

Record of proceedings in the matter of the C. H. Higgins Ditch Improvement, petitioned for by C. H. Higgins, and located in Fairfield Township, Madison County, Ohio.

Petition.

London, Ohio, Sept. 19<sup>th</sup>, A. D. 1898.

Petition for Location, Construction<sup>and</sup> Tiling of a Ditch.

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

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 straightening and Tiling (with a fifteen inch tile) of a ditch on the route hereinafter set forth.

The necessity for the straightening and Tiling<sup>and</sup> Location & 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 route and termini of said proposed, improvement, to wit: Commencing— In the lands of Elijah Chenoweth Sr. at a point where the Township Ditches petitioned for by W. H. Nichols and W. M. Johnson unite in Lubbergut Run, to which point said ditches are tiled. Thence through the lands of the said Elijah Chenoweth in the channel of said Run, to the line between Elijah Chenoweth Sr. and C. H. Higgins; thence through the lands of the said C. H. Higgins to the line between C. H. Higgins and Elizabeth Taylor and there terminating in said Lubbergut Run. The Ditch herein petitioned for is the outlet for the Waters discharged through said Township Ditches which affords drainage to the lands of William Cook, Thomas Cox, W. H. Nichols Della Cartmell, R. M. Johnson, Jesse Buel, Henry Cartmell's heirs, William Boland being Guardian of said heirs, Charles Cartmell, Adaline Cartmell, L. M. Byers, Harriet Alkire, Mary Morgan, Sarah Robinson<sup>and</sup> Elijah Chenoweth, Roser Mitchell and Peter Long. — Roser Mitchell<sup>and</sup> Peter Long drain through laterals entering the ditch for which prayer is made for tiling and straightening.

The improvement of the ditch by straightening<sup>and</sup> tiling prayed for in the above petition passes through the lands of Elijah Chenoweth Sr. and C. H. Higgins only.

C. H. Higgins } Petitioner.

## Bond of Petitioner.

(Stamp)

Know all men by these Presents, That C. W. Higgins as principal, and Minnie B. Van Cleve nee Higgins and Elijah Chenoweth 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 19<sup>th</sup> day of September A. D., 1898. The condition of the above obligation is such, nevertheless, that, whereas, on the 19<sup>th</sup> day of September, A. D. 1898, the above bounden C. W. Higgins, Minnie B. Van Cleve and Elijah Chenoweth, made application to the Commissioners of Madison County, and on said day filed with the Auditor of said County he petitioned for straightening and tiling and location and construction of a ditch in pursuance of the statute in such case made and provided, on the following route and termini, to-wit; Commencing In the lands of Elijah Chenoweth, Sr. at a point where the Township Ditches petitioned for by H. H. Nichols and R. M. Johnson unite in Lubbergut Run to which point said ditches are tiled, thence in the channel of said Lubbergut Run, through the lands of said Elijah Chenoweth Sr. to the line between Elijah Chenoweth Sr. and C. W. Higgins thence through the lands of the said C. W. Higgins to the line between C. W. Higgins and Elizabeth Taylor and there terminating in said Lubbergut Run.

The Ditch herein petitioned for is the out let for the waters discharged through said Township Ditches which affords drainage to the lands of William Cook, Thomas Cox H. H. Nichols, Della Cartmell, Jessie Buell, Henry Cartmell heirs, William Boland, being Guardian of Charles Cartmell, Adaline Cartmell, L. M. Byers, R. M. Johnson, Harriet Alkire, Mary Morgan, Sarah Robinson, Elijah Chenoweth, Roser Mitchell and Peter Long, Roser Mitchell and Peter Long drains through tiled laterals entering the ditch for which prayer is made for straightening and tiling.

Now if the above bounden C. W. Higgins, Minnie B. Van Cleve and E. Chenoweth 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.

C. W. Higgins

Minnie B. Van Cleve

E. Chenoweth.

The above bond and the sureties thereon, are approved by me this nineteenth day of September A. D. 1898.

H. D. Wilson, County Auditor  
Per. Geo. W. Clark, Deputy.

Notice to Commissioners.  
Of Petition Filed & Time for Hearing.

Office of Auditor of Madison County, Ohio. Sept. 26. 1898.  
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 19<sup>th</sup> day of Sept. 1898, a copy of which petition is attached below; and as required by law I have fixed the 18<sup>th</sup> day of October, A. D. 1898, at 10 o'clock, a. m., at the beginning of said proposed ditch described in said petition, for your hearing of said matter.

H. D. Wilson, Auditor.

Copy of Ditch Petition.

