

In the matter of the petition of George M McClellan and others  
for the improvement of a public highway by taxation.

Come now again the petitioners in the foregoing entitled cause of action  
and produce the report and profile of the engineer and viewers together with the  
original order issued by the Auditor of this county to the said viewers and Engineer  
heretofore appointed in this cause, notifying them and each of them severally, of their  
appointment as such viewers and engineer, and requiring them to meet at the office  
of said Auditor on the 14th day of April, 1905, and there qualify as provided by  
law for the faithful discharge of their duties. Said petitioners also produce a copy  
of the oath administered by said Auditor to said Viewers and Engineer, duly qualifying  
them to act as such viewers and engineer.

And now also comes said viewers and produce and file their duly verified  
supplemental report as provided by section 69 of the Acts of the general assembly  
of the State of Indiana, approved March 8th, 1905. Acts of 1905, page 553.

And now the matters of said supplemental report and said report coming on  
for hearing and determination, and the Board having heard the evidence, and having duly  
and fully examined said reports, and profile, made by said viewers and engineer,  
and being fully advised in the premises doth say and find;

That no injury will result to the property of any Idiot or person of unsound mind  
or will any such person sustain any damage whatever by reason of the construction of  
the improvement prayed for by the petitioners herein; That no person or corporation  
has made written claim for damages to said viewers and engineer because of injury  
to property by reason of said improvement, and that said supplemental report is  
in due form and regular and that the same be approved in all things and spread of  
record on the records in the Auditors office kept for that purpose.

And said Board further finds that the report of the engineer and  
viewers was duly filed in the office of the Auditor of Hendricks County, Indiana,  
on the 26th Day of June, 1905, and that it has remained on file in said office open  
to the inspection of any person for more than ten days before the 6th Day of July,  
1905, That the highway proposed to be improved under these proceedings is less than  
three miles in length, as shown by said report, and has a United States rural mail  
passing over the same; that the improvement prayed for in the petition, and as reported  
in said report of the engineer and viewers is of public utility, as found by said  
report, and that said improvement should be allowed, and established as provided in  
said report, without submitting the matter of said improvement to the legal voters  
of said Liberty Township. The Board further finds that said report is in due form  
and sufficient and should be approved.

It is therefore ordered by the Board that the supplemental Report of the Engineer  
and viewers be and the same is now hereby in all things fully approved. It is  
further ordered that said supplemental report be spread of record, on the records.



kept for that purpose, in the Auditors office of Hendricks County, Indiana, which is now done and is as follows, to wit;

SUPPLEMENTAL REPORT OF VIEWERS.

To the Honorable Board of Commissioners;

In the matter of the petition of George M McClellan et al.  
for the improvement of highway..

We, the undersigned, Viewers, heretofore appointed in the above cause, and whereas such viewers, on the 26th day of June, 1908, filed our report in the above cause as ordered by you in your order appointing us, and ten days having expired since the filing of the same, now file this as our supplemental report, to wit;

We would respectfully report that the improvement of said highway in the manner set forth in our former report will not occasion any damages to the lands of any Infant, Idiot or person of unsound mind, and that no person, firm or corporation has made any written claims for damages on account of said proposed improvement.

Respectfully submitted,

John W Figg, Engineer.

E.M. McCoun

Jacob Ryner, Viewers.

Subscribed and sworn to before me this 6th day of July, 1908.

Wm. H. Nichols, Auditor Hendricks County, Indiana.

File July 6th, 1908. Wm. H. Nichols. Auditor Hendricks County, Indiana.

It is also ordered by the Board that the report of the engineer and Viewers be and the same is in all things approved and that the same be spread of record, on the records kept for that purpose, in the office of the Auditor of Hendricks County, Indiana. Which is now done and is as follows, to wit;

ORDER TO VIEW ROAD.

THE STATE OF INDIANA,

Commissioners court,

Hendricks County, ss:

April Term, 1908.

