

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement

Record of proceedings in the matter of The William Payne Ditch Improvement, petitioned for by William Payne and located in Union and Oak Run Townships Madison County, Ohio.

Ditch Petition. Filed Nov. 5th 1902. B. A. Taylor, Auditor.
London, Ohio, A. D. 1902. Petition for locating, constructing, tiling and altering of a ditch.

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

The undersigned owners of lots and lands which will be drained or benefited by the improvement herein prayed for, hereby make application to your honorable body, and now file with the Auditor of said County, this, their petition, and now and hereby pray for the locating, constructing, altering and tiling of a ditch on the route hereinafter set forth.

The necessity for and the benefits of the improvements 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, and that the ditch petitioned for by Samuel Payne has become obstructed by the decaying of timber of which it was constructed.

The following is the beginning route and termini of said proposed improvement, to wit:

Commencing at or near the end of a timber ditch on the lands of Emeline Richmond in Union Township about seventy rods from the west line of Charles Black's land; thence in an easterly and south easterly direction through the lands of the said Emeline Richmond and the lands of the said Charles Black, crossing the old Xenia Road; thence through the lands of Elizabeth M. Miller to the lands of Samuel Paine; thence following the line of the Samuel Paine ditch in a south easterly course across the lands of the said Samuel Paine to a point in the west line of Addison Whisman's land, 56 rods from his south west corner; thence in a south easterly direction through the lands of the said Addison Whisman to Walnut Run at a point fifteen rods from the south east corner of said Whisman's land.

Your petitioner asks that a new ditch be located and constructed from the beginning point described above, to the beginning of the said Paine ditch; and that said Paine ditch be altered by being straightened and deepened, if necessary, and that

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the boxes be taken out and tile of sufficient size to be laid in place of said boxes.

The names of all persons and corporations, either public or private, who in the opinion of the petitioner are in any way affected or benefited thereby, are as follows:

Samuel Paine

Emeline Richmond.

Wm. Payne

B. F. Workman

Chas. Black Hair

Robt. Chenoweth

Elizabeth M. Miller

James Crawford.

James Seafield

Wm. Payne - Petitioner.

Petitioner's
Bond.

Petitioner's Bond.

Know all men by these presents, that William Payne as principal, A. Paine and Son and Gus. Paine 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 5th day of November, A. D. 1907.

The condition of the above obligation is such, nevertheless, that whereas, on the 5th day of November, A. D. 1907, the above bounden William Payne made application to the Commissioners of Madison County and on said day filed with the Auditor of said County, and he petitioned for the locating, constructing, tiling and altering of a ditch in pursuance of the statute in such case made and provided, on the following route and termini to wit:

Commencing at or near the end of a timber ditch on the lands of Emeline Richmond in Union Township, about seventy rods from the west line of Charles Black's land, thence in an easterly and south easterly direction through the said Emeline Richmond and the lands of the said Charles Black, crossing the old Xenia Road, thence through the lands of Elizabeth M. Miller to the lands of Samuel Payne; thence following the line of the Samuel Payne Ditch in a south easterly course across the lands of the said Samuel Payne to a point in the west line of Addison Whidman's land, 56 rods from his south-west corner, thence in a south easterly direction through the lands of the said Addison Whid-

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man to Walnut Run at a point fifteen rods from the south east corner of said Whisman's lands.

Your petitioner asks that a ditch be located and constructed from the beginning point described above to the beginning of the Samuel Payne Ditch; and that the said Payne ditch be altered by being straightened and deepened, if necessary and that the boxes be taken out and tile of sufficient size be laid in place of said boxes.

Now, if the above bounden William Payne, 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.

Wm Payne

A. Payne & Son.

Gus. Payne.

The above bond and the sureties thereon, are approved by me this 5th day of November, A. D. 1902.

B. A. Taylor, County Auditor.

Filed Nov. 5th 1902.

B. A. Taylor, Auditor.

Notice to
CommissionersNotice to Commissioners of
Petition Filed and Time for Hearing.

Office of Auditor of Madison County, Ohio, Nov. 5th 1902.
To the Honorable Board of Commissioners of said
County:

Gentlemen: You are hereby notified that a petition and bond for a Ditch Improvement has been filed in this office on the 5th day of November, 1902, a copy of which petition is attached below; and as required by law, I have fixed the 25th day of Nov. 1902, at 10 o'clock A. M. at the beginning of said proposed ditch, described in said petition, for your hearing of said matter.

B. A. Taylor, Auditor.

Copy of Ditch Petition.

London, Ohio, Nov. 5th 1902. Petition for locating, constructing, tiling and altering of a Ditch.

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

The undersigned owners of lots and land which will be drained or benefited by the improvement herein prayed for, hereby make application to your honorable body, and now file with the Auditor of said County, this, their petition, and

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now and hereby pray for the location, construction, tiling and altering of a ditch on the route hereafter 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 by furnishing drainage 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 or near a timber ditch on the lands of Emeline Richmond in Union Township about 75 rods from the west line of Charles Black's land; thence in an easterly and south easterly direction through the lands of the said Emeline Richmond; and the lands of the said Charles Black, crossing the old Xenia Road; thence through the lands of Elizabeth M^{rs}. Miller to the lands of Samuel Paine; thence following the line of the Samuel Paine ditch in a south easterly course across the lands of the said Samuel Paine to a point in the west line of Addison Chrisman's land 56 rods from his south west corner; thence in a south easterly course through the lands of the said Addison Chrisman to Walnut Run at a point fifteen rods from the south east corner of said Chrisman's land.

Your petitioners ask that a new ditch be located and constructed from the beginning point described above to the beginning of the said Paine Ditch and that said Paine ditch be altered by being straightened and deepened if necessary and that the boxes be taken out and tile of sufficient size to be laid in place of said boxes.

The names of all persons and corporations, either public or private, who in the opinion of the petitioners are in any way effected or benefited thereby are as follows:

Samuel Paine

B. F. Workman

William Paine

Robt. Chenoweth

Chas. Black Heirs

James Crawford

Elizabeth M^{rs}. Miller

James Scofield.

Emeline Richmond

William Payne - Petitioner

I hereby certify the foregoing to be a true copy of a Ditch Petition filed in my office on the 5th day of November, 1902.

A. A. Taylor,

County Auditor.

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Commissioner's Office, Madison County,
London, Ohio, November, 5th 1902.Commissioners
Journal Vol. 7
Page 611Board of Commissioners met today in regular session.
Present: Jas. B. Anderson, Chas. B. Markley and H. C. Bradley.Notice to
Commissioners
and time fixed
for viewIn the matter of the }
Ditch Imp. Petitioned } Petition and Bond Filed and
for by William Payne. } Notice to Commissioners.The County Auditor having delivered to
this board a certified copy of the petition filed with
him on the 5th day of November, 1902, signed by William
Payne, praying for the locating, constructing, tiling
and altering of a county ditch between the termini
and along the route stated below, to wit:Beginning at or near the end of a timber ditch
on the lands of Emeline Richmond in Union Town-
ship, about seventy rods from the west line of Chas.
Black's land; thence in an easterly and south-
easterly direction through the lands of the said
Emeline Richmond and the lands of the said Charles
Black, crossing the old Xenia Road; thence through
the lands of Elizabeth M. Miller to the lands of
Samuel Paine. Thence following the line of the
Samuel Paine Ditch in a south easterly course across
the lands of the said Samuel Paine to a point in
the west line of Addison Whisman's land, 56 rods
from his south west corner; thence in a south
easterly direction through the lands of the said
Addison Whisman to Walnut Run at a point
fifteen rods from the south east corner of said
Whisman's land.The petitioner asks that a new ditch be located and
constructed from the beginning point described
above to the beginning of the Samuel Paine Ditch,
and that said Paine Ditch be altered by being straight-
ened and deepened, if necessary, and that the boxes
be taken out and tile of sufficient size be laid in
place of said boxes.And it appearing that said petitioner has given
bond as required by law, which bond has been
approved by said Auditor, and said Auditor hav-
ing fixed the 25th day of November, 1902, at 10 o'clock
A. M. as the day for hearing said petition, it is
ordered that this board meet on said day, at
the place of beginning of said improvement
as described in the petition, to hear proof offer-
ed by any of the parties affected by said im-
provement, and others competent to testify and
determine as to the necessity of said improvement.

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On the question of the adoption of the foregoing entry and orders relating to said petition and ditch, Jas. B. Anderson, Chas. S. Markley and H. C. Bradley voted "Aye."
B. A. Taylor, Auditor & Clerk.
Jas. B. Anderson, Commissioner
Chas. S. Markley, of
H. C. Bradley, Madison County

Auditor's Office, Madison County, Ohio,
November, 5th A. D. 1902

Notice to Lot
or Land Owners

In the matter of the
Ditch Imp. Petitioned
for by William Payne.

