

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement.

Record of proceedings in the matter of the Ditch Improvement petitioned for by D. A. Fitzgerald and located in Canaan, Jefferson and Monroe Townships, Madison County, Ohio.

Ditch Petition.

London, Ohio, April 17th A. D. 1907. Petition for widening, location, deepening and straightening a ditch.

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

Ditch Petition

The undersigned, owners of lots and lands 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 location and construction 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:

Description of Route

Commencing at the mouth of a fifteen inch tile on the lands of Mable and Helen Wilson about one hundred and forty rods south of the Albert W. Wilson fike; running thence in an easterly direction through the lands of said Mable and Helen Wilson, the lands of John S. Wilson, crossing the middle fike near the residence of said John S. Wilson; thence continuing through the lands of the said John S. Wilson, to the lands of D. A. Fitzgerald, the lands of Orestes and Anna Weaver, the lands of Marion Bidwell, the lands of D. J. Butler, the lands of J. S. Millikin, the lands of Henry Wright; thence crossing the East fike, thence through the lands of Eva Stevens (Loveless) to Big Darby, or far enough to give a good and 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:

- | | | |
|--------------------------|-----------------|------------------------|
| Mable and Helen Wilson, | H. B. Bayple, | Henry Wright, |
| John S. Wilson, | Daniel Troyer, | Eva Stevens (Loveless) |
| Madison County, | Marion Bidwell, | J. W. Byerly, |
| D. A. Fitzgerald, | D. J. Butler, | Canaan Township, |
| Orestes and Anna Weaver, | J. S. Millikin, | Monroe Township, |

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B. P. Arthur,	Mary Kreamer,	Thomas Bunnell,
John Kreamer,	P. D. Sibley,	A. W. Wilson,
Rosella Byerly,	Sarah Orie,	Martha Wilson,
Berj. Frey,	W. B. Baggdill,	Mary Hale,
J. W. Bricker,	William Powers,	Gas. Mehan,
Chas. Martin,	Elijah Bell,	Monroe Bidwell,
W. M. Wilson,	M. P. High,	Margaret Alder,
W. E. Chandler,	J. W. Simmons,	E. H. Stuckey,
M. J. Chandler,	J. B. Butler,	J. Peterman,
Mary Lowe,	Mrs. R. A. Baker,	A. B. Millikin,
Laura Bridgman,	Lucy Beach,	
	D. A. Fitzgerald - Petitioner.	

Petitioner's
Bond

Petitioner's Bond.

Know all men by these presents,
That D. A. Fitzgerald as principal, and M. S. Murray,
and S. B. Wilson 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 17th day of April, A. D. 1902.
The condition of the above obligation is such never-
theless, that whereas, on the 17th day of April, A. D.
1902, the above bounden D. A. Fitzgerald made appli-
cation to the Commissioners of Madison County,
and on said day filed with the Auditor of said
County a petition for the location, deepening,
widening and straightening of a ditch in pursuance
of the statute in such case made and provided,
on the following route and termini, to wit:

Commencing at the mouth of a fifteen inch
tile on the lands of Mable and Helen Wilson about
one hundred and forty rods south of the Albert W.
Wilson fike; running thence in an easterly direction
through the lands of said Mable and Helen Wilson,
the lands of John S. Wilson crossing the Middle
fike near the residence of said John S. Wilson;
thence continuing through the lands of said John
S. Wilson, the lands of D. A. Fitzgerald, the lands of
Orestes and Anna Weaver, the lands of Marion
Bidwell, the lands of D. J. Butler, the lands of J. S.
Millikin, the lands of Henry Wright; thence crossing
the east fike; thence through the lands of Eva
Stevens (Lovelless) to Big Darby or far enough to
give a good and sufficient outlet.

Now if the above bounden D. A. Fitzgerald
shall pay all costs, if the prayer of said petition

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be not granted, or if for any cause the same shall be dismissed, then this obligation shall be void.

D. A. Fitzgerald,
M. S. Mundy,
L. P. Wilson.

The above bond and sureties thereon, are approved by me this 17th day of April, A. D. 1902.

D. A. Taylor, County Auditor.

Notice to
Commissioners

Notice to Commissioners of Petition Filed and Time for Hearing.
Auditor's Office, Madison County, Ohio,
April 17th A. D. 1902.

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 17th day of April, 1902, a copy of which petition is attached below; and as required by law I have fixed the 10th day of May, 1902, at 10 o'clock, A. M. at the beginning of said proposed ditch described in said petition; for your hearing of said matter.

D. A. Taylor, Auditor.

Copy of Ditch Petition.

London, Ohio, April 17th 1902. Petition for location, deepening, widening and straightening of a 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 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 location, deepening, widening and straightening 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:

Commencing at the mouth of a fifteen inch tile on the lands of Mable and Helen Wilson about one hundred and forty rods south of the Albert W. Wilson pike; running thence in an easterly direction through the lands of said Mable and Helen Wilson, the lands of John S. Wilson crossing the Middle pike near the residence of said John S. Wilson; thence continuing

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through the lands of the said John S. Wilson, the lands of D. A. Fitzgerald, the lands of Orestes and Anna Weaver, the lands of Marion Bidwell, the lands of D. J. Butler, the lands of J. S. Millikin, the lands of Henry Wright; thence crossing the East pike; thence through the lands of Eva Stevens, (Loveless) to Big Darby or far enough to give a good and 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:

- | | | |
|--------------------------|-----------------|-------------------|
| Mable and Helen Wilson, | P. Daily, | J. W. Gimmont, |
| John S. Wilson, | A. W. Wilson, | E. S. Stuckey, |
| Madison County, | Rosella Byerly, | W. J. Whandler, |
| D. A. Fitzgerald, | Sarah Price, | J. B. Butler, |
| Orestes and Anna Weaver, | Martha Wilson, | J. Peterman, |
| Marion Bidwell, | Benj. Frey, | J. W. Bricker, |
| D. J. Butler, | W. B. Baggall, | Wm. Powers, |
| J. S. Millikin, | Mary Cole, | Jas. Mehan, |
| Henry Wright, | Elijah Bell, | Danaan Township, |
| Eva Stevens, (Loveless), | Monroe Bidwell, | Monroe Township, |
| J. W. Byerly, | W. M. Wilson, | O. P. Arthur, |
| Mary Keamer, | M. V. High, | Mary Lowe, |
| Thomas Burrell, | Margaret Alder, | Mrs. R. D. Baker, |
| John Keamer, | W. V. Whandler, | A. B. Millikin |

D. A. Fitzgerald - Petitioner.

I hereby certify the foregoing to be a true copy of a Ditch Petition filed in my office on the 17th day of April A. D. 1902.

D. A. Taylor, County Auditor.

Commissioner's Office, Madison County,
London, Ohio, April, 21st 1902.

Commissioner's Journal Vol. 7 Page 496

Board of Commissioners met today in regular session.
Present: H. C. Bradley, Jas. B. Anderson and Chas. S. Markley.
In the matter of the Ditch Imp. Petitioned for by D. A. Fitzgerald. } Notice of filing of petition and time fixed for view.

Notice of Filing of Petition and Time fixed for view

The County Auditor having delivered to this board, a certified copy of a petition filed with him on the 17th day of April, 1902, praying for the location and construction of a county ditch, between the termini and along the route stated below, to-wit:
Beginning at the mouth of a fifteen inch tile on the lands of Mable and Helen Wilson, about one hundred and forty rods south of the Albert W. Wilson pike; running thence in an easterly direction through the lands of the said Mable and Helen Wilson, to the lands of John S. Wilson,

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crossing the Middle pike; thence continuing through the lands of the said John B. Wilson, the lands of D. A. Fitzgerald, the lands of Orestes and Anna Weaver, the lands of Marion Bidwell, the lands of J. S. Millikin, the lands of Henry Wright; thence crossing the East pike; thence through the lands of Eva Stevens (Loveless) to Big Darby or far enough to give a good and sufficient outlet.

And it appearing that said petitioner has given bond as required by law, which has been approved by said Auditor, and said Auditor having fixed the 10th day of May, 1902, at 10 o'clock, A. M. 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 other competent to testify, and to determine as to the necessity of said improvement.

On the question of the adoption of the foregoing entries and orders relating to said petition and ditch, H. E. Bradley, Jas. B. Anderson and Chas. H. Markley voted "Aye".

B. A. Paylor,
Auditor & Clerk.

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

Auditor's Office, Madison County, Ohio,

Notice to
Lot or Land
Owners

In the matter of the
Ditch Imp. Petitioned
for by D. A. Fitzgerald.

April 17th A. D. 1903.

