

Madison County Ditch Improvement Record.

Record of

Gallagher-Armstrong

Ditch Improvement No.

London Ohio

April 15 A. D. 1895

To the Honorable Board of
Commissioners Madison Co. O. } Petition for the Construction of Tile Ditch

The undersigned owners of lots and land which will be drained and benefitted 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 tile ditch on the route hereinafter set forth. The necessity for and the benefits of the location and construction of said tile ditch 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 a point in the land of Fulton Armstrong in a tile ditch about ten feet from the South east line of John L. Gallagher's land thence in a south westerly direction through land of said Fulton Armstrong and said John L. Gallagher a distance of about 75 rods in the lands of said John L. Gallagher to a stake and ending at said last mentioned point. The names of all persons and corporations either public or private, who in the opinion of the petitioners are in anyway affected or benefitted thereby are as follows

Fulton Armstrong
J. L. Gallagher

Names of Petitioners
J. L. Gallagher

Filed April 15 " 1895

W. D. Wilson

Auditor

Madison County Ditch Improvement Record.

Record of

Gallagher - Armstrong

Ditch Improvement No. Bond of Petitioner

Know all men by these presents That John Gallagher as principal and M. S. Murray as surety 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 in and to the State of Ohio Signed by us and dated this 15th day of April A.D. 1895

The condition of the above obligation is such, nevertheless, that whereas on the 15th day of April A.D. 1895 the above bounden John L. Gallagher made application to the Commissioners of Madison County and on said day filed with the Auditor of said county a petition for the Location and Construction of a tile ditch in pursuance of the statute in such case made and provided on the following route and termini to wit: Commencing at a point in the land of Fulton Armstrong in a tile ditch about ten feet from the South East line of the J. L. Gallagher land thence in a south westerly direction through lands of Fulton Armstrong and John L. Gallagher a distance of about 75 rods in the lands of John L. Gallagher to a stake and ending at said last mentioned point.

Now if the above bounden John L. Gallagher shall pay all costs if the prayer of said petition be not granted or if for any other cause the same shall be dismissed then this obligation shall be void

John L. Gallagher
M. S. Murray
J. E. Johnston

The above bond and the
sureties thereon are approved
by me this 15th day of April
A.D. 1895

W. D. Wilson

County Auditor

Madison County Ditch Improvement Record.

Record of

Gallagher - Armstrong

Ditch Improvement No.

Copy to Commissioners

Auditors office Madison County Ohio

In the matter of Ditch
Improvement Petitioned
for by John L. Gallagher

Notice To Commissioners

To the Honorable Board of Commissioners of
Madison County Ohio

You are hereby notified that on the 15 day of
April A.D. 1895 John L. Gallagher filed a petition in this
office praying for the location and construction of a ditch
a copy of which said petition is given below and as required
by statute in such cases made and provided. I have fixed the
18 day of May A.D. 1895 for the hearing of the same

W. D. Wilson Auditor of said county.

Copy of Petition

London Ohio

April 15th A.D. 1895To the Honorable Board of
Commissioners Madison
County Ohio

Petition for construction of a tile ditch

The undersigned owners of lots and lands which will
be drained and benefitted 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 tile ditch on the
route hereinafter set forth.

The necessity for the location and construction of said
ditch 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 a point in the Land of Fulton Armstrong in a tile
ditch about 10 feet from the south east line of John L.
Gallagher land: thence in a south Westerly direction through
land of said Fulton Armstrong and said John L. Gallagher
a distance of about 75 rods in the lands of said
John L. Gallagher to a stake and ending at said
last mentioned point

Madison County Ditch Improvement Record.

Record of

Gallagher - Armstrong

Ditch Improvement No.

Auditor's Office Madison County

April 23 A. D. 1895

In the matter of Ditch Imp.

Petitioned for by John L. Gallagher } Copy of notice to land owners

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

You and each of you are hereby notified that on the 15th day of April A. D. 1895 John L. Gallagher 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 a point in the land of Fulton Armstrong in a tile ditch about ten feet from the South East line of John L. Gallagher's land; thence in a south westerly direction through land of said Fulton Armstrong and said John L. Gallagher a distance of about 75 rods in the lands of said John L. Gallagher to a stake and ending at said last mentioned point.

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: Wednesday the 8th day of May 1895 at 10 o'clock A. M. at the upper terminus of said ditch, for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement whether the said ditch improvement 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 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.