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 5th day of November, A. D. 1902, William
Payne filed a petition with the Auditor of Mad-
ison County, the prayer of which is for the
location, construction, tiling and altering of
a ditch on the following starting point, route
and termini to wit:

Commencing at or near a timber ditch on
the lands of Emeline Richmond in Union
Township about 75 rods from the west line of
Charles Black's land, thence in an easterly and
south easterly direction through the lands of
the said Emeline Richmond and the lands
of the said Charles Black, crossing the old
Xenia Road; thence through the lands of Elizabeth
M^{rs}. Miller to the lands of Samuel Paine; thence
following the line of the Samuel Paine ditch in a
south easterly course across the lands of the
said Samuel Paine to a point in the west line
of Addison Whisman's land 56 rods from his south
west corner; thence in a south easterly di-
rection through the lands of the said Addison
Whisman to Walnut Run at a point fifteen
rods from the south east corner of said Whis-
man's land.

The petitioner asks that a new ditch be located
and constructed from the beginning point de-
scribed above to the beginning of the said Paine
ditch; and that said Paine ditch be altered by
being straightened and deepened, if necessary,
and that the boxes be taken out and tile of
sufficient size be laid in place of said boxes.
You are also notified that the following time

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and place have been fixed when and where the Commissioners of said County will meet for the hearing of said petition, to wit: Tuesday November 25th 1902 at 10 o'clock A.M. at the beginning of said proposed improvement, for the purpose of hearing any and all proof offered by any of the parties affected by said 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.

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

Auditor's Office, Madison County, Ohio,
November 5th A. D. 1902.

Copy of Notice
to Lot or Land
Owners

In the matter of the
Ditch Imp. Petitioned for
by William Payne.

Copy of Notice
to Lot or Land Owners.

To the Lot or Land Owners and
to the Corporations, either public or private, af-
fected by said Improvement:

You, and each of you, are hereby notified that on the 5th day of November, A. D. 1902, William Payne filed a petition with the Auditor of Madison County, the prayer of which is for the location, construction, tiling and altering of a ditch on the following starting point, route and termini, to wit: Commencing at or near a timber ditch on the lands of Emeline Richmond in Union Township about 75 rods from the west line of Chas. Black's land; thence in an easterly direction through the lands of the said Emeline Richmond and the lands of the said Chas. Black, crossing the old Xenia Road; thence through the lands of Elizabeth M^{rs}. Miller to the lands of Samuel Paine; thence following the line of the Samuel Paine Ditch to a point in the west line of Addison Whisman's land 56 rods from his south west corner; thence in a south easterly direction through the lands of the said Addison Whisman to Walnut Run at a point fifteen rods from the south east corner of said Whisman's land; The petitioners ask that a new ditch be

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located and constructed from the beginning point described above to the beginning of the said Payne ditch and that said ditch be altered by being straightened and deepened if necessary and that boxes be taken out and tile of sufficient size be laid in place of said boxes.

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 November 25th 1902, at 10 o'clock, A.M. at the beginning of said proposed ditch improvement, for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement, whether the said ditch will be conducive to the public health, convenience and welfare; and whether the route described is the best route and any and all objections to said proposed ditch improvement.

Any application for compensation or damage or for any change of route, must be in writing and filed with the Commissioners on or before the day set for hearing.

No further notice of any proceedings in this matter will be given.

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

Auditor's Office, Madison County, Ohio.

November 6th A. D. 1902.

The State of Ohio, }
 Madison County S.S. } Proof of Personal Service.

On this 7th day of November, 1902 personally came Chas. A. Wilson, 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 a true copy of the annexed notice, or by leaving the same at their usual place or residence.

Name of Persons Served.	When Served.	How Served.
William Payne	Nov. 6 th 1902	Left at Residence
" " Agent.	" " "	" " "
Emeline Richmond.	" 7 th "	Personally
B. F. Workman	" 6 th "	Left at Residence
Robt. Wheroweth	" 7 th "	" " "
James Crawford	" 6 th "	Personally
James Seafield	" " "	" " "

And further this deponent saith not.

C. A. Wilson.

Proof of Personal Service

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Sworn to by W.A. Wilson, before me and by him subscribed in my presence this 7th day of November, A. D. 1902.

B.A. Taylor, County Auditor.

Ditch Notice.

Notice to Non-Resident Lot or Land Owners.
Auditor's Office, Madison County, Ohio.
November 6th A. D. 1902.

Notice by Publication

In the matter of the
Ditch Imp. Petitioned for
by William Payne.

Notice to Non-Resident
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 5th day of November, 1902, William Payne filed a petition with the Auditor of Madison County, the prayer of which is for the locating, constructing, tiling and altering of a Ditch on the following starting point, route and termini, to wit:

Commencing at or near the end of a timber ditch on the lands of Emeline Richmond, in Union Township, about seventy five rods from the west line of Charles Black's land; thence in an easterly and south easterly direction through the lands of the said Emeline Richmond and the lands of the said Chas. Black, crossing the old Xenia Road; thence through the lands of Elizabeth M^{rs}. Miller to the lands of Samuel Paine; thence following the line of the Samuel Paine Ditch in a south easterly course across the lands of the said Samuel Paine to a point in the west line of Addison Whisman's land, 56 rods from his southwest corner, thence in a south easterly direction through the lands of the said Addison Whisman to Walnut Run at a point fifteen rods from the south east corner of said Whisman's land.

The petitioners ask that a new ditch be located and constructed from the beginning point described above to the beginning of said Paine ditch; and that said Paine ditch be altered by being straightened and deepened, if necessary, and that the boxes be taken out and tile of sufficient size be laid in place of said boxes; also that all laterals and spurs of ditch be put in good condition.

You are also notified that the following time and place have been fixed when and where the

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Commissioners of said County will meet for the hearing of said petition, to-wit: Tuesday, November, 25th 1902, at 10 o'clock, A.M. at 10 o'clock A.M. at the beginning of said proposed ditch improvement, for the purpose of hearing any and all proof offered by any of the parties affected by said improvement, 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 improvement.

Any application for compensation or damage or for any change of route, must be in writing and filed with the Commissioners on or before the day set for hearing.

No further notice of any proceedings in this matter will be given.

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

Proof of Publication

The State of Ohio, Madison County, ss: W. D. Bacone, being duly sworn, says he is the manager of "The London Times", a weekly newspaper printed and in general circulation in said County, and that a notice, of which the annexed is a copy, was published in said newspaper for at least 2 consecutive weeks prior to the 25th day of November, 1902.

W. D. Bacone.

Sworn to and subscribed before me this 15th day of November, A. D. 1902.

Printer's Fees \$6.³⁸

B. A. Taylor, County Auditor.

Adjourned Meeting on View

Commissioner's Office, Madison County, London, Ohio, December, 1st 1902.

Board of Commissioners met today in regular quarterly session.

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Present: Jas. B. Anderson, Chas. H. Markley^{2d} & H. E. Bradley
 In the matter of the }
 Ditch Imp. Petitioned } Adjourned Meeting on View.
 for by William Payne.

The Board having proceeded on the 25th day of November, 1902, to the place of beginning of said improvement as prayed for in said petition and having then and there viewed the line of the proposed improvement, and having duly considered the matter, do find that the following named parties have not been notified of the substance, pendency and prayer of the

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petition for said improvement, viz: Addison Chrisman, Reed Chrisman.

It was moved by Chas. B. Markley and seconded by H. E. Bradley that the further view of said ditch be adjourned to Friday December, 12th 1907, at 10 o'clock A. M.

The above motion was carried: Jas. B. Anderson, Chas. B. Markley and H. E. Bradley voted "Aye".

It is ordered that the County Auditor be directed to cause notice to be served upon the above mentioned parties according to law.

B. A. Taylor,
Auditor & Clerk.

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

Auditor's Office, Madison County, Ohio,
November, 25th A. D. 1907.