Notice to Lot or 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 17th day of April, 1902, D. A. Fitzgerald filed a petition with the Auditor of Madison County, the prayer of which is for the location and construction of a ditch on the following starting point, route and terminus, to wit:

Commencing at the mouth of a fifteen inch tile on the lands of Mable and Helen Wilson about one hundred and forty rods south of the Albert W. Wilson pike; running thence in an easterly direction through the lands of the said Mable and Helen Wilson, the lands of John B. Wilson, crossing the Middle Pike near the residence of said John B. Wilson; thence continuing through the lands of the said John B. Wilson, the lands of D. A. Fitzgerald, the lands of Orestes and Anna Weaver, the lands of Marion Bidwell, the

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lands of D. J. Butler, the lands of J. L. Millikin, the lands of Henry Wright; thence crossing the East pike; thence through the lands of Eva Stevens (Loveless) to Big Darby, or far enough to give a good and 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: at the beginning of said proposed ditch improvement, at 10 o'clock a.m. May, 10th 1902, 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.

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

Auditor's Office, Madison County, Ohio,
April 24th A. D. 1902.

Proof of Personal Service

The State of Ohio, } Proof of Personal Notice.
Madison County, Ohio. }

On this 24th day of April, A. D. 1902, personally came D. A. Fitzgerald, who being first duly sworn according to law, deposes and says that on the days hereinafter named, he served the annexed notice on the persons hereinafter named, by delivering to each a true copy of the annexed notice or by leaving the same at their usual place of residence.

Name of Person Served.	How Served.	When Served.
Lester Bidwell, Trustee		
Mable and Helen Wilson,	Residence,	April 21 st 1902
John S. Wilson,	Personally,	April 21 st 1902
D. A. Fitzgerald,	Personally,	April 19 th 1902
Orestus and Anna Weaver,	Personally,	April 22 nd 1902
Marion Bidwell,	Personally,	April 21 st 1902
D. J. Butler,	Residence,	April 21 st 1902
Henry Wright,	Personally,	April 21 st 1902
J. W. Pyerly,	Personally,	April 22 nd 1902
Mary Kreamer,	Personally,	April 22 nd 1902
Thomas Burrell,	Personally,	April 22 nd 1902
John Kreamer,	Personally,	April 22 nd 1902

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Name of Person Served.	How Served.	When Served.
D. A. Fitzgerald, Exc. P. Daily.	Personally.	April 22 nd 1902
Rosella Byerly,	Personally.	April 22 nd 1902
Sarah Price,	Personally.	April 23 rd 1902
Martha Wilson,	Personally.	April 23 rd 1902
Benj. Frey,	Personally.	April 23 rd 1902
Mary Cobb,	Residence.	April 24 th 1902
Monroe Bidwell,	Residence.	April 22 nd 1902
W. M. Wilson,	Personally.	April 23 rd 1902
M. V. High,	Personally.	April 21 st 1902
Margaret Alder,	Personally.	April 22 nd 1902
W. J. Chandler,	Personally.	April 21 st 1902
J. W. Dimmond,	Personally.	April 23 rd 1902
E. H. Stuckey,	Residence.	April 21 st 1902
Jacob Peterman,	Personally.	April 21 st 1902
J. W. Bricker,	Personally.	April 21 st 1902
William Powers,	Personally.	April 22 nd 1902
James Mehan,	Residence.	April 22 nd 1902
Canaan Sp. (M. V. High Director)	Personally.	April 21 st 1902
Monroe Sp. (D. A. Fitzgerald, Director)	Personally.	April 22 nd 1902
W. P. Arthur,	Personally.	April 21 st 1902
Mary Lowe,	Residence.	April 21 st 1902
H. B. Pimple,	Personally.	April 21 st 1902
Chas. Martin,	Personally.	April 21 st 1902
Lucy Beach,	Residence.	April 24 th 1902
Laura Bridgman,	Personally.	April 24 th 1902
Daniel Troyer,	Residence.	April 24 th 1902.

And further this deponent saith not.

D. A. Fitzgerald.

Sworn to by D. A. Fitzgerald before me and by him subscribed in my presence this 24th day of April, 1902.

B. A. Taylor, County Auditor.

Auditor's Office, Madison County, Ohio,

In the matter of the } April 17th A. D. 1902.
Ditch Imp. Petitioned } Copy of Notice to Lot or Land Owners.
for by D. A. Fitzgerald.

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 17th day of April, 1902, D. A. Fitzgerald filed a petition with the Auditor of Madison County, the prayer of which is for the location and construction of a Ditch on the following starting point, route and terminus, to wit:

Commencing at the mouth of a fifteen inch

Copy of
Notice to
Lot or Land
Owners

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tile on the lands of Mable and Helen Wilson about one hundred and forty rods south of the Albert W. Wilson fike; running thence in an easterly direction through the lands of the said Mable and Helen Wilson; the lands of John S. Wilson crossing the Middle fike near the residence of said John S. Wilson; thence continuing through the lands of said John S. Wilson, the lands of D. A. Fitzgerald, the lands of Orastus and Anna Weaver, the lands of Marion Bidwell, the lands of D. J. Butler, the lands of J. L. Millikin, the lands of Henry Wright; thence crossing the East fike; thence through the lands of Eva Stevens (Loveless) to Big Darby or far enough to give a good and 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: at the beginning of said proposed ditch, at 10 o'clock, A. M., May 10th 1907, 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 or welfare; and whether the route described is the best route; and any and all objections to said proposed ditch improvement.

Any applications 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.

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

Notice by
Publication

Notice to Non-Resident Lot or Land Owners.

Auditor's Office, Madison County, Ohio.

April 17th 1907.

In the matter of the ditch improvement petitioned for by D. A. Fitzgerald.

To the Lot or Land Owners and to the Corporation either Public or Private, affected by said Improvement:

You, and each of you, are hereby notified that on the 17th day of April, 1907, D. A. Fitzgerald and others filed a petition with the Auditor of Madison County, the prayer of which is for the location and construction of a Ditch on the following starting point, route and terminus, to wit:

Commencing at the mouth of a fifteen inch tile on the lands of Mable and Helen Wilson,

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about one hundred and forty rods south of the Albert W. Wilson pike; running thence in an easterly direction through the lands of said Mable and Hella Wilson; the lands of John S. Wilson, crossing the Middle Pike near the residence of said John S. Wilson, thence continuing through the lands of the said John S. Wilson, the lands of D. A. Fitzgerald, the lands of Orastus and Anna Weaver, the lands of Marion Bidwell, the lands of D. J. Butler, the lands of J. L. Millikin, the lands of Henry Wright; thence crossing the East pike; thence through the lands of Eva Stevens (Loveless) to Big Darby, or far enough to give a good and 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: at the beginning of said proposed ditch at 10 o'clock, a.m. May, 10th 1902, for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement, 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 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.

Proof of
Publication

Proof of Publication.

State of Ohio, Madison County, ss:

O. M. Bryan, being duly sworn, says he is one of the Editors and Proprietors of the "Madison County Democrat", a weekly newspaper printed and in general circulation in said County, and that a notice, of which the annexed is a copy, was published in said newspaper for at least two consecutive weeks prior to the 10th day of May, A. D. 1902.

O. M. Bryan,

Sworn to and subscribed before me this 26th day of April 1902.

B. A. Taylor,

Auditor Madison County, Ohio.

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Commissioner's Office, Madison County,
London, Ohio, May 17th 1903.

Commissioner's
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Board of Commissioners met today in regular session.
Present: H. E. Bradley, Jas. B. Anderson and Chas. B. Markley.
In the matter of the }
Ditch Imp. Petitioned } Adjoined Meeting on View.
for by D. A. Fitzgerald.

Adjoined Meeting
on View

This board having proceeded on the 10th day of May, 1902, to the place of beginning of said improvement as prayed for in the petition 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, considered the necessity of said improvement, having heard proof of parties affected by said improvement and others competent to testify, it was moved and seconded that the further consideration of said matter be adjourned to Tuesday, May, 20th 1902, at 10 o'clock A.M., at the office of the Board of Commissioners, in London, Ohio.

The roll being called for the approval of the above matter, H. E. Bradley, Jas. B. Anderson and Chas. B. Markley voted "aye".

B. A. Taylor,
Auditor + Clerk.

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

Commissioner's
Finding on
Petition

Commissioner's Finding on Petition.

Auditor's Office, Madison County, Ohio,

In the matter of the }
Ditch Imp. Petitioned }
for by D. A. Fitzgerald. } Commissioner's Finding on Petition.
May 20th A. D. 1902.

This day the Commissioners of Madison County being in special session, members present: H. E. Bradley, Jas. B. Anderson and Chas. B. Markley, a copy of a petition for the location, deepening and widening and straightening of a county ditch having been delivered to us by the County Auditor, and it appearing to us that the proper bond had been filed, 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 10th day of May, 1902, (and at adjourned meetings therefor,) 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

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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, determined the necessity thereof.

