

Record of proceedings in the matter of the Fitzgerald Ditch Improvement, petitioned for by Chas. Fitzgerald and Erasmus D. Fitzgerald and located in Fairfield Township, Madison County, Ohio.

Petition.

London, Ohio, Nov. 10th, 1897, Petition for location, construction and tiling 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 location construction and tiling 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 terminus of said proposed improvement, to-wit: Commencing at the end of a tile ditch on the land of Clyde Keff and on the west side of the Kinsville^{and} Georgesville pike. Thence in an easterly direction along the west side of said road about 80 rods; thence across said road into the lands of E. D. and C. Fitzgerald; Thence through the land of said Fitzgerald about 80 rods to the London^{and} Circleville pike; Thence across said pike into the land of R. M. Johnson; Thence through the land of said Johnson about 100 rods to the line of said Johnson and Benj. Price and terminating thereat.

A distance in all of about 300 rods.

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:

Madison County

Mrs Clyde Keff

E. D. and C. Fitzgerald

Thos. Cox

Wm Cox

R. M. Johnson

Dell Cartmell

Mrs Margaret Cartmell

Geo. S. Bowers

Pearl Hotchkiss

Benj. Price

Edward E. Fitzgerald

Gail Cartmell

Chas. Fitzgerald } Petitioners.
Erasmus D. Fitzgerald }

Bond of Petitioner

Know all Men by these Presents, That E. Drd & C. Fitzgerald as principal and P. A. Hotchkiss, H. H. Steff and E. D. and C. Fitzgerald 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 10th day of Nov. A. D. 1897.
The condition of the above obligation is such, nevertheless, that, whereas, on the 10th day of Nov. A. D. 1897 the above bounden E. Drd & C. Fitzgerald made application to the commissioners of Madison County, and on said day, filed with the Auditor of said County they petitioned for location, construction and tiling of a ditch in pursuance of the statute in such case maderd & provided, on the following route and termini, to wit:

Commencing at the end of a tile ditch on the land of Clyde Steff and on the west side of the Kiousville^{and} Georgerville pike; Thence in an easterly direction along the west side of said pike about 80 rods; Thence across said road into the land of E. Drd & C. Fitzgerald; Thence through the land of said Fitzgerald about 80 rods to the London and Circleville pike. Thence across said pike into the land of R. H. Johnson. Thence through the land of said Johnson about 150 rods to the line of said Johnson and Benj. Price and terminating thereat.

A distance in all of about 300 rods.

Now if the above bounden E. Drd & C. Fitzgerald 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.

Sureties { P. A. Hotchkiss
H. H. Steff
E. Drd & C. Fitzgerald

The above bond and the sureties thereon, are approved by me this 10th day of November. A. D. 1897.

Geo. H. Clark.

Deputy County Auditor.

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

Office of Auditor of Madison County, O., Nov. 11th 1897.
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 10th day of Nov. 1897, a copy of which petition is attached below; and as required by law I have fixed the 10th day of December A.D. 1897, 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, Nov. 11th, 1897,

Petition for location, construction^{and} tiling 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 location, construction^{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.

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

Commencing at the end of a tile ditch on the land of Clyde Keff, and on the west side of the Kionsville and Georgesville Pike; Thence in an easterly direction along the west side of said road about 80 rods; Thence across said road into the lands of E. D^{and} C. Fitzgerald; Thence through the lands of said Fitzgerald about 80 rods, to the London and Cireleville Pike; Thence across said pike into the land of said Johnson about 150 rods to the line of said Johnson and Ruf. Price and terminating thereat. A distance in all of about 300 rods.

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:

(next page.)

Ditch Improvement Record, Fitzgerald Ditch.

Madison County
Mrs Clyde Keff
E. D. & C. Fitzgerald
Thos. Cox
Hm. Cox
R. M. Johnson
Dell Cartmell
Mrs. Margaret Cartmell

Geo. S. Bowers
Pearl Hotchkiss
Edward C. Fitzgerald
Gail Cartmell

Charles Fitzgerald } Petitioners.
Erasmus Fitzgerald }

I hereby certify the foregoing to be a true copy of a Ditch Petition filed in my office on the 10th day of Nov., 1897.

H. D. Wilson, County Auditor
per B.

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Commissioners Office, Madison County.
London, Ohio, December, 13th 1897.

Commissioners met today in Regular Quarterly Session.
Members present, S. S. Robbins, James Withrow^{and} Jas. B. Anderson.