London, Ohio, Sept. 26. 1898, Petition for straightening<sup>and</sup> Tiling, (with a fifteen inch tile) and location, and construction of a Ditch. To the Honorable Board of Commissioners Madison County, Ohio. The undersigned owners of lots and land which will be drained or benefited by the improvement herein prayed for, hereby make application to your honorable body, and now file with the Auditor of said County, this, their petition, and now and hereby pray for the straightening and Tiling and 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 terminis of said proposed improvement, to wit: Commencing; In the lands of Elijah Chenoweth Sr. at a point where the Township Ditches Petitioned for by W. H. Nichols and R. M. Johnson, unite in Lubbergut Run to which point said ditches are tiled; Thence through the lands of the said Elijah Chenoweth, in the channel of said Run, to the line between Elijah Chenoweth Sr. and C. H. Higgins; thence through the lands of the C. H. Higgins to the line between C. H. Higgins<sup>and</sup> Elizabeth Taylor and there terminating in said Lubbergut Run; The ditch herein petitioned for is the outlet for the waters discharged through said Township Ditches, which affords drainage to the lands of William Cook, Thomas Cox, W. H. Nichols, Della Cartmill, R. M. Johnston, Jesse Buel, Henry Cartmull's Heirs, William Roland being Guardian of said Heirs, Charles Cartmill Adaline Cartmill, L. M. Byers, Harriett Alkire, Mary Morgan, Sarah Robinson and Elijah Chenoweth, Roser Mitchell and Peter Long - Roser Mitchell and Peter Long drain through laterals entering the ditch for which prayer is made for tiling and straightening. The improvement of the ditch by straightening and tiling, prayed for in the above petition passes through the lands of Elijah Chenoweth<sup>and</sup> C. H. Higgins, only.

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:

William Cook.  
Thomas Cox.  
H. H. Nichols.  
Della Cartmell.  
R. M. Johnson.  
Jesse Buell.  
Henry Cartmell's Heirs.  
William Poland.

Chas. Cartmell  
Adaline Cartmell  
L. M. Byers  
Harriet Alkire  
Mary Morgan  
Sarah Robinson  
Elijah Chenoweth  
Roser Mitchell  
Peter Long.

C. H. Higgins } Petitioner.

I hereby certify the foregoing to be a true copy of a Ditch Petition filed in my office on the 19<sup>th</sup> day of Sept. 1898.

H. D. Wilson, County Auditor per B.

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Commissioners Office, Madison County.

London, Ohio, October 3<sup>rd</sup>, 1898.

Board of Commissioners met today in Regular Session.

Present, - Withrow, Anderson and Markley.

In the matter of  
The Ditch Improvement

Petitioned for by C. H. Higgins

} Notice of Filing of Petition.

The County Auditor having delivered to this board a certified copy of the petition filed with him on the 19<sup>th</sup> day of September, 1898, signed by C. H. Higgins praying for the location, construction, tiling<sup>and</sup> straightening of a ditch between the termini and along the route stated below, to wit; Commencing in the lands of Elijah Chenoweth, Sr., at a point where the Township Ditches petitioned for by H. H. Nichols and R. M. Johnson unite in Lubbergut Run, to which point said ditches are tiled; thence through the lands of the said Elijah Chenoweth, Sr. in the channel of said run, to the line between Elijah Chenoweth, Sr. and C. H. Higgins; thence through the lands of the said C. H. Higgins to the line between C. H. Higgins and Elizabeth Taylor and there terminating in said Lubbergut Run. The ditch herein petitioned for is the outlet for the waters discharged through said Township Ditches which affords drainage to the lands of William Cook, Thomas Cox, H. H. Nichols, Della Cartmell, R. M. Johnson, Jesse Buell, Henry Cartmell's Heirs, William Poland being Guardian of said Heirs, Charles Cartmell, Adaline Cartmell, L. M. Byers, Harriett Alkire, Mary Morgan, Sarah Robinson, and Elijah Chenoweth, Roser Mitchell and Peter Long, drain through the laterals entering the ditch for which prayer is made

for tiling and straightening. The improvement of the ditch by straightening and tiling prayed for in the above petition passes through the lands of Elijah Chewath, Sr. and C. W. Higgins only. 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 18<sup>th</sup> day of October, 1898, at 10 o'clock A. M. at the place of beginning of said ditch, as the time and place for hearing said petition, it is ordered that this board meet at said time and place, to hear proof offered by any of the parties affected by said improvement, and others competent to testify, and to determine as to the necessity of said improvement.

On the question of the adoption of the foregoing entries and orders relating to said petition and ditch, all members voted "Aye".

James Withrow } Commissioners  
 Jas. B. Anderson } of  
 Chas. G. Markley } Madison County.

Auditor's Office, Madison County, Ohio,  
Oct. 3; A. D. 1898.

On the matter of Ditch  
Improvement Petitioned for  
by C. H. Higgins

} 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 19<sup>th</sup> day of Sept. A. D. 1898, C. H. Higgins, filed a petition with the Auditor of Madison County, the prayer of which is for the straightening and Tiling, Location and Construction of a Ditch on the following starting point, route and terminus, to wit:

Commencing In the lands of Elijah Chenoweth, Sr. at a point where the Township Ditches petitioned for by W. H. Nichols and R. M. Johnston unite in Lubbergut Run; to which point said ditches are tiled. Thence through the lands of the said Elijah Chenoweth in the channel of said run, to the line between Elijah Chenoweth Sr. and C. H. Higgins; thence through the lands of the said C. H. Higgins to the line between C. H. Higgins and Elizabeth Taylor, and there terminating in said Lubbergut Run; the ditch herein petitioned for is the outlet for the waters discharged through said Township ditches, which affords drainage to the lands of William Cook, Thomas Cox, W. H. Nichols, Della Cartmill, R. M. Johnson, Jessie Buell, Henry Cartmill's heirs, William Boland being guardian of said heirs, Chas. Cartmill, Adaline Cartmill, L. M. Byers, Harriet Alkire, Mary Morgan, Sarah Robinson and Elijah Chenoweth, Roser Mitchell and Peter Long - Roser Mitchell and Peter Long drain through laterals entering the ditch for which prayer is made for tiling and straightening.

