

Petition

Ditch Petition

London Ohio

Nov. 10, 1908.

Petition for the location, construction and tiling of a County Ditch.

To The Honorable Board of Commissioners of Madison County Ohio.

Gentlemen:- The undersigned freeholders and owners of lots and lands that will be benefited by the location, construction and tiling of a county ditch, by these presents, which are herewith filed with the Auditor of said County, do pray your honorable to institute the proper proceedings necessary to locate, construct and tile a ditch on the following route and termini: Beginning on the north side of the Gregg improved road about 12 rods east of present gateway into the woods on the Hill heirs land. Thence crossing the road and taking a southerly direction to a pond on the east side of said woods some 30 rods from said road. Thence west from said pond, following low ground to a large burr oak tree on the line of said Hill heirs land and lands of Amaziah Hawk about 80 rods. Thence west following an open ditch through the lands of said Hawk about 90 rods; Thence south west following an open ditch some 60 rods to present outlet said outlet being an open ditch extending through the lands of said Hawk and the lands of - Adair, said open ditch being the one north of the present residence of said Hawk.

We ask that said ditch be tiled from the place of beginning with not less than 12 inch tile and not less than 15 inch at the present outlet. If the present outlet ditch be deepened 24 inches we will not ask the same to be tiled below the present outlet.

Your petitioners ask for the location and construction of all necessary tile or open laterals.

Your petitioners further represents that there exists a necessity for the location, construction and tiling of said improvement because it will be conducive to the public health, convenience and welfare, and that lots, lands along the line thereof will be drained and reclaimed and thereby benefited.

Your petitioners therefore pray your honorable body to at once proceed under the direction of the laws of the State of Ohio relating to county ditch improvements, and cause to be located and constructed, said improvement on or as near the above named route as is deemed by your honorable body to be the best and most feasible.

In our estimation, the following are the names

The Hill Ditch Construction

of all persons and corporations, either public or private who will be affected or benefited thereby, to-wit:

Mary M. Gregg	John B. Hill Jr.
W. A. Silver Guardian	Lucy Hill Johnson
Thos. Pearce	Amaziah Hawk
Arkansas Engle	Madison Co.
Judge Fretton	Adair
Susan M. Hill	

Bond

Ditch Bond.

Know All Men by these Presents, That Lucy Hill Johnson Susan M. Hill and John B. Hill Jr. as sureties, are held and firmly bound unto the State of Ohio in the penal sum of Two hundred Dollars, for the payment of which, well and truly to be made, we hereby bind ourselves, our heirs and legal representatives.

Signed and sealed by us this 10th day of Nov. A. D. 1908.

The condition of the above obligation is such that, Whereas on the 10th day of Nov. A. D. 1908, the above bounden Lucy Hill Johnson made application to the Board of County Commissioners of Madison County, in the State of Ohio, and on the same day filed with the Auditor of said County petition praying for the location, construction and tiling of a ditch, as provided by the Statute in such cases, on the route and termini hereinafter described, to-wit: Commencing on the north side of the Gregg improved road about 12 rods east of present gateway into woods on the Hill heirs land; Thence crossing the the road and taking a southerly direction to a pond on the east side of said woods some 30 rods from said road; Thence west from said pond following low ground to a large bur oak tree on the line of said Hill heirs land and lands of Amaziah Hawk about 80 rods; Thence following an open ditch through lands of said Hawk about 90 rods; Thence south west following an open ditch some 60 rods to present outlet. Said outlet being an open ditch extending through the lands of said Hawk and lands of Adair said open ditch being the one north of the present residence of said Hawk We ask that said ditch be tiled from the place of beginning with not less than 12 inch tile and not less than 15 inch tile at the present outlet.

If the present outlet ditch be deepened 24 inches we will not ask the same to be tiled below the present outlet.

Your petitioners ask for the location and construction of all necessary tile or open laterals.

Now if the above bounden Lucy Hill Johnson shall pay all costs if the prayer of said petition

The Hill Ditch Construction

be not granted or be dismissed for any cause, then this obligation shall be void, otherwise to be and remain in full force and virtue in law.

The above Bond and sureties thereon are approved by me this 16th day of November A.D. 1908.
J. J. Shaffer Auditor of Madison County, Ohio
Susan M. Hill, Seal
Lucy Hill Johnson, Seal
John B. Hill, Jr., Seal
by Homer E. Johnson, Seal his attorney in fact.

Notice to Commissioners of Petition filed and time for hearing

Notice to Commissioners.
of Petition filed and time for hearing.
Office of Auditor of Madison County, O., Nov. 23rd A.D. 1908.
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 13 day of Nov. 1908, a copy of which petition is attached below; and as required by law I have fixed the 15 day of December 1908, at 10 o'clock A.M. at the beginning of said proposed ditch described in said petition, for your hearing of said matter.
J. J. Shaffer Auditor.

Copy of Ditch Petition
London Ohio, Nov. 23 A.D. 1908. Petition for Location, ^{filling of a ditch} Construction and
To the Honorable Board of Commissioners, Madison County, Ohio.
The undersigned owners lots and land which will be drained or benefited by the improvement herein prayed for, hereby make application to your honorable body, and now file with the Auditor of said County, this their petition, and now and hereby pray for the Location Construction and filling of a ditch on the route herein after set forth.