In the matter of the }
Ditch Imp. Petitioned for by } Meeting to View.
Chas. and Erasmus Fitzgerald }

The Board having proceeded on the 10th day of December, 1897 to the place of beginning of said improvement as prayed for in said petition and having examined the route and the premises along and adjacent thereto and having heard the evidence of the parties affected or benefited thereby, do find and determine that said improvement is necessary and will be conducive to the public health, convenience and welfare and the best route, therefore is as follows: Commencing at the end of a tile ditch on the lands of Clyde Keff and on the west side of the Kiousville and Georgesville pike; Thence in an easterly direction along the west side of said road, about 80 rods; Thence across said road into the lands of E. D. & C. Fitzgerald; Thence through the land of said Fitzgerald about 80 rods to the London and Circleville pike; Thence across said pike into the lands of R. M. Johnson; Thence through the land of said Johnson about 150 rods to the line of said Johnson and Benjamin Price and terminating thereat. A distance in all of about 300 rods.

It is therefore ordered that said improvement be granted and the same be known as the Fitzgerald Ditch Improvement. All of said ditch is located in Fairfield Township, Madison County, Ohio... (next page.)

Order to County Surveyor.

It is therefore ordered, that H. L. McCafferty, County Surveyor, go upon the line of said improvement and survey and level the same and set a stake at every one hundred feet numbering down stream, note the intersection of lines and boundaries of lands, township lines, land marks, bench marks and road crossings, and make a report, profile and plat of the same, estimate the number of cubic yards of earth and other substance to be removed, the cost per cubic yard of each working section of one hundred feet. It is also ordered that said Engineer make and return a schedule of all lots and lands, public and corporate roads, and municipal corporations that will be benefited by said improvement and an apportionment of the cost of location and construction in money to each lot and tract of land, road and municipal corporation according to the benefits which will result to each from said improvement and a specification of the manner in which the improvement shall be made and completed, the amount and size of tile necessary and the estimated cost of the same.

It is further ordered that said Engineer shall report his proceedings to this board on Thursday, January 6th 1898, at their office in London, Ohio, and all interested parties are notified accordingly.

Upon motion for the approval of the foregoing orders, the roll being called, Robbins, Withrow^{and} Anderson voted "Aye" Carried.

S. S. Robbins	} Commissioners
James Withrow	
Jas. B. Anderson	
	of
	Madison County.

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Commissioner's Office, Madison County.

London, Ohio, November 8th, 1897.

Commissioners met today in special session.
Members present, S. S. Robbins, James Hithrow^{and} Jas. Anderson.
In the matter of the }
Ditch Petitioned for by } Notice of filing of petition^{and} fixing
Chas^d Erasmus Fitzgerald } time of view.

The County Auditor having given due notice to the Board of the filing of a petition on the 8th day of November, 1897, signed by Chas^d Erasmus Fitzgerald praying for the location, construction and tiling of a ditch along the following route, to wit:
Commencing at the end of a tile ditch on the lands of Clyde Steff, and on the west side of the Kionsville^{and} Georgerville pike; Thence in an easterly direction along the west side of said road, about 80 rods; Thence across said road into the lands of E. D^d & C. Fitzgerald; Thence through the lands of said Fitzgerald about 80 rods to the London and Circleville pike; Thence across said pike into the lands of R. M. Johnson; Thence through the lands of said Johnson about 150 rods to the line of said Johnson and Benjamin Price and terminating thereat.
A distance in all of about 300 rods.

And it appearing that said petitioners have given bond as required by law, which has been duly approved by the Auditor, and the Auditor having fixed the 10th Day of December, 1897, at 10 o'clock A. M. as the time for hearing said petition.

It is ordered that the Board meet on said day at the place of beginning of said ditch to hear proof offered by any of the parties affected by said improvement, and others competent to testify, and determine the necessity of said improvement.

On the question of the adoption of the foregoing order herein mentioned, the roll being called, each member voted "Aye."

S. S. Robbins } Commissioners
James Hithrow } of
James B. Anderson } Madison County

Notice by Publication.

In the matter of the ditch petitioned for by Charles^{and} Erasmus Fitzgerald.
Auditor's Office, Madison County,
London, Ohio, Nov. 9th 1897.

To the Non-Resident Land Owners:

Notice is hereby given to non-resident lot^{and} land owners affected by the improvement designated herein, that a petition signed by Charles and Erasmus Fitzgerald 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 10th Day of December, A.D. 1897,
At 10 o'clock A.M.

Said petition sets forth that the necessity for said 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 at the end of a tile ditch on the land of Clyde Jeff and on the west side of the Kionsville and Georgesville pike; thence in an easterly direction along the west side of said road about 80 rods; thence across said road into the lands of E.D.^{and} C. Fitzgerald; thence through the lands of said Fitzgerald about 80 rods to the London^{and} Circleville pike; thence across said pike into the land of R. M. Johnson; thence through the land of said Johnson about 150 rods to the line of said Johnson and Benj. Price and terminating thereat. A distance in all of about 300 rods.