W. D. Wilson

Auditor Madison county

Madison County Ditch Improvement Record.

Record of

Gallagher Armstrong

Ditch Improvement No.

Commissioners office Madison county

London Ohio May 8th 1895

In the matter of the
Ditch Imp. petitioned
for by John L. Gallagher

The county Auditor having given due notice to the Board of the petition filed with him on the 15 day of April 1895 signed by John L. Gallagher praying for the location and construction of a county ditch on the following described route to wit:

Commencing at a point in the land of Fulton Armstrong in a tile ditch about 10 feet from the South East line of John L. Gallagher's thence in a south westerly direction through land of said Fulton Armstrong and said John L. Gallagher a distance of about 75 rods in the lands of said John L. Gallagher to a stake and ending at said last mentioned point. And it appearing that said petitioner had given bond as required by law which was duly approved by the county Auditor and the Auditor having fixed the 8th day of May 1895 at 10 o'clock A.M. on upper terminus of said route as the time and place for hearing said matter the Board met at said time and place with James Withrow and S. S. Robbins present and being satisfied that all interested parties had been notified of said time and place of hearing proceeded to view the line of said proposed improvement and the premises along and adjacent thereto and having duly considered the matter do find and determine that said improvement is necessary and will be conducive to the public health convenience and welfare and that the object of said improvement will better be promoted by extending said route however for sufficient outlet in a N.E. direction on the land of Fulton Armstrong about 45 rods to Bradford creek.

Order to County Surveyor

It is therefore ordered that the county surveyor go upon the line of said improvement and survey and level the same and set a stake at every 100 feet numbering down stream note the intersection of lines and boundaries of lands township lines bench marks land marks and road crossings and make a report and profile and plat of the same and estimate the number of cubic yards of earth and other substance to be removed and the cost per cubic yard of each section of one hundred feet. It is also directed that the surveyor make and return a schedule of all lots and lands public roads etc. that will be benefitted by said improvement, with an apportionment of the estimated cost of location and construction in money according to the benefits which will result to each and a specification in which the improvement shall be made and completed.

Madison County Ditch Improvement Record.

Record of

Gallagher Armstrong Ditch Improvement No. .
 the number of flood gates water ways and farm crossings and
 bridges necessary and report his proceedings to this Board on the
 9th day of May 1895 at 2 o'clock P.M. at the office of the
 county Commissioners in London Ohio.

It is further ordered that this improvement shall
 be known as the Gallagher Armstrong Ditch Improvement.

Upon the adoption of motion to approve each of the
 foregoing orders and findings each of the commissioners
 Mr. Withrow and Robbins voted aye.

The farther consideration of said matter was adjourned
 to May 9th 1895 at 2 o'clock P.M at the office of the
 Board in London Ohio. All parties interested being notified
 of such adjournment as required by law.

H. Lilly
 James Withrow } commissioners
 S. S. Robbins }

W. D. Wilson
 Auditor Madison County

Madison County Ditch Improvement Record.

Record of

Gallagher Armstrong

Ditch Improvement No.

London Ohio May 9th 1895To the Board of Commissioners
of Madison county Ohio

Acting under and in compliance with your order to me I have surveyed the ditch petitioned for by John L. Gallagher and which is designated as the John L. Gallagher ditch No. 3 and submit the following report

The following is an itemized bill of expenses of locating the same.

H. L. McCafferty Surveyor	2½ days @ 400	\$1,000
John L. Gallagher asst.	1 day @ 125	125
		<u>1125</u>

I certify the above to be correct.

H. L. McCafferty
Engineer

Specifications

The within ditch to be cut fully down to the grade line at all points and to conform to the gradients shown on profile hereto attached. To be tiled with 4 inch tile from station 5 to Sta. 16.59

Tile to be first class drain tile cylindrical well burned and without cracks and to be carefully laid in trench cut fully down and jointed in ¼ of an inch and in turning a curve care to be taken to have the same well jointed. No part of said tile is to be covered until it has been examined by the engineer in charge of the work or his superintendent.

And after the same has been examined then all earth taken from the trench is to be replaced therein.

All green trees bushes shrubs etc standing nearer than 20 feet of the center line of said ditch to be deadened to prevent roots from entering and obstructing the tile.

No money will be paid on the above ditch until the same is completed in full according to these specifications

To be fully completed on or before Sept. 1st 1895

H. L. McCafferty
Engineer

Madison County Ditch Improvement Record.