And we do hereby find that said improvement is necessary and will be conducive to the public health, convenience or 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 not the best.

Description
of
Route

The following route was determined upon by us, viz. Commencing at the mouth of a fifteen inch tile on the lands of Mable and Helen Wilson about one hundred and forty rods south of the Albert W. Wilson fike; running thence in an easterly direction through the lands of said Mable and Helen Wilson, the lands of John D. Wilson, crossing the Middle fike near the residence of said John D. Wilson, thence running through the lands of said John D. Wilson, the lands of D. A. Fitzgerald, the lands of Orestes and Anna Weaver and onto the lands of Marion Bidwell and terminating on said lands at a point about 1310 feet from the line between said Bidwell and Orestes and Anna Weaver.

We also find that due and legal notice has been given for the length of time required by law, to each person or corporation benefited or affected by said proposed improvements.

It is therefore ordered that said improvement be granted and the same be known as "The D. A. Fitzgerald Ditch Improvement".

Said Board also finds that Marion Bidwell, J. H. Bricker and James Mehan have made application in writing for compensation and damages, which applications are ordered to be filed.

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 changed by us in accordance with Section 4489 R. S., as described above, and survey and level the same, and set a stake at every hundred

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ded 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 and to perform such other duties as are required in Sections 4454, 4455 + 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 28th day of June, 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.

D. A. Taylor,
Auditor.

H. E. Bradley,
President Board of Commissioners.

Finding of Commissioners on Petition - Copy for Surveyor
Auditor's Office, Madison County, Ohio,

Binding on
Petition - Copy
for Surveyor

In the matter of the } May 20th A. D. 1902.
Ditch Imp. Petitioned for } Copy for Surveyor.
by D. A. Fitzgerald.

This day the Commissioners of Madison County being in special session, members present, H. E. Bradley, Jas. B. Anderson and Chas. B. Markley and a copy of a petition for the location, straightening, deepening and widening of a county ditch having been delivered to us by the County Auditor, and it appearing 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 10th day May, 1902, the day fixed by the Auditor for hearings (and at adjourned meetings therefor) 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

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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 not the best.

The following route was determined upon by us, viz: Commencing at the mouth of a fifteen inch tile on the lands of Mable and Helen Wilson about one hundred and forty rods south of the Albert W. Wilson pipe; running thence in an easterly direction through the lands of said Mable and Helen Wilson to the lands of John B. Wilson crossing the Middle pipe near the residence of said John B. Wilson; thence running through the lands of the said John B. Wilson, the lands of D. A. Fitzgerald, the lands of Orestus and Anna Weaver and onto the lands of Marion Bidwell and terminating on said lands at a point 1310 feet from the line between said Bidwell and Orestus and Anna Weaver.

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

It is therefore ordered that said improvement be granted and the same be known as "The D. A. Fitzgerald Ditch Improvement".

Said Board also find that Marion Bidwell, J. W. Bricker, and James Mehan have made application in writing for compensation and damages, which applications are ordered to be filed.

And we do hereby order the Auditor to enter this, our finding in writing, on the Commissioner's Journal. And we do further authorize the Auditor to enter upon said Journal and order directing the County Surveyor to go upon the line as changed by us in accordance with Section 4489 R. S. as described above, 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 roads or rail road, 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

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the County Auditor, on or before the time hereinafter fixed for hearing the same.

It is further ordered that the 28th day of June, 1902, 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.

I certify the foregoing to be correctly copied from the record of the proceedings of the Board.

B. A. Taylor, County Auditor.

Commissioner's Office, Madison County,
London, Ohio, May, 20th 1902.

Commissioners
Journal Vol. 7
Page 508.

Board met today in special session.
Present: Jas. B. Anderson, Chas. B. Markley^{2d} & H. E. Bradley.

In the matter of the }
Ditch Impr. Petitioned } Petition Granted.
for by D. A. Fitzgerald.

Petition
Granted

This being the day to which the above styled matter was adjourned and the board having viewed the line of said ditch on May 10th 1902, and heard proof of all parties interested in said improvement, do find and determine 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 and adjacent thereto by furnishing drainage.

And we do further find that the route described is not the best:

The following route was determined upon by us,

viz:
Commencing at the mouth of a fifteen inch tile on the lands of Helen and Mable Wilson about one hundred and forty rods south of the Albert W. Wilson pike; running thence in an easterly direction through the lands of said Mable and Helen Wilson, the lands of John B. Wilson crossing the Middle pike near the residence of John B. Wilson; thence continuing through the lands of the said John B. Wilson, the lands of D. A. Fitzgerald, the lands of Orestes and Anna Weaver, and onto the lands of Marion Bidwell and terminates on the lands of said Bidwell at a point about 1310 feet from the line

Description
of
Route

Madison County Ditch Improvement Record.

The D.A. Fitzgerald Ditch Improvement

between said Bidwell and Orestus and Anna Weaver. It is therefore ordered that said improvement be granted and the same be known as the D.A. Fitzgerald Ditch Improvement.

Said board find that Marion Bidwell, J. H. Bricker and James Mehan have made application in writing for compensation and damages, which applications are ordered to be filed.

Said board 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.

Order to County Surveyor

And we do further authorize the Auditor to enter upon said journal an order directing the County Surveyor to go upon the line as changed by us in accordance with Section 4489 R.S., as described above, 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 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 from the making of said improvement, and to perform such other duties as are required in Sections 4454, 4455, 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 28th day of June, 1907, at 10 o'clock A.M. 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, to which time and place the proceedings herein now stand adjourned.

The roll being called for the approval of the above entry relating to said proposed ditch improvement,

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

Claims for Compensation and Damages filed by J. H. Bricker. Filed April 28th 1907. B. A. Taylor, County Auditor.

Madison County Ditch Improvement Record.
The D.A. Fitzgerald Ditch Improvement.

Claims for
Compensation
and Damages

In the matter of the Ditch Improvement petitioned
for by D.A. Fitzgerald.

To the Commissioners of Madison County, Ohio:
J. J. H. Bricker, am a tenant on the farm of Orestes
Weaver, and that if said ditch is constructed before
this year's crop of corn is mature and gathered, I
will be damaged to the extent of \$50.00 for which I
respectfully ask payment.

Yours Truly,

J. H. Bricker.

Filed April 28th 1902.

B.A. Taylor, County Auditor.

Claims for Compensation + Damages, filed by James Mehan.
Plain City, Ohio, May, 19th 1902.

To the Commissioners of Madison County, Ohio:
I object to the construction of this ditch without
a compensation of Seventy five dollars damage, to
my corn crop, and also Forty Dollars damage to my pas-
ture lands, for the tramping, trailing, covering up
and otherwise destroying my grass.

James Mehan.

Filed May 20th 1902.

B.A. Taylor, County Auditor. (B)

Adjourned Hear-
ing on Engineer's
Report.

Commissioner's Office, Madison County,
London, Ohio, June 28th 1902.

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Board of Commissioners met today in special session.
Present: H. E. Bradley, Jas. B. Anderson and Chas. S. Markley.
In the matter of }
The D.A. Fitzgerald }
Ditch Improvement. } Adjourned Hearing on Engineer's Report

This being the day fixed by the
board for hearing of the Engineer's Report in the above
styled matter, and said Engineer having filed his
report, including the apportionment by him made
of the cost said improvement, the board proceeded
to the consideration of the same. after proper ex-
amination, the board 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 im-
provement.

The board having heard the evidence and examin-
ed said report and apportionment do find that
said report and apportionment are ^{not} in all re-
spects fair and just.

It was moved by Chas. S. Markley and seconded

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement

by Jas. B. Anderson that the further hearing on said report be adjourned to Wednesday, July, 16th 1902, and that said board go upon the premises and view the same and apportion the entire cost of location and construction, or any part thereof, as may seem just and proper.

The roll being called for the approval of the above motion, H. E. Bradley, Jas. B. Anderson and Chas. B. Markley voted "Aye".

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

Report of Engineer - Filed June 28th 1902. B. A. Taylor, Auditor, Auditor's Office, Madison County, Ohio.

Report of Engineer

In the matter of the Ditch Imp. Petitioned for by D. A. Fitzgerald. Report and Schedules of Engineer. June 28th A. D. 1902.

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 20th day of May, 1902, has proceeded in the above matter, and has made a level and survey of the line of said proposed improvement, and set a stake at every hundred feet numbering down stream; 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 railroad 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 railroads, together with the name of the owners of such railroad companies, and the names of the lessee 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 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-

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement

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 hereto attached and made a part hereof.