To John W Figg, Jacob Ryner and E. M. McCoun.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their April Term, 1908, to view a proposed improvement of highway, as follows, to wit; Commencing at a point on the George W Reitzel free Gravel road, at the South east corner of section 28 in Township 14 North, Range one west and running thence south on the Section line between sections 33 and 34 in said Township 14 north, Range 14 west and terminating at the boundary line between the counties of Hendricks and Morgan, as the same is now established and used by the public.

And, if said proposed highway will be of public utility, mark and lay out the same, in the manner prescribed by law, to the width of 30 feet.

You will meet at the office of the Auditor of Hendricks County, Indiana, who resides in Danville on Tuesday the 14th day of April, 1908, at 9 o'clock A.M., and after



being duly qualified, proceed to make said view, and report at the next regular term of said Board.

I certify the foregoing to be a true copy of the order of the Board in relation to said proposed highway. Witness my hand and official seal, this 5th day of April, 1908.

Seal.

Wm. H. Nichols, Auditor Hendricks County, Ind.

OATH OF VIEWERS.

STATE OF INDIANA, Hendricks County, ss:

We John W Figg, E. M. McCoun and Jacob Ryner do solemnly swear that we faithfully and impartially discharge the duties assigned us as viewers on the within described proposed highway to the best of our skill and ability, So help us God.

John W Figg

Jacob Ryner

E. M. McCoun.

Subscribed and sworn to before me this 14th day of April, 1908,

Seal.

Wm. H. Nichols, Auditor Hendricks Co.

Indiana.

STATE OF INDIANA, HENDRICKS COUNTY, ss.

Commissioners Court,

July term, 1908.

In the matter of the petition of Geo. M. McClelland and others to improve the highway in Liberty Township, Hendricks County, Indiana.

To the honorable Board of Commissioners, Of Hendricks County, Indiana.

Your viewers and eng ineer heretofore appointed in the above entitled cause, beg leave to submit the following report, viz;

We have carefully examined the entire route of said highway proposed to be improved, as set out in the petition, and have caused a careful survey to be made of the same, together with levels, profiles, maps, plats and specifications herewith filed and made a part of this report, and we are of the opinion that the improvement of said highway in accordance with the levels, profiles, maps, plats and specifications herewith filed, is of public utility.

The following is a description of the route over and upon which said improvement is to be located.

DESCRIPTION.

Commencing at a point in the George W. Reitzel free gravel road in Liberty Township, Hendricks County, Indiana, at the south east corner of section 28 in Township 14 north, Range 1 west, in said county and state and running thence south on the section line between sections 33 and 34 in said township and range as the same is established and used and terminating at the boundary line between the Counties of Hendricks and Morgan.



The entire length of said proposed improved road being 5326 feet.

#### Specifications.

For improving by cleaning, grubbing, grading, culverting, ditching, draining, bridging and graveling with gravel approved by the Engineer and Superintendent, the above described road in Liberty Township, in said County and State as petitioned for by George WM McClelland and others.

#### Roadway.

The right of way of said road shall be thirty 30 feet wide except where cuts or fills require a greater width; at all such places the right of way shall be sufficiently wide to preserve a sub-grade 18 feet wide, exclusive of the side ditches and also to allow the bank or sides of cuts and fills to be on the slope as the same is herein specified. Wherever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the road from the location as described herein will avoid an abrupt hollow or other serious natural obstacle, and be, in their opinion, of great and everlasting good to the road, then and in that case the right of way and the road may be shifted to the right or left as may be the order; Provided always, that the damages and costs of such change shall not exceed the benefits thereof; and Provided also, that such change shall not increase the cost of construction of said road.

The right of way shall be grubbed its entire width of all obstructions and the same entirely removed; in the case of landmarks or witness trees, which shall be carefully protected in their original positions. Where shade trees do not impede travel or cause damage to the road they may be left standing at the discretion of the Superintendent.

The center line of the right of way shall follow along and coincide with the center line of the road as described, except as above provided for, in case of change of location of road. All angles shall be turned with regular curves of such radius as the Engineer in charge shall direct.

#### Road-Bed.

The road bed shall be 18 feet wide, measured at right angles to the center of right of way and shall conform as nearly as practical to said center line. The road bed shall be made to conform to the profile and drawing entitled "Cross section of Road Bed", and said road bed shall be made smooth and compact before the gravel is placed thereon.