The improvement of the ditch by straightening and tiling prayed for in the above petition passes through the lands of Elijah Chenoweth Sr. and C. H. Higgins only.

You are also notified that the following time and place have been fixed when and where the Commissioners of said County will meet for the hearing of said petition, to wit; Tuesday, October 18, 1898, at 10 o'clock A. M. at the beginning of said proposed 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.

H. D. Wilson, Auditor of Madison County - per B.

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

On this 3<sup>rd</sup> day of Oct. A. D. 1898, personally appeared before the undersigned authority E. S. Gordier who being first duly sworn, deposes and says that he served the annexed and above notice on the respective parties herein named by delivering to each a true copy thereof, except such as have waived the service thereof by placing their signature hereto.

Name of Person Served.	How Served	When Served.
William Cook	Personally	Sept. 28, 1898
Thomas Cox	Residence	Sept. 28, 98
H. B. Nichols	Residence	Sept. 28, 98
Della Cartmell	Residence	Sept. 28, 98
R. M. Johnson	Personally	Sept. 28, 98
Chas. Cartmell	Personally	Sept. 28, 98
Adeline Cartmell	Personally	Sept. 28, 98
L. M. Byers	Personally	Sept. 28, 98
Harriett Alkire	Personally	Sept. 28, 98
Mary Morgan	Personally	Sept. 28, 98
Peter Long	Personally	Sept. 28, 98
Elijah Chelworth	Residence	Sept. 28, 98
William Island, Guardian	Residence	Sept. 28, 98
Cartmell	Residence	Sept. 28, 98
Cartmell	Residence	Sept. 28, 98
Cartmell	Residence	Sept. 28, 98
Sarah Robinson	Residence	Sept. 29, 98

And further this deponent saith not.

E. S. Gordier.

Sworn to by E. S. Gordier, before me and by him subscribed in my presence this 3<sup>rd</sup> day of Oct. A. D. 1898.

Geo. W. Clark,

Deputy Auditor.

## Notice By Publication.

## Ditch Notice.

On the matter of the ditch }  
 Petitioned for by C. H. Higgins }

Auditor's Office, Madison County,  
 London, Ohio, Sept. 26, 1898.

To the Non-resident Land Owners:-

Notice is hereby given to non-resident land owners affected by the improvement designated herein, that a petition signed by C. H. Higgins has been filed with the Auditor of said county, and is now pending before the Commissioners of said County, praying for the location, construction and tiling of a ditch on the route hereinafter set forth, and will be for hearing at the beginning of said improvement on the 18<sup>th</sup> Day of October A. D. 1898, at 10 o'clock a. m., said petition sets forth that the necessity of the improvement is that it will drain and reclaim the lands along the line thereof and adjacent thereto, and will promote the public health, convenience and welfare.

That said ditch commences in the lands of Elijah Cheweth, Sr., at a point where the Township ditches petitioned for by H. H. Nichols and R. M. Johnson unite in Lubbergut run, to which point said ditches are tiled; thence through the lands of the said Elijah Cheweth, in the channel of said run, to the line between Elijah Cheweth, Sr., and C. H. Higgins thence through the lands of said C. H. Higgins to the line between C. H. Higgins and Elijah Taylor and there terminating in Lubbergut run. The ditch herein petitioned for is the outlet for the waters discharged through said township ditches which affords drainage to the lands of Am. Cook, Thomas Cox, H. H. Nichols, Della Cartmell, R. M. Johnson, Jesse Buell, Henry Cartmell's heirs, Am. Roland being guardian of said heirs; Charles Cartmell, Adaline Cartmell, L. M. Byers, Harriett Alkire, Mary Morgan, Sarah Robinson and Elijah Cheweth, Roser Mitchell and Peter Long, Roser Mitchell and Peter Long drain through the laterals entering the ditch for which prayer is made for tiling and straightening.

The improvement of the ditch by straightening and tiling, prayed for in the above petition, passes through the lands of Elijah Cheweth, Sr., and C. H. Higgins only.

At the above place and date the commissioners will consider whether the route described is the best route, and any and all objections to said proposed ditch improvement.

H. D. Wilson.

Auditor of Madison County, O.

## Proof of Publication.

The State of Ohio } ss:  
Madison County. }

M. H. Wallace, being duly sworn, says he is the Bus. Mgr. 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 2 consecutive weeks prior to the 18<sup>th</sup> day of Oct. 1898.

M. H. Wallace.

Sworn to and subscribed by said M. H. Wallace this 26<sup>th</sup> day of Oct. 1898.

Geo. H. Clark, Dep. Auditor.

Courts Journal  
Vol. 6 Page 346

In the matter of }  
The C. H. Higgins }  
Ditch Improvement. } Adjourned meeting on view.

The board having proceeded on the 18<sup>th</sup> day of October, 1898, to the place of beginning of said improvement as prayed for in said petition and having there and there heard proof of parties affected by said improvement and others competent to testify, and having considered the matter do find that the following persons had not been notified of the pendency, substance<sup>and</sup> prayer of said ditch petition, to wit:

Charles Fitzgerald, Clyde Keff, William Keff, William Cox, John M. Oglesbee and George Fitzgerald.

It is therefore ordered that the above named interested parties be notified in said matter, and the further view of said ditch be adjourned to Saturday November 5<sup>th</sup>, 1898, at the beginning of said proposed improvement.

Upon call of roll for the approval of the above orders, the roll being called, Kithrow, Anderson<sup>and</sup> Markley voted "Aye".