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

J. S. Asher,	Engineer,	6 1/2 days,	at \$ 4.00 =	\$26.00
Blyde Asher,	Engineer,	6 days,	at \$ 4.00 =	\$24.00
Jesse Baine,	Chairman,	1 day,	at \$ 1.25 =	\$ 1.25
D. A. Fitzgerald,	Chairman,	1 day,	at \$ 1.25 =	\$ 1.25
"	Asst. Engineer,	1 day,	at \$ 1.25 =	\$ 1.25
Herbert Bonner,	Chairman,	1 day,	at \$ 1.25 =	\$ 1.25
Peter Golder,	Chairman,	1 day,	at \$ 1.25 =	\$ 1.25
Frank Farnsworth,	Chairman and marker,	1 day,	at \$ 1.25 =	\$ 1.25
E. R. Florence,	130-18" stakes,			\$3.58
Frank Bridgman,	130-12" stakes,			\$3.00
	Team, hauling stakes.			\$ 64.08

The foregoing cost bill allowed by us, this 28th day of June, A. D. 1903.

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

J. S. Asher,
Engineer

Report of Engineer

Report of Engineer

Schedule "A"

Stake number number feet above station	Surface Elevation	Grades Elevation	Total fall from station	Entire Depth	Out.	Width on bottom	Width surface	Width at grade	Course and Distance	Remarks.
0	100.06	93.02 -.15		7.04	3.25	2.5	12.25		From 0 to 2	Begins on the lands of Alder and Mabel Wilson. Walnut - Left.
1	96.93	92.87	.15	4.06	3.84		14.02	99	S. 89 E. = 200'	
2	100.37	92.72	.30	7.65	4.07		14.71	123	2 to 2+70	
+70	99.62	92.62	.40	7.00					S. 56 E. = 70'	
3	99.57	92.57	.45	7.00	3.98		14.44	120	2+7 to 4+80	
4	97.18	92.42	.60	4.76	3.71		13.63	114	S. 77 1/2 W. = 210'	
+80	100.05	92.30	.72	7.75					4+80 to 5+70	
5	98.81	92.27	.75	6.54	3.61		13.33	105	S. 48 1/2 E. = 90'	
Q.M.	100.00									
+70	98.73	92.17	.85	6.56					5+70 to 12	
6	98.93	92.12	.90	6.81	3.36		12.58	100	S. 79 E. = 630'	
7	99.23	91.97	1.05	7.26	3.24		12.22	91		
8	98.72	91.82	1.20	6.90	3.21		12.13	87		
9	98.22	91.67	1.35	6.55	3.06		11.68	83		
10	98.48	91.52	1.50	6.96	2.90		11.20	77		
11	97.62	91.37	1.65	6.25	2.86		11.08	73		
12	98.28	91.22	1.80	7.06	2.97		11.41	74	12 to 60 + 80	
13	96.99	91.07	1.95	5.92	3.06		11.68	78	S. 73 1/4 E. = 480'	
14	96.82	90.92	2.10	5.90	3.17		12.01	83		
15	95.64	90.77	2.25	4.87	3.59		13.27	95		
16	97.27	90.62	2.40	6.65	3.36		12.58	99		

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement

Report of Engineer	Report of Engineer									Schedule "A"	
	Grade number from station	Surface Elevation	Grade Elevation	Cut or Fill from station	Center Offset	Date	Width on Bottom	Width on Top	Bank side	Course and Distance	Remarks
	+80	96.18	90.50	2.52	5.68					16+80 to 18+82	
	17	95.52	90.47	2.55	5.05	3.37		12.61	94	S. 85 1/2 E. = 202'	
	B.M.	95.51									Arch - Left.
	18	94.10	90.32	2.70	3.78	3.66		13.48	101		
	+82	96.84	90.20	2.82	6.64	3.49				18+82 to 29+60	
	19	95.84	90.17	2.85	5.67	3.49		12.97	103	S. 65 1/2 E. = 1078'	
	20	96.98	90.02	3.00	6.96	3.62		13.36	103		
	21	96.82	89.87	3.15	6.95	3.25		12.25	98		
	22	96.63	89.72	3.30	6.91	3.07		11.71	85		
	23	95.57	89.57	3.45	6.00	3.03		11.59	80		
	24	95.67	89.42	3.60	6.25	2.95		11.35	77		
	25	96.14	89.27	3.75	6.87	2.85		11.05	73		
	26	95.24	89.12	3.90	6.12	2.75		10.75	70		
	27	94.96	88.97	4.05	5.99	2.60		10.30	64		
	28	92.89	88.82	4.20	4.07	2.37		9.61	57		
	29	93.03	88.67	4.35	4.36	2.39		10.67	56	29+60 to 33+50	
	30	92.76	88.52	4.50	4.24	2.20		9.10	53	S. 74 3/4 E. = 390'	
	31	92.83	88.37	4.65	4.56	2.25		9.25	48		
	32	92.89	88.22	4.80	4.67	2.05		8.65	45		
	B.M.	95.54									Walnut - Left.
	33	91.97	88.07	4.95	3.90	1.65	25	7.45	36		
	+50	92.80	88.00	5.02	4.80					33+50 to 34+82	
	34	91.80	87.92	5.10	3.88	1.37		6.61	26	S. 82 1/2 E. = 132'	
	+82	92.67	87.80	5.22	4.87					34+82 to 36	
	35	91.57	87.77	5.25	3.80	1.60		7.30	26	S. 36 1/2 E. = 118'	
	36	91.99	87.62	5.40	4.37	1.55		7.15	28	36 to 38	
	37	89.56	87.47	5.55	2.09	1.55		7.15	27	S. 12 1/2 E. = 200'	
	38	89.72	87.32	5.70	2.40	1.56		7.18	28	38 to 39	
	39	90.05	87.17	5.85	2.88	.98		5.44	20	S. 37 E. = 100'	
	40	92.23	87.02	6.00	5.21	.78		4.84	12	39 to 46	
	41	91.58	86.87	6.15	4.71	1.00		5.50	13	S. 63 E. = 700'	
	42	90.44	86.72	6.30	3.72	1.15		5.95	16	45+16 = center of middle Pike.	
	43	91.29	86.57	6.45	4.72	1.06		5.68	17		
	44	87.74	86.42	6.60	1.32	1.06		5.68	16		
	45	88.32	86.27	6.75	2.05	1.09		5.77	16		
	B.M.	93.83	- .24								S.W. corner bridge - Bridge on middle Pike
	46	87.95	86.03	6.99	1.92	1.10		5.80	17	46 to 52	
	47	87.30	85.79	7.23	1.51	1.32		6.46	19	N. 80 E. = 600'	
	48	87.07	85.55	7.47	1.52	1.43		6.79	23		
	49	89.03	85.31	7.71	3.72	1.67		7.51	28		
	50	89.48	85.07	7.95	4.41	1.74		7.72	32		
	51	89.41	84.83	8.19	4.58	1.83		7.99	34		
	52	88.15	84.59	8.43	3.56	2.20		9.10	41	52 to 61 + 27	
	53	88.65	84.35	8.67	4.30	2.17		9.01	47	N. 81 1/4 E. = 924'	

Madison County Ditch Improvement Record.
The D. A. Fitzgerald Ditch Improvement.

Report of Engineer	Report of Engineer									Schedule "A"	
	Stake number from reference point	Surface Elevation	Grade Elevation	Total fall from reference point	Driving Depth	Dist.	Width Bottom	Width top	Depth	Course and Distance	Remarks
	90	76.63	73.06	19.96	3.57	2.51		10.03	47		
	91	77.83	72.78	20.24	5.05	2.04		8.62	50		
	92	77.44	72.50	20.52	4.94	2.20		9.10	45		
	93	77.21	72.22	20.80	4.99	2.02		8.56	44		
	94	76.03	71.94	21.08	4.09	1.94		8.32	40		
	95	76.42	71.66	21.36	4.76	1.97		8.41	39		
	96	75.86	71.38	21.64	4.48	1.37		6.61	31		
	97	75.57	71.10	21.92	4.47	1.68		7.54	27		
	98	74.77	70.82	22.20	3.95	1.86		8.08	34	98 to 101	
	99	75.59	70.54	22.48	5.05	1.90		8.20	37	S. 81 1/2 E. = 300'	
	100	75.33	70.26	22.76	5.07	2.03		8.59	38	1	
	101	74.14	69.98	23.04	4.16	2.08	250	8.75	42	101 to 103 + 85	
	102	72.90	69.70	23.32	3.20	2.25		9.25	46	S. 70 E. = 285'	
	103	73.08	69.42	23.60	3.66	2.25		9.25	49		
	+85	74.17	69.18	23.84	4.99					103 + 85 to 107 + 90	
	104	73.65	69.14	23.88	4.51	2.14		8.92	47	N. 67 E. = 405'	
	105	71.90	68.86	24.16	3.04	2.17		9.01	46		
	106	72.81	68.58	24.44	4.23	4.23		15.19	86		
	107	72.41	68.30	24.72	4.11	4.11		14.83	135		
	+90	72.30	68.05	24.97	4.25	4.25		15.25	136	107 + 90 to 111 + 23	
	108	72.21	68.02	25.00	4.19	4.19		15.07	138	N. 87 1/2 E. = 333'	
	109	72.08	67.74	25.28	4.34	4.34		15.52	140		
	110	69.22	67.46	25.56	1.76	1.00		5.50	64		
	111	70.64	67.18	25.84	4.46	4.46		15.88	92		
	+23	70.05	67.12	25.90	3.93	3.93				111 + 23 to 115	
	112	70.58	66.90	26.12	3.68	3.68		13.54	130	S. 38 E. = 377'	
	113	67.40	66.92	26.40	.78	.46		3.88	43		
	B.M.	70.16									bottomwood - Left.
	114	68.46	66.34	26.68	2.12	.70		4.60	7		
	115	70.41	65.06	26.96	5.35	1.42		6.76	16	115 to 116	
	116	67.30	65.78	27.24	1.52	.44		3.82	13	S. 72 E. = 100'	

Report of Engineer Statement of Working Sections of the D. A. Fitzgerald Ditch, Schedule "A".