#### Ditches.

Ditches shall be excavated along both sides of the entire line of road. The depth in no case to be less than 18 inches, and 18 inches wide at the bottom with side slopes of not less than one (1) to one (1). The dimensions of the ditches may be varied by the Engineer in charge. All ditches must present a regular and uniform appearance.

The fall of the ditches shall conform to the general slope of the country and must be so constructed as to lead all of the water from the road to the nearest natural out-let unless otherwise provided by the profile. All old ditches that may threaten to wash into the road shall be so filled and made so compact that the water shall not follow or wash them.



The ditch on the west side of said highway from Station 6 to Station 7 + 53 is to be moved to the west five feet and a six-inch tile to be properly laid and covered from Station 26 to Station 34 + 75 on the east side of said road.

#### Grade.

The grade line of the profile shows the grade of the sub-grade of the road-bed and the top or surface of the road-bed must be made to conform to said grade line, making cuts and fills of the depth shown on said profile. However in the case of a discrepancy between the cuts and fills as shown on the profile, and the cuts and fills necessary to bring the sub-grade line established by making the required cut or fill at both ends of a certain grade, such continuous grade is to be maintained and the grade line thus found shall control.

All grading shall be done and the same allowed to stand at least four weeks before the gravel is placed on the sub-grade.

PROVIDED, That the constructing contractor may procure a written permission, signed by the engineer, for placing the gravel earlier.

#### EXCAVATIONS

All cuts and fills shall be excavated to a width of 27 feet at the sub-grade. The slopes of all cuts shall be one and one-half to one.

#### EMBANKMENTS.

All embankments or fills shall be 18 feet wide at the sub-grade and the sides shall have a slope of one and one-half to one.

The contractor shall make easy approaches to all intersecting roads.

An allowance of ten percent must be made for shrinkage on all fills of more than 12 inches.

#### SEWER CULVERTS.

Sewer Culverts shall be constructed along the line at such places and of such sizes and materials as shown on the profile. All culverts shall be twenty feet long, except in cases where a greater length is required as shown on the plans. All out-lets and in-lets shall be so constructed that no water shall stand in or about the culverts.

#### BRIDGES.

At points indicated on the profile for the same shall be constructed bridges of the length, width and material as shown on the plan and profile. All abutments, foundation for abutments, wing walls, bridges, floors and railings on concrete Bridges shall be concrete mixed in the following proportions:-

One part accepted Portland cement to five parts of approved gravel, to be approved by the engineer. All exposed surfaces of the concrete must be sufficiently and properly spaded so as to produce smooth surface on all work. No plastering of any part of the work to produce such a finish will be allowed.

#### PAVING.

For a width of 9 feet (4 1/2 feet on each side of center line of said road) the road



shall be covered with gravel to a depth of 14 inches at the center and 10 inches at the edge.

The gravel to be used shall be a good grade of road gravel, satisfactory to the Engineer and Superintendent, the gravel to be held in place by ten inch boards until the proper depth is obtained, no banking being required.

#### MATERIAL.

All materials must be subject to inspection by the Engineer, and any material condemned by the engineer shall not be used, or if used, stand subject to engineers discount.

#### USE OF HIGHWAY.

The public shall in no way be barred from the use of the highway except in cases of removing and rebuilding culverts and Bridges. In such cases the road shall be blocked no longer than necessary. The contractor shall begin placing the gravel at such distances from the pits or places of obtaining the same, that it will not be necessary to haul material over any part of the road already built.

#### CHANGES.

As the work progresses, if any change in the specified plans suggests itself to this Board and Engineer, to be of great and everlasting good to the road and costs no more than the contract price, such change may be ordered by the Engineer.

#### FOREMAN.

The Contractor shall keep, at all times, a competent foreman on the work to whom the superintendent or Engineer may direct their orders. The name of the foreman (unless the contractor acts himself) shall be certified to the Superintendent in writing.

#### ACCEPTANCE.

The Contractor shall in no case receive more than eighty per cent of the contract price of the said work until the same has been completed according to the plans and specifications and approval of the Board of Commissioners.