Record of	Gallagher-Armstrong					Ditch Improvement No.
Station	Surface	Grade	Fall	Depth	Cut	
0	100.00	97.98		3.00		Beginning near Pond Station 0 to Station - 4 in tile Distance on land of John L. Gallagher - 916 feet
1	99.92	96.62	.38	3.30		
2	100.30	96.23	.77	4.07		
3	100.20	95.84	1.16	4.36		
4	100.05	95.46	1.54	4.59		
5	99.55	95.07	1.93	4.48		
6	99.20	94.69	2.31	4.51		
7	98.67	94.30	2.70	4.37		
8	98.22	93.91	3.09	4.31		Burr Oak Left
B.M.	99.42					
9	97.52	93.52	3.48	4.00		Distance on Land of Gulston Armstrong 7.49 feet
10	96.76	92.87	4.13	3.89		
11	95.94	92.21	4.79	3.73		
12	95.22	91.55	5.45	3.67		
13	93.80	90.90	6.10	2.90		Terminating in Bradford creek
14	93.02	90.24	6.76	2.78		
15	92.02	89.58	7.12	2.44		
16	91.47	88.92	8.08	2.55		
+59	91.47	88.50	8.50	2.97		
Bottom of Creek	87.12					

Average Depth 3 feet 8 inches.

Estimated
 Section 1 Station 0 to Station 16.59 = 100.55 rods
 100.55 rods Excavation @ 40¢ = 40.22
 " " 4" tile @ 30¢ = 30.17
 Total \$ 70.39

Owners Names
 Gallagher John L.
 Gulston Armstrong

Union Tp. 125 Acres owned 10 Acres drained Cost Construction Location Total
 64.39 - 1025 = 74.64
 6 . 1.00 = 7.00

Above Report filed May 9th 1895 at 10 o'clock A.M.

Madison County Ditch Improvement Record.

Record of

Gallagher-Armstrong

Ditch Improvement No.

Commissioners Office Madison county
London Ohio May 9th 1895In the matter of the
Gallagher Armstrong
Ditch Improvement

The county surveyor having filed his report in this matter including the apportionment made by him of the costs of said improvement and this being the time fixed by the Board for the hearing on said matter and the Board of Commissioners being in adjourned session and James Withrow and S. S. Robbins being present proceeded to consider the same.

The Board find that Fulton Armstrong has made application in writing for compensation for land taken for the use of said improvement at the rate of \$6.50 per acre and said Armstrong also claims damage to the residue of his land through which said improvement runs.

The further consideration of said matter is adjourned till Monday May 20th at 2 P.M.

The Board will meet on the line of said improvement to view the premises of said Fulton Armstrong and all interested persons are herewith notified accordingly.

James Withrow }
H. Lilly } Commissioners
S. S. Robbins }

W. D. Wilson
Auditor

Madison County Ditch Improvement Record.

Record of

Gallagher - Armstrong

Ditch Improvement No.

Commissioners' Office

Madison County London Ohio

May 20th 1895

In the matter of the
Armstrong-Gallagher } Hearing on Report of Engineer
Ditch Improvement }

The Board of Commissioners having met on May 14th 1895 on the line of said Improvement to view the premises of Fulton Armstrong who had made application for compensation and damages and having heard the evidence pertaining to said matter, and the engineer having filed his report including the apportionment made by him of the costs of said improvement. the board find that exceptions to said proceedings were filed by Fulton Armstrong as follows to wit:

Exception No. 1

In the matter of Ditch Improvement }
Petitioned for by J. L. Gallagher ; } Fulton Armstrong objection

To the Board of County Commissioners
of Madison county Ohio.

Now comes the undersigned Fulton Armstrong who is a party to the foregoing proceedings and hereby objects to any order being made that will in any way cut up any of his lands or go upon his premises for the reason that the petition filed herein does not ask the location of a ditch on his said lands further than ten feet from the line between him and John L. Gallagher

Fulton Armstrong

Objection overruled

In the matter of the
Ditch Improvement }
petitioned for by } Exception No. 2
John L. Gallagher }

To the Board of County
Commissioners Madison county Ohio

Now comes the undersigned Fulton Armstrong who is a party to the foregoing proceedings and hereby objects and objects to the report of the surveyor or engineer for the reason that said report is vague indefinite and uncertain and does not inform said board or any of the parties hereto where the said ditch improvement is to be made or located across the lands of the said Fulton Armstrong

Fulton Armstrong

Madison County Ditch Improvement Record.