No. of Working Sections	No. of Stakes		No. of Linear feet	No. of Cubic yards	No. of days	Amount		Remarks
	From	To				Dollars	Cents	
1.	116	103	1300	953	124	114	36	
2.	103	89	1400	569	12	68	28	
3.	89	72	1700	175	12	19	00	
4.	72	47	2500	2810	12	337	20	
5.	47	22	2500	940	12	112	80	
6.	22	0	2200	2025	12	250	20	

Madison County Ditch Improvement Record.
The D. A. Fitzgerald Ditch Improvement.

Report of Engineer	Report of Engineer		Schedule "B"							
	Owner's Name as found on Duplicate	Original Survey	Description	Con'd	Owned	Con'd	Estimated	Estimated	Total	Additional
	Marion Bidwell,	8996		142.48	35.	30 00	2 13		32 13	
	D. A. Fitzgerald,			217.03	71.73	32 34	2 29		34 63	
	M. V. Sligh,	12030		147.00	10.	5 50	39		5 89	
	John S. Wilson,			371.72	180.72	134 00	9 51		143 51	
	Mabel and Helen Wilson,			477.27	49.27	125 00	8 87		133 87	
	William Wilson,				3.	1 50	10		1 60	
	Monroe Bidwell,			227.	160.	25 00	1 77		26 77	
	Elijah Bell,			123.50	23.	5 00	36		5 36	
	Johannah Fitzgerald,			478.86	150.	47 50	3 37		50 87	
	A. W. Wilson,			895.85	800.	193 00	13 70		206 70	
	Martha J. Wilson (Downs),	7791		275.	180.	54 00	3 83		57 83	
	Mary B. Cole	7791		340.	75.	23 00	1 63		24 63	
	Benj. Frey,	7791		151.	151.	35 50	2 52		38 02	
	Laura Wilson,	7791		652.06	10.	3 50	25		3 75	
	J. W. Byerly,	7791		74.21	74.21	25 00	1 76		26 76	
	" " "	2881		50.	10.	2 50	18		2 68	
	J. W. and Rosella Byerly,	2881		102.	20.	7 00	50		7 50	
	Mary Kreamer,	2881		101.68	101.68	24 00	1 70		25 70	
	John Kreamer,	7791	Banaan Township	83.29	83.29	25 50	1 81		27 31	
	" "	7791	Monroe Township	16.	16.	4 00	28		4 28	
	" "	"	"	100.66	16.	4 00	28		4 28	
	Burrell Thomas,		Banaan Township	184.95	174.95	41 50	3 05		44 55	
	" "		Jefferson Township	51.	45.	9 00	65		9 65	
	" "	7791	Monroe Township	10.4	10.4	2 00	15		2 15	
	Orestes and Anna Weaver,	6545 5749		58.85	55.85	25 00	1 77		26 77	
	Daniel Troyer W. L. Baggdill,	7791		29.90	29.90	7 50	53		8 03	
	Madison County,		Various roads.			10 00	70		10 70	
									\$965.92	

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement.

Report of
Engineer

Report of Engineer.

Schedule "B".

In the matter of the
Ditch Imp. Petitioned
for by D. A. Fitzgerald,

Auditor's Office, Madison County, Ohio,

June 28th A. D. 1907.

Specifications of the Manner of Construction,

This improvement is to be made on
open ditch throughout its entire length.It must be cut down to grade at all points as indi-
cated in Schedule "A" of this report and as shown on
the profile filed herewith.The banks must have a slope of $1\frac{1}{2}$ horizontally to
1 vertically. The dirt must be moved a distance of
not less than 20 feet from the banks of the new cuttings
and well scattered whenever practicable.On the lands of John B. Wilson, east of the Middle
pike and on the lands of Marion Bidwell, where the
new ditch leaves the old channel so as to make a
straighter ditch; the dirt removed from the new chan-
nel must be thrown into the old channel.The contractors for constructing this improvement
must have a clear right of way on each side of ditch
of sufficient width to enable them to perform all labor
of construction.The within report approved as amended
this 16th day of July, 1907.

H. E. Bradley

Jas. B. Anderson

Chas. B. Markley.

Commissioners

of

Madison County.

Finding on
Report of
EngineerIn the matter of the
Ditch Imp. Petitioned
for by D. A. Fitzgerald,

Auditor's Office, Madison County, Ohio,

June 28th A. D. 1907.Finding of Commissioners on
Report of Engineer.This day the Board of Commissioners
being in special session, present: H. E. Bradley, Jas. B.
Anderson and Chas. B. Markley 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 ex-
amination, 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.After having examined the report of the Engineer, with
the apportionment by him made, and the claims,
exceptions and premises all all parties interested, do

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement.

find, that said report and apportionment of the Engineer are not 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.

Said board find that said report and apportionment be changed as follows, to wit:

Change in Assessments

Add \$ 4.27	to Marion Bidwell's assessment,	making assessment	\$ 36.40
" \$ 10.00	" Mable & Helen Wilson's	"	" \$ 143.87
" \$ 3.60	" Johanna Fitzgerald's	"	" \$ 54.47
" \$ 2.97	" Mary B. Cook's	"	" \$ 27.60
" \$ 4.48	" Benj. Frey's	"	" \$ 42.50
" \$.30	" Laura Wilson's	"	" \$ 4.05
" \$.30	" J. W. Byerly's	"	" \$ 2.98
" \$.60	" J. W. & Rosella Byerly's	"	" \$ 8.10
" \$ 3.03	" Mary Steamer's	"	" \$ 28.73
" \$ 4.16	" John Steamer's	"	" \$ 31.47
" \$ 5.25	" Thomas Bunnell's	"	" \$ 49.80
" \$ 10.00	" Orestus & Anna Weavers	"	" \$ 36.77
" \$ 7.60	" Madison County's	"	" \$ 18.30
Deduct \$ 10.00	from D. A. Fitzgerald's	"	" \$ 24.63
" \$ 36.13	" A. W. Wilson's	"	" \$ 170.57
" \$ 10.00	" March J. Wilson's	"	" \$ 47.83

It is therefore ordered that said report and apportionment as above changed be and the same are hereby approved and confirmed.

B. A. Taylor,
Auditor

H. E. Bradley,

President Board of Commissioners.

Auditor's Office, Madison County, Ohio,
July 28th A. D. 1903.

Order of Sale of Ditch

In the matter of the }
Ditch Imp. Petitioned } Order to Sell the Labor of Construction
for by D. A. Fitzgerald. }

This day the matter came before the Board of Commissioners in special session, present, H. E. Bradley, Jas. B. Anderson and Chas. B. Markley,

It is now and therefore ordered that the 13th day of August, 1902, 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 the 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

Madison County Ditch Improvement Record.
The D. A. Fitzgerald Ditch Improvement.

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 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 a failure to complete the same within the time stipulated in said contract, in a sum not less than double the amount of the estimate value of the work and labor of constructing the portion bid off by said contracting party.

B. A. Taylor, County Auditor, H. E. Bradley, President of Board of Commissioners.

Commissioner's Office, Madison County,
London, Ohio, July, 16th 1902.

Board of Commissioners met today in special session.
Present: H. E. Bradley, Jas. B. Anderson and Chas. S. Markley.

In the matter of the Ditch Imp. Petitioned for by D. A. Fitzgerald. } Hearing on Engineer's Report and Notice of Appeal.