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, Madison County, Ohio.

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

E. A. Gursaulus, being duly sworn says he is the Publisher 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 five consecutive weeks prior to the 10th day of December, 1897.

E. A. Gursaulus.

Sworn to and subscribed before me this 9th day of Dec. 1897.

Geo. H. Clark
Deputy Auditor.

Auditor's Office, Madison County, Ohio.
Nov. 11th, A. D. 1897.

In the matter of Ditch Improvement }
Petitioned for by Erasmus & Chas. Fitzgerald } 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 10th day of Nov. A. D. 1897.

Erasmus & Chas. Fitzgerald, 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 at the end of a tile ditch on the land of Clyde Keff and on the west side of the Kionsville & Georgerville pike. Thence in an easterly direction along the west side of said road about 80 rods; Thence across said road into the lands of E. D. & C. Fitzgerald; Thence through the land of said Fitzgerald about 80 rods to the London and Circleville pike; Thence across said pike into the land of R. M. Johnson; thence through the land of said Johnson about 150 rods to the line of said Johnson and Benj. Price and terminating thereat.

A distance in all of about 300 rods.

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, Dec. 10th 1897 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.

H. D. Hilson,

Auditor of Madison County.

per B.

Proof of Notice.

The State of Ohio }
Madison County, ss: }

On this 29th day of Nov. A.D. 1897, personally appeared before the undersigned authority Charles Fitzgerald 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 Cox	Personally	Nov. 16 th 1897.
Clyde Keff	"	" " "
J. F. Knouser	"	" " "
P. A. Hotchkiss	"	" " "
Margaret Cartmell	"	" " "
Dell Cartmell	"	" " "
Evel Cartmell	"	" " "
R. M. Johnson	"	" " "
Thomas Cox	"	" " "
Geo. S. Bower	"	" 17 th "
Benj. Price	"	" 18 th "
Erasmus Fitzgerald	"	" " "
William Keff	"	" " "

And further this deponent saith not.

Charles Fitzgerald.

Sworn to by Charles Fitzgerald before me and by him subscribed in my presence this 29th day of Nov. A.D. 1897.

Geo. H. Clark.

Deputy Auditor.

N.B. = For Entry on "Meeting to View", (see page 289.)

Ditch Improvement Record, Fitzgerald Ditch.

London, Ohio, January 14th, 1898.
To the Board of Commissioners of Madison County, Ohio.

In obedience to your order to me, I have surveyed, staked and leveled the County Ditch petitioned for by E. D. & C. Fitzgerald and beg leave to submit the following report.
I have set a stake at each 100 feet numbering down stream and noted the intersection of all farm lines and road crossings. I also submit herewith a specification of the manner in which said ditch shall be constructed, together with a list of all lot or land owners and the assessment according to benefits, in money as made against each, and such other matter as I deem worthy of record.
I also submit herewith a plat and profile of said ditch.
The following is an itemized bill of expenses made by me in the proper discharge of my duty under said order.

H. L. McCafferty	Engineer	14 days @ 4.00	\$56.00
H. O. Core	Asst.	4 " @ 1.25	5.00
Harry Sharp	"	1 " @ 1.25	1.25
E. D. Fitzgerald	"	1 " @ 1.25	1.25
C. Fitzgerald	"	1 " @ 1.25	1.25
Stakes	200 @ 1 1/2 ^c		3.00
Total			\$67.75

Respectfully Submitted
H. L. McCafferty,
Engineer.

Ditch Improvement Record,

Fitzgerald

Ditch.

