auditor of Madison County, the prayer of which is for the deepening of a ditch on the following starting point, route and terminus, to wit:

(Being in Darby Township, said Madison County, Ohio.)
Commencing at the terminus of a tile ditch on the east side of the Hans Road and opposite the culvert on said road, between the residences of L. M. Marshall and Michael Novn and being in the line of Andrew Bary's fence on the east side of said road, said ditch to begin at a depth of at least six (6) inches below the bottom of said tile, thence in a westerly direction through said culvert to the east line of E. M. Fiebiger's land and continuing with the meanders of the old ditch at a proper grade, through the said Fiebiger's land to the P. O. O. + St. L. Railway Company's land or right of way, thence crossing said Railway Company's land and under said Railway Company's tracks through a culvert to the line of said Railway Company's land and the land of N. A. Brayton; thence through the lands of N. A. Brayton far enough to get a sufficient outlet.

You are also notified that the following time and place have been fixed when and where the Commissioners will meet for the hearing of said petition, to wit: Tuesday, July 17th 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 improvement and others competent to testify, whether 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.

Proof of Notice.

The State of Ohio, Madison County S.S:

On this 23rd day of June, A. D. 1900, personally appeared before the undersigned authority Andrew Bary, who being first duly sworn, deposes and says that he served the annexed and above notice on the respective parties herein named, by delivering to each a true copy thereof, except such as have waived the service thereof, by placing their signature hereto -

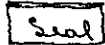
(next page)

Name of Person Served.	How Served.	When Served.
Andrew Wary,	Personally	June 23 rd 1900
Michael Noon,	Personally	June 23 rd 1900
E. M. Fiebiger,	Personally	June 23 rd 1900
L. M. Marshall,	Personally	June 23 rd 1900
Lizzie L. Wary,	Non-Resident	
W. Fitz Henry,	Personally	June 23 rd 1900
D. H. Kinwin,	Personally	June 23 rd 1900
J. L. Ballenger,	Personally	June 23 rd 1900
N. A. Brighton,	Personally	June 23 rd 1900
Richard Dams,	Left at Residence	June 23 rd 1900
Ellsworth Robey,	Non-Resident	
Laurence Robey,	Personally	June 23 rd 1900
The P. O. Co. + St. L. Ry. Co.,	E. H. Malott, agent.	June 23 rd 1900
Elizabeth T. Simpkins,	Personally	June 23 rd 1900

And further this deponent saith not.

Andrew Wary.

Sworn to by Andrew Wary before me and by him subscribed in my presence this 23rd day of June, A. D. 1900.



O. K. West, Notary Public.

Notice By Publication.

Ditch Notice. In the matter of The Ditch Improvement Petition for by Andrew Wary et al.

Auditors Office, Madison County,
London, Ohio, June 21st 1900.

To the Non-Resident Lot or Land Owners:

Notice is hereby given to non-resident lot or land owners affected by the improvement designated herein, that a petition signed by Andrew Wary et al has been filed with the Auditor of said County and is now pending before the Commissioners of said County praying for the deepening of a ditch on the route hereinafter set forth, and will be for hearing at the beginning of said improvement on Tuesday, July 17th 1900, at 10 o'clock A. M.

Said petition sets forth that the necessity of the improvement 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.

That said ditch commences at the terminus of a tile ditch on the east side of the Dams Road and opposite the culvert on said road, between the residences of L. M. Marshall and Michael Noon and being in the line of Andrew Wary's fence on east side of said road; said ditch to begin at a depth of at least six (6) inches below the bottom of said tile; thence in a westerly direction through said culvert to the east line of E. M. Fiebiger's land and continues with the meanders of the old ditch at proper grade, through the said Fiebiger's land

to the C. & O. and St. L. Railway Company's land or right of way, thence crossing said Railway Company's land and under said Railway Company's tracks through a culvert to the line of said Railway Company's land and the land of W. A. Brayton, thence through the land of said Brayton far enough to get a sufficient outlet.

Said ditch being in Darby Township, Madison County, Ohio; At the above place and date the Commissioners will consider whether the route described is the best route and any and all objections to said proposed ditch improvement. B. A. Taylor, Auditor of Madison County, Ohio.

Affidavit of Publication.

I, E. Beach, do solemnly swear that I am the Business Manager of the Plain City Advocate, a newspaper printed and published in Plain City, Ohio, and of general circulation in Madison and Union Counties, of above State; and that the original notice, a true copy of which is herewith attached, was published in said newspaper for a period of 2 consecutive weeks, commencing on the 27th day of June, A. D. 1900.

E. Beach, Business Manager.

Sworn to and subscribed in my presence this 4th day of July, 1900. J. F. Black, Notary Public.