Record of

Gallagher - Armstrong

Ditch Improvement No.

It is therefore ordered that the county surveyor go upon the line of said route as determined by the commissioners and ascertain the land marks or other objects by which said route may be designated and amend the description of the same in his report that the route may be explicitly shown, also that said ditch be staked so as not to interfere in any respect with the tile ditch now in use near said route on the lands of Gulton Armstrong and stating location with reference to farm line of said Gulton Armstrong and John L. Gallagher

It is ordered that the further consideration of the claims of Gulton Armstrong for compensation and damages be postponed until further hearing. Adjourned said matter to Monday May 27 1895 at 2 o'clock P.M.

James Withrow

H. Lilly

S. S. Robbins

} Commissioners of
Madison county

Madison County Ditch Improvement Record.

Record of

Gallagher-Armstrong

Ditch Improvement No.

Amended Report of Engineer

Filed May 27 1895 at 1-15 o'clock P.M.

To the Board of Commissioners of Madison county Ohio.

Acting under and in compliance with your order to me, I make this amended report on the ditch petitioned for by John L. Gallagher for the purpose of giving a more complete description of the route of said ditch through lands of said Gallagher and Armstrong noting farm crossings, courses, distances etc. also noting changes in the line of said ditch from that given in the original report.

The following is an itemized bill of expense

H.L. McCafferty	2 days @	4 ⁰⁰ per day	\$ 8 ⁰⁰
E.L. Dungan	2 .. @	1 ²⁵ ..	2 ⁵⁰
			<u>10⁵⁰</u>

H.L. McCafferty
Engineer

Description of Route

Beginning at a stake (marked 0) about 100 feet north easterly from a pond on the land of John L. Gallagher, thence across the land of said John L. Gallagher N. 25° E. 100 feet N. 70° E. 200 feet N. 65° E. 100 N. 70° E. 100 feet North 57° E. 300 feet N. 47 $\frac{1}{2}$ ° E. 100 feet N. 54 $\frac{1}{2}$ ° E. 100 feet crossing the line of said John L. Gallagher and Gulton Armstrong at 20 feet said point of crossing being 184 feet S. 1° W. from one of their corners Marked "A" on plat filed herewith, thence through land of said Armstrong N. 61 $\frac{1}{4}$ ° E. 100 feet, N. 60° E. 100 feet N. 55° E. 100 feet N. 28 $\frac{1}{2}$ ° E. 100 feet N. 42° E. 100 feet N. 55 $\frac{1}{4}$ ° E. 100 feet N. 52° E. 59 feet to Bradford creek and terminating thereat total length 1659 feet or 100.55 rods

Specifications

To be cut fully down to the grade line at all points and to conform to the gradients shown on profile filed herewith
To be tiled with 4 in tile from station 0 to station 1659. The tile must be jointed within $\frac{1}{4}$ inch and to be carefully laid in trench and no part of it is to be covered until it has been properly examined by the engineer in charge of the work or his superintendent. The trench is to be so cut as not to interfere in any respect with the 4 inch private tile ditch already in upon the land of Gulton Armstrong
All earth taken from trench in excavating is to be replaced therein after the tile has been examined. All green trees, bushes shrubs etc. standing nearer than 20 feet of the center line of said ditch must be deadened to prevent roots from entering and obstructing

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Gallagher Armstrong
the tile. No money will be paid upon the above ditch until it has been fully completed according to these specifications. Tile to be cylindrical well and evenly burned drain tile without cracks