Report of Engineer.										Schedule "A".	
Stake every 100 feet numbered down stream	Surface Elevation	Grade Elevation	Total Fall from Station 0.	Contour Depth	Cut	Width in Bottom	Width on Top	Cubic Yards	Course and Distance	Remarks.	
0	100.00	95.50 -2.20		4.50					S. 86 $\frac{3}{4}$ ° E. 100'		
1	99.95	95.30	.20	4.65	1.90				N. 41° E. 1290'		
B	100.60	Elm R.							S. 87 $\frac{1}{4}$ ° E. 540'		
2	99.15	95.10	.40	4.05	1.95				N. 82 $\frac{1}{2}$ ° E. 217'	Beginning on lands of Clyde Keff at Sta. 0. Thence 100 ft. to the N. W. side of the Georgeville pike Thence with the N. W. side of said pike, to Sta. 14+10 in center of said pike to line of said Keff and E. D. & C. Fitzgerald Distance on Clyde Keff 1410 ft.	
3	99.30	94.90	.60	4.40					S. 67° E. 220'		
4	99.20	94.70	.80	4.50	2.00				N. 67 $\frac{1}{4}$ ° E. 833'		
5	99.13	94.50	1.00	4.63					S. 33 $\frac{1}{4}$ ° E. 390'		
6	99.65	94.30	1.20	5.35	2.25				S. 73 $\frac{3}{4}$ ° E. 280'		
7	99.40	94.10	1.40	5.30					N. 56 $\frac{1}{2}$ ° E. 790'		
8	98.40	93.90	1.60	4.50	2.35				N. 73 $\frac{1}{2}$ ° E. 640'		
9	97.65	93.70	1.80	3.95					S. 84 $\frac{1}{2}$ ° E. 390'		
10	97.40	93.50 -35	2.00	3.90	2.45				N. 77 $\frac{1}{2}$ ° E. 470'		
1	97.30	93.15	2.35	4.15					N. 83° E. 240'		
2	97.45	92.80	2.70	4.65	2.85					<u>Line of Clyde Keff and E. D. & C. Fitzgerald.</u>	
3	97.65	92.45	3.05	5.20							
4	98.05	92.15	3.36	5.90	3.30						
4	99.65	92.10	3.40	7.55	7.55						
+10	100.05	92.07	3.43	7.98	7.98					<u>Line of Clyde Keff and E. D. & C. Fitzgerald.</u>	
+58	97.00	91.90	3.60	5.10							
B.	99.30	Abutment of Bridge.									
5	96.85	91.75	3.75	5.10	5.10					E. D. & C. Fitzgerald from Sta. 14+10 to Sta. 30+67. Distance on Fitzgerald 16.57 ft.	
6	97.20	91.40	4.10	5.80	3.50						
7	96.07	91.05	4.45	5.02							
8	95.45	90.70	4.80	4.75	3.75						
+30	95.85	90.60	4.90	5.25						E. D. & C. Fitzgerald from Sta. 14+10 to Sta. 30+67. Distance on Fitzgerald 16.57 ft.	
9	95.60	90.35	5.15	5.25							
20	95.05	90.00 -20	5.50	5.05							
+47	94.75	89.90	5.59	4.85	2.85						
1	93.45	89.80	5.70	3.65							
2	94.25	89.60	5.90	4.65							
B.	94.92	Boulder L.									
3	93.82	89.40	6.10	4.42							
+67	94.22	89.27	6.23	4.95							
4	93.75	89.20	6.30	4.55	2.80						
5	93.55	89.00	6.50	4.55							
6	93.10	88.80	6.70	4.30	2.95						
7	93.55	88.60	6.90	4.95							
8	93.45	88.40	7.10	5.05	3.10						
9	92.75	88.20	7.30	4.55							
30	92.15	88.00	7.50	4.15	2.90						
+67										<u>Line of Fitzgerald and R. M. Johnson.</u>	

Ditch Improvement Record,

Fitzgerald.

Ditch.

Report of Engineer										Schedule "A."	
Stake every 100 feet, numbered down stream	Surface Elevation	Grade Elevation	Total Fall from Station 0.	Entire Depth	Cut	Width Bottom	Width on Top	Cubic Yards	Course and Distance	Remarks.	
B	91.70	Tree - .30	R.								
+42	91.65	87.88	7.62	3.77							
31	91.40	87.70	7.80	3.70							
2	90.65	87.40	8.10	3.25	2.80						
3	91.25	87.10	8.40	4.15							
4	90.85	86.80	8.70	4.05							
5	90.57	86.50	9.00	4.07							
+90	90.20	86.23	9.27	3.97							
6	90.55	86.20	9.30	4.35							
7	89.40	85.90	9.60	3.50	2.80						
8	89.60	85.60	9.90	4.00							
+70	89.20	85.40	10.10	3.80							
9	89.12	85.30	10.20	3.82							
40	88.90	85.00 - .40	10.50	3.90							
1	88.40	84.60	10.90	3.80							
B	91.90	Dead Tree	R.								
2	88.37	84.20	11.30	4.17							
3	88.45	83.80	11.70	4.65							
4	88.15	83.40	12.10	4.75							
5	87.65	83.00	12.50	4.65	3.65						
6	87.20	82.60	12.90	4.60							
+60	86.75	82.26	13.15	4.49							
7	86.25	82.20	13.30	4.05	2.65						
8	86.65	81.80	13.70	4.85							
9	86.05	81.40	14.10	4.65							
50	86.27	81.00 - .21	14.50	5.27	3.15						
1	85.45	80.79	14.71	4.66							
B	85.49	Double Tree	B.								
2	85.39	80.58	14.92	4.81	2.90						
3	83.50	80.37	15.13	3.13							
4	85.30	80.16	15.34	5.14	2.80						
5	83.30	79.95	15.56	3.35							
6	84.40	79.73	15.78	4.67	2.60						
7	84.25	79.50 - .15	16.00	4.75	3.00						
8	83.44	79.35	16.15	4.09							
9	82.74	79.20	16.30	3.54							
60	82.89	79.05	16.45	3.84							
1	82.92	78.90	16.60	4.02							
+60	81.75	(78.80) 78.30	16.70 17.20	2.95 3.45							
2	81.90	78.12	17.38	3.78	70						
										Ditch ends.	