Printers Fee and affidavit. \$10.³⁷

Witnessing Official. Seal

Commissioner's Finding On the Petition.

In the matter of
The Wary Ditch Imp.
Petitioned by Andrew Wary et al.

Auditor's Office, Madison County,
London, Ohio, July, 23rd 1900.

This day the Commissioners of Madison County being in regular session, members present, Jas. B. Anderson, Chas. W. Markley and H. E. Bradley, and a copy of a petition for the deepening of a county 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 17th day of July, 1900, 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 the said ditch and the premises along and adjacent thereto, and to be drained or benefited thereby, determined the necessity thereof. And we do hereby find that the 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: (Being in Darby Township, Madison County, Ohio.

Commencing at the terminus of a tile ditch on the east side of the Gans Road and opposite the culvert on said road, near the residences of L. M. Marshall and Michael Noon, and being in the line of Andrew Gary's fence on east side of said road, said ditch to begin at a depth of at least six (6) inches below the bottom of said tile; thence in a westerly direction through said culvert to the east line of E. M. Fiebiger's land and continuing with the meanders of the old ditch at a proper grade through the said Fiebiger's land to the P. O. O. & St. L. Railway Company's land or right of way; thence crossing said Railway Company's land and under the said Railway Company's tracks through a culvert to the line of said Railway Company's land and the land of W. A. Drayton, thence through the land of said Drayton far enough to get a sufficient 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 of said improvement as described in the petition, and survey and level the same, and set a stake at every one 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 and 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; the amount and size of tile necessary and the estimated cost of the same, 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.

The Engineer is ordered to construct a lateral to said ditch commencing in the east side of the Gans Road about 10 rods south of the north west corner of Lawrence Robey; thence in a north westerly direction along the east side of said pike, along the lands of Ellsworth Robey, L. M. Marshall and Andrew Gary to the head of

main ditch. Entire lateral to be tiled.

It is further ordered that the 15th day of August, 1900, at 10 o'clock, A.M., at the Auditor's Office, is hereby fixed for the hearings of applications for any appropriations for lands 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.

D.A. Taylor, Auditor, Jas. B. Anderson, Pres. Board of Commissioners,

Finding on the Petition - Copy for Surveyor.

In the matter of the } Auditor's Office, Madison County,
Ditch Imp. Petitioned for by } London, Ohio, July 23rd 1900.
Andrew Gary et al. }

This day the Commissioners of Madison County being in regular session, members present: Jas. B. Anderson, Chas. S. Markley and W. E. Bradley, a copy of a petition for ^{the deepening of} a county ditch having been delivered to us by the County Auditor, and it to us that a 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 17th day of July, 1900, 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 other persons competent to testify, and we went over and along the line of said improvement and by actual view of the said ditch and the premises along and adjacent thereto, and to be drained or benefited thereby, 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: Being in Darby Township, Madison County, Ohio, commencing at the terminus of a tile ditch on the east side of the Lane Road and opposite the culvert on said road between the residences of L. M. Marshall and Michael Noon, and being in the line of Andrew Gary's fence on east side of said road; said ditch to begin at a depth of at least six (6) inches below the bottom of said tile; thence in a westerly direction through said culvert to the east line of E. M. Fiebiger's land and continuing thence with the meanders of the old ditch at the proper grade, through the said Fiebiger's land to the C. & D. + St. L. Railway Company's land and right of way; thence crossing said Railway Company's land and under said Railway Company's tracks

through a culvert to the line of said Railway Company's land and the land of N. A. Brayton: thence through the land of the said N. A. Brayton far enough to get a sufficient outlet.

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 of said improvement 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 and lands, and public or corporate road or rail roads, 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 the amount and size of tile necessary and the estimated cost of the same, 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.

The Engineer is ordered to construct a lateral to said ditch beginning in the east side of the Lane Pike about 10 rods south of the north west corner of Lawrence Robey; thence in a north westerly direction along the east side of said pike along the lands of Ellsworth Robey, L. M. Marshall and Andrew Barry to the head of the main ditch: Entire lateral to be tiled.

It is further ordered that the 15th day of August, 1900, at 10 o'clock A. M., at the County Auditor's Office, is hereby fixed for the hearing of applications for any appropriations for land taken for said improvement, or any of them may sustain thereby, and for the approval of the report of the Surveyor.

B. A. Taylor, Auditor, Jas. B. Anderson, Pres. Board of Commissioners. I certify the foregoing to be correctly copied from the proceedings of the board. B. A. Taylor, Auditor.

Commissioner's Office, Madison County, London, Ohio, July 23rd 1900.

Board met today in regular session.

Members present: Jas. B. Anderson, Chas. B. Markley, H. E. Bradley.