H. L. McCaffery
Engineer

Station	Elevation	Grade	Fall	Depth	Courses & Distance	Remarks
0	100.00	97.00		3.00	N. 25° E. 100	Beginning near Pond
1	99.92	96.62	.38	3.30	N. 70° E. 200	Station 0 to Station 16.59
2	100.30	96.23	.77	4.07	N. 65° E. 100	To be tiled with 4 inch tile
3	100.20	95.84	1.16	4.36	N. 70° E. 100	Distance on land of
4	100.05	95.46	1.54	4.59	N. 57° E. 300	John L. Gallagher = 920'
5	99.55	95.07	1.93	4.48	N. 47 ³ / ₄ E. 100	
6	99.20	94.69	2.31	4.51	N. 54 ¹ / ₄ E. 100	
7	98.67	94.30	2.70	4.37	N. 61 ¹ / ₄ E. 100	
8	98.22	93.91	3.09	4.31	N. 60 E. 100	
B.M.	99.42					Burr oak Stump L.
9	97.55	93.52	3.48	4.03	N. 55 E. 100	Distance on Land of
10	96.88	92.76	4.24	4.12	N. 28 ¹ / ₂ E. 100	Gutten Armstrong = 739'
11	95.91	92.00	5.00	3.91	N. 42 E. 100	
12	94.99	91.23	5.77	3.76	N. 53 ¹ / ₄ E. 100	
13	93.75	90.46	6.54	3.29	N. 52 E. 59	
14	92.87	89.70	7.30	3.17		
15	91.93	88.93	8.07	3.00		
16	91.47	88.66	8.34	2.81		
+59	91.47	88.50	8.50	2.97		Terminating in Bradford
Bottom creek	87.12					Creek

Average depth 3 feet 9 inches

For profile and Plat record see Plat & profile books

Estimates

Section 1 Station 0 to Sta. 16.59 = 100.55 rods
 100.55 rods Excavation @ 40¢ = \$40.22
 " " 4 in tile @ 30¢ = 30.17

Assessments

\$70.39

Owner	Name	Survey	Acres	Union Township	# drained	Cost of Construction	Cost of Location	Total
Gallagher John L.		8880	125	Union Township	10	64.39	10.25	74.64
Armstrong Gutten		8880		"		6	1.00	7.00

Madison County Ditch Improvement Record.

Record of

Gallagher Armstrong

Ditch Improvement No.

Commissioners Office

Madison County

London Ohio May 27 1895

In the matter of the }
 Gallagher-Armstrong Ditch } Hearing on report of Engineer
 This being the day and hour to which
 the Board adjourned for the further consideration of said
 matter and James Withrow J. S. Robbins and Henry Lilly
 Commissioners being present the county surveyor
 presented his report as amended. After hearing the evidence
 of Olin M. Morse the further consideration of said matter was
 adjourned to Monday June 10 1895 at 2 o'clock P.M.
 and all interested parties were notified accordingly.

James Withrow }
 H. Lilly } Commissioners
 J. S. Robbins } Madison County

W. J. Wilson

Auditor

Madison County Ditch Improvement Record.

Record of

Gallagher - Armstrong

Ditch Improvement No.

Commissioners Office

Madison County June 10th 1895In the matter of the
Gallagher - Armstrong Ditch

This being the day and hour to which the Board adjourned the further consideration of said matter and the Board being in session with James Withrow H. Lilly and S. S. Robbins present said matter was resumed

The following exceptions were filed

In the matter of the ditch
Improvement petitioned
for by John L. Gallagher

Gulton Armstrong Exceptions

Go to the Board of County Commissioners of Madison County Ohio: Now comes the undersigned Gulton Armstrong who is a party to the foregoing proceedings and hereby excepts and objects to the amended report of the surveyor or Engineer made herein as well as the amended plat of the said Ditch Improvement made by the said surveyor or engineer for the reason that said amended report is vague, indefinite and uncertain and does not inform said Board or any of the parties hereto where the said ditch improvement is to be or located across the lands of said Gulton Armstrong.

Gulton Armstrong
by his atty's M. Cloud & Coover

Exceptions sustained.

The Board find upon the sworn evidence of Eliot Morse Civil Engineer that the route as designated by the stakes set by the county surveyor does not interfere with the ditch of Gulton Armstrong; but does not correspond with the bearings mentioned in the county surveyors report.

It is therefore ordered that the county surveyor go upon the line of said improvement and resurvey the route as adopted by the Board and so designate the same that the bearings will correspond with the stakes already set and amend his report accordingly and report his proceedings to this Board at their office in London Ohio on June 24th 1895 at 2 o'clock P.M. Upon motion for the adoption of all the orders and findings above mentioned the roll being called Withrow, Lilly and Robbins voted "aye" "carried"

The further consideration of said matter is adjourned to June 24th 1895 at 2 o'clock P.M.

M. D. Wilson

Auditor

James Withrow
H. Lilly
S. S. Robbins

Commissioners

Madison County Ditch Improvement Record.

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Gallagher - Armstrong

Ditch Improvement No.