Board Adjourned.

James Kithrow } Commissioners  
Jos. B. Anderson }  
Chas. G. Markley } Madison County.

Auditor's Office, Madison County, Ohio.

Oct. 18<sup>th</sup>, A. D. 1898.

In the matter of Ditch Improvement } Additional  
 Petitioned for by C. H. Higgins } 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 19<sup>th</sup> day of Sept. A. D. 1898. C. H. Higgins, 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, in the lands of Elijah Chenoweth, Sr., at a point where the Township Ditch petitioned for by H. C. Nichols and R. M. Johnson unite in Lubbergut Run, to which point said ditches are tiled; then through the lands of the said Elijah Chenoweth, in the channel of said Run, to the line between Elijah Chenoweth Sr. and C. H. Higgins; thence through the lands of the said C. H. Higgins to the line between C. H. Higgins and Elizabeth Taylor and there terminating in said Lubbergut Run, The ditch herein petitioned for is the outlet for the waters discharged through said township ditches which affords drainage to the lands of William Cook, Thomas Cox, H. C. Nichols, Della Cartmill, R. M. Johnson, Jessie Buell, Henry Cartmill's Heirs (William Boland being Guardian of said heirs), Charles Cartmill, Adaline Cartmill, L. M. Byers, Harriett Alkire, Mary Morgan, Sarah Robinson and Elijah Chenoweth, Roser Mitchell and Peter Long, Roser Mitchell and Peter Long drain through laterals entering the ditch for which prayer is made for tiling and straightening.

The improvement of the ditch by straightening and tiling prayed for in the above petition, passes through the lands of Elijah Chenoweth, Sr., and C. H. Higgins only. 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: Saturday, Nov. 5<sup>th</sup> 1898, at 10 o'clock A. M. at the beginning of said proposed 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.

H. D. Wilson, Auditor of Madison County.

per B.

Proof of Notice.

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

On this 21<sup>st</sup> day of October, A. D. 1898, personally appeared before the undersigned authority R. H. Deyo, J. P. who being first duly sworn; deposes and says that he served the annexed and above notice on the respective parties herein named by delivering to each a true copy thereof, except such as have waived the service thereof by placing their signature hereto.

Name of Person Served.	How Served.	When Served.
E. & C. Fitzgerald	Personally	October 19 <sup>th</sup> 1898
William Cox	"	" 19 "
George Fitzgerald	"	" 19 "
Clyde Keff & W. Keff	"	" 19 "
John Oglesbee	"	" 19 "
Robt. Gilliland	(Left notice with wife at Residence)	" 19 "

And further this deponent saith not.

C. W. Higgins.

Sworn to by C. W. Higgins before me and by him subscribed in my presence this 21<sup>st</sup> day of October, A. D. 1898.

R. H. Deyo, A  
Justice of the Peace.

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In the matter of The }  
Ditch Improvement }  
Petitioned for by C. W. Higgins.

Meeting to View.

The Board having proceeded on the 5<sup>th</sup> day of November, 1898, to the place of beginning of said improvement as prayed for in said petition, and having then and there (and at adjourned meetings therefor) heard proof of parties affected by said improvement and others competent to testify, in accordance with the former order of this board as to said matter, do find and determine that said improvement is necessary, and will be a benefit to the lots and lands along the line thereof, by furnishing drainage thereto, and will be conducive to the public health, convenience, and welfare and that the best line therefor is as follows: Beginning in the lands of Elijah Chenoweth, Sr. at a point where the Township Ditches petitioned for by H. H. Nichols and R. M. Johnson unite in Subbergut Run, to which point said ditches are tiled; thence through the lands of the said Elijah Chenoweth, in the channel of said run, to the line between Elijah Chenoweth, Sr. and C. W. Higgins; thence through the lands of C. W. Higgins to the line between C. W. Higgins & Elizabeth Taylor and there terminating in Subbergut Run. We also find that due and legal notice has been given



Engineer's Report.

London, Ohio, Nov. 14<sup>th</sup>, 1898.

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

In obedience to your orders I have made a survey and level of the ditch Improvement petitioned for by C. H. Higgins.

I have noted the intersection of lines and boundaries of lands, made an estimate of the cost of said improvement and an apportionment of said cost to each lot or land owners according to benefit which I submit herewith together with a report of said survey and level and such other matters as I deem worthy of record for your consideration.

The following is an itemized cost bill made by me in the proper discharge of my duties under said order.

H. L. M. Cafferty, Engineer	6 days @ \$4. <sup>00</sup>	\$24. <sup>00</sup>
Geo. Plowman Rodman	2 " @ 1. <sup>25</sup>	2. <sup>50</sup>
Ed. Rooney	Chairman 1 " @ 1. <sup>25</sup>	1. <sup>25</sup>
"	75 stakes @ 1 1/2 <sup>¢</sup>	1. <sup>13</sup>
Joe Dennison	Chairman 1 day @ 1. <sup>25</sup>	1. <sup>25</sup>
C. H. Higgins	Assn 1 day @ 1. <sup>25</sup>	1. <sup>25</sup>
		\$ <u>31 38</u>

I hereby certify the above to be correct.

H. L. M. Cafferty, Engineer.

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In the matter of the  
Ditch Imp. Petitioned  
for by C. H. Higgins

Adjournd hearing on Engineer's Report.