In the matter of the Ditch Imp. Petitioned for by Andrew Barry et al. } Meeting to View.

This day the Commissioners of Madison County, being in regular session, members present,

Commissioner's Journal, Vol. 7 Page 100.

Gas. B. Anderson, Chas. W. Markley and H. E. Bradley, and a copy of a petition for the deepening of a county ditch having been delivered to us by the County Auditor, and it appearing to us that 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 17th day of July, 1900, 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 all parties affected by said improvement and other persons competent to testify, and we went over and along the line of said ditch, improvement, and by actual view of said ditch and the premises along and adjacent thereto, and to be drained or benefited thereby, determined 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:

(Being in Darby Township, Madison County, Ohio.)

Commencing at the terminus of a tile ditch on the east side of the Dams Road and opposite the culvert on said road between the residences of L. M. Marshall and Andrew Dary and being in the line of Andrew Dary's fence of east side of said road, said ditch to begin at a depth of at least six (6) inches below the bottom of said tile; thence in a westerly direction through a culvert to the east line of said road; land and continuing with the meanders of the old ditch at a proper grade, through the said Fiebiger's land to the P. C. C. & St. L. Ry. Company's land or right of way; thence crossing said Railway Company's land and under said Railway Company's tracks through a culvert to the line of said Railway Company's land and the land of N. A. Crayton; thence through the land of said Crayton far enough to get a sufficient outlet; we also find that due and legal notice has been given to each person or corporation benefited or affected by said proposed ditch 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 of said ditch as described in the petition, and survey and level the same, and set a stake at every one 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 and lands, and public and corporate roads and 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, the amount and size of tile necessary and the estimated cost of the same.*

The Engineer is ordered to construct a lateral beginning in the east side of the Dams Road about 10 rods south of the north west corner of Lawrence Robey; thence running in a north westerly direction, along the east side of said pike and along the lands of said Robey, Ellsworth Robey, L. M. Marshall and Andrew Wary to the head of the main ditch, all of said lateral to be tiled,* and said engineer is ordered to perform such other duties as are required by 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 the same.

The Engineer is also ordered to make and file with his report an itemized cost bill made in the proper discharge of his duty under this order.

It is further ordered that the 15th day of August, 1900, 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 the said improvement and damages said parties affected by said improvement may sustain thereby, and for the approval of the report of Surveyor.

Upon roll of roll for the approval of the foregoing orders and findings relating to said improvement, Jas. B. Anderson, Chas. W. Markley and H. E. Bradley, voted "Aye".

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

Exceptions to Assessment of N. A. Brayton.

In the matter of the } London, Ohio, August 15th 1900.
Ditch Imp. Petitioned for by }
Andrew Wary et al. }

Now comes N. A. Brayton, who is assessed for the location and construction of said ditch improvement and excepts and objects to said assessment as reported by the Engineer, for the reason that the same is unfair and unjust.

Filed August 15th 1900. B. A. Taylor, Auditor.
N. A. Brayton. Withdrawn, August, 15th 1900.

Claims for Compensation and Damages by N. A. Drayton
 In the matter of the } London, Ohio, August 15th 1900.
 Ditch Imp. Petitioned for by }
 Andrew Bary et al. }

Now comes N. A. Drayton and respectfully represents that he is the owner of 311.10 Acres of land in Danaan and Darby Townships, Madison County, Ohio, through which it is proposed to locate and construct a portion of said ditch improvement, and claims compensation for land taken at the rate of \$60.⁰⁰ per acre and damages in the sum of \$50.⁰⁰ N. A. Drayton.

Filed August, 15th 1900, and Withdrawn August 15th 1900. B. A. Taylor, Auditor.

Application to pay entire assessment in cash.

Plain City, Ohio, August 16th 1900.

B. A. Taylor, London, Ohio.

Dear Sir: I desire to pay my assessment on the Bary and Fiebiger Ditch when completed and save the expense of issuing bonds. Place my name on the paper with Andrew Bary, E. M. Fiebiger and Waltz Fitz Henry, which they signed August, 15th 1900. Respectfully,

Filed August 17th 1900.

E. F. Roby and L. E. Roby.

Application to pay entire assessment in cash.

August 15th 1900.

We the undersigned desire to pay our assessments on the Bary Ditch in one payment. (Cash)

Andrew Bary, E. M. Fiebiger and W. Fitz Henry. Filed August 16th 1900.

Report of Engineer.

Auditor's Office, Madison County,
 London, Ohio, August 15th 1900.

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

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

The undersigned engineer, in obedience to the direction of your Honorable Body, made on the 17th day of July, A. D. 1900, has proceeded in the above matter, and has made a level and survey of the line of said proposed ditch improvement, and set a stake at every one 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 plat and an estimate of the number of cubic yards of earth or other substance to be re-

moved, 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 lots and lands, and public and corporate roads and railroads, together with the name of the owners, of such railroad companies, and the name 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 cost of such improvement, the benefits to any lots or lands by diking 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 deem 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 your order.