R. M. Johnson from Sta. 30+67, at the London and Birchtown pike, to Sta. 64 Distance on R. M. Johnson. 333.3 ft.

Specifications.

The within ditch and laterals must be put fully down to the grade line at all points ^{and} must be made to conform to the gradients shown in this report and on the profile filed herewith.

The main ditch is to be tiled with 10 inch tile from station 0 to station 14, with 12 inch tile from station 14 to station 30 ^{and} with 15 inch tile from station 30 to station 61.60.

Lateral No 1 is to be tiled with 8 inch tile.

Lateral No 2 is to be tiled with 8 inch tile from station 0 to station 8 ^{and} with 10 inch tile from station 8 to station 21.

All tile to be strictly first class cylindrical well burned drain tile or a good quality of 2nd class sewer pipe without cracks or broken places.

The estimated cost of the tile includes the cost at the factory, the hauling and proper delivery upon the ditch banks and the furnishing of all necessary E's or connections for said ditches.

Tile are to be carefully laid in trench prepared as above specified ^{and} jointed within $\frac{1}{4}$ of an inch and care is to be taken in turning curves to have joints well patched.

The estimated cost of the cutting includes the cutting of the trenches, the laying of the tile or pipe, putting in all E's , filling in all earth removed in the cutting of the trench and the deadening of any green trees, bushes, &c. standing nearer than 20 feet of any of the above ditches.

It being especially ordered that no dirt is to be placed over any of the tile until the same have been properly examined by the Engineer in charge of the work.

The ditch is to be cut on the left side of the stakes ^{and} is to be made straight from stake to stake regardless of the meanders of the old ditch.

The main ditch is to be made an open ditch from station 61.60 to station 64. To be made $1\frac{1}{2}$ feet wide in the bottom with banks sloped at the angle of 45° .

To be smooth and evenly graded ^{and} banks evenly sloped at the required angle and all earth taken therefrom to be moved back at least 20 feet from the top of the banks thereof.

A stone protection wall is to be built at the end of the tile in the main ditch. Said wall to be $8 \times 4 \times 2$ feet and to be built of boulders as the Engineer shall specify.

To be fully completed on or before May 1st 1898.

London, Ohio.

Jan'y. 14th 1898.

H. L. McCafferty.

Engineer.

Estimates.

Main Ditch.

Section 1 Sta 0 to Sta 20 -	121.21 rods Excavation @ .40¢	\$ 48.48	
	84.84 " 15" tile @ \$1.25	106.05	
	36.37 " 12" " @ \$1.40	50.92	\$ 205.45
2 Sta 20 to Sta 40 -	121.21 rods Excavation @ .45¢	\$ 54.54	
	60.60 " 12" tile @ \$1.40	84.84	
	60.61 " 15" " @ \$2.25	136.37	\$ 275.75
3 Sta 40 to Sta 61.60 -	120.91 rods Excavation @ .50¢	\$ 65.45	
	120.91 " 15" tile @ \$2.25	294.55	\$ 360.00
4 Sta 61.60 to Sta 64 -	Open Ditch 25 cubic yards @ 10¢		2.50

Lateral No. 1.

Section 5 - Station 0 to Sta 1 -	6.06 rods Excavation @ 40¢	\$ 2.42	
	6.06 " 8 inch tile @ .75¢	4.55	\$ 6.97

Lateral No. 2.

Section 6. Sta 0 to Sta. 21 -	127.27 rods Excavation @ .40¢	\$ 50.91	
	48.48 " 8" tile @ .75¢	36.36	
	78.79 " 10" " @ \$1.25¢	98.48	\$ 185.75

Stone Wall

Total --- \$ 10.00
10.46.42

Cutting Main Ditch	\$168.47
" Open Ditch	2.50
" Laterals	53.33
Tile	812.12
Stone Wall	10.00

Total --- \$ 10.46.42

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Commissioner's Office, Madison County.
London, Ohio, January 14, 1898.

Board of Commissioners met today in special session.
Members present, S. S. Robbins, James Hithrow & Jas. B. Anderson.
In the matter of }
The Fitzgerald } Hearing on Engineer's Report.
Ditch Improvement }

H. L. McCafferty, 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 fixed for the hearing of said report and the board of County Commissioners being present, the Board, upon careful examination of said report and apportionment and having heard the evidence, do find that said report and apportionment are not in all respects fair and just, according to the benefits derived from the improvement by the owner of each lot and tract of land.