H. L. M. Cafferty, the Engineer heretofore appointed in this matter, having filed his report, including the apportionment made by him of the costs of said improvement, and this being the time fixed for hearing said report and matter, and the board, being in session, after proper examination do find that due notice has been given for the length of time required by law, to all lot and land owners and to the authorities of all municipal and private corporations affected by said improvement, notifying them of the pendency, substance and prayer of said petition for said improvement.

The board also find that Nathan Williams, A. H. Nichols, and R. M. Johnson, have made application in writing for damages, which application is ordered to be filed.

The further consideration of this matter is adjourned to Monday, November 21<sup>st</sup>, 1898; and the board will meet on line of ditch on Nov. 18<sup>th</sup> 1898 to view the premises of said Nathan Williams, claimed as damaged.

James Withrow }  
Jas. B. Anderson } Commissioners  
Chas. G. Markley } of  
Madison County.

# Ditch Improvement Record,

Higgins

Ditch.

Report of Engineer.				Slope.			Schedule - "A".		
Station feet numbered down stream	Surface Elevation	Grade Elevation	Total fall from Station 0.	Entire Depth	Cut	Width on Bottom	Width on Top	Course and Distance	Remarks.
Main Ditch.									
0	100.00	94.40		5.60	2.50			S. 48° E. 345'	Beginning on land of
1	100.18	94.25	.15	5.93	2.80				E. Chenoweth.
2	100.10	94.10	.30	6.00	3.20				Distance on land of
3	100.10	93.95	.45	6.15	3.25				said Chenoweth. 510'
+45	100.18	93.88	.52	6.30	3.30			S. 56° 30' E. 183'	
4	100.18	93.80	.60	6.38	3.40				
5	99.80	93.65	.75	6.15	3.45				
B	99.70								Ash Tree Right
+28	99.10	93.61	.79	5.49	3.45			S. 59° 30' E. 513'	510' line E. Chenoweth and
6	98.74	93.50	.90	5.24	5.24				E. H. Higgins
7	99.37	93.35	1.05	6.02	6.02				Distance on land of
8	99.17	93.20	1.20	5.97	5.97				said Higgins = 1940
9	98.83	93.05	1.35	5.78	5.78				
10	98.45	92.90	1.50	5.53	5.53				To be tiled from
+41	98.20	92.80	1.60	5.40	5.40			S. 48° E. 259'	Sta 0 to Sta. 25.50 with
11	98.02	92.64	1.76	5.38	2.69				" tile.
12	97.50	92.38	2.02	5.12	3.00				
13	96.82	92.12	2.28	4.70	2.92			S. 14° E. 220'	
14	96.99	92.86	2.54	5.13	3.00				
15	97.06	91.60	2.80	5.46	3.24				
+20	97.24	91.56	2.84	5.68				S. 8° E. 388'	
16	96.14	91.40	3.00	4.74					
17	95.64	91.20	3.20	4.44					
18	95.42	91.00	3.40	4.42	3.18				
+68	94.95	91.86	3.54	3.09					
19	94.93	91.80	3.60	3.13					
+8	95.08	91.78	3.62	3.30				S. 28° 30' E. 75'	
+83	95.13	91.64	3.76	3.49				S. 53° E. 255'	
20	95.48	90.60	3.80	4.88	2.88				
21	94.78	90.36	4.04	4.42	4.42				
22	94.73	90.12	4.28	4.61	4.61				
+48	95.63	90.00	4.40	5.63	5.63			S. 24° E. 202'	
23	96.29	89.87	4.53	6.42	6.42				
24	95.65	89.62	4.78	6.03	6.03				
25	94.42	89.52	4.88	4.90	4.90				
+50	93.03	89.47	4.93	3.56	3.56				
B	95.87								3 Burr Oaks 1 root 150' Right.

Report of Engineer							Slope			Schedule "A"	
Station no feet numbered down stream	Surface Elevation	Grade Elevation	Distance from Station	Centre Depth	cut	Width on Bottom	Width on Top	cubic yards	Course and Distance	Remarks	
Lateral No. 1 at Station 10.41											
0	9816	9400		4.16	1.73				S. 20° E. 185'	On land of C. H. Higgins 6 inch tile.	
1	9827	9346	.56	4.81	2.00						
+ 85	9820	9300	1.00	5.20	2.33						
Lateral No. 2 at Station 18.68											
0	9572	91.40		4.32	4.32				S. 73° E. 50'	On land of C. H. Higgins 5 inch tile.	
+ 50	9495	91.00	.40	3.95	3.95						
Lateral No. 3 at Station 24.50											
B	9587									3 Burr oaks 1 root 100' R.	
0	9353	8983		3.70					S. 13° 15' E. 1100	On land of C. H. Higgins 6 inch tile.	
1	9193	8973	.10	2.20					S 3° N. 100		
2	9393	8963	.20	4.30					S 19° N. 106		
3	9273	8953	.30	3.20							
+ 6	9268	8950	.33	3.18							

## Specifications.

The within ditch and laterals to be cut fully down to the grade line at all points and to be made to conform to gradients shown in this report.

The main ditch to be tiled with 15 inch tile;  
Laterals 1 and 3 to be tiled with 6 inch tile <sup>and</sup>  
Lateral 2 to be tiled with 5 inch tile.

All tile to be strictly first class drain tile or a good quality of selected second class sewer pipe.

The tile contractor to furnish all  $\frac{1}{2}$ s on the ground without extra compensation therefor.