J. H. Asher,	Engineer,	7 1/2 days	@ \$4.00 per day,	\$30.00
Blyde Asher,	Rodman,	1 day	@ \$1.25	\$ 1.25
Blyde Asher,	Chairman,	1 day	@ \$1.25	\$ 1.25
Byers Adair,	"	1 day	@ \$1.25	\$ 1.25
Jesse Paine,	"	1 day	@ \$1.25	\$ 1.25
James Finnegan,	Arman,	1 day	@ \$1.25	\$ 1.25
Other Expenses:				
Frank Bridgman,	Team, hauling stakes,			\$ 2.50
E. R. Florence,	100 stakes @ 1 1/4" - 100 stakes @ 1 1/4"			\$ 2.75
J. H. Asher, Engineer.				Total = \$ 41.50

The foregoing cost bill allowed by us this 15th day of August, 1900.

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

Report of Engineer

Schedule "A"

Stake number down ditch	Surface Elevation	Grade Elevation	Vertical Curve from station	Curve Deflect	Cont	Width on Bottom	Width on Top	Curve Length	Course and Distance	Remarks
B.M.	100.00									Top. stone east end of culvert - spot marked B.M. on stone
0	98.40	94.10		4.30	1.25	2.00			0 to 2+57, S. 33° W.	
1	98.60	93.97	.13	4.63	1.58			21		James Pike } = 46' = line E.M. Bieliger }
2	98.08	93.94	.26	5.24	1.76			27		
+57	99.39	93.77	.33	5.52					2+57 to 3+49, S. 66 3/4° W.	
3	99.08	93.71	.39	5.37	1.59			24	3+39 to 4+19, S. 79 1/2° W.	
4	99.49	93.58	.52	5.81	1.12			32	4+19 to 7+16, N. 67° W.	
+19	98.95									
5	98.32	93.45	.65	4.87	1.80			35		
6	98.80	93.32	.78	5.48	1.53			27		
7	98.60	93.19	.91	5.41	1.46			23	7+16 to 9+39, N. 85° W.	
+16	98.75									
8	98.42	93.06	1.04	5.36	1.89			27		
9	98.90	92.93	1.17	5.97	1.72			31	9+39 to 28, S. 56° W.	
B.M.	99.53									Spike nail in fence post
+39	98.20	92.88		5.32						
10	97.88	92.80	1.30	5.08	1.80			30		
11	97.75	92.67	1.43	5.08	1.88			32		
12	97.65	92.54	1.56	5.11	2.01			35		
13	98.33	92.41	1.69	5.92	2.09			38		
B.M.	99.32									Dead tree - Right
14	98.53	92.28	1.82	6.25	2.07			39		
15	97.35	92.15	1.95	5.20	1.93			35		
16	97.76	92.02	2.08	5.79	1.96			33		
17	97.66	91.89	2.21	5.77	2.09			37		
18	97.93	91.76	2.34	6.17	2.67			49		
19	97.98	91.63	2.47	6.35	2.45			44		
20	98.32	91.50	2.60	6.82	2.28			48		
21	98.16	91.37	2.73	6.79	2.16			44		
22	98.35	91.24	2.86	7.11	2.14			41		
23	98.32	91.11	2.99	7.21	2.32			44		
24	98.17	90.98	3.12	7.19	2.30			46		
25	97.63	90.85	3.25	6.78	2.43			48		
26	96.47	90.72	3.38	5.75	2.41			51		
27	95.98	90.59	3.51	5.39	2.49			55		
28	96.08	90.46	3.64	5.62	2.52			52	28 to 30+50, S. 26 1/4° W.	
B.M.	96.99									nail in fence post near 28
29	95.91	90.33	3.77	5.58	2.51			53		
30	95.73	90.20	3.90	5.53	2.34			48	30+50 to 33+32, S. 23° W.	
+50	95.74	90.13	3.97	5.61						
31	93.98	90.07	4.03	3.91	2.47			47		E.M. Bieliger } 31.61' = line O. L. + St. L.R.R. }
32	95.79	89.94	4.16	5.85	2.65	2.00		55		R.R. Co. } W.A. Crayton } 3261' = line
B.M.	97.53									
33	95.59	89.81	4.29	5.78	2.63			58	33+32 to 41+35, S. 38 1/4° W.	
+35	95.24									
34	95.67	89.68	4.42	5.99	2.36			52		

add 100 ft for banks 752
70
822

Report of Engineer Schedule A.A.