Additional
notice to
Lot or Land
Owners

In the matter of the } Additional Notice to
Ditch Imp. Petitioned } Lot or Land Owners.
for by William Payne. }

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 25th day of November, 1907, William Payne
filed a petition with the Auditor of Madison
County, the prayer of which is for the locating,
constructing, tiling and altering of a ditch over
the following starting point, route and terminus,
to wit:

Commencing at or near the end of a timber
ditch on the lands of Emeline Richmond
in Union Township about seventy rods from
the west line of Charles Black's land; thence
in an easterly direction and south easterly di-
rection through the lands of the said Charles
Black's land, crossing the old Xenia Road;
thence through the lands of Elizabeth M. Miller
to the lands of Samuel Paine; thence following
the line of the Samuel Paine ditch in a south
easterly course across the lands of the said
Samuel Paine to a point in the west line of
Addison Chrisman's land, 56 rods from his south
west corner; thence in a south easterly di-
rection through the lands of the said Addison
Chrisman to Walnut Run at a point fifteen
rods from the south east corner of said Chris-
man's land. The petitioner ask that a new

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ditch be located and constructed from the beginning point described above to the beginning of the said Payne ditch; and that said ditch be altered by being straightened and deepened, if necessary; and that the boxes be taken out and tile of sufficient size be placed in place of said boxes; also that all laterals and spurs of ditch be put in good condition. 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: Friday, December 12th 1902, at 10 o'clock, A.M. at the beginning of said proposed ditch improvement, for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement whether the said ditch will be conducive to the public health, convenience and welfare; and whether the said route described is the best route and any and all objections to said proposed ditch improvement.

Any application for compensation or damage or for any change of route must be in writing and filed with the Commissioners on or before the day set for hearing.

No further notice of any proceedings in this matter will be given.

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

Auditor's Office, Madison County, Ohio,
 November, 28th A. D. 1902.

Proof of Personal Service

The State of Ohio, }
 Madison County S.S. } Proof of Personal Service.

On this 28th day of December, A. D. 1902, personally came B. A. Wilson, 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 a true copy thereof or by leaving the same at their usual place of residence.

Name of Person Served.	When Served.	How Served.
Addison Whisman	November 25 th 1902	Personally
Reed Whisman	November 25 th 1902.	Personally.

And further this deponent saith not.
 B. A. Wilson.

Sworn to by B. A. Wilson before me, and by him subscribed in my presence this 28th day of November, 1902.
 B. A. Taylor, County Auditor.

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Motion to
Dismiss
Petition

In the matter of the Payne Ditch Improvement.

Now comes Addison Chrisman, one of the parties in interest in said matter, and objects to the granting of said Ditch Improvement for the following reasons:

1st. That the same will not be conducive to the public health, convenience and welfare.

2^d. That he in particular, and those interested already have sufficient drainage to carry off any water that may flow over their lands.

3rd. That his said lands are in such a condition that the water will flow naturally over the surface without artificial drainage and that the said ditch will not benefit him for said reasons.

4th. That it is not the natural course for said water to flow from the Richmond and Black lands.

Applicant therefore moves that said ditch petition for the above reasons be dismissed and that the Board of County Commissioners fix a day before granting said improvement, when evidence may be heard upon the same.

Wary Jones, Atty. for A. Chrisman,
Filed December, 12th 1902, at 8:45 o'clock, A.M.

B. A. Taylor, County Auditor

Commissioners
Finding on
Petition

Commissioners Finding on the Petition.

In the matter of the } Auditor's Office, Madison County, Ohio.
Ditch Imp. Petitioned } December, 15th A. D. 1902.
for by William Payne. } Commissioners Finding on Petition

This day the Commissioners of Madison County being in regular session, members present: Jas. B. Anderson, Chas. B. Markley and H. C. Bradley, and a copy of a petition for the location, construction, filling and altering of a ditch having been delivered to us by the County Auditor, and it appearing to us that the proper bond has been filed with the Auditor and by him approved, conditioned for the payment of all costs if the prayer of the petition be not granted or be dismissed for any cause, we, therefore on the 25th day of November, 1902, the day fixed by the Auditor for hearings, and at adjourned meetings therefor, did meet at the place of beginning of said ditch, as described in the petition, and heard all proof offered by any of the parties affected by said improvement and other persons competent to testify; and we went over and along the line of said improvement, and by actual view of said ditch and the

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premises along and adjacent thereto, and to be drained or benefited thereby, determined the necessity thereof.

And we do hereby find that said improvement is necessary, and will be conducive to the public health, convenience and welfare and a benefit to the lots and lands along the line thereof by furnishing drainage thereto.

Description
of Route

The following route was determined upon by us, viz: Commencing at or near the end of a timber ditch on the lands of Emeline Richmond in Union Township about seventy rods from the west line of Charles Black's land, thence in an easterly and south easterly direction, through the lands of the said Emeline Richmond and the lands of the said Charles Black, crossing the old Xenia Road, thence through the lands of Elizabeth Mc. Miller to the lands of Samuel Paine; thence following the line of the Samuel Paine ditch in a south easterly course across the lands of the said Samuel Paine to a point in the west line of Addison Chrisman's land, 56 rods from his southwest corner, thence in a south easterly direction through the lands of the said Addison Chrisman and James Seafield to Walnut Run at a point about 9 rods south of said Seafield's north line.

It is ordered that a new ditch be located, constructed and tiled from the beginning point described above to the beginning of the Samuel Paine ditch; and that the Samuel Paine ditch be altered by being straightened and deepened, and that the boxes in said ditch be taken out and tile of sufficient size be laid in place of said boxes.

It is therefore ordered that said improvement be granted and the same be known as "The Williams Payne Ditch Improvement."

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

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

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and level the same and set a stake at every hundred feet numbering down stream, and to embody in said order direction to the said Surveyor to make and return a schedule of all lots or lands, and public or corporate roads or railroads, that will be benefited, and an apportionment of the estimated cost of locating and constructing said improvement, in money, according to the benefits which will result to each, and to perform such other duties as are required in sections 4454, 4455 and 4456 R. S., as now in force and effect, and to file his report with the County Auditor on or before the time hereinafter fixed for hearing the same.

It is further ordered that the 13th day of January, 1903 at 10 o'clock, A. M. at the County Auditor's Office, is hereby fixed for the hearing of applications for any appropriation of land taken for said improvement and damages said parties affected by said improvement, or any of them may sustain thereby, and for the approval of the report of the Surveyor.

B. A. Taylor,

Auditor.

H. E. Bradley,

President Board of Commissioners.

Binding on
Petition -
Copy for
Co. Surveyor.

Binding on Petition - Copy for County Surveyor.
In the matter of the } Auditor's Office, Madison County, Ohio.
Ditch Imp. Petitioned } December, 15th A. D. 1902.
for by William Payne. Binding on Petition - Copy for Surveyor.

This day the Commissioners of Madison County, being in regular session, members present: Jas. B. Anderson, Chas. B. Markley^{2nd} and H. E. Bradley, and a copy of a petition for the location, construction, tiling and altering of a county ditch having been delivered to us by the County Auditor, and it appearing to us that the proper bond has been filed with the Auditor and by him approved, conditioned for the payment of all costs if the prayer of the petition be not granted or be dismissed for any cause, we, therefore, on the 25th day of November, 1902, the day fixed by the Auditor for hearings, and at adjourned meetings therefor, did meet at the place of beginning of said ditch, as described in the petition, and heard all proof offered by any of the parties affected by said improvement and other persons competent to testify; and we went over and along the line of said improvement, and by actual view of said ditch and the premises along and adjacent thereto and to be drained or benefited thereby, determined the necessity thereof. And we do hereby find that

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said improvement is necessary and will be conducive to the public health, convenience and welfare, and a benefit to the lots and lands along the line thereof by furnishing drainage thereto. The following route was determined upon by us, viz: Commencing at or near the end of a timber ditch on the lands of Emeline Richmond in Union Township about seventy rods from the west line of Charles Black's land; thence in an easterly and south easterly direction through the lands of the said Emeline Richmond and the lands of the said Charles Black, crossing the old Xenia Road; thence through the lands of Elizabeth M. Miller to the lands of Samuel Paine, thence following the line of the Samuel Paine Ditch in a south easterly course across the lands of the said Samuel Paine to a point in the west line of Addison Chrisman's land, 56 rods from his south west corner; thence in a south easterly direction through the lands of the said Addison Chrisman and James Seofield to Walnut Run at a point about 9 rods south of the said Seofield's north line.

It is ordered that a new ditch be located and constructed and tiled from the beginning point described above to the beginning of the Samuel Paine ditch; and that the Samuel Paine ditch be altered by being straightened and deepened, and that the boxes in said ditch be taken out and tile of sufficient size be laid in place of said boxes.

It is therefore ordered that said improvement be granted and the same be known as "The William Payne Ditch Improvement".

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

And we do hereby order the Auditor to enter this, our finding on the Commissioner's journal. And we do further authorize the Auditor to enter upon said journal, an order directing the County Surveyor to go upon the line as changed by us in accordance with Section 4489 R. S. as described above, and survey and level the same and set a stake at every hundred feet numbering down stream, and to embody in said order direction to the said Surveyor

Madison County Ditch Improvement Record.