Commissioners Office Madison county
London Ohio June 24 "1893"In the matter of the Gallagher
Armstrong Ditch Improvement

This being the day to which said matter was adjourned and James Withrow H. Lilly and S. S. Robbins commissioners, being present the further consideration was resumed.

The Board having heard the evidence and examined the report and apportionment of the county surveyor as amended according to instructions previously given to him and all claims exceptions and premises of Gulton Armstrong do find that said report and apportionment are in all respects fair and just according to benefits derived by the owner of each tract of land. It is therefore ordered that said report and apportionment be and the same are hereby approved and confirmed.

Further the Board having considered the written application of Gulton Armstrong as to compensation and damages on account of said improvement and having examined the evidence relating thereto, do upon actual view of the premises affected and without deduction for benefits compute and allow the said Gulton Armstrong compensation for land appropriated. One and fifty hundredths (1 $\frac{50}{100}$) dollars

The Board further determine that no damage will accrue to Gulton Armstrong from the construction of said improvement.

Upon motion for the adoption of each of the foregoing orders and findings in said matter the roll being called each of the commissioners Withrow, Lilly and Robbins voted "aye" motion carried

James Withrow
H. Lilly
S. S. Robbins } Commissioners

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Record of

Gallagher-Armstrong

Ditch Improvement No.

In the matter of the Gallagher }
 Armstrong Ditch Improvement } Notice of Appeal
 Fulton Armstrong this day gives
 notice in writing to this Board of his intention to appeal
 from its decision in said matter rendered this 24th day
 of June 1895 to wit:

In the matter of the }
 Ditch Improvement } Before the Board of Comis.
 petitioned for by } Madison county Ohio
 John L. Gallagher }

Notice of Appeal
 And now comes Fulton Armstrong who is a party
 to the above mentioned proceedings and gives notice hereby of
 his intention to appeal from the orders of the said Board of
 Commissioners made herein as to whether said ditch
 improvement is necessary or will be conducive to the
 public health convenience or welfare, and as to whether the
 line described is the best and most practicable route
 therefor and as to the order made therein concerning
 compensation for lands appropriated and also the order
 made concerning damages claimed to property affected by
 the improvement.

Fulton Armstrong

The amount of Fulton Armstrong's appeal Bond
 is fixed at \$300 in said appeal.

James Withrow }
 H. Lilly } Commissioners
 S. S. Robbins }

O. J. Wilson

Auditor

Madison County Ditch Improvement Record.

Record of

Gallagher-Armstrong

Ditch Improvement No.

Commissioners Office Madison county
London Ohio July 22 1895

Commissioners of Madison county met in
special session to day members present Jas. Withrow H. Lilly
and S. S. Robbins

In the matter of the
Gallagher Armstrong
Ditch Improvement

The legal time for the filing of an
appeal Bond in said matter having expired and
Gallagher Armstrong the appellant having failed to file said
Bond with the county Auditor within the time required
by law it is therefore ordered that the Bond fix the
20 day of Sept. 1895 at 10 o'clock A. M. at the upper
terminus of said improvement as the time and place
for the sale of the construction of the same at public
outcry in sections of not less than one hundred 100 feet
nor more than twenty five hundred (2500) feet in length
and the county surveyor is hereby directed to attend at the
time and place of sale specified above to superintend and
conduct the same.

The county Auditor is hereby directed to cause
notice of the time and place of said sale to be given
by posters. Upon motion for the approval of the foregoing
orders the roll being called each of the commissioners
Withrow Lilly and Robbins voted "aye"

James Withrow
H. Lilly
S. S. Robbins } Commissioners

M. D. Wilson
Auditor

Madison County Ditch Improvement Record.

Record of

Gallagher-Armstrong

Ditch Improvement No.

Ditch Sale
Notice to Contractors

Notice is hereby given that on Friday September 20 1895 at 10 o'clock A.M. bids will be received orally, by the undersigned Engineer for the furnishing of Material necessary and the work of constructing the Gallagher Armstrong County Ditch in Union township Madison County Ohio. Bidders will meet on the line of the ditch at its junction with Bradford creek on the land of Fulton Armstrong, at said hour of said day. Bids will be received as follows:

By the rod for furnishing tile on the ground:
By the rod for cutting trench, laying tile and filling over same.

Will be sold in sections as follows:

Section 1 Station 0 to Station 16.59 = 1.0055 rods 4 in tile

Successful bidders must give bond within 5 days from day of sale.

To be fully completed on or before Nov. 1 1895.
Right reserved to reject any or all bids.