#### TIME LIMITS.

The work of the construction of the entire improvement as herein specified shall be completed on or before .

#### COST OF CONSTRUCTION.

We estimate the cost of construction as follows, \$3175.00.

The profile together with all plans and specifications thereto attached, for the construction of the highway herein described, are herewith filed and made a part of this report.

We find that no damages on account of the construction of the foregoing described highway will accrue to any minor, idiot or lunatic.

We also find that said road is less than three miles in length and connects a free gravel road with a county line.



Respectfully submitted this 26th day of June, 1908.

John W Figg, Engineer.

E. M. McCoun,

Jacob Ryner, Viewers.

It is therefore ordered by the board that said improvement be and the same is now hereby established, and that the same be made in all respects as provided in said report of said viewers and engineer.

And the Auditor of this County is hereby ordered and directed to give notice by one publication in the Indianapolis Commercial, a daily newspaper of general circulation throughout the State of Indiana, printed at Indianapolis, Indiana, and by three weekly publications in The Republican a public weekly newspaper of general circulation throughout the County of Hendricks, the County in which said road to be improved is located, that on Monday the 3rd day of August, 1908, at the hour of 10 O'Clock A. M. of said Day, sealed proposals will be received by the board of Commissioners of Hendricks County, Indiana, for the work of said improvement in accordance with the profile and report and the plans and specifications in said report set forth.

And further proceedings herein continued.



In the matter of the petition of John A Baldwin et al,  
for the improvement of a certain highway on the County line  
between Morgan and Hendricks Counties.

Come now the viewers and Engineer herein and who were ordered by  
the Boards of Commissioners of Hendricks and Morgan Counties, in the State of Indiana, while  
In joint session to file in the Auditors office of Hendricks County, Indiana, their report  
herein on the 8th day of June, 1908, and a copy thereof in the office of the Auditor of Morgan  
County, Indiana, on said Day, and ask by their written request to have the time extended for  
the filing of said report until the 15th day of June, 1908, which written request is as follows,  
to wit; (H.I.).

And the Boards of Commissioners of said Counties having examined said written  
request and having been duly advised in the premises grants said request and orders that  
said viewers and Engineer file their report in the above entitled matter on the 15th Day  
of June, 1908, at the office of the Auditor of Hendricks County, Indiana, and a duplicate there  
of at the office of the Auditor of Morgan County, Indiana.



In the matter of the petition of John A. Baldwin et al.  
for the improvement of a certain highway on the County line  
between Morgan and Hendricks Counties.

Comes now the Board of Commissioners of Hendricks of Hendricks County, Indiana, pursuant to a summons issued by the Auditor of said County and served on the members of said Board by the Sheriff of said County, to the effect that there will be a joint meeting of Boards of Commissioners of Hendricks and Morgan Counties at the Commissioners Room at the Court House at Danville, Indiana, on the 13th Day of *July* 1908, and pursuant to a notice of said joint meeting given by the Auditor of Hendricks County, Indiana, in the Hendricks County Republican, a weekly newspaper of general circulation throughout said County, printed and published in said County at the town of Danville, the 1st of which publications was made on the 18th day of June, 1908, and the 2nd and last of which publications was made on the 25th day of June, 1908, a copy of which notice and proof of publication thereof being in the following words and figures, to wit, (H.I.), and now comes also the Board of Commissioners of Morgan County pursuant to a like summons issued by the Auditor of Morgan County and pursuant to a notice of said joint session given in the Martinsville Republican, a weekly newspaper of general circulation throughout Morgan, printed and published at the town of Martinsville, Indiana, the first of which publications was made on the 18th day of June, 1908, and the 2nd and last of which publications was made on the 25th day of June, 1908, a copy of which notice and proof of publication thereof being in words and figures as follows, to wit: (H.I.) which notice was to the same effect in both of said papers and was that there would be a joint meeting of the Boards of Commissioners of said named counties at the court House at Danville, Indiana, in the Commissioners room, at the hour of 10 O'clock of said day, the said day being the 13 day of June, 1908, and at same time to pass upon, in joint session, the report of the viewers and engineer filed herein, and to hear any remonstrance thereto, and now the said Boards of Commissioners while in joint session at the time and place designated in said notices and summonses are asked by the petitioners herein, by their attorney of record, to accept and approve the report of the viewers and engineer filed herein on the 15th day of June, 1908, and at the same time to pass upon, in joint session, the report of the viewers and engineer filed herein, and to hear any remonstrance thereto, and now the said Boards of Commissioners while in joint session at the time and place designated in said notices and summonses, are asked by the petitioners herein, by their attorney of record, to accept and approve the report of the viewers and engineer filed herein on the 15th day of June 1908, and it appearing to the said Boards, while in joint session, that the Engineer and viewers herein qualified for their appointment herein by taking the oath as by law provided, and that the Engineer filed his bond with the Auditor of Hendricks County, Indiana, before entering upon the discharge of his duties herein and that the said bond was for the sum of \$5000.00,