It is therefore ordered that said report and apportionment be changed in the following particulars:-

William Cox Assessment changed from \$31.89 to \$40.00

E. D. and C. Fitzgerald " " \$132.88 to \$122.88

Dell M. Cartmell " " \$31.89 to \$41.89

Clyde Steff " " \$159.45 to \$151.34

Laterals No. 2

G. S. Bowers assessment changed from \$73.67 to \$64.92

Margaret Cartmell " " \$32.13 to \$60.88

E. D. and C. Fitzgerald " " \$53.55 to \$33.55

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

The Board fix Friday the 28th day of Jan'y. 1898 at 10 o'clock A. M. at the Surveyor's Office 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 (2500) feet in length.

The County Surveyor, is hereby directed to attend at the time and place of sale specified above, to superintend and conduct the same.

The County Auditor is directed to cause notice of the time and place of said sale to be given by posters until day of sale. 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.

Upon motion for the approval of the foregoing matter the roll being called each member voted "Aye". Carried. Board Adjourned.

S. S. Robbins } Commissioners
James Hithrow } of
Jas. B. Anderson } Madison County.

Ditch Letting. Notice To Contractors.

Notice is hereby given that the undersigned Engineer will on Friday, Jan. 28th, 1898.

Sell the furnishing all necessary Material and the work of constructing the Fitzgerald Ditch Improvement.

Time of Sale 10 o'clock a.m.

Place of Sale, County Surveyor's office, London, Ohio.

Location of Ditch-- Fairfield township, Madison County, Ohio, and $1\frac{1}{2}$ miles south east of Big Plain.

Said work will be sold as follows:

Main Ditch.

Section 1, Station 0 to Station 20, 121-21 rods excavation,

84-84 " 10 in. tile,

36-37 " 12 in. tile,

Section 2. " 20 to " 40, 121-21 " excavation,

60-60 " 12 in. tile,

60-61 " 10 in. tile,

Section 3. " 40 to " 61.60 130-91 " excavation,

130-91 " 15 in. tile

Section 4. — 61-60 to " 64 25 cu. yards open ditch

Laterals:

Section 5, Lateral No. 1, 66 rods, 6.06 rods excavation,

6.06 rods 8 in. tile,

Section 6. " 2, 127-27 rods excavation,

48-48 rods 8 in. tile.

78-79 rods 10 in. tile.

Also work of constructing a stone wall at end of tile.

A cash deposit of \$15 will be required. Said work to begin at once and be fully completed on or before May 1st, 1898.

By order of Commissioners,

H. L. McCafferty,

Engineer

Report of Sale.

London, Ohio, January 28th, 1898.

To the Board of Commissioners of Madison County, Ohio.

I hereby certify that I have this day sold the Fitzgerald Ditch Improvement as follows:-

Cutting to John Deveraux

\$ 190.00

Tile to J. H. & S. S. Van Cleve

\$ 794.00

H. L. McCafferty,

Engineer.

Auditor's Office, Madison County, Ohio.

Jan'y. 28th A.D. 1898.

In the matter of Ditch Improvement }
 Petitioned for by E.D. & B. Fitzgerald }

Contract for Labor of Construction.

Whereas, The above styled improvement has been duly ordered, and advertised for sale according to law, and the construction of Working Section No. 1-2 &c of 61, 64th & 2200 feet allotted to several land owners of the following described land, viz: per report of Engineer and sold by the duly appointed Engineer, on the 28th day of January, A.D., 1898, to the undersigned for One Hundred and Ninety Dollars, pursuant to said order and notice.

Now, in consideration of the premises, it is agreed by me, to and with whomever may be interested therein, that I will do and perform all the labor of constructing said improvement, in accordance with the specifications for constructing the same, as shown in the record of the proceedings thereof, the same to be completed on or before the 1st day of June, 1898, provided this contract shall be of no force and effect until approved by the Board of Commissioners of Madison County, Ohio.

H. L. McLeafferty, Engineer.

Contractor's Bond.

Auditor's Office, Madison County, O.

Jan'y. 28th, A.D. 1898.

In the matter of Ditch Improvement }
 Petitioned for by E.D. & B. Fitzgerald }

Contractor's Bond.

Know all Men by these Presents, That Jno. Devreaux as principal, and John Devreaux, J. F. Johnston and M. S. Murray as sureties, are firmly held and bound unto the State of Ohio, in the penal sum of Three Hundred and Eighty Dollars, good and lawful money.