The Board being in session as per adjournment and all members being present, the board resumed the further consideration of the above matter; the board having examined the report and apportionment and the premises along and adjacent to said ditch, do find that said report and apportionment should be changed as follows, to wit:

Add # 4.27	to Marion Bidwell's assessment,	making assessment	\$ 36.40
" # 10.00	" Mable and Helen Wilson's	"	" \$ 143.87
" # 3.60	" Johanna Fitzgerald's	"	" \$ 54.47
" # 2.97	" Mary B. Wiles	"	" \$ 27.60
" # 4.48	" Benj. Frey's	"	" \$ 42.50
" # .30	" Laura Wilson's	"	" \$ 4.05
" # .30	" J. W. Byerly's	"	" \$ 2.98
" # .60	" J. W. and Rosella Byerly's	"	" \$ 8.10
" # 3.03	" Mary Creamer's	"	" \$ 28.73
" # 4.16	" John Creamer's	"	" \$ 31.47

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Hearing on
Report of
Engineer

Madison County Ditch Improvement Record.
The D. A. Fitzgerald Ditch Improvement

Add \$ 5.25 to Thomas Bunnell's assessment, making assessment	# 49.80
" \$ 10.00 " Orestus & Anna Weaver's	" " " # 36.77
" \$ 7.60 " Madison County's	" " " # 18.30
Subduct \$ 10.00 from D. A. Fitzgerald's	" " " # 24.63
" \$ 36.13 " A. W. Wilson's	" " " # 170.57
" \$ 10.00 " Martha J. Wilson's	" " " # 47.83

Approval of
Report of
Engineer

It is therefore ordered that said report and apportionment as hereby changed, be and the same are hereby approved and confirmed.

It is also ordered that the claims for damages filed by Marion Bidwell be and the same are hereby overruled.

The Board having examined the written applications of James Mehan and J. S. Bricker as to damages to growing crops, find that said damages could not be determined at this time and no action was taken as to said claims, until such damage, if any, be made apparent.

The Board also find that exceptions to the apportionment were filed by D. A. Fitzgerald.

Upon roll of roll for the approval of the foregoing orders and findings relating to said ditch improvement, W. C. Bradley, Jas. P. Anderson and Chas. S. Markley voted "aye".

Now comes D. A. Fitzgerald, Executor of the will of Patrick Daily, dec'd., by John A. Lincoln, his Attorney, and files notice of appeal as follows:

Notice of
Appeal

Before the Commissioners of Madison County, Ohio:
In the matter of the
D. A. Fitzgerald
Ditch Improvement } Notice of Appeal.

To the Commissioners of Madison County, Ohio:
You are hereby notified that I intend to appeal to the Probate Court of said County from your decision rendered July, 16th 1907, in the matter of The D. A. Fitzgerald Ditch: - That said ditch will be conducive to the public health, convenience and welfare; or that the route thereof is practicable; that the land standing in the name of Johannah Fitzgerald is benefited and assessable for said improvement at all, or for the amount assessed against it.

D. A. Fitzgerald,

Executor of the Will of Patrick Daily, deceased.

By John A. Lincoln, his Attorney.

Now comes Monroe Bidwell, by his Attorney, John A. Lincoln, and files notice of appeal as follows:

Before the Commissioners of Madison County, Ohio:
In the matter of the D. A. Fitzgerald Ditch Improvement. } Notice of Appeal.

Madison County Ditch Improvement Record.
The D. A. Fitzgerald Ditch Improvement.

Notice of
Appeal

To the Commissioners of Madison County, Ohio:
You are hereby notified that I intend to appeal to the Probate Court of said County, from your decision rendered July, 16th 1902, in the matter of the D. A. Fitzgerald Ditch Improvement; - That said ditch will be conducive to the public health, convenience and welfare; or that the route thereof is practicable; or that the land assessed by me is benefited at all or in the amount assessed; and from the assessment placed against my lands.

Monroe Bidwell,

By John A. Lincoln, his Attorney.

It was moved by Chas. B. Markley and seconded by Jas. B. Anderson that the amount of the Appeal Bonds be fixed as follows:

Appeal Bond of D. A. Fitzgerald, Executor, at #

Appeal Bond of Monroe Bidwell, at #

The roll being called for the approval of the foregoing order relating to said Appeal Bond, H. E. Bradley, Jas. B. Anderson and Chas. B. Markley voted "Aye".

B. A. Taylor,

Auditor & Clerk.

H. E. Bradley,

Jas. B. Anderson,

Chas. B. Markley

Commissioners
of
Madison County

Commissioner's Journal, Madison County
London, Ohio, July 28th 1902.

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Board of Commissioners met today in regular session.
Present: H. E. Bradley, Jas. B. Anderson and Chas. B. Markley.
In the matter of the D. A. Fitzgerald Ditch Improvement:

Order of
Sale of
Ditch

The legal time for the filing of Appeal Bonds having expired and Monroe Bidwell and D. A. Fitzgerald, Executor, the appellant, having failed to file said Bonds with the County Auditor within the time required by law: -

It is now and therefore ordered that the 13th day of August, 1902, 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 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 ordered that the Auditor of said County give notice of said sale by circulating hand-

Madison County Ditch Improvement Record.
The D.A. Fitzgerald Ditch Improvement.

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 contracts 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.

On the question of the approval of the foregoing entry relating to said ditch improvement, the roll being called, A. E. Bradley, Jas. B. Anderson and Chas. H. Markley. } Commissioners
B. A. Taylor, } of
Auditor & Clerk. } Madison County

Notice of Appeal of Monroe Bidwell.
Filed July, 16th 1902. B. A. Taylor, Auditor.

Before the Commissioners of Madison County Ohio.
In the matter of the }
D. A. Fitzgerald } Notice of Appeal.
Ditch Improvement. }

Notice of Appeal

To County Commissioners of Madison County, Ohio.
You are hereby notified that I intend to appeal to the Probate Court of said County, from your decision rendered July, 16th 1902, in the matter of the D. A. Fitzgerald Ditch Improvement; that said ditch will be conducive to the public health, convenience and welfare; or that the route thereof is practicable or that the land assessed by me is benefited at all or in the amount assessed; and from the assessment placed against my land.

Monroe Bidwell,
By John A. Lincoln, his Attorney.

Notice of Appeal of D. D. Fitzgerald, Executor of the Will of Patrick Daily, dec'd.
Filed July 16th 1902. B. A. Taylor, County Auditor.
In the matter of the } Before the Commissioners of Madison County Ohio.
D. A. Fitzgerald } Notice of Appeal.
Ditch Improvement. }

Madison County Ditch Improvement Record.
The D. A. Fitzgerald Ditch Improvement

You are hereby notified that I intend to appeal to the Probate Court of said County from your decision rendered July, 16th 1902, in the matter of the D. A. Fitzgerald Ditch Improvement; That said ditch will be conducive to the public health, convenience and welfare; that the route thereof is practicable; or that lands standing in the name of Johannah Fitzgerald is benefited and assessable for said improvement at all or for the amount assessed against it.

D. A. Fitzgerald, Executor of the Will of Patrick Daily, decd.
By John A. Lincoln, his Attorney.

Ditch Sale

Ditch Sale.

Notice to Contractors:

Notice is hereby given that the undersigned Engineer will sell at public outcry on Wednesday, August 13th 1902, at 10 o'clock A.M. (standard time), to the lowest responsible bidder therefor, the work of constructing the D. A. Fitzgerald Ditch Improvement, Located in Banaan Township, Madison County, Ohio. Said work will be offered in sections, as follows, and may be offered as a whole:

- Section I - From Station 116 to Station 103
953 cubic yards at 12c. per cubic yard. \$114.36
To be completed September 10th 1902.
- Section II. - From Station 103 to Station 89.
569 cubic yards at 12 c. per cubic yard. \$68.28
To be completed September 25th 1902.
- Section III. - From Station 89 to Station 72,
175 cubic yards at 12 c. per cubic yard. \$19.00
To be completed October 20th 1902.
- Section IV. From Station 72 to Station 47
2810 cubic yards at 12 c. per cubic yard. \$337.20
To be completed November, 20th 1902.
- Section V. From Station 47 to Station 22
940 cubic yards at 12 c. per cubic yard. \$112.80
To be completed December, 10th 1902.
- Section VI. From Station 22 to Station 0,
2025 cubic yards at 12 c. per cubic yard. \$250.20
To be completed Dec. 25th 1902.

Bidders will meet at the place where said ditch crosses the Middle Pike near the residence of John Wilson, about 4 1/2 miles north of West Jefferson.
A deposit of \$20.00 cash, (no checks taken) will be required as a guarantee of good faith, before any bid will be entertained. The right to reject any or all bids is reserved. Bond and

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement.

contract must be given within five days of date of sale. Specifications are now 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.
B. A. Taylor, Auditor. J. H. Asher, Engineer.

Commissioner's Office, Madison County,
London, Ohio, August 11th 1902.

Commissioner's Journal Vol. 7 Page. 558.