Statement of Working Sections of The Andrew Wary Ditch

No of Working Section	No. Stakes	No. Stakes	No. of 4 inch feet	No. of 6 inch rods	Price per yard	Amount		Remarks
						D.	C.	
1	47	22	2500	1103	12 1/2	137	88	
2	22	0	2200	822	12 1/2	102	75	
						240	63	= Total Main Ditch.
Lateral No. 1								
3	26+75	0	2675	162 rods	25 ^c	40	50	
	106.6	rods	8 inch tile @ 75 ^c			79	96	
	43.4	rods	6 inch tile @ 50 ^c			21	70	
	12.	rods	4 inch tile @ 25 ^c			3	00	
						145	16	= Total Lateral No. 1

Report of Engineer Schedule "B."

Owners Name as Found on Duplicate	No. Entry	Description	Acres Owned	Acres Prorated	Estimated cost of construction	Estimated cost of location	Schedule "B."	
							Total cost	Additional
Main Ditch.								
Andrew Wary	3640 12050 14400		109.97	100.	6000	754	67	54
E. M. Fiebiger	1479		83.74	83.74	2500	270	27	70
W. Fitz Henry	1479		75.	55.	2500	270	27	70
H. A. Drayton	Drpf.		311.	45	1500	270	17	70
The C. C. & St. L. Ry. Co.	Rights of Way				800	88	8	88
Michael Troon	12050 14400		55.74	55.74	2500	163	26	63
L. M. Marshall	3460		30.	30.	500	428	9	28
Lizzie Wary (Dover)	1479 1080		98.	50.	3000	355	33	55
D. H. Kirwin and J. L. Ballenger	3685 3464		153.09	16	763	84	8	47
E. D. Morgan, Trustee	1479 14150		201.40	35.	2500	270	27	70
Ellsworth Robey	14400 14150		78.80	75.80	1000	652	16	52
Laurence Robey	14400		45.80	15.	500	225	7	25
					24063	3829	278	92
Lateral No. 1.								
Andrew Wary					1000		10	00
L. M. Marshall					3500		35	00
Ellsworth Robey					5100		51	00
Laurence Robey					1600		16	00
Lizzie Wary					316		3	16
Madison County.					3000	321	33	21
					4516	321	148	37

Report of Engineer

Schedule "B."
Auditor's Office, Madison County,
London, Ohio, August, 15th 1900.

In the matter of Ditch Improvement Petitioned for by Andrew Wary et al.

Specifications of the manner of construction
The main ditch is to be an open ditch

and must be cut down to the grade line as shown in the report and on the profile filed with this report. The banks must have a slope of $1\frac{1}{2}$ to 1. The dirt taken from the open ditch must be taken back at least 15 feet from banks of ditch and be fairly well spread. All brush within 10 feet of banks must be removed by the contractor.

From about Station 9 to Station 30 the dirt must be spread on the south or left side of ditch.

The estimated cost per cubic yard includes all clearing and removing obstructions.

Lateral No. One is to be tiled as follows:

From Station 0 to Station 2 - 4" tile; from Station 2 to Station 9+16 with 6" tile; from 9+16 to 26+75 with 8" tile. The trench must be cut down to the grade line as shown in this report, and on profile filed herewith. Tile to be evenly laid and well jointed up. All dirt taken out to be put back over the tile, after the tile have been inspected by the engineer.

The contractor must put in all y's for either old or new ditches.

J. H. Asher, Engineer.

Auditor's Office, Madison County, Ohio,
August 15th A. D. 1900.

In the matter of the
Ditch Impv. Petitioned for
by Andrew Bary et al.

} Finding of the Commissioners on the Report of Engineer

This day the Board of Commissioners being in special session, present, Jas. B. Anderson, Chas. G. Markley and H. C. Bradley, 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 and that N. A. Drayton has filed exceptions² & claims for compensation² & damages.

The Board also find 45 acres in the name of N. A. Drayton are taxed in the original apportionment when said 45 acres are not drained or benefited by said improvement, it is ordered that the amount of \$17.⁷² originally taxed on said 45 acres, be distributed pro rata.

N. A. Drayton having been released from payment of his assessment, withdraws exceptions and claims for compensation and damages.

After having examined the report of the engineer with the apportionment by him made, and the claims

exceptions 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 tract of land, and by municipal and private corporations and railroad companies. It is therefore ordered that said report and apportionment be and the same is hereby approved and confirmed.

Andrew Wary, E.M. Fiebiger and W. Fitz Henry made application to pay their entire assessment in cash, which applications are ordered to be filed.

It is now and therefore ordered that the 29th day of August, A. D. 1900, 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 said ditch and said sale to commence with working sections constituting the mouth of said improvement, 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 in length.