Tile to be carefully laid <sup>and</sup> jointed within  $\frac{1}{4}$  of an inch and are not to be covered until they have been examined by the Engineer.

The estimate for the cutting includes the putting in of all  $\frac{1}{2}$ s - filling the ditch to the satisfaction of the Engineer and deadening all trees, bushes, etc, standing nearer than 20 feet.

A stone wall is to be built under the instructions of the Engineer at the end of the tile in the main ditch.

H. L. McCafferty, Engineer.

## Estimates.

Section No. 1. Main Ditch.  
 Station 0 to Station 25.50 154.54 rods.  
 154.54 rods Excavation @ .75 \$ 115.90  
 154.54 " 15" Tile @ 2.50 386.35  
 Stone Wall at end of tile 25.00  
 \$ 527.25

Section No. 2. Laterals.  
 Lateral No. 1 - 11.21 rods.  
 11.21 rods Excavation @ 25¢ \$ 2.80  
 11.21 " 6 inch Tile @ .50¢ 5.60 8.40

Lateral No. 2 - 3.03 rods.  
 3.03 rods Excavation @ 40¢ 1.21  
 3.03 " 5 inch tile @ 40¢ 1.21 2.42

Lateral No. 3 - 18.54 rods  
 18.54 rods Excavation @ 30¢ \$ 5.56  
 Sold for 5" 40  
 18.54 rods 6" tile @ 50¢ 9.27 14.83  
 \$ 552.90

## Recapitulation.

Cost of Tile \$ 402.43  
 " " Cutting 125.47  
 " " Stone Wall 25.  
\$ 552.90.

Ditch Improvement Record,

Higgins

Ditch.

No. Working Section	Report of Engineer			Schedule B.					
	Owner's Name as Found On Duplicate.	Original Survey Number	Township	Acres Owned	Acres Drained	Estimated cost of Construction	Estimated cost of Location	Total Cost	Appropriated
	C. H. Higgins	6782	Pleasant	83.63		130.25	9.56	145	
	Jas. M. Oglesbee	6782	"	62.29		1.	18	1.18	
	Sarah E. Robison	8870	Fairfield	84.78		25	1.50	35.63	
	Harriett Alkire	13816 5190	"	84.35		10.	60	8.60	
	Louisa M. Byers	13816 5190	"	84.84		40	1.80	35.64	
	R. M. Johnson	6260	"	393.167		70	4.20	79.20	
	W. H. Nichols	5433 6260	"	84.38	83.	20	1.20	15.00	
	Mary E. Morgan	8872 13138 13816 5433	"	84.00	84.	32	1.80	35.64	
	H. C. Cook	6260	"	5387	5387	13.	60	10.00	
	Thomas Cox	5433	"	53.	4.	1.	.06	1.06	
	William Cox	5433	"	73.50	2.	1.	.06	1.06	
	Clyde Keff	5433	"	116.25	1.	1	.06	1.06	
	E. D. C. Fitzgerald	6260	"	56.25	1.	1	.06	1.06	
	M. Dell Cartmill	6260	"	130.	45.	14	60	14.60	
	J. W. Cartmill Hairs	6260	"	196.78	156.	40	1.80	41.80	
	Geo. R. Fitzgerald	8870	"	44.82	4.	1	.06	1.06	
	Ross Mitchell	8870	Pleasant	89.	30.	25	1.50	26.50	
	Peter Long	8870	"	73.04	12.	5.00	3.0	5.30	
	Elijah Cheloweth	5190 13138	Fairfield	53.10	53.10	25.00	1.50	26.50	
	"	5190	"	30.90	30.90	65.00	3.90	68.90	
	Madison County Easement					7	30	7.30	
	Lateral No. 1.								
	Ross Mitchell					4.20	.21	4.41	
	C. H. Higgins					.70	.04	.74	
	Geo. R. Fitzgerald					.50	.03	.53	
	L. M. Byers					2.00	.10	2.10	
	Madison County					1.00	.05	1.05	
	Lateral No. 2.								
	C. H. Higgins					1.42	.07	1.49	
	J. M. Oglesbee					1.00	.05	1.05	
	Lateral No. 3.								
	Peter Long					8.00	.40	8.40	
	C. H. Higgins					6.83	.35	7.18	

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Commissioner's Office, Madison County,  
London, Ohio, November 21, 1898.

Board met today in Regular Session.

Members present, James Withrow, Jas. B. Anderson and C. G. Markley.

In the matter of }  
The Biggins Ditch } Bearing on Engineer's Report.  
Improvement.

The Engineer heretofore appointed in this matter, having filed his report, including the apportionment made by him of the costs of said improvement, and this being the day to which said report and matter was adjourned, the board proceeded to the consideration of the same. The Board having heard the evidence and examined said report and apportionment of the engineer, do find that said report and apportionment are in all respects fair and just according to the benefits derived from the said improvement by the owner of each lot and tract of land.

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

And the board having considered the written application of Nathan Williams as to damages to growing crops, and upon actual view of the premises do find that the amount of said damages could not be determined at this time, and that no action could be taken as to said matter until said damage, if any, be made apparent.

The claims for compensation and damages filed by H. S. Nichols and R. M. Johnson were overruled.

The board fix the 2<sup>d</sup> day of Dec, 1898, at 10 o'clock A. M. at the beginning of said improvement as the time and place for the sale of the construction of said improvement, at public outcry, in sections of not less than one hundred (100) feet, nor more than twenty five hundred feet in length.