Board of Commissioners met today in regular session. Present: H. E. Bradley, Jas. B. Anderson and Chas. S. Markley. In the matter of the Ditch Imp. Petitioned for by D. A. Fitzgerald. Order to postpone sale of ditch.

Order to Postpone Sale of Ditch

The Board having fixed August 13th 1902 as the date for the sale of the work of constructing the above styled improvement, and it appearing that a temporary restraining order in said matter has been granted by the Probate Court, and issued out of the Office of the County Clerk of this County, upon a petition for a review and injunction in said matter - petition for which has been filed in the Common Pleas Court of this County, and which temporary restraining order was served upon this board in compliance with said order, -

It is ordered that no further proceedings be had in this matter, and that the Engineer heretofore directed to conduct the sale of said improvement is hereby directed to postpone the same until the further order of the Common Pleas Court.

On the question of the adoption of the foregoing entry and orders, H. E. Bradley, Jas. B. Anderson and Chas. S. Markley, voted "Aye."

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

Restraining Order vacated and set aside

Morse Bidwell et al vs. The Board of County Commissioners et al. Madison County, Common Pleas Court.

Restraining order heretofore granted vacated and set aside. Finding and judgment for defendants that they go hence without delay and recover this costs. Notice of Appeal.

Bond fixed in sum of \$100.00 and that the clerk make entry of this order on the Court's Docket, as of the 28th day of January, 1903 and time for appeal run from this date. January, 28th 1903. Festus Walters, Judge.

Madison County Ditch Improvement Record.

The A. A. Fitzgerald Ditch Improvement

Commissioner's Office, Madison County,
London, Ohio, March 2nd 1903.

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Journal Vol 8
Page 27.

Board of Commissioners met today in regular session.
Present: Jas. B. Anderson, Chas. B. Markley and H. E. Bradley.
In the matter of the }
D. A. Fitzgerald }
Ditch Improvement. } Order to Engineer to sell Ditch.

Order to
Engineer
to sell
Ditch

The work of constructing the above named ditch improvement having heretofore been ordered (See Commissioner's Journal Volume 7 Page 552) and said sale having been postponed by reason of injunction proceedings (See Commissioner's Journal Volume 7 Page 558) and such proceedings having been had in the Common Pleas Court of Madison County, Ohio, that said Court on the 28th day of January, 1903, ordered the restraining order heretofore granted vacated and set aside, and rendered judgment for the defendants, and the time having elapsed beyond which error should be prosecuted in the Circuit Court of said County, and no proceedings in error having been begun therein:-

It is hereby directed that J. H. Asher, County Surveyor, proceed to sell the construction of said improvement at public outcry as provided in the original order of July, 28th 1901.

It is further ordered that the 19th day of March, 1903, at 10 o'clock, A.M. of said day, be fixed as the time and place for the sale of the same.

It is also ordered that the County Auditor give notice of said sale by circulating handbills.

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

B. A. Taylor,
Auditor + Clerk.

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

Ditch
Sale

Ditch Sale. Notice to Contractors
Notice is hereby given that the undersigned Engineer will sell at public outcry on

Thursday, March, 19th 1903, at 10 o'clock, A.M. (standard time) to the lowest responsible bidder therefor, the work of constructing the

D. A. Fitzgerald Ditch Improvement,
Located in Barcan Township, Madison County, Ohio. Said work will be offered in sections, as follows, and may be offered as a whole.

Section I. From Station 116 to 103,

Madison County Ditch Improvement Record.
The D. A. Fitzgerald Ditch Improvement

953 cubic yards at 12c per cubic yard To be completed May, 1 st 1903.	\$114.36
Section II. From Station 103 to Station 89. 569 cubic yards at 12c per cubic yards To be completed May, 15 th 1903.	\$68.28
Section III. From Station 89 to Station 72. 175 cubic yards at 12c per cubic yards. To be completed June 1 st 1903.	\$19.00
Section IV. From Station 72 to Station 47. 2810 cubic yards at 12c per cubic yard. To be completed July 1 st 1903.	\$337.20
Section V. From Station 47 to Station 22. 940 cubic yards at 12c per cubic yard. To be completed July, 15 th 1903.	\$112.80
Section VI. From Station 22 to Station 0. 2025 cubic yards at 12c per cubic yard. To be completed August 1 st 1903.	\$250.20

Bidders will meet at the place where said ditch crosses the Middle Pike near the residence of John Wilson, about four and one half miles north of West Jefferson. A deposit of \$20.⁰⁰ cash (no checks taken) will be required as a guarantee of good faith before any bid will be entertained.

The right to reject any or all bids is reserved.

Specifications are now 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.
B. A. Taylor, Auditor
J. H. Asher, Engineer.

Auditor's Office, Madison County,
A. D. 1903.
In the matter of the Ditch Improvement Petitioned for by D. A. Fitzgerald. Report of Sale of the Labor of Construction, 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:

The above styled improvement was offered for sale on the 19th day of March, 1903, and was not sold on account of the estimate being too low.

Madison County Ditch Improvement Record.
 The D.A. Fitzgerald Ditch Improvement.

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Commissioner's Office, Madison County,
 London, Ohio, Sept. 11th 1903.

Order to
 Re-estimate
 Work.

Board of Commissioners met today in special session.
 Present: Chas. D. Markley, H. C. Bradley
 In the matter of the
 D.A. Fitzgerald Ditch Improvement } Order to Re-estimate work of construction

The Board of Commissioners having heretofore ordered the sale of the above styled improvement, (see pages 27 and 28 this volume of the Commissioner's Journal,) and J. H. Asher, the engineer appointed to attend said sale, and conduct the same, having offered said ditch for sale at public outcry at the time and place mentioned in said order, and the engineer having reported to this board that no bids were received for said work at or below the estimate, and it appearing to the board that said engineer has estimated the cost of construction of said ditch to low; - It is now and hereby ordered that the engineer re-estimate the cost of construction of said ditch and make a report of the same to this board on Tuesday, September 20th 1903, at 10 o'clock, A.M. The roll being called for the approval of the above entry relating to said ditch improvement, Chas. D. Markley and H. C. Bradley voted "Aye".

D.A. Taylor, Auditor and Clerk. }
 H. C. Bradley }
 Chas. D. Markley } Commissioners
 of
 Madison County

Ditch
 Sale

Ditch Sale

Notice to Contractors, The undersigned Engineer will sell at public outcry on Saturday, September 26th 1903, at 10 o'clock, A.M. standard time, to the lowest responsible bidder therefor, the work on constructing the D.A. Fitzgerald Ditch Improvement, located in Bazaar Township, Madison County, Ohio. Said work will be offered in sections as follows, and may be offered as a whole:

- Section I: - From Station 116 to Station 103,
 953 cubic yards, at 14¢ per cubic yard. \$133.42
 To be completed October 15th 1903.
- Section II: - From Station 103 to Station 89
 569 cubic yards, at 14¢ per cubic yard \$ 79.66
 To be completed, October 25th 1903.
- Section III: - From Station 89 to Station 77,
 159 cubic yards at 14¢ per cubic yard. \$ 22.26
 To be completed October 30th 1903.
- Section IV: - From Station 77 to Station 47

Madison County Ditch Improvement Record.
The D. A. Fitzgerald Ditch Improvement

Ditch
Sale

2810 cubic yards at 14¢ per cubic yard, \$393.40
To be completed November, 15th 1903.
Section VI: - From Station 47 to Station 22
940 cubic yards, at 14¢ per cubic yard, \$131.60
To be completed November 25th 1903.
Section VII: - From Station 22 to Station 0
2085 cubic yards at 14¢ per cubic yard, \$291.90
To be completed December, 10th 1903.

Bidders will meet at the place where said ditch crosses the Middle Pike, near the residence of John Wilson, about 4 1/2 miles north of West Jefferson.

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

The right to reject any or all bids is reserved.

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

Specifications are now 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.

Report of
Sale of Labor
of Construction

In the matter of the }
Ditch Imp. Petitioned for }
by D. A. Fitzgerald et al. }
September 26th A. D. 1903.
Report of Sale of the
Labor of Construction.
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 person 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 and 6 were sold to John Beer for the sum of Ten Hundred and Fifty Dollars (\$1050.⁰⁰). Amount for which it was estimated, Ten Hundred and Fifty Two Dollars and Twenty Four Cents (\$1052.²⁴).

Working Section No. 1 to be completed October 15th 1903.

Working Section No. 2 to be completed October 25th 1903.

Working Section No. 3 to be completed October 30th 1903.

Working Section No. 4 to be completed November, 15th 1903.

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The D. A. Fitzgerald Ditch Improvement

Working Section No. 5 to be completed November, 25th 1903.
Working Section No. 6 to be completed December, 10th 1903.
Respectfully Submitted,
J. St. Asher, Engineer,
Auditor's Office, Madison County, Ohio,
September 26th A.D. 1903.