The William Payne Ditch Improvement.

to make and return a schedule of all lots or lands, and public or corporate roads or rail roads, that will be benefited, and an appropriation of the estimated cost of locating and constructing said improvement, in money, according to the benefits which will result to each, and to perform such other duties as are required in Sections 4454, 4455 and 4456 R. S., as now in force and effect, and to file his report with the County Auditor on or before the time hereinafter fixed for hearing the same.

It is further ordered that the 13th day of January, 1903, at 10 o'clock, A.M. at the County Auditor's Office, is hereby fixed for the hearing of applications for any appropriation of land taken for said improvement and damages said parties affected by said improvement, or any of them may sustain thereby and for the approval of the report of the surveyor.

B. A. Taylor, Auditor, H. E. Bradley, Pres. Board of Commissioners
I certify the foregoing to be correctly copied from the record of the proceedings of the board.
B. A. Taylor, Auditor.

Commissioner's Office, Madison County,
London, Ohio, December, 15th 1902

Commissioner's
Journal Vol. 7
Page 627

Board of Commissioners met today in regular session.
Present: Jas. B. Anderson, Chas. B. Markley and H. E. Bradley.
In the matter of the } Petition Granted
Ditch Impv. Petitioned }
for by William Payne. } Order to Engineer.

Petition
Granted &
Order to
Engineer

The Board having proceeded on the 25th day of November, 1902, 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 all parties affected by said improvement and others competent to testify in accordance with the former orders of this board as to said matter, and we went over and along the line of said improvement, and by actual view of said ditch and the premises along and adjacent thereto, and to be drained or benefited thereby, determined the necessity thereof. And we do hereby find that said improvement is necessary, and will be conducive to the public health, convenience and welfare; and a benefit to the lots and lands along the line thereof by furnishing drainage thereto.

Madison County Ditch Improvement Record.
 The William Payne Ditch Improvement.

And we further find that the route described is the best, viz:

Commencing at or near a timber ditch on the lands of Emeline Richmond in Union Township about seventy rods from the west line of Charles Black's land; thence in an easterly and south easterly direction through the lands of the said Emeline Richmond and the lands of the said Charles Black, to the old Xenia Road; thence through the lands of Elizabeth McMiller to the lands of Samuel Paine; thence following the line of the Samuel Paine ditch in a south easterly course across the lands of the said Samuel Paine to a point in the west line of Addison Chrisman's land, 56 rods from his southwest corner; thence in a south easterly direction through the lands of the said Addison Chrisman and James Seofield to Walnut Run at a point about 9 rods south of Seofield's north line.

It is ordered that a new ditch be located, constructed and tiled from the beginning point described above to the beginning of the Samuel Paine ditch; and that the said Samuel Payne ditch be altered by being straightened and deepened, and that the boxes in said ditch be taken out and tile of sufficient size be laid in place of said boxes.

It is therefore ordered that said improvement be granted and the same be known as The William Payne Ditch Improvement.

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

It is further ordered that all objections, both written and verbal, to the said proposed ditch improvement, be and the same are hereby overruled.

Order to
County Surveyor

Order to County Surveyor.

It is therefore ordered that J. H. Asher, County Surveyor go upon the line of said improvement and survey and level the same and set a stake at every hundred feet numbering down stream, note the intersection of lines and boundaries of lands, township and county lines, land marks, bench marks and road and rail road crossings; and make a report and profile and plat of the same and estimate the number

Madison County Ditch Improvement Record.

The William Payne Ditch Improvement.

of cubic yards of earth and other substance to be removed and the cost per cubic yard for each working section and of each section of one hundred feet.

It is also ordered that said engineer make and return a schedule of all lots and lands and public and corporate roads and railroads that will be benefited by said proposed improvement, and an apportionment of the cost of location and construction in money to each lot and tract of land, road and railroad and municipal corporations, according to the benefits which will result to each from the making of said improvement, and a specification of the manner in which the improvement shall be made and completed; the number of flood gates, farm crossings and bridges necessary, including the kinds and dimensions thereof and all county and township lines and railroad crossings; the amount and size of tile necessary and the estimated cost of the same, and to perform such other duties as are required of him in Sections 4454, 4455 and 4456 R. S. as now in force and effect.

Said Engineer is also ordered to make and file with his report an itemized bill of all costs made in the proper discharge of his duties under this order, and to file his report with the County Auditor in his office therein on or before 10 o'clock A. M. of the 13th day of January, 1903.

It is further ordered that the time and place last above mentioned, is hereby fixed for the hearing of all applications for damages arising from said improvement, and of claims for compensation for land taken for the construction thereof, to which time and place the proceedings herein now stand adjourned.

The roll being called for the approval of the foregoing orders and findings relating to said petition and ditch, Jas. B. Anderson, Charles, B. Markley and H. E. Bradley voted "Aye".

B. A. Taylor

Auditor and Clerk.

Jas. B. Anderson,

Chas. B. Markley,

H. E. Bradley.

Commissioners

of

Madison County

Claims for compensation and damages filed by Gary Jones, Atty. for Addison Christman, filed January 13th 1903 at 9:30 A. M. B. A. Taylor, Auditor. In the matter of The Payne Ditch Improvement.

Madison County Ditch Improvement Record.

The Williams Payne Ditch Improvement

Claims for
Compensation
and Damages.

Addison Chrisman, one of the parties to this cause hereby make application for compensation and damages as follows:

Land Taken \$50.00
Damages to grass land and for depriving him of water at the mouth of said ditch and fences that will be destroyed by said improvement \$100.00

Dary Jones, Atty. for Addison Chrisman.
London, Ohio, Jan'y. 13" 1903.

Amount allowed on above.

Compensation for land taken \$5.25

Damages \$7.50

Total \$12.75

Gas. B. Anderson } Commissioners
Chas. G. Markley } of Madison County

Report of
Engineer

Report and Schedules of Engineer.

Filed Jan'y. 13" 1903 at 9:30 A.M. B.A. Taylor, Auditor,
Auditors Office, Madison County, Ohio,

In the matter of the } January 13" A. D. 1903.
Ditch Imp. Petitioned } Report and Schedules of Engineer.
for by William Payne. } Filed January 13" 1903. B.A. Taylor, Auditor
To the Honorable, the Board of Commis-
sioners of Madison County, Ohio:

The undersigned Engineer, in obedience to the di-
rection of your honorable body, made on the 15"
day of December, 1902, has proceeded in the above
matter, and has made a level and survey of the
line of said proposed ditch improvement, and
set a stake at every hundred feet numbering
down stream; and I have made a note of the
intersection of lines and boundaries of lands,
township and county lines, land marks, bench
marks and road and railroad crossings; and I
herewith make report of the same, with profile
and plat, and an estimate of the number of cubic
yards of earth or other substance to be removed,
and the cost per cubic yard for each working section
on said report indicated and of each section of
one hundred feet.

I have also made, and return herewith a schedule
of all the lots and lands and public and corporate
roads and railroads, together with the name
of the owners of such railroad companies, and
the name of the lessees operating the same,
that will be benefited by said improvement;
and an apportionment of the cost of location
and construction, in money, to each lot and

Madison County Ditch Improvement Record.

The William Payne Ditch Improvement

tract of land, road and railroad, according to the benefits which will result to each from the said improvement, and in apportioning the cost of such improvement, the benefits to any lots or lands, by diking the same in whole or in part, have been by me considered with other benefits; and a specification of the manner in which the improvement shall be made and completed, the number of flood gates, water ways farm crossings and bridges, including kinds and dimensions thereof; and such other matters as the undersigned deems important.

The said survey, level reports and schedules are herunto attached and made a part hereof.

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

Cost Bill	J. St. Asher,	Engineer,	7 days	at \$4.00 per day =	\$28.00
	Jesse Paine,	Rodman,	1 day	at \$1.25 per day =	\$ 1.25
	Thomas Busie,	Chairman,	1 day	at \$1.25 per day =	\$ 1.25
	William Payne,	Chairman,	1 day	at \$1.25 per day =	\$ 1.25
	William Payne,	Flagman,	1 day	at \$1.25 per day =	\$ 1.25
	Ralph Asher,	Marker,	1 day	at \$1.25 per day =	\$ 1.25
	Other Expenses:				
	Frank Bridgman,	Team, hauling stakes			\$ 3.00
	E. R. Florence,	Stakes			\$ 2.44
		Total			\$ 39.69

The foregoing cost bill allowed by us. Jan'y 19" 1903.