payable to the State of Indiana, and conditioned for the faithful discharge of his duties herein, and that the auditor approved said bond in the following words, to wit: "Accepted and approved this -- day of June 1908, William H Nichols, Auditor Hendricks County", and it further appearing that said report has remained on file at the office of the Auditor of Hendricks County, Indiana, for more than ten days before the 13th day of July, 1908, the Boards in joint session take up and inspect the said report of the viewers and engineer and also the bond of said engineer, and also the order or praecipe notifying the viewers and engineer of their appointment and also the proofs of publication of the notices given of this joint meeting of the two Boards above named and from said inspection makes the following findings:

The two Boards of Commissioners of Hendricks and Morgan Counties in the State of Indiana, while in joint session on the 13th day of <sup>July</sup> ~~June~~, 1908, jointly finds that the viewers heretofore appointed in the above matter are each responsible freehold residents of the said named counties, to wit that Charles Miller is a responsible freehold resident of Hendricks County, and that Everett Lowder is a responsible Freeholder of Morgan County and neither of whom are residents of the Townships in said Counties which are affected by the improvement herein petitioned for and are not related to any of the petitioners herein and do not own property of any kind in the townships herein affected; the Boards also jointly find that the viewers and engineer met as heretofore ordered by the Boards and qualified, as by law provided, for their appointment herein and that the engineer and viewers filed their report at the office of the Auditor of Hendricks County, Indiana, on the 15th, day of June, 1908, and a copy of the same at the office of the Auditor of Morgan County on the same day; the Boards find that notice was given to the taxpayers of the townships in said Counties which are affected hereby by the Auditors of said counties giving notice by publication in a weekly in each of said counties for two weeks that said report and copy thereof were on file at the said above named places and notifying the said taxpayers when said report would be acted upon, and that the following is a copy of said notices and proof of publication thereof, (H.I). the Boards jointly find that said report and copy thereof remained on file at said named places for more than ten days after said notices were published for two weeks, open to the inspection of every one interested, his agent or attorney, and open to the inspection of the public generally for said time; the boards jointly find that said notices was given to the taxpayers of the townships hereby affected when the viewers and engineer would meet and the place of their meeting to pass on all claims for damages and that there are no claims for damages and that there are no claims for damages except as shown in the supplemental report of the viewers and engineer filed herein on the 13th day of July, 1908, that no infants, idiots or persons of unsound mind own any property which will be affected by the improvement herein proposed; that no remonstrance has been presented against the petition herein and no objection has been presented against the report filed herein and now the said boards jointly find that said report and supplemental report should be approved; that said proposed improvement will be of public utility; that said proposed improvement will be less than three miles in length; that it will be necessary to construct said improvement off of



the county line at certain places in order to avoid very abrupt hollows, the departure being less than one half mile from said county line, and that all claims for damages have been fixed.

It is therefore ordered by the Boards of Morgan and Hendricks jointly and while in joint session that the report of the viewers and engineer be and the same is hereby approved; that the supplemental report be and the same is hereby approved, and they are ordered spread of record and are of record as follows, to wit, (H.I.), it is further ordered that the improvement herein petitioned for be made in accordance with the plans, specifications and profile filed herein all of which are hereby ordered accepted and approved by the joint Boards.