Signed and dated this 28th day of Jan'y. 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. 1-2-3 &c, 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 1st day of June. A.D. 1898.

Now if the said Jno. Devreaux 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.

Sureties { John Deveraux
J. F. Johnston
M. S. Murray

This Contract and Bond, and Sureties on said Bond approved this 8th day of February. A.D. 1898.

H. L. McLeafferty
Engineer.

S. S. Robbins,
President of Board of Comrs.

Commissioner's Office, Madison County.
London, Ohio, Feby. 8th 1898.

Comrs. Journal
Volume 6
Page 146.

Board of Commissioners met today in Regular Session.
Members present, S. S. Robbins, James Withrow^{and} James B. Anderson
In the matter of the {
E. D. & C. Fitzgerald } Approval of Contractor's Bond.
Ditch Improvement

John Deveraux, to whom was awarded the contract for the Labor of Construction of The Fitzgerald Ditch Improvement, having presented his bond in the sum of Three Hundred and Eighty Dollars, for the faithful performance of his said contract, with himself as principal and John Deveraux, J. F. Johnston^{and} M. S. Murray as sureties thereon, which bond is sufficient in form and according to law, it is ordered that the same be approved and the sureties thereon, which bond is sufficient in form and according to law, it is ordered that the same be approved and the sureties thereon accepted.

S. S. Robbins } Commissioners
James Withrow } of
Jas. B. Anderson } Madison County.

Auditors Office, Madison County.
London, Ohio, Jan'y. 28th, 1898.

In the matter of Ditch Imp. } Contract for Furnishing Tile.
Petitioned for by E. D. & G. B. Fitzgerald }

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 0 to Station 61.60 and its laterals 1 to 2 inclusive allotted to land owners benefitted thereby and sold by the duly appointed Engineer on the 28 day of Jan'y. A.D. 1898, to the undersigned in the following lots and sizes:

54.54 rods 8"	} And all necessary Y's.
163.63 " 10"	
96.97 " 12"	
191.52 " 15"	

amounting to Seven Hundred and Ninety four Dollars, pursuant to said order and notice.

Now in consideration of the premises it is agreed by us to and with whomever may be interested therein that we 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 1st day of May, A.D. 1898.

Delivery to begin at once and to continue until all are delivered. 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 per cent. of said cost of tile shall be paid when delivered and the remaining 25 per cent. when ditch is completed.

H. L. McCafferty,

Engineer.

J. A. & S. S. Van Cleave
Contractor.

Ditch Improvement Record,

Fitzgerald.

Ditch.

Auditor's Office, Madison County.

London, Ohio, Jan'y. 28th. A.D. 1898.

In the matter of Ditch Imp.
 Petitioned for by E.D. & C. Fitzgerald

Contractor's Bond.

Know all Men by These Presents, That J. W. & S. S. Van Cleave as principal and Amanda Van Cleave & T. A. Horne as sureties are firmly held and bound unto the State of Ohio, in the penal sum of Fifteen Hundred & eighty eight Dollars, good and lawful money, signed and dated this 28th day of Jan'y. 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 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 1st day of May, A.D. 1898.

Now if the said J. W. & S. S. Van Cleave shall well and truly perform all the obligations of their 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.

Sureties { J. W. & S. S. Van Cleave
 Amanda Van Cleave
 T. A. Horne

This Contract and Bond, and Sureties on said Bond approved this 8th day of March. A.D. 1898.

S. S. Robbins } Commissioners
 James Withrow } of
 Jas. B. Anderson } Madison County

H. L. McCafferty
 Engineer.

Court Journal
Volume 6
Page 178

Commissioner's Office, Madison County.
London, Ohio, Mich, 8th, 1898.

Board of Commissioners met today in regular session.
Members Present, S. S. Robbins, Jas. Withrow^{and} James B. Anderson
In the matter of the }
E. D. & C. Fitzgerald } Approval of Contractor's Bond.
Ditch Improvement }

J. H. & S. S. Van Clevr, to whom was awarded the contract for Furnishing Tile for The Fitzgerald Ditch Improvement, having presented their bond in the sum of Fifteen Hundred Eighty Eight (\$1588.⁰⁰) Dollars, for the faithful performance of this said contract, with himself as principal and Amanda Van Clevr^{and} T. A. Heorn as sureties thereon, which bond is sufficient in form and according to law, it is ordered that the same be approved and the sureties thereon accepted.

S. S. Robbins } Commissioners
James Withrow } of
Jas. B. Anderson } Madison County.

Court Journal
Volume 6
Page 373

In the matter of the }
Fitzgerald Ditch } Assessment.
Improvement. }

The Van Clevr Ditch Improvement having been provided for according to law and the Board of Commissioners having determined to issue and sell bonds of the County to raise money necessary to pay for the expense of said improvement,

It is hereby ordered that assessments shall be made upon the lots and lands benefited by said improvement payable as follows.