J. St. Asher, Engineer. Jas. B. Anderson, Commissioner
 Chas. H. Markley, of
 H. E. Bradley Madison County

Application to pay assessment in cash

Application to pay assessment in cash. January 13" 1903.

In the matter of the Ditch Imp. Petitioned for by William Payne. Application to pay cash.

To the Commissioners of Madison County, Ohio:

I hereby make application to your board to pay my assessment on the William Payne Ditch Improvement in cash.

A. Whisman.

Filed January, 13" 1903.

B. A. Taylor, County Auditor.

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement

Report of Engineer

Report of Engineer

Schedule A

Stake number number of feet from beginning	Surface Elevation	Grade Elevation	Grade fall from station	Entire Depth	Out.	Course and Distance	Remarks
0	99.98	96.48 -.45	0.00	2.50		0 to 3+63 S. 61° E.	Ash Left.
B.M. 100.							
1	98.95	96.03	.45	2.92			
2	98.68	95.58	.90	3.10			
3	98.48	95.13	1.35	3.35			Emeline Richmond } 363' Charles Black } = 363' on Emeline Richmond's land.
+63	98.33	94.86	1.62	3.47	3+63 to 6+40		
4	98.00	94.68	1.80	3.32	N. 67° E.		
5	97.42	94.23	2.25	3.19			
6	96.84	93.78	2.70	3.06			
+40	96.56	93.60	2.88	2.96	6+40 to 9+50		
7	96.58	93.33	3.15	3.25	S. 83° E.		
8	96.51	92.88	3.60	3.63			
9	96.11	92.43 -.20	4.05	3.68			Charles Black } 932' = line M. Miller } center of Xenia Road.
C.P. 100	97.76						
+50	96.04	92.33	4.15	3.71	9+50 to 19		= 569' on Black's land.
10	95.94	92.23	4.25	3.71	S. 59 1/2° E.		
B.M.	96.93						Burr Oak, Left.
11	95.61	92.03	4.45	3.58			
12	95.54	91.83	4.65	3.71			
13	95.31	91.63	4.85	3.68			
14	95.14	91.43	5.05	3.71			
15	95.01	91.23	5.25	3.78			
16	94.74	91.03	5.45	3.71			
17	94.70	90.83	5.65	3.87			
B.M.	94.92						Chm - Right
18	94.46	90.63	5.85	3.83			
19	94.40	90.43	6.05	3.97	19 to 21+33		
20	94.23	90.23	6.25	4.00	N. 86° E.		
21	93.92	90.03	6.45	3.89			
+33	93.85	89.97	6.51	3.88	21+33 to 25		
22	93.71	89.83	6.65	3.88	S. 50 1/4° E.		
23	93.13	89.63	6.85	3.50			
24	92.59	89.43	7.05	3.16			
25	92.05	89.23	7.25	2.82	25 to 28+48		
26	92.14	89.03	7.45	3.11	N. 66 1/4° E.		
27	91.56	88.83 -.47	7.65	2.73			
28	91.17	88.36	8.92	2.81			
C of Pika	92.24						Center of Armstrong Road, No. 2 = 2834'
+48	90.95	88.13	8.35	2.82	28+48 to 31		
B.M.	91.52				S. 77° E.		Hacked Post - Right - East Side of Road.
29	90.77	87.89	8.59	2.88			
30	91.16	87.42	9.06	3.74			
31	90.20	86.95	9.53	3.25	31 to 34		
32	90.01	86.48	10.00	3.53	N. 56° E.		

Same as depth

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement

Report of Engineer	Report of Engineer.						Schedule "a."	
	State survey number of course	Surface Elevation	Grade Elevation	Grade fall from station	Grading Depth	Dist.	Course and Distance	Remarks.
	33	89.81	86.01	10.47	3.80			
	34	89.43	85.54	10.94	3.89		34 to 36 + 68	
	35	89.10	85.07	11.41	4.03		N. 79° E.	
	36	88.66	84.60	11.88	4.06			
	+68	87.91	84.28	12.20	3.63		36 + 68 to 45	ms. Miller } 36 + 68 = line Daniel Payne } = 2736' on ms. Miller land.
	37	88.00	84.13	12.35	3.87		S. 38 3/4 E.	
	38	87.86	83.93	12.55	3.93			
	39	87.70	83.73	12.75	3.97			
	40	87.54	83.53	12.95	4.01			
	41	87.32	83.33	13.15	3.99			
	42	87.23	83.13	13.35	4.10			
	43	86.89	82.93	13.55	3.96			
	44	86.58	82.73	13.75	3.85			
	45	86.34	82.53	13.95	3.81		45 to 48 + 60	
	46	86.18	82.33	14.15	3.85		S. 46° E.	
	47	86.46	82.13	14.35	4.33			
	48	85.61	81.93	14.55	3.68			
	+60	85.30	81.81	14.67	3.49		48 + 60 to 51	
	49	85.36	81.73	14.75	3.63		S. 87 3/4 E.	
	50	84.93	81.53	14.95	3.40			
	51	84.93	81.33	15.15	3.60		51 to 53	Daniel Payne } 5024' = line. Ad. Whisman } = 1356' on Wm Payne land.
	52	84.64	81.13	15.35	3.51		S. 42 1/2 E.	
	53	85.53	80.93	15.55	3.60			
	54	84.19	80.73	15.75	3.46		53 to 56	
B.M.	86.05						S. 75 3/4 E.	Oak - Right.
	55	83.73	80.53	15.95	3.20			
	56	83.68	80.23	16.25	3.45		56 to 59	
	57	83.61	89.93	16.55	3.68		S. 60 1/2 E.	
	58	83.79	79.63	16.85	4.16			
	59	82.69	79.33	17.15	3.36		59 to 61	
	60	82.79	79.03	17.45	3.76		S. 88 E.	
	61	82.34	78.73	17.75	3.61			
	62	82.04	78.43	18.05	3.61		61 to 64	
	63	81.94	78.13	18.35	3.81		S. 63° E.	
	64	81.23	77.83	18.65	3.40			
B.M.	81.39							Willow - Left.
	65	82.17	77.53	18.95	4.64		64 to 68	
	66	79.88	77.23	19.25	2.65		S. 7' W.	
	67	79.53	76.93	19.55	2.60			
	68	78.98	76.63	19.85	2.35		68 to 72 + 35	= 2068' on A. Whisman's land.
	69	78.54	76.33	20.15	2.21		S. 30° E.	Ad. Whisman } 7092 = line Schofield }
	70	79.28	76.18	20.30	3.10			
B.M.	79.26							Small, wild cherry - Left.
	71	79.02	76.03	20.45	2.99			= 143' on J. Schofield's land.
	72	78.51	75.88	20.60	2.63			
+35	78.61	75.73	20.75	2.88				Total length 7235' = 438.48 rods.

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement.

Report of Engineer

Report of Engineer.

Schedule A.A.

Statement of Working Sections of The William Payne Ditch

No. of Working Section	No. of Stakes		No. of Lined Feet	No. of Lined Rods	Price Per Rod	Amount	
	From	To				D.	C.
I.	7235	48	2435	147.57	.60	88	54
	10 inch tile			147.57	1.20	177	08
						265	62
II.	48	23	2500	151.51	.60	90	91
	10 inch tile			72.76	1.20	87	31
	8 inch tile			78.75	.75	59	06
						237	28
III.	23	0	2300	139.40	.55	76	67
	8 inch tile			30.40	.75	22	80
	6 inch tile			87.00	.50	43	50
	5 inch tile			22.00	.35	77	
						150	67
IV.	Protection Wall at mouth of 10 in. tile → See Specifications.						
			5' x 4' x 3 1/2'			20	00

Report of Engineer

Schedule "B"

Owners Name as found on Duplicate	No. of Entry	Description	Acres Owned	Acres Owned	Estimated Cost of Construction	Estimated Cost of Location	Total Cost	Appropriation
Emeline Richmond	4518	Union Township	183.49	10.	33 00	195	34 95	
Charles Black.	8446 9500	Union Township	285.47	9.	37 00	221	39 21	
Elizabeth M. Miller	4587 5673	= 100. = 115a. Union Township	33.70 157.75	10. 115.	260 00	15 28	275 28	
Samuel Payne	4571 8005 8446	Union Township	106. 447	60. 15.	181 57	10 65	192 22	
Addison Whisman	8005 8005	Union Township Oak Run Township	175. 60.	50. 25.	91 50 45 50	5 40 2 70	96 90 48 20	
Madison County		Xenia Road and Armstrong Road No. 2			25 00	1 50	26 50	
		Total =			673 57	39 69	713 26	

Madison County Ditch Improvement Record.