Contract
for Labor
of Construction

In the matter of }
The Ditch Imp. Petition } Contract for Labor of Construction
for by D. A. Fitzgerald. }

Whereas, the above styled improvement has been duly ordered and advertised for sale according to law, and the construction of working sections nos. 2-3-4-5 and 6 of 11600 feet was sold by the County Surveyor on the 26th day of September 1903, to the undersigned for One Thousand and Fifty Dollars (\$1050.00) 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, the same to be completed on or before the 10th day of December 1903; Provided, however, this contract shall be of no force and effect until approved by the Board of Commissioners of Madison County, Ohio.

J. St. Asher, County Surveyor. John Beer, Contractor.
Auditor's Office, Madison County, Ohio,
September 26th 1903.

Contractor's
Bond.

In the matter of the }
Ditch Imp. Petition } Contractor's Bond.
for by D. A. Fitzgerald. }

Know all men by these presents that John Beer as principal and _____ and as sureties, are firmly held and bound unto the State of Ohio, in the penal sum of Twenty one hundred dollars good and lawful money.

Signed and dated this 26th day of September, 1903.
The condition of the above obligation is such however, that whereas, the above bounden principal contractor has bid off the labor of constructing working sections nos. 1, 2, 3, 4, 5 and 6, 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 of said improvement, as shown on the record

Madison County Ditch Improvement Record.
The D.A. Fitzgerald Ditch Improvement.

of said improvement, on or before the 10th day of September, 1903. Now, if the said John Beer 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 accrue by reason of a failure to complete the same within the time agreed upon in said contract, and pay for all labor and material and for all debts incurred in the performance of this contract, then this obligation shall be void, otherwise to be in full force and effect in law.

John Beer
This Contract and Bond
W. L. Blingan
and Sureties on said Bond,
approved this 5th day of October, 1903.

J. H. Asher,
County Surveyor.

H. E. Bradley,
Jno. E. Roberts

Commissioners
of
Madison County

Approval of Contractor's Bond.

Approval
of Contractor's
Bond.

Auditor's Office, Madison County, Ohio,
October 5th A. D. 1903.
In the matter of the
Ditch Imp. Petitioned
for by D. A. Fitzgerald et al.
Approval of Contractor's Bond.

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 John Beer for doing said work, and the bonds of said contractor, which contract and bond have 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. R. Taylor,

H. E. Bradley,

County Auditor,

President Board of Commissioners
Commissioner's Office, Madison County
London, Ohio, October 5th 1903.

Commissioners
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Board of Commissioners met today in regular session.
Present: H. E. Bradley and Jno. E. Roberts

Entry Approv-
ing Contractor's
Bond.

In the matter of the
D. A. Fitzgerald Ditch
Improvement.
Entry Approving
Contractor's Bond.
J. H. Asher, the County Surveyor, having made his report of the sale of the work of constructing said im-

Madison County Ditch Improvement Record.

The D.A. Fitzgerald Ditch Improvement

provement, and having within the time required by law filed the contract entered into with John Beer for doing said work, and the bond of said contractor, which contract and bond have been examined and approved by this Board and they are ordered to be filed according to law. The County Auditor is directed to notify said contractor 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, H. E. Bradley and Jno. E. Roberts voted "Aye".

B. A. Taylor, Auditor & Clerk. H. E. Bradley, Jno. E. Roberts } Commissioners of Madison County

Notice of Approval of Contract and Bond.

Notice of Approval of Contract & Bond for Constructing Ditch, Auditor's Office, Madison County, Ohio, Nov. 5th 1903. To John Beer, 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 of the ditch improvement petitioned for by D.A. Fitzgerald and others, now on file with 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 26th 1903.

Commissioner's Journal Vol. 8 Page 198.

Order of Issue & Sale of Bonds.

Board of Commissioners met today in regular session. Present Chas. S. Markley, H. E. Bradley & Jno. E. Roberts. In the matter of the issue and Sale of Bonds for ditch improvements } Order of Issue and Sale of Bonds.

This day the Commissioners considered the matter of issuing and selling county bonds to meet the expense of various ditch improvements. It was moved by H. E. Bradley and seconded by Jno. E. Roberts that for the purpose of raising money necessary to pay for said ditch improvements, 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 improvements as follows: viz;

- "The Construction of various ditch improvements"
- One Bond for \$500 due March 1st 1904
- One Bond for \$500 due September 1st 1904
- One Bond for \$500 due March 1st 1905
- One Bond for \$500 due September 1st 1905
- One Bond for \$500 due March 1st 1906

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The D. A. Fitzgerald Ditch Improvement.

One Bond for \$500 due September 1" 1906
 One Bond for \$500 due March 1" 1907
 One Bond for \$500 due September 1" 1907
 One Bond for \$500 due March 1" 1908
 One Bond for \$500 due September 1" 1908

Of the above named bonds Twelve hundred and Forty Dollars are for The D. A. Fitzgerald Ditch Improvement. Said Bonds will bear date of December 1" 1903 and will bear interest from date at the rate of four (4) per cent per annum, represented by coupons payable as follows: First installment March 1" 1904, and payable semi-annually thereafter and due March 1" and September 1" of each year.

Said bonds are to be issued in pursuance of the authority granted by Sections 4479, 4481 and 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 bonds will be sold for less than their face value.

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

Bonds and interest are payable at 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.

No bid will be received or considered unless accompanied by a certificate of the County Treasurer, showing that cash amounting at least to five (5) per cent of the amount of bonds bid for has been deposited; said deposit required to be made to bind the purchase. The deposited amount of unsuccessful bidders will be returned to the owner. 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 Enterprise", a newspaper of general circulation in Madison County, Ohio, and "The Ohio State Journal" a newspaper of general circulation in the State of Ohio.

Upon the approval of the foregoing entry relating to said bond issue, the roll being called, Chas. S. Markley, H. E. Bradley and Jno. E. Roberts voted "aye"

B. A. Taylor,

Auditor & Clerk,

Chas. S. Markley,

H. E. Bradley,

John E. Roberts,

Commissioners
of
Madison CountyNotice of
Bond Sale.

Notice of Bond Sale by Publication.

Notice is hereby given that the Board of

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement.

County Commissioners of Madison County, Ohio, will receive sealed bids, filed with the Auditor of said County, in London, Ohio, until twelve (12) o'clock noon on Wednesday, November, 25th 1903. For the purchase by the highest bidder of certain bonds, amounting in the aggregate to \$

Said bonds are for raising money for the purposes hereinafter mentioned and are specifically described as follows:

For the construction of various Ditch Improvements:

- One Bond for \$500. due March 1st 1904
- One Bond for \$500 due September 1st 1904
- One Bond for \$500 due March 1st 1905
- One Bond for \$500 due September 1st 1905
- One Bond for \$500 due March 1st 1906
- One Bond for \$500 due September 1st 1906
- One Bond for \$500 due March 1st 1907
- One Bond for \$500 due September 1st 1907
- One Bond for \$500 due March 1st 1908
- One Bond for \$500 due September 1st 1908

Of the above bonds Twelve hundred and forty dollars are for "The D. A. Fitzgerald Ditch Improvement".

Said Bonds will bear date of December, 1st 1903, and will bear interest from date at the rate of four (4) per cent represented by coupons payable as follows:

First installment March 1st 1904 and payable semi-annually thereafter and due March 1st and September 1st of each year.

Said Bonds are issued in pursuance of the authority granted by Sections 4479, 4481 and 4482 Revised Statutes of Ohio, and the laws amendatory thereof and supplementary thereto. Bids will be received for the entire issue or any part thereof and no bonds 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 portion or part thereof. Bonds and interest payable at 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. No bid will be received or considered unless accompanied by a certificate of the County Treasurer, showing that cash amounting at least to five (5) per cent of the amount of bonds bid for has been deposited; said deposit required to be made to bind the purchase. The deposited amount of unsuccessful bidders will

Madison County Ditch Improvement Record.

The D. A. Fitzgerald Ditch Improvement

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

By order of the Board of County Commissioners of Madison County. B.A. Taylor,

London, Ohio, Oct. 30 1903. Auditor Madison County, Ohio.

Proof of Publication
in the London
Enterprise

"Proof of Publication in the London Enterprise"
The State of Ohio, Madison County S. S.:

M. H. Wallace, being duly sworn, says he is the business manager of "the London Semi-Weekly Enterprise" a newspaper printed and in general circulation in said county, and that a notice, of which the annexed is a copy, was published in said newspaper for at least 3 consecutive weeks prior to the 25th day of May, 1903.

M. H. Wallace.

Sworn to and subscribed by said M. H. Wallace this day of Nov. 1903. B.A. Taylor, County Auditor.

Proof of Publication
in the Ohio
State Journal

Proof of Publication in "The Ohio State Journal."