The E. D. & C. Fitzgerald Ditch Improvement, payable in five annual installments. That assessments for the year 1898, sufficient to pay the cost 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 1898, charging each of the lots and lands assessed, twenty-five (25) per cent. of the gross assessments. 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, the roll being called, Withrow, Anderson^{and} Markley voted "Aye".
Motion carried.

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

Courts Journal
Volume 6
Page 383

Commissioners Office, Madison County.
London, Ohio. Dec. 6th, 1898.

Board of Commissioners met today in Regular Quarterly Session pursuant to adjournment of December, 5th, 1898.
Members present, James Withrow, Jas. B. Anderson, Chas. G. Markley.
In the matter of the }
Issue and Sale of Bonds } Order of Issue and Sale of Bonds.
for Fitzgerald, Ditch Imp.

This day the board had under consideration the matter of issuing and selling bonds of the County to meet the expense of the E. D. & C. Fitzgerald Ditch Improvement.

It was moved by Jas. B. Anderson and seconded by Chas. G. Markley that for the purpose of raising money necessary to pay for the expense of the above named improvement and in pursuance of the authority granted by Sections 4479, 4481 & 4482 of the Revised Statutes of Ohio and the laws amendatory thereof and supplementary thereto, that Bonds of the County be issued for said improvement as follows:-

The Fitzgerald Ditch Improvement.

One Bond for \$115. due Aug. 1, 1899.

One Bond for \$115. due Feby. 1, 1900.

One Bond for \$115. due Aug. 1, 1900.

One Bond for \$115. due Feby. 1, 1901.

One Bond for \$115. due Aug. 1, 1901.

One Bond for \$115. due Feby. 1, 1902.

One Bond for \$115. due Aug. 1, 1902.

One Bond for \$115. due Feby. 1, 1903.

One Bond for \$115. due Aug. 1, 1903.

One Bond for \$115. due Feby. 1, 1904.

Total amount of said Bonds Eleven Hundred Fifty (\$1150.⁰⁰) Dollars.

Total amount of Interest, One Hundred Eighty Nine and ⁷⁵/₁₀₀ (\$189.⁷⁵) Dollars.

Total amount of Bonds and Interest, Thirteen Hundred and Thirty Nine and ⁷⁵/₁₀₀ (\$1339.⁷⁵) Dollars.

Said Bonds will bear date of February 1st, 1899 and will bear Interest from date at the rate of (6) six per cent. per annum represented by coupons payable as follows:

First Installment payable Aug. 1st, 1899 and said Interest payable semi-annually thereafter. And due August 1st and February 1st of each year.

That bids for the purchase of said bonds, shall be filed with the Auditor of said County, up to twelve (12) o'clock noon (standard time) on Tuesday January 24th, 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 bonds or any portion or part thereof.

That bonds and interest are payable at the County Treasurers Office, London, Ohio, and said bonds will be delivered to the successful bidder or bidders upon payment of the 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 five (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 Hithrow, Jas. B. Anderson and Chas. G. Markley voted "Aye". Board adjourned to meet in Regular Quarterly session tomorrow, December 7th, 1898.

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

Ditch Improvement Record, Fitzgerald Ditch.

Comrs. Journal
Volume 6
Page 413

Commissioner's Office, Madison County,
London Ohio, January 24th, 1898.

Board of Commissioners met today in Special Session.
Members present, James Hithrow, Jas. B. Anderson & Chas. G. Markley.
On the matter of the }
Sale of the Fitzgerald } Sale of Bonds.
Ditch Improvement Bonds }

This being the day fixed by the Board for the sale of Thirteen Hundred Thirty Nine and $\frac{75}{100}$ (\$1339.75) Dollars Fitzgerald Ditch Improvement Bonds which Bonds are specifically described in the order for the sale of the same, dated December 6th, 1898, and described on pages 383, 384, 385 and 386 of Comrs. Journal, Volume 6 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:

Rudolph, Keybolt & Co. Cincinnati.

S. A. Kean, Chicago. (No Deposit).

Feder, Holzman & Co. Cincinnati.

New First National Bank, Columbus.

First National Bank, Circleville.

Briggs, Todd & Co. Cincinnati.

Seasongood & Mayer, Cincinnati.

After due consideration of all the bids, it was moved by Chas. G. Markley and seconded by Jas. B. Anderson that the bid of Seasongood & Mayer be accepted.

Upon adoption of the foregoing motion, the roll being called, James Hithrow, Jas. B. Anderson & Chas. G. Markley voted "Aye". Motion Carried. Board Adjourned.

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