And it is also ordered that the Auditor of said County give notice of said sale by 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 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 the portion bid off by said contracting party.

Upon call of roll for the approval of the foregoing matter relating to said petition and ditch, Jas. B. Anderson, Chas. H. Markley and H. C. Bradley voted "aye".

B. A. Taylor,
Auditor.

Jas. B. Anderson,
President Board of Commissioners

Commissioners
Journal Vol. 7
Page 116

Commissioners Office, Madison County,
London, Ohio, August, 15th 1900.

Board of Commissioners met today in Special Session.
Members present: Jas. B. Anderson, H. E. Bradley and Chas. S. Markley.
In the matter of }
The Oary Ditch } Hearing on Engineer's Report.
Improvement. }

This day the Board of Commissioners being in special session, all members present, and this being the day adjourned to by the 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 or 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 N. A. Drayton files exceptions in writing to his assessment and has made application in writing for compensation and damages, which applications are ordered to be filed.

It appearing to the Board that 45 acres in the name of N. A. Drayton are taxed in the original apportionment, when said 45 acres are not drained or benefited by said improvement, it is ordered that the amount of Seventeen Dollars and Seventy Cents (\$17.⁷⁰) originally taxed on said 45 acres be distributed pro rata.

N. A. Drayton, having been released from payment of his assessment, withdraws exceptions and claims for compensation and damages.

After having examined the report of the Engineer with the apportionment by him made, and the claims and exceptions, 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.

Andrew Oary, E. M. Fiebiger and W. Fitz Henry made application to pay their entire assessment in cash, which applications are ordered to be filed.

It is now and therefore ordered that the 29th day of August, A. D. 1900, 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 said ditch and said sale to commence with working section constituting the mouth of said improvement, 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 in length. And it is also ordered that the County Auditor give notice of said sale by 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 contract 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 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 the portion bid off by said contracting party.

Upon call of roll for the approval of the above matter relating to said ditch improvement, Jas. B. Anderson, Chas. H. Markley and H. E. Bradley voted "Aye."

B. A. Taylor,
Auditor and Clerk.

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

Ditch Sale

Notice to Contractors.

Notice is hereby given that the undersigned engineer will sell at public outcry, on Wednesday, August 29th 1900, at 10 o'clock A. M., to the lowest responsible bidder therefor, the work of furnishing the tile and constructing "the Andrew Gary Ditch Improvement," located in Darby Township, Madison County, Ohio.

Said work will be sold as follows:

Open Ditch.

Section No. I, Station 47 to Station 22, 1103 cu. yds.

Section No. II, Station 22 to Station 0, 822 cu. yds.

Tile Ditch.

Section No. 3, Station 0 to Station 26+75, 162 rods cutting,
Tile 106.6 rods, 8 inch tile, 43.4 rods 6 inch, 12 rds. 4 inch.

Bidders desiring to view the line of ditch should do

so prior to time of sale.
 Specifications are now on file at Auditor's Office.
 Bidders will meet at the beginning of the open ditch on the same pike near the residence of Michael Kroon. A cash deposit will be required as a guarantee of good faith before any bid will be entertained. Bond must be given within 5 days from day of sale. Work to begin at once and to be completed by October 15th 1900. The right is reserved to reject any or all bids.
 By order of Commissioners of Madison County, Ohio.
 B. A. Taylor, Auditor. J. St. Asher, Engineer.

Report of Sale.

Auditor's Office, Madison County,
 London, Ohio, August, 29th 1900.

In the matter of the }
 Ditch Imp. Petitioned } Report of Sale of the Labor of Construction,
 for by Andrew Barry 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 therein 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.

No. of Sec.	To Whom Sold.	Am't. Sold for.	When to be Completed.
		# cts	
1 and 2	Jerry Neville	240.63	On or before Nov. 1 st 1900.
3	John St. Sinton	39.90	On or before Oct. 1 st 1900
File	John Millholland	104.00	To be delivered on or before Oct. 1 st 1900.
106.6 rods 8"			
43.4 rods 6"			
12. rods 4"			

Filed August, 29th 1900.
 B. A. Taylor, County Auditor.

J. St. Asher,
 County Surveyor.

Auditor's Office, Madison County,
 London, Ohio, August 29th 1900.

In the matter of the }
 Ditch Imp. Petitioned for } Contract for Labor of Construction,
 by Andrew Barry 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 and 2 of 4700 feet allotted to landowners of the following described land, viz: per report of Engineer; and sold by the duly appointed engineer on the 29th day of August, A. D. 1900, to the undersigned for Two Hundred and Forty and $\frac{3}{100}$ Dollars, pursuant to said order and notice. Now, in consideration of the premises, it is agreed by me, to and with whom soever may be interested therein, that I will do and perform all the labor of constructing said improvement in accordance with the specifications for constructing the same, as shown in the record of the proceedings thereof, the same to be completed on or before the 1st day of November, A. D. 1900, provided this contract shall be of no force and effect until approved by the Board of Commissioners of Madison County, Ohio.