H. L. Mc Cafferty, County Surveyor, is hereby directed to attend at 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 until day of sale. It is also ordered that for the purpose of raising money necessary to pay for the expense of said improvement, that bonds of the County be issued for amounts to be hereinafter determined.

Upon motion for the approval of the above findings and orders relating to said ditch, the roll being called, Withrow, Anderson and Markley, voted "Aye".

James Withrow } Commissioners  
Jas. B. Anderson }  
Chas. G. Markley } of  
Madison County.



Auditor's Office, Madison County,  
London, O., Jan'y. 27<sup>th</sup>, A.D. 1899.

In the matter of Ditch Improvement. } Contract for Furnishing Tile.  
Petitioned for by C. W. Higgins }

Whereas, The above styled improvement has been duly ordered and advertised for sale according to law, and the furnishing of Tile on the ground for all of Main Ditch from Station 1 to Station — and its laterals to inclusive allotted to land owners benefitted thereby and sold by the duly appointed Engineer on the 2<sup>nd</sup> day of Dec. A. D. 1898 to the undersigned in the following lots and sizes:

154.54 rods 15 inch & Ejs.

amounting to Three Hundred <sup>and</sup> Eighty four & <sup>35</sup>/<sub>100</sub> Dollars, pursuant to said order and notice. Now in consideration of the premises it is agreed by me to and with whosoever 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 upon each 100 feet of ditch and within 10 feet of the center line of the same where used.

All of the above tile to be delivered on or before the 1<sup>st</sup> day of March, A. D. 1899.

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

S. S. Van Cleave, Contractor.

H. L. Mc Cafferty, Engineer.

London Ohio, Jan'y. 27<sup>th</sup>, A. D. 1899.

In the matter of Ditch Imp. }  
 Petitioned for by C. H. Higgins } Contractor's Bond.

Know all Men by These Presents, That S. S. Van Cleve as principal, and Awanda Van Cleve, Minnie H. Van Cleve and Matilda M. Van Cleve as sureties, are firmly held, and bound unto the State of Ohio, in the penal sum of Seven Hundred and Eighty Eight and  $\frac{7}{100}$  Dollars good and lawful money. Signed and dated this 27<sup>th</sup> day of January, A. D. 1899.

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 1<sup>st</sup> day of March, A. D. 1899. Now if the said S. S. Van Cleve shall well and truly perform all the obligations of his said contract and complete the same within the time fixed therein and pay all damage which may occur by reason of a failure to complete the same within the time agreed upon in said contract, then this obligation shall be void, otherwise to be in full force and effect in law.

S. S. Van Cleve  
 Awanda Van Cleve  
 Minnie H. Van Cleve  
 Matilda M. Van Cleve.

This Contract and Bond, and Sureties on said Bond approved this            day of            A. D. 1899.

} Commissioners  
 of  
 Madison County.

H. L. M. Cafferty, Engineer.

Auditors Office, Madison County,  
London, Ohio, Dec. 2<sup>d</sup> A. D. 1898.

In the matter of Ditch Improvement } Contract for Labor of Construction.  
Petitioned for by C. H. Higgins }

Whereas, The above styled improvement has been duly ordered, and advertised for sale according to law, and the construction of Working Section No. Main ditch & all laterals allotted to land owners of the following described land, viz: per report of Engineer, and sold by the duly appointed Engineer, on the 2<sup>d</sup> day of December, A. D. 1898, to the undersigned for one hundred and twenty and <sup>50</sup>/<sub>100</sub> Dollars, pursuant to said order and notice. Now, in consideration of the premises, it is agreed by me, to and with whosoever 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 1<sup>st</sup> day of March, A. D. 1898, provided this contract shall be of no force and effect until approved by the Board of Commissioners of Madison County, Ohio.

H. C. Mc Cafferty, Engineer. }  
J. W. Van Cleave } Contractors  
S. S. Van Cleave }

Contractors Bond.

Auditors Office, Madison County,  
London, Ohio, Dec. 2<sup>d</sup> A. D. 1898.

In the matter of Ditch Imp. }  
Petitioned for by C. H. Higgins }

Know all Men by These Presents, That J. W. Van Cleave as principal and J. W. Van Cleave, S. S. Van Cleave, Avanda Van Cleave, Minnie H. Van Cleave & Matilda M. Van Cleave as sureties, are firmly held and bound unto the State of Ohio, in the penal sum of Two Hundred and forty one Dollars, good and lawful money. Signed and dated this 2<sup>d</sup> day of Dec. A. D. 1898.

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. Main & laterals, 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 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 1<sup>st</sup> day of March, A. D. 1898.

Now, if the said J. W. Van Cleave 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. H. Van Cleve  
 S. S. Van Cleve  
 Amanda Van Cleve  
 Minnie H. Van Cleve  
 Matilda M. Van Cleve.

This Contract and Bond, and Sureties on said Bond approved  
 this day of A. D. 1899.

} Commissioners  
 of  
 Madison County.

H. L. Mc Cafferty, Engineer.

Commissioner's Office, Madison County.

London, Ohio, July 31<sup>st</sup> 1899.

Commissioners met today in Regular Session.

Members present, James Withrow, Jas. B. Anderson and Chas. G. Markley

In the matter of the } Order of Issue and Sale of Bonds  
 Issue and Sale of County Bonds }  
 for The Higgins Ditch Imp.