It is further ordered that notice to bidders be given as by law provided that on the day named in said notice the said above named Boards will meet and receive sealed proposals for the construction of the improvement herein ordered, and it is further ordered that one half of said improvement shall be paid for by each of said named counties and that Brown Township in Morgan County shall pay for the part thereof and that Monroe township in Morgan shall pay for the part thereof, and that Guilford township in Hendricks County shall pay for one-half part thereof, and said matter is continued.

Bacon S. McBlain

Wm. Murphy

Alfred S. Lininger

Commissioners of  
Hendricks County

James M. Blew

Frank E. Carlisle

Dilas W. Tackitt

Commissioners  
of Hendricks  
County



## Commissioners Court, Hendricks County, August Term, 1908.

Monday Morning, August 3rd., 1908.

The Board of Commissioners of Hendricks County, Indiana, met in regular session, ~~pursuant to adjournment.~~

Present, Bascom S. McClain, President thereof, and Elbert M. Murphy and Alfred S. Lineinger, all members of said Board.

The following proceedings were then had, to-wit:-

In the matter of the Jacob L. Higgins et al )  
Free Gravel Road Petition. )

(See Record of Letting of Contract etc. on Page 43, Commissioners Record No. 20)

In the matter of the George M. McClellan et al )  
Free Gravel Road Petition. )

And now at the regular August Term, 1908, of the Board, comes now William H. Nichols, Auditor of Hendricks County, Indiana, and said auditor shows to the Board, that he, as such auditor, gave notice by publication one time in a newspaper of general circulation throughout the state, published in the city of Indianapolis, Indiana, to-wit: In the Indianapolis Commercial, more than two weeks prior to the 3rd day of August, 1908, and for proof thereof shows to the Board the proof of publication filed herein by Ellen Russell, who swears that she is a duly authorized clerk for said paper and has the authority to make such proof, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:-(Here Insert), and said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in "The Republican", a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publications was made on the 9th day of July, 1908, and the third and last of which publications was made on the 23rd day of July, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof and filed herein by Julian D. Hogate, editor and publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:-(Here Insert) and the said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in the "Danville Gazette" a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publications was made on the 9th day of July, 1908, and the third and last of which publications was made on the 23rd day of July, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof filed herein by W. A. King, editor and publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:-(Here Insert) that the Board would on the 3rd day of August, 1908, up until the hour of 10 o'clock A.M. of said day receive at the Auditor's Office sealed proposals for the construction of the above entitled improvements in accordance with the report, plans and specifications and profile on file at the office of said Auditor, and heretofore approved by the Board, and



now the Board, having examined said copies of notice and proof of publication thereof, finds that the same are in due form and according to law, and specifically finds that the said Auditor gave notice that sealed proposals would be received by the Board on said 3rd day of August, 1908, and the hour and place thereof, for the construction of the above improvement, according to an Act approved March 8th 1905, as the same is therein provided in such cases in Section 73 thereof and all amendments thereto, if any, as entitled an Act concerning highways.

And now the hour of 10 o'clock A.M. of said 3rd day of August, 1908, having arrived the Board meets at the place designated in said notices and finds on file with the said Auditor in his office the sealed proposal of George M. McClellan, which is opened in the presence of the persons submitting the same and in the presence of the public generally, and, after having examined the same and being sufficiently advised in the premises, the Board finds that said proposal of George M. McClellan is in due form and according to law, and that the same is accompanied by the proper affidavit of non-collusion on the part of the persons submitting the same; that said proposal is accompanied by the necessary bond in double the amount of the bid to the Board's Approval, which bid, non-collusion affidavit, bond and the Board's approval thereof are in the following words and figures, to-wit:-(Here Insert) ; the Board finds that the bid and proposal submitted by the said George B. McClellan is the lowest and best bid submitted and the Board finds that the same is for the sum of \$2860.00, which the Board finds to be less than the estimates of the viewers and engineer as shown by their report filed herein.

The Board further finds that the total indebtedness for the construction of Free Gravel Roads in Liberty township is not in excess of four per centum of the total assessed taxable valuation of the property in said Liberty township.