J. H. Asher, Engineer.

Jerry Neville, Contractor.

Auditor's Office, Madison County,
London, Ohio, Sept. 1st A. D. 1900.

In the matter of the
Ditch Impf. Petitioned
for by Andrew Bary et al.

Contractor's Bond.

Know all Men by These Presents,
That Jerry Neville, as principal and J. A. Morrissey
and P. A. Lanigan as sureties, are firmly held
and bound unto the State of Ohio in the
penal sum of Four Hundred and Eighty One
and $\frac{26}{100}$ Dollars, good and lawful money.
Signed and dated this 29th day of September, A. D.
1900.

The condition of the above obligation is such,
however, that whereas, the above bounden prin-
cipal contractor has bid off the labor of con-
structing working sections nos. 1 and 2, has du-
ly entered into the annexed contract, subject to
the condition that the same shall be approved by the
Commissioners of said Madison County, and has agreed
to fully do and perform all labor of constructing said
improvement, in accordance with the plans and
specifications of said improvement, as shown on the re-
cord of said proceedings, on or before the first day of Novem-
ber, A. D. 1900.

Now, if the said Jerry Neville shall well and truly perform
all the obligations of his said contract and complete the
same within the time fixed by said contract, 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.

Jerry Neville
J. A. Morrissey
P. A. Lanigan

This contract and bond, and sureties on said bond approved this 10th day of September, A. D. 1900.

J. H. Asher, Engineer.

Jas. B. Anderson

Chas. G. Markley

H. E. Bradley

Commissioners of Madison County.

50¢
J. H.
Sept. 1900.

Auditors Office, Madison County, Ohio.
August 29th A. D. 1900.

In the matter of Ditch }
Imp. Petitioned for by }
Andrew Wary et al. }

Contract for Labor of Construction.

Whereas, the above styled improvement has been duly ordered and advertised for sale according to law, and the construction of Working Section No. 3 of 2675 feet allotted to several land owners of the following described land, viz: per report of Engineer, and sold by the duly appointed Engineer on the 29th day of August, A. D. 1900, to the undersigned for Thirty Nine and 9/100 Dollars, 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 do and perform all the labor of constructing said improvement, in accordance with the specifications for constructing the same, as shown in the record of the proceedings thereof, the same to be completed on or before the 10th day of October, A. D. 1900, provided this contract shall be of no force and effect until approved by the Board of Commissioners of Madison County, Ohio.

J. H. Asher, Engineer.

John H. Hinton, Contractor.

Auditors Office, Madison County,
August, 29th 1900.

In the matter of the }
Ditch Imp. Petitioned }
for by Andrew Wary et al. }

Contractor's Bond.

Know all men by these Presents, that John H. Hinton, as principal and J. W. Millholland and J. F. Black as sureties, are firmly held and bound unto the State of Ohio, in the penal sum of Eighty Dollars, good and lawful money.

Signed and dated this 29th day of August, A. D. 1900.

The Condition of the Above Obligation is such, however, that whereas, the above bounden principal contractor has bid off the labor of constructing working section No. 3, has duly entered into the annexed contract, subject to the condition that the same shall be approved by the Commissioners of said Madison County, and has agreed to fully do and perform all the labor of constructing said improvement, in accordance with the plans and specifications for constructing said improvement, as shown on the record of said proceedings on or before the 10th day of October, A. D. 1900.

Now, if the said John H. Hinton shall well and truly perform all the obligations of his said contract and complete the same within the time fixed by said contract 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.

50¢ 50¢
 Aug 29th
 1900

John H. Hinton
 W. Millholland
 J. F. Black.

This Contract and Bond, and Sureties on said Bond approved this 3rd day of September, A. D. 1900.

J. H. Asher, Engineer.

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

Auditor's Office, Madison County,
 London, Ohio, August 29th 1900.

In the matter of the
 Ditch Impv. Petitioned
 for by Andrew Gary 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 from Station 0 to Station 26+75 and its laterals allotted to land owners benefited thereby and sold by the duly appointed Engineer on the 29th day of August, A. D. 1900, to the undersigned in the following lots and sizes:

106.6 rods 8 inch, 43.4 rods 6 inch and 12 rods 4 inch, including all necessary Y's, amounting to One Hundred and Four Dollars, 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 where used.

All of the above tile to be delivered on or before the 1st day of October, A. D. 1900.

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 laid in ditch.
J. S. Asher, Engineer. John Millholland, Contractor.