The Williams Payne Ditch Improvement.

Report of
Engineer

Report of Engineer,

Schedule "B".

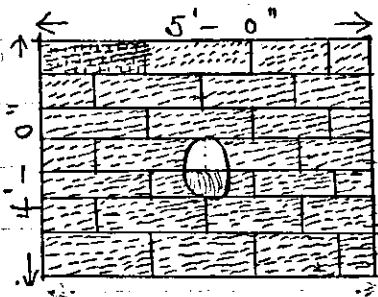
Auditor's Office, Madison County,

January, 13th A. D. 1903.In the matter of the
Ditch Imp. Petitioned
for by William Payne,Specifications of the manner
of construction.

The entire ditch in this improvement shall be tiled as follows: From Station 0 to Station 3+63 with 5 inch tile; from Station 3+63 to Station 18 with 6 inch tile; from Station 18 to station 36 with 8 inch tile and from Station 36 to Station 72+35 with 10 inch tile; all tile used must be first class drain tile and must be delivered by the tile contractor, each size in its proper place on the banks or line of ditch; any expense incurred because of any improper delivery will be charged against the tile contract and deducted therefrom at time of settlement. The contract for tile will include the furnishing of T's to connect all laterals, old or new; the trench for receiving the tile must be cut down to the grade line at all points, and the tile must be evenly laid and closely jointed so as to prevent sediment from entering the tile. The estimate for excavation includes the making of all connections. If any tile are needed to extend the laterals to the main ditch so they may be connected therewith, they will be charged against the lands on which said connections are made; The tile must not be covered until after they have been examined by the engineer in charge of the work. After inspection the trenches must be filled.

If any laterals have to be constructed or reconstructed in order to make the connection, the contractor shall have a reasonable allowance for said work.

A protection wall shall be constructed at the outlet of the 10 inch tile, of large sized hand stone, in regular courses, laid in cement mortar, made of Portland cement one part and clean sharp stone two parts. Dimensions 5' x 4' x 3.5'



Madison County Ditch Improvement Record.
The William Payne Ditch Improvement

Report of Engineer

Report of Engineer

Schedule "b."

Specifications

In the ^{matters of} Ditch Imp. }
 Petitioned for by }
 William Payne. }

Auditor's Office, Madison County,
 January 13th A. D. 1903.
 Specifications of the Manner
 of Construction.

Any tile now on the ground belong-
 ing to any of the land owners who are assessed for
 this ditch may be used in said ditch, if of the
 proper size and of good quality, and said land own-
 ers shall receive credit for said tile at the price
 for which tile of same sizes sell on day of sale.
 The old boxes, if they interfere with the con-
 struction of the tile ditch must be removed by
 the contractor before laying tile.

The foregoing Engineer's Report
 is hereby approved, this 13th day of January, 1903.
 Jas. B. Anderson }
 Chas. H. Markley }
 Commissioners
 of
 Madison County.

Finding on
 Report of Engineer

In the matters of the }
 Ditch Imp. Petitioned }
 for by William Payne }

Auditor's Office, Madison County, Ohio,
 January 13th A. D. 1903.
 Finding of the Commissioners
 on the Report of Engineer.

This day the Board of Commission-
 ers being in session, present; Jas. B. Anderson, Chas.
 H. Markley and H. E. Bradley, and this being the
 day adjourned to by said Board for the hearing
 of the report and apportionment of the Engineer
 of the above styled matter, the Board, after proper
 examination, do find that due notice has been
 given, for the length of time required by law, to
 all lot and land owners, and to the authorities of
 all municipal and private corporations affected
 by said improvement, notifying them of the
 pendency, substance and prayer of the petition
 for said improvement.

Said board also find that Gary Jones, Atty. for
 Addison Whisman, has made application in
 writing for compensation and damages, which
 application is ordered to be filed.

After having examined the report of the Engineer
 with the apportionment by him made, and the
 claims and premises of Addison Whisman, do find
 that said report and apportionment are not in all
 respects fair and just, according to the benefits to
 be derived from the proposed improvement by
 the owner of each lot and tract of land, and by mu-

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement.

municipal and private corporations and rail road companies. It is therefore ordered that said report and apportionment be and the same are hereby changed in the following manner.

Add \$5.⁰⁰ to Emeline Richmond, making her assessment \$39.⁹⁵.

Add \$4.⁵⁰ to Charles Black, making his assessment \$43.⁷¹

Add \$37.⁵⁰ to Samuel Payne, making his assessment \$229.⁷²

Deduct \$47.⁰⁰ from Addison Whisman, making his assessment \$98.⁰⁰

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

And the Board having examined the written application of Addison Whisman as to compensation and damages on account of said improvement, and having examined the evidence relating thereto do, upon actual view of said premises, and without deductions for benefits to any of his said property, compute and allow to the said Addison Whisman, compensation for land appropriated, and damages that will accrue from the construction of said improvement, as follows:

Compensation for land taken, \$5.25

Damages \$7.50

Total \$12.75

The County Auditor is directed to issue an order on the County Treasurer, to the said Addison Whisman, for the amount of compensation and damages so allowed him.

And the Board having so fixed and determined said compensation and damages, now proceeding to determine the proportionate benefits to accrue from the construction of said improvement, find that said improvement is not of sufficient importance to the public to cause said damages and compensation, nor any part thereof, to be paid by the County, and order the same to be paid by the benefited land owners.

It is also ordered that all objections, to the said apportionment, both written and verbal be and the same are hereby overruled.

It is further ordered that for the purpose of raising money to pay for the expense of said improvement, that bonds of the County be issued for amounts to be hereinafter determined.

Madison County Ditch Improvement Record.

The William Payne Ditch Improvement

Said Bonds to run () years.
 B. A. Taylor, County Auditor. Jas. B. Anderson, President of the Board of Commissioners.

Finding and Order as to Compensation and Damages.
 Auditor's Office, Madison County, Ohio,

Compensation and Damages Awarded

In the matter of the Ditch Imp. Petitioned for by William Payne. } January 13th A. D. 1903.
 Award and Payment of Compensation and Damages.

This day the Board of Commissioners of Madison County, Ohio, being in special session, present, Jas. B. Anderson, Chas. S. Markley and H. E. Bradley, the said Board, having considered the written application of Addison Chrisman as to compensation and damages on account of said improvement, and having examined the evidence relating thereto, do upon actual view of his said premises, and without deductions for benefits to any of his property, compute and allow to the said Addison Chrisman, compensation for lands appropriated, and damages that will accrue from the construction of said improvement as follows:

Compensation for land taken	\$5.25
Damages,	\$7.50
Total Allowed -	\$12.75

The County Auditor is directed to issue an order on the County Treasurer, to the said Addison Chrisman, for the amount of compensation and damages so allowed him.

And the Board having so fixed and determined said compensation and damages, now proceeding to consider and determine the proportionate benefits to accrue from the construction of said improvement, find that the said improvement is not of sufficient importance to the public to cause said compensation and damages or any portion thereof to be paid by the County and order the same to be paid by the benefited land owners.

B. A. Taylor, County Auditor. Jas. B. Anderson, President of the Board of Commissioners.

Auditor's Office Madison County,
 In the matter of the Ditch Imp. Petitioned for by William Payne. } January 13th A. D. 1903.
 Order to Sell the Labor of Construction.
 This day the matter came before the Board of Commissioners in special session,

Madison County Ditch Improvement Record.

The William Payne Ditch Improvement

Order of
Sale of
Ditch

present, Jas. B. Anderson, Chas. B. Markley and
St. E. Bradley, and it appearing that no appeal has
been taken;

It is now and therefore ordered that the 31st day
of January, A. D. 1903, at 10 o'clock, A. M. of said day,
be fixed as the time for commencing the sale
of the work of constructing said improvement,
and that the same be sold at public outcry.
The place of said sale is fixed at a point where
said ditch crosses the Old Xenia Road, near the
residence of William Payne, about three miles
south west of London, Ohio; and said sale to com-
mence with the working section constituting the
mouth of said improvement, at the hour above
named, and from that point, to continue to the
starting point, each section shall be offered at
public outcry until all the sections are offered;
said work will be sold in sections of not less than
one hundred nor more than twenty five hundred
feet. It is also ordered that the Auditor of said
County give notice of said sale by circulating
handbills.