The Board further finds that said George B. McClellan should be awarded the contract for the construction of said proposed improvement, which is hereby done and said contract is in the following words and figures, to-wit:-

#### Contract.

This Agreement, made this 3rd day of August, 1908, between George M. McClellan the first party, and the Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to furnish the materials and labor and build and construct the S.A. Reeves Road of Liberty township, and George M. McClellan Road in Liberty township in said Hendricks County and State of Indiana, complete according to plans and specifications and profile on file in the office of the Auditor of said County, which plans and specifications and profile are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Eleven Thousand seven hundred fifty dollars in cash when said work is completed according to the terms of this contract.

Said first party  
December, 1908.  
The following specifications  
1. The second party  
Reeves Road \$2860.00  
\$2860.00  
2. The first party  
damages occasioned by  
3. The first party  
until the bonds for  
therefrom deposited  
4. The second party  
except on the written  
by a bill filed by  
allowed, and the sec  
pertaining to the  
B.S. McClain  
E.M. Murphy  
Alfred S. Linsinger  
Board of  
and finds that the  
Thousand Dollars  
sufficient freehold  
be approved, which  
in the following  
Contract  
Know all  
John T. Albertson, D.  
Indiana and firmly  
(\$5000.00) Dollars,  
Jointly and several  
firmly by these pre  
The Com  
Commissioners of Hen  
of a certain public  
petitioned for impr  
And where  
with the Auditor of  
award him the contra  
into a contract with



## Commissioners Court, August Term, 1908.

Said first party agrees to have said work completed on or before the 1st day of December, 1908.

The following specifications are hereby made a part of this contract, to-wit:-

1. The second party agrees to pay the first party for the construction of the S.A. Reeves Road \$3890.00 and for the construction of the George M. McClellan Road the sum of \$2860.00
2. The first party hereto is to save the said county of Hendricks harmless from any damages occasioned by the construction of the above named roads.
3. The first party hereto is not to be required to do any work on the said named roads until the bonds for the construction thereof shall be sold and the proceeds realized therefrom deposited with the treasurer of the said county.
4. The second party hereto is not to pay any part of the contract price named herein except on the written estimate of the engineer filed with the second party and accompanied by a bill filed by the first party hereto and then only 80% of such estimate shall be allowed, and the second party hereto reserves the right of discretion in all matters pertaining to the payment of all bills.

Geo. M. McClellan, The First Party.

B. S. McClain

E. M. Murphy

Alfred S. Lineinger

Board of Commissioners, the Second Party.

and finds that the bond filed by the said George M. McClellan is for the sum of Six Thousand Dollars (\$6,000.00), and the board finds that said bond is signed by good and sufficient freehold sureties of the County to the satisfaction of the Board and should be approved, which is accordingly done and which bond and the Board's Approval thereof are in the following words and figures, to-wit:-

Contractor's Bond For Construction.

Know all Men by These Presents, That we, the undersigned George M. McClellan, John T. Albertson, David D. Mills and Victor Harlan, Orren A. Stout of Hendricks County, Indiana and firmly bound unto the State of Indiana in the penal sum of Six Thousand (\$6000.00) Dollars, for the payment of which, well and truly to be made, we bind ourselves jointly and severally, and our joint and several heirs, executors, administrators and assigns firmly by these presents, this 3rd day of August, 1908.

The Conditions of the above obligation are such, That whereas, The Board of Commissioners of Hendricks County, Indiana, are about to let a contract for the improvement of a certain public highway located in Liberty Township, Hendricks County, Indiana, and petitioned for improvement by George M. McClelland and others.

And whereas, the above named George M. McClellan has filed a bid for said work with the Auditor of the County; Now, therefore, if the said Board of Commissioners shall award him the contract for said work, and the said George M. McClellan shall promptly enter into a contract with said Board of Commissioners for said work, and shall well and



faithfully do and perform the same in all respects according to the plans and specifications adopted by the Board of Commissioners, and according to the time, terms and conditions specified in said contract to be entered into and shall promptly pay all debts incurred by him in