Auditor's Office, Madison County,
London, Ohio, August, 29th A. D. 1900.

In the matter of
the Ditch Impv. Petition-
ed for by Andrew Bary et al.

Contractor's Bond.

Know all Men by These Presents, That J. W. Millholland as principal, and J. P. Black, J. P. Feather and Howard Black, as sureties, are firmly held and bound unto the State of Ohio, in the penal sum of Two Hundred and Eight Dollars, good and lawful money, signed and dated this 29th day of August, A. D. 1900.

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 contract, and has duly entered into the annexed contract, subject to the condition that the same shall be approved by the Commissioners and the Engineer of said Madison County, and has agreed to 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 1st day of October, A. D. 1900.

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 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.

This Contract and Bond and Sureties
on said Bond approved this 3rd day of
September A. D. 1900.

John Millholland
J. P. Black
J. P. Feather
Howard W. Black.

508 508
J. W. M.
Aug. 29th 1900.

J. S. Asher, Engineer. }
Gas. B. Anderson } Commissioners
Chas. S. Markle } of
H. E. Bradley. } Madison County.

Commissioner's
Journal Vol. 7
Page 127

Commissioner's Office, Madison County,
London, Ohio, September 3rd 1900.

Board met today in Regular Quarterly Session.
Present: Jas. B. Anderson, Chas. H. Markley and H. E. Bradley.
In the matter of }
The Wary Ditch } Approval of Contractor's Bonds.
Improvement. }

J. H. Asher, 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 John H. Hinton and John Millholland 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 they are required to comply therewith.

Upon call of roll for the approval of the above matter relating to said ditch improvement, all members voted "Aye."

B. A. Taylor,
Auditor and Clerk.

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

Notice of Approval of Contract and Bond for Constructing Ditch.
Auditor's Office,
Madison County, Ohio.

September 3rd 1900.

To John 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 Andrew Wary 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 Constructing Ditch.
Auditor's Office,
Madison County, Ohio.

September 3rd 1900.

To John H. Hinton, Contractor:

You are hereby notified that the Contract and Bond made and taken between you and the Engineer for constructing working section No. 3. of the ditch improvement petitioned for by Andrew Wary et al; now on file with the Auditor of said County, has been duly approved by the Commissioners.

B. A. Taylor, County Auditor.

Commissioners
Journal
Vol. 7
Page 136

Commissioner's Office, Madison County,
London, Ohio, September 10th 1900.

Board of Commissioners met today in Regular Session.
Members present: Jas. B. Anderson, Chas. B. Markley^{and} St. E. Bradley.
In the matter of }
The Wary Ditch }
Improvement. }

J. H. Asher, 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 contract entered into with Jerry Neville for doing said work, and the bond of said contractor, which contract and bond has been examined and approved by this board, and ordered filed according to law.

The Auditor is hereby notified to notify said contractor of the approval of said contract and bond and that he is required to comply therewith.

Upon call of roll for the approval of the above matter relating to said ditch improvement, all members voted "Aye."
B. A. Taylor, }
Auditor & Clerk. }
Jas. B. Anderson, }
Chas. B. Markley }
St. E. Bradley }
Commissioners
of
Madison County

Notice of Approval, Contract^{and} Bond for Constructing Ditch.
Auditor's Office,
Madison County, Ohio,
September 11th 1900.

To Jerry Neville, Contractor:
You are hereby notified that the Contract and Bond made and taken between you and the Engineer, for constructing working section Nos. One and Two, of the Ditch Improvement, petitioned for by Andrew Wary et al; now on file with the the Auditor of said County, have been duly approved by the Commissioners.
B. A. Taylor, County Auditor.

Commissioner's Office, Madison County,
London, Ohio, October 15th 1900.

Commissioners
Journal Vol. 7
Page 165

Board of Commissioners met today in Regular Session.
Members present: Chas. B. Markley, St. E. Bradley^{and} Jas. B. Anderson.
In the matter of the }
Assessments on the }
Wary Ditch Improvement. }

The Wary Ditch Improvement having been provided for according to law, it is hereby ordered that assessments shall be made upon the lots and lands benefited, payable as follows:

The Wary Ditch Improvement payable in two annual installments. That assessments for the year 1900, sufficient to pay the cost 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 various improvements.

It is further ordered that the County Auditor be directed to make and furnish to the Treasurer of the County a special duplicate for the year, 1900, charging each of the lots and lands assessed for the Wary Ditch Improvement 50 per centum of the gross assessment.

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

Upon call of roll for the approval of the foregoing entry relating to said ditch improvement, Chas. H. Markley, H. E. Bradley and Jas. B. Anderson voted "Aye."

B. A. Taylor,
Auditor and Clerk.

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

No Bonds Issued.

Recorded December 8th 1900.