And it is also ordered and directed that the
County Surveyor, J. H. Asher, attend at the time
and place of said sale and conduct the same
and receive all bids for the construction of said
work; and that he make contracts with the low-
est responsible bidders and take good and suf-
ficient bonds for the labor of said improvement
conditioned for the faithful performance of
said contract so to be made, and for the com-
pletion of the work within the time fixed by the
contract, and for all damage which may occur
by reason of failure to complete the same within
the time stipulated in said contract, in a sum not
less than double the estimated value of the work
and labor of constructing the portion bid off by
said contracting party.

B. A. Taylor,
County Auditor.

Jas. B. Anderson, President of
Board of Commissioners.

Commissioner's Office, Madison County,
London, Ohio, January 13th 1903.

Board of Commissioners met today in special session.
Present: Jas. B. Anderson, Charles B. Markley and St. E. Bradley.
In the matter of the }
Ditch Imp. Petitioned } Hearing on Engineer's Report
for by William Payne.

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Madison County Ditch Improvement Record.
The Williams Payne Ditch Improvement.

Approval of
Report of
Engineer

This day the Board of Commissioners being in special session, and this being the day adjourned to by said Board for the hearing of the report and apportionment of the Engineer of the above styled matter, the Board, after proper examination, do find that due notice has been given for the length of time required by law, to all lot and land owners and to the authorities of all municipal and private corporations affected by said improvement, notifying them of the pendency, substance and prayer of the petition for said improvement.

Said Board also find that Wary Jones, Atty. for Addison Chrisman, has made application in writing for compensation and damages which application is ordered to be filed.

After having examined the report of the Engineer with the apportionment by him made, and the claims and the premises of Addison Chrisman, do find that said report and apportionment are not in all respects fair and just, according to the benefits to be derived from the proposed improvement, by the owner of each lot and tract of land and by municipal and private corporations and railroad companies.

It is therefore ordered that said report and apportionment be and the same are hereby changed in the following manner:

Add \$5.⁰⁰ to Emeline Richmond, making her assessment \$39.95
Add \$4.⁵⁰ to Charles Black, making his assessment, \$43.71
Add \$37.⁵⁰ to Samuel Payne, making his assessment, \$229.72
Deduct \$47.⁰⁰ from Addison Chrisman, making his assessment \$98.10

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

And the board having examined the written application of Addison Chrisman as to compensation and damages on account of said improvement, and having examined the evidence relating thereto, do upon actual view of said premises, and without deductions for benefits to any of his said property, compute and allow to the said Addison Chrisman, compensation for land taken and damages that will accrue from the construction of said improvement, as follows:

Compensation for land taken,	\$5. ²⁵
Damages,	\$7. ⁵⁰
Total Allowed	\$12. ⁷⁵

The County Auditor is directed to issue an order

Madison County Ditch Improvement Record.

The William Payne Ditch Improvement

on the County Treasurer to the said Addison Whisman, the amount of compensation and damages so allowed him.

And the Board having so fixed and determined said compensation and damages, now proceeding to consider and determine the proportionate benefits to accrue from the construction of said improvement, find that said improvement is not of sufficient importance to the public to cause said damages and compensation, nor any part thereof, to be paid by the County and order the same to be paid by the benefited land owners.

It is also ordered that all objections, both written and verbal be and the same are hereby overruled.

It is further 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.

Bonds to run () years.

Order of
Sale
of Ditch

It is now and therefore ordered that the 31st day of January, 1903, at 10 o'clock A.M. at 10 o'clock A.M. of said day, be fixed as the time for commencing the sale of the work of constructing said improvement, and that the same be sold at public outcry.

The place of said sale is fixed at a point where said ditch crosses the Old Xenia Road, near the residence of William Payne, about three miles south west of London, Ohio; and said sale to commence with the working section constituting the mouth of said improvement, at the hour above named and from that point to continue to the starting point each section shall be offered at public outcry until all the sections are offered; said work will be sold in sections of not less than one hundred feet nor more than twenty five hundred feet in length.

And it is also ordered that the County Auditor of said County give notice of said sale by circulating hand bills.

And it is also ordered and directed that the County Surveyor, J. H. Asher, attend at time and place of said sale and conduct the same and receive all bids for the construction of said work; and that he make contracts with the lowest responsible bidder and take good and sufficient bonds for the labor of said improvement conditioned for the faithful performance of said contract so to be made, and for the completion of the work within

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement

the time fixed by said contract and for all damage which may accrue by reason of a failure to complete the same within the time stipulated in said contract, in a sum not less than double the estimated value of the work and labor of constructing the portion bid off by said contracting party.

Upon the adoption of the foregoing entry and orders relating to said ditch improvement, Jas. B. Anderson, Chas. B. Markley and H. E. Bradley voted "Aye".
B. A. Taylor, Auditor & Clerk. Jas. B. Anderson, Chas. B. Markley, H. E. Bradley, Commissioners of Madison County

Ditch Sale

Ditch Sale.

Notice to Contractors. The undersigned Engineer will sell at public outcry, on Saturday, January 31st 1903, at 10 o'clock A.M. to the lowest responsible bidder therefor, the work of furnishing the tile and constructing the William Payne Ditch Improvement, located in Union and Oak Run Townships. Said work will be sold in sections as follows:

Section I - From Station 72.35 to Station 48		
147.57 rods 10-inch tile, at \$1.20 per rod,		\$177.08
147.57 rods excavation, at .60¢ per rod,		\$88.54
		\$265.62
Section II - From Station 48 to Station 23		
72.76 rods of 10-inch tile, at \$1.20 per rod,		\$87.31
78.75 rods of 8-inch tile, at .75¢ per rod,		\$59.06
151.51 rods excavation, at .60¢ per rod,		\$90.91
		\$237.28
Section III - From Station 23 to Station 0		
30.40 rods 8-inch tile, at .75¢ per rod,		\$22.80
87 rods 6-inch tile, at .50¢ per rod,		\$43.50
22 rods 5-inch tile, at .35¢ per rod,		\$7.70
139.40 rods excavation, at .55¢ per rod,		\$76.67
		\$150.67

Section IV. Protection wall

5 feet x 4 feet x 3.5 feet, large sized hand stone \$20.00

Bidders will meet at a point where said ditch crosses the Old Xenia Road, near the residence of William Payne, about three miles south west of London, Ohio.

A cash deposit of \$10.00 (no checks taken) will be required of bidders as a guarantee of good faith.

The right to reject any or all bids is reserved.

Specifications are now on file in the Auditor's Office and will be with engineer on day of sale.

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement.

Bidders desiring to view the line of ditch should do so prior to the time of sale.

By order of the Commissioners of Madison County, Ohio.
B. A. Taylor, Auditor. J. H. Asher, Engineer.

Auditor's Office, Madison County, Ohio,

Report of
Sale

In the matter of the } Jan'y. A. D. 1903.
Ditch Imp. Petitioned } Report of Sale of the
for by William Payne. } Labor of Construction.

To the Honorable Commissioners of Madison County, Ohio:
Gentlemen: In obedience to your direction and also in pursuance of the notice, duly given by the Auditor of the sale of the work of constructing the above styled improvement, at the time and place therein specified, I offered the said several working sections for sale to the lowest responsible bidder at public outcry, and sold the same to the persons hereinafter named, at the prices herein stated, and took their contracts and bonds respectively conditioned according to law, and return the same herewith for your approval.

Working sections nos. 1, 2, 3 + 4 were sold to J. W. Van Duse for the sum of Two hundred and seventy five Dollars (\$275.⁰⁰) Amount for which it was estimated Two hundred and seventy six Dollars and twelve Cents (\$276.¹²)

Working Section No. 1 to be completed March 15" 1903.

" " " 2 " " " April 15" 1903.

" " " 3 " " " May 10" 1903.

" " " 4 " " " May 15" 1903.

Tile for Working Sections nos. 1, 2 + 3 was sold to George Kaufman for the sum of Three hundred and ninety seven dollars and twenty five cents. (\$397.²⁵)

Amount for which it was estimated, Three hundred and ninety seven dollars and forty five cents. (\$397.⁴⁵)

Tile for working section No. 1 to be completed March 10" 1903.

" " " 2 " " " April 10" 1903.

" " " 3 " " " May 5" 1903.

The Charles Black heirs have 34.5 rods of 6 inch tile on the ground, which is deducted from Mr. Kaufman's contract, leaving it \$380.⁰⁰)

Said Black heirs are to be paid for the 6 inch tile, Seventeen dollars and twenty five cents. (\$17.²⁵)

Respectfully Submitted,
J. H. Asher,
Engineer.

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement.

Contract for
Labor of
Construction

In the matter of the
Ditch Imp. Petitioned
for by William Payne.

Auditor's Office, Madison County,
London, Ohio, January, 21st 1903.
Contract for Labor of Construction.