By order of Commissioners

H. L. McEufferty
Engineer

O. D. Wilson

Auditor.

Madison County Ditch Improvement Record.

Record of

Gallagher-Armstrong

Ditch Improvement No.

Auditors Office Madison County
London Ohio Sept. 20th 1895

In the matter of Ditch Improvement
 Petitioned for by J. L. Gallagher } Contract for labor
 Whereas the above styled improvement has been duly
 ordered and advertised for sale according to law and the
 construction of working section No 1 of 1659 feet allotted
 to several land owners the following described land
 as per Engineers report and sold by the duly appointed
 engineer on the 20th day of Sept. A. D. 1895 to the
 undersigned for Cash and $\frac{22}{100}$ 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 1st day of November
 A. D. 1895 provided this contract shall be of no force
 and effect until approved by the Board of Commissioners
 of Madison county Ohio.

John L. Gallagher
Contractor

Madison County Ditch Improvement Record.

Record of

Gillagher-~~Armstrong~~

Ditch Improvement No.

Auditor's Office Madison county
London Ohio Sept. 20 1895In the matter of Ditch
Improvement petitioned } Contractors Bond
for by J. L. Gallagher }

Know all men by these presents-That
J. L. Gallagher as principal and M. S. Murray as
surety are firmly held and bound unto the state of Ohio
in the penal sum of Eighty and $\frac{4}{10}$ dollars good and
lawful money. Signed and dated this 20th day of Sept.
A. D. 1895. 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. 1
has duly entered into the annexed contract. subject to the
condition that the same shall be approved
by the commissioners of 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 record of said proceedings
on or before the 1st day of Nov. 1895.

Now if the said J. L. Gallagher 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.

J. L. Gallagher
M. S. MurrayThis contract and bond and the surety thereon
approved this 1st day of Oct. 1895 -James Withrow }
J. S. Robbins } Comrs.

Madison County Ditch Improvement Record.

Record of

Armstrong-Gallagher

Ditch Improvement No.

London Ohio Sept. 20 1895-

In the matter of the
Gallagher Armstrong Ditch } Contract for 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 Main Ditch from station 0 to station 16.59 allotted to several land owners benefitted thereby and sold by the duly appointed engineer on the 20 day of Sept. A.D. 1895 to the undersigned in the following lots and sizes
100.55 rods 4-inch amounting to Thirty and $\frac{14}{100}$ 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 deliver said tile in dimensions and quantities as per specifications for said improvement and in parcels of 100 feet of tile to each 100 feet of ditch and within 10 feet of the center line of the same where used. All of the above tile to be delivered on or before the 15 day of October A.D. 1895-

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% of said cost of tile shall be paid when delivered and the remaining 25% when ditch is completed and accepted

H. L. McCafferty
Engineer

J. L. Gallagher
Contractor

Madison County Ditch Improvement Record.

Record of

Gallagher - Armstrong

Ditch Improvement No.

Auditors Office Madison County
London Ohio Sept. 20 A.D. 1895

In the matter of Ditch
Improvement petitioned
for by J. L. Gallagher } Contractors Bond

Know all men by these presents, That J. L. Gallagher
as principal and M. S. Murray as surety are firmly held and
bound unto the state of Ohio in the penal sum of sixty
and 3/4 dollars, good and lawful money. signed and dated
this 20 day of Sept. A. D. 1895.

The condition of the above obligation is such
however, that whereas, the above bounden principal Contractor
has bid off the labor of furnishing the tile in quantities and
kinds and to be delivered as per above, contract and has
duly entered into the annexed contract subject to the
condition that the same shall be approved by the
Commissioners and Engineer of said Madison county
and has agreed to fully do and perform all of said labor of
furnishing said tile in accordance with the specifications
of said improvement as shown on the record of said
proceedings on or before the 15 day of October A. D. 1895

Now if the said J. L. Gallagher 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
then this obligation shall be void otherwise to be in
full force and effect in law.

J. L. Gallagher
M. S. Murray

This contract and bond and surety on said
Bond approved this 1st day of Oct. 1895 -

H. L. McLaugherty
Engineer

James Withrow
H. Robbins } Comrs.
Madison Co. O.

Amounts placed on Duplicate to be collected in 1 yr.	
Gallagher J. L.	\$110 ⁰⁰
Armstrong Fulton	10 ³²
Total	\$ 120 ³²

No bonds were issued