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

The following is the beginning, route and termini of said proposed improvement, to wit:
Commencing on the north side of the Gregg improved road about 12 rods east of present gateway into the woods on the Hill heirs land; Thence crossing the road and taking a southerly direction to a pond on the east side of said woods some 30 rods from said road. Thence west from said pond, following low ground to a large bur oak tree on the line of said Hill heirs land and lands Anaxial Hawk, about 80 rods. Thence west following an open ditch through the lands of said Hawk about 90 rods; Thence south west following an open ditch some

through the lands of said Hawk about 90 rods; thence south west following an open ditch some 60 rods to present outlet; said outlet being an open ditch extending through the lands of said Hawk and the lands of Adair; said open ditch being the one north of the present residence of said Hawk.

The petitioners ask that said ditch be tiled from the place of beginning with not less than 12 inch tile and not less than 15 inch at the present outlet; if the present outlet ditch be deepened 24 inches the petitioners will not ask the same to be tiled below the present outlet.

The petitioners ask for the location, and construction of all necessary tile or open laterals.

And it appearing that said petitioner has given bond as required by law, which has been approved by the county auditor, and said auditor having fixed the 15th day of December, 1908, as the time for hearing said petition; It is ordered that this board meet on said day at the place of beginning of said ditch as described in the petition, to hear proof offered by any of the parties affected by said improvement and other persons competent to testify, and to determine as to the necessity of said improvement. On the question of the adoption of the foregoing entry, the roll being called, all members voted "aye".

Notice to Lot or Land Owners

Auditor's Office, Madison County, Mo.
Nov. 16th A. D. 1908.

In the matter of Ditch Improvement }
Petitioned for by Susan W. Hill et al }

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

You, and each of you, are hereby notified that on the 10th day of November, 1908, Susan W. Hill and others, filed a petition with the Auditor of Madison County, the prayer of which is for the location, construction and tiling of a Ditch on the following starting point, route and terminus, to-wit: Commencing on the north side of the Gregg improved road about 15 rods east of present gateway into the woods on the Hill heirs land; thence crossing the road and taking a southerly direction to a pond on the east side of said woods some 30 rods from said road; thence west from said pond, following low ground to a large bur oak tree on the line of said Hill heirs land and lands of Anaziah Hawk, about 80 rods; thence west following an open ditch through the lands of said Hawk about 90 rods; thence south west

following an open ditch some 60 rods to present outlet; said outlet being an open ditch extending through the lands of said Hawk and the lands of Adair; said open ditch being the one north of the present residence of said Hawk.

The petitioners ask that said ditch be tiled from the place of beginning with not less than 12 inch tile and not less than 15 inch at the present outlet; if the present outlet ditch be deepened 24 inches the petitioners will not ask the same to be tiled below the present outlet.

The petitioners ask for the location and construction of all necessary tile or open laterals.

You are also notified that the following time and place have been fixed when and where the Commission of said County will meet for the the hearing of said petition, to-wit: The 15th day of December, 1908. At the place of beginning 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 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.

J. J. Shaffer Auditor of Madison County.

Proof of
Personal Notice

Auditor's Office, Madison County, Ohio
Nov. 24th 1908.

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

On this 24 day of Nov. 1908. personally came James Marshall who being 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 person opposite whose name appears "D" a true copy of the annexed notice; and on those opposite whose name appears "R" by leaving the same at their usual place of residence.

Name of Person Served	How Served D or R	When Served	We acknowledge service of above notice.
Mary M. Gregg	D.	Nov. 23, 1908.	
W. A. Silver, Guard	R.	" " "	
Thos. Pearce	D.	" " "	
Arkansas Engle	R.	" " "	
Amaziah Houk	R.	" 24 "	
Susan W. Hill	D.	" " "	
Lucy Hill Johnson	D.	" " "	

Mrs. Laura E. Gregg, gdn. Nov. 28, 1908. Registered letter, receipt and further this deponent saith not.

Sworn to by James Winshall before me, and by him subscribed in my presence this 24th day of Nov. 1908.
 J. J. Shaffer
 County Auditor.
 Filed Nov. 24, 1908.
 J. J. Shaffer, Auditor.

Registry Return Receipt.
 Received from the Postmaster at West Jefferson, Ohio
 Registered letter No. 341 from London, Ohio. Date Nov. 28, 1908.

Mrs. Laura E. Evans
 Signature or name of addressee
 D. E. Evans
 Signature of addressee agent.

Auditor's Office Madison County Ohio
 Nov. 30, 1908.

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

On this 30th day of Nov. 1908, personally came J. J. Shaffer who being 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 person opposite whose name appears "D" a true copy of the annexed notice; and on those opposite whose name appears "R" by leaving the same at their usual place of residence.

Name of Person Served	How Served D or R	When Served
Byers S. Adair	D.	Nov. 30, 1908
Mrs. Preston Adair	R.	" " "

and further this deponent saith not.
 J. J. Shaffer.
 Sworn to by J. J. Shaffer before me, and by him subscribed in my presence this 30th day of Nov. 1908.
 John R. Tanner
 Judge of Probate Court
 Madison County,
 London, Ohio.
 Filed Nov. 30, 1908.
 J. J. Shaffer
 Auditor.