Whereas, the above styled improve-
ment has been duly ordered and advertised for sale
according to law, and the construction of working
sections, Nos. 1, 2, 3 + 4 of 7235 feet allotted to land owners
and sold by the duly appointed Engineer on the 31st
day of January, A. D. 1903, to the undersigned for Two
hundred and seventy five 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 construct-
ing the same, as shown in the record of the
proceedings thereof, the same to be completed
on or before the 15th day of May, A. D. 1903; provided
this contract shall be of no force and effect until
approved by the Board of Commissioners of Madison
County, Ohio;

J. W. Fisher, Engineer.

J. W. Van Blevé, Contractor.

Auditor's Office, Madison County,
London, Ohio, January 31st A. D. 1903.

Contractor's
Bond.

In the matter of the
Ditch Imp. Petitioned
for by William Payne.

Contractor's Bond.

Know all men by these presents,
That J. W. Van Blevé, as principal and J. V. Grant and
G. W. Drable as sureties, are firmly held and bound
unto the State of Ohio in the penal sum of Five hun-
dred and fifty dollars, good and lawful money.
Signed and dated this 31st day of January A. D. 1903.
The condition of the above obligation is such,
however, that whereas, the above bounden prin-
cipal contractor has bid off the labor of construct-
ing working sections Nos. 1, 2, 3 + 4, has duly entered
into the aforesaid 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 improve-
ment, in accordance with the plans and specifica-
tions of said improvement, as shown on the
record of said proceedings, on or before the 15th day
of May, A. D. 1903.
Now if the said J. W. Van Blevé, shall well and truly

Madison County Ditch Improvement Record.

The William Payne Ditch Improvement

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. W. Van Blevie,
J. H. Grant,
H. W. Brable.

This contract and bond and sureties on said bond approved this 3rd day of February, 1903.

J. H. Asher,
Engineer.

Chas. H. Markley
H. E. Bradley

Commissioners
of
Madison County

Contract for Drain Tile.

Contract
for Drain
Tile

Auditor's Office, Madison County, Ohio

In the matter of the
Ditch Imp. Petitioned
for by William Payne.

January 31st A. D. 1903.
Contract for Drain Tile.

Whereas, the above styled improvement has been duly ordered and advertised for sale according to law, and the construction of Working Sections Nos. 1, 2 & 3 of 7235 feet, sold by the County Surveyor, on the 31st day of January A. D. 1903, to George Kaufman for \$380.⁰⁰ Now, in consideration of the premises it is agreed by me, to and with whomsoever may be interested therein, that I will furnish 220.33 rods of 10 inch drain tile from station 72+35 to Station 36; and 109.15 rods of 8 inch drain tile from Station 36 to Station 18; 52.5 rods 6 inch tile from Station 18 to Station 9 and 22 rods of 5 inch tile from Station 3+63 to Station 0; delivered on line of above styled improvement in lots as needed, the same to be delivered on or before the 1st day of May, A. D. 1903; provided this contract shall be of no force and effect until approved by the Board of Commissioners of Madison County, Ohio.

J. H. Asher, County Surveyor.

Geo. W. Kaufman, Contractor.

Contractor's Bond for Drain Tile.

Contractor's
Bond.

Auditor's Office, Madison County, Ohio.

In the matter of the
Ditch Imp. Petitioned for
by William Payne.

January 31st A. D. 1903.

Know all men by these presents that Geo. Kaufman as principal and Frank Kaufman and Jas. A. Smith as sureties are firmly held and bound unto the State of Ohio, in the penal sum of Seven Hun-

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement.

dred and eighty dollars, good and lawful money.
Signed and dated this 31st day of January, 1903.
The condition of the above obligation, is such,
however, that whereas, the above bounden prin-
cipal contractor has bid off the furnishing and
delivering the Drain Tile for constructing working
sections Nos. 1, 2 + 3, has duly entered into the an-
nounced contract, subject to the condition that the
same shall be approved by the Commissioners of
said County.

Now, if the said George Kaufman shall well and
truly perform all the obligations of his said con-
tract and complete the same within the time
fixed by said contract and pay all damage
which may occur by reason of a failure to com-
plete 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.

George W. Kaufman,
Frank Kaufman,
Jas. A. Smith.

This contract and bond and sureties on said
bond approved this 3rd day of February, 1903.

J. H. Asher,
County Surveyor.

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

Approval of Contracts and Bonds.

Auditor's Office, Madison County,

February 3rd A. D. 1903.

In the matter of the
Ditch Imp. Petitioned
for by William Payne.

Approval of Contracts and Bonds.

J. H. Asher, the County Surveyor,
having made his report of the sale of the work of
constructing said improvement, and having, with-
in the time required by law, filed the contracts
entered into with J. W. Van Blue and George W. Kauf-
man for doing said work, and the bonds of said
contractors, which contracts and bonds have all
been examined and approved by this Board and
they are ordered to be filed, according to law.

The Auditor is hereby ordered to notify each
of said contractors of the approval of his con-
tract and bond, and that he is required to com-
ply therewith.

B. A. Taylor,
County Auditor.

Jas. B. Anderson,
President of Board
of Commissioners.

Approval of
Contracts and
Bond.

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement.

Commissioner's Office, Madison County,
London, Ohio, February 3rd 1903.

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

Entry Approving
Contracts
and Bonds

In the matter of the }
Ditch Imp. Petitioned } Entry Approving Contracts + Bonds.
for by William Payne. }

J. H. Asher, the County Surveyor, having made his report of the sale of the work of constructing said improvement, and having within the time required by law, filed the contracts entered into with Geo. W. Kaufman and J. W. Van Blevé, for doing said work, and the bonds of said contractor, which contracts and bonds have all been examined and approved by this board, and they are ordered to be filed according to law.

The County Auditor is hereby ordered to notify each of said contractors of the approval of his contract and bond and that he is required to comply therewith.

Upon call of roll for the approval of the foregoing entry and order relating to said contracts and bonds Jas. B. Anderson, Chas. H. Markley and H. C. Bradley voted "Aye".

B. A. Taylor
Auditor + Clerk.

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

Notice Approval Contract + Bond.
for Constructing Ditch.

Auditor's Office, Madison County, Ohio,
February 3rd 1903.

Notice to
Contractors
of Approval
of Contracts
and Bonds

To J. W. Van Blevé, Contractor:
You are hereby notified that the contract and bond, made and taken between you and the Engineer for constructing working sections nos. 1, 2, 3 + 4 of the ditch improvement petitioned for by William Payne, now on file with the Auditor of said County, have been duly approved by the Commissioners.
B. A. Taylor, County Auditor.

Notice Approval Contract and Bond for Furnishing Tile.
Auditor's Office, Madison County, Ohio, February 3rd 1903.

To Geo. W. Kaufman, Contractor: You are hereby notified that the Contract and Bond made and taken between you and the Engineer for Furnishing Tile for Working Sections Nos. 1, 2 + 3 of the ditch improvement petitioned for by William Payne, now on file with the Auditor of said County have been duly approved by the Commissioners.
B. A. Taylor, County Auditor.

Madison County Ditch Improvement Record.
The William Payne Ditch Improvement.

Application to pay Assessment in Cash,
January 31" 1903.

In the matter of the Ditch Improvement, Petitioned
for by William Payne.

To the Board of Commissioners of Madison
County, Ohio;

I hereby make application to your board
to pay my entire assessment in cash on the Ditch
Improvement petitioned for by William Payne.

Elizabeth M. Miller

By E. H. Florence, Agent.

Filed January 31" 1903.

B. A. Taylor, Auditor for B.

Commissioner's Office, Madison County,
London, Ohio, September 23" 1903.

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

Assessments
for year 1903.

In the matter of the Assessment for the year, 1903.

The various ditch improvements
having been provided for according to law, and
the Commissioners having determined to raise
money necessary to meet the expense of said im-
provements: It is now and hereby ordered that
assessments shall be made upon the lots and
lands benefited, payable as follows:

The William Payne Ditch Improvement payable
in one annual installment.

And that assessments for the year, 1903, sufficient
to pay for the entire cost of said improvement,
be made in proportion to the estimates made on
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
1903, charging each of the lots and lands assess-
ed for "The William Payne Ditch Improvement"
100 per centum of the gross assessment.

The roll being called for the approval of the
foregoing entry relating to the assessments on
the various ditch improvements,

H. E. Bradley and Jno. E. Roberts voted "Aye."

B. A. Taylor,
Auditor and Clerk.

H. E. Bradley
Jno. E. Roberts } Commissioners
of
Madison County

Recorded Oct. 25" 1903. B. A. Taylor, County Auditor.