This day the Board had under consideration the matter of issuing and selling County Bonds to meet the expense of the following ditch, The Higgins Ditch Improvement. It was moved by James B. Anderson and seconded by Chas. G. Markley, that for the purpose of raising money necessary to pay for the expense of each of the above named improvements and 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, that Bonds of the County be issued for the Higgins Ditch Improvement, as follows, to wit:

The Higgins Ditch Improvement.

One Bond for \$105. due March 1<sup>st</sup>. 1900.

One Bond for \$105. due September 1<sup>st</sup>. 1900.

One Bond for \$105. due March 1<sup>st</sup>. 1901.

One Bond for \$105. due September 1<sup>st</sup>. 1901.

One Bond for \$105. due March 1<sup>st</sup>. 1902.

One Bond for \$105. due September 1<sup>st</sup>. 1902.

Total amount of said Bonds, six Hundred and Thirty (\$630.<sup>00</sup>) Dollars.

Total amount of interest, sixty six and <sup>15</sup>/<sub>100</sub> (\$66.<sup>15</sup>) Dollars.

Total amount of Bonds and Interest, six Hundred Ninety six and <sup>15</sup>/<sub>100</sub> (\$696.<sup>15</sup>) Dollars.

Said Bonds will bear date of September 1<sup>st</sup>, 1899, and will bear interest from date at the rate of six (6) per cent.

per annum, represented by coupons, payable as follows; First installment March 1<sup>st</sup> 1900; and payable semi-annually thereafter, and due March 1<sup>st</sup> and September 1<sup>st</sup> of each year.

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That bids for the purchase of said bonds shall be filed with the Auditor of said County up to twelve o'clock noon (standard time) on Friday, August 25<sup>th</sup> 1899, on which date said bids will be opened and considered.

That said Bonds will not be sold for less than their face value. That bidders be required to state the gross amount they will pay for said or any portion or part thereof.

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

That bids will be received for the entire issue or any part thereof.

That no bid will be considered or accepted unless accompanied by a certificate of the County Treasurer, showing that at least 5 per cent. of such bid has been deposited in the Treasury, in good and lawful money of the United States, such deposit being required to bind the purchase, and will be refunded to any unsuccessful bidder upon the order of the County Auditor.

That the board reserve the right to reject any or all bids.

Upon call of roll for the approval of the foregoing motion. James Withrow, Jas. B. Anderson <sup>and</sup> Chas. G. Markley, voted "Aye".

James Withrow }  
 Jas. B. Anderson } Commissioners  
 Chas. G. Markley } of  
 Madison County.

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### Sale of County Ditch Bonds.

Commissioners Office, Madison County.

London, Ohio, August 25<sup>th</sup>, 1899.

Board of Commissioners met today in Special Session.

Members present, James Withrow, Jas. B. Anderson and Chas. G. Markley.

In the matter of the }  
Sale of Five Thousand } Sale of County Ditch Improvement Bonds  
Dollars Ditch Imp. Bonds }

This being the day fixed by the Board for the sale of County Bonds, which Bonds are specifically described in the order for the sale of the same, dated July 31<sup>st</sup> 1899, and described on pages 517, 518, 519 and 520 of this volume of the proceedings of the Commissioners; and the Board being satisfied that said sale of Bonds had been duly and legally advertised, proceeded to conduct said sale in accordance with the aforesaid order.

Bids were received and recorded as follows:

Name of Bidders.

Madison National Bank London, Ohio.

First National Bank, Circleville, Ohio.

Briggs, Todd & Co., Cincinnati, Ohio.

Seasongood & Mayer, Cincinnati, Ohio.

Feder, Holtzman & Co. Cincinnati, Ohio.

First National Bank, Columbus, Ohio.

Lamprecht Bros. & Co., Cleveland, Ohio.

H. J. Hayes & Sons, Cleveland, Ohio.

Central Bank, London, Ohio.

After due consideration of all the bids it was moved by Chas. G. Markley and seconded by James B. Anderson that the bid of The First National Bank of Circleville, Ohio, be accepted.

Upon adoption of the foregoing motion, the roll being called, James Withrow, Jas. B. Anderson and Chas. G. Markley voted "Aye". Motion Carried.

James Withrow }  
Jas. B. Anderson } Commissioners  
Chas. G. Markley }  
of  
Madison County.

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On the Matter of the }  
Assessment for the } Assessment.  
Higgins Ditch Imp. }

The Higgins Ditch Improvement having been provided for according to law, and the Board of Commissioners having determined to sell Bonds of the County to raise money necessary for the expense of said improvement.

It is hereby ordered that assessments shall be made upon the lots and lands benefited, payable as follows:

The Higgins Ditch Improvement, payable in annual installments. That assessments for the year 1899, sufficient to pay the costs of location, and the bonds and interest due, the first and all claims for compensation and damages allowed be made in proportion to the estimate made on the said improvement.

It is further ordered that the County Auditor be directed to make and furnish to the Treasurer of the County, a special duplicate for the year 1899, charging each of the lots and lands assessed for.

The Higgins Ditch Improvement. . . . . per centum of the gross assessment.

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

Upon motion for the approval of the foregoing matter Messrs. Hithrow, Anderson<sup>and</sup> Markley voted "Aye".  
Motion Carried.

Board adjourned to meet in Regular Session, Monday, September 11, 1899, at 10 o'clock A. M.

} Commissioners  
of  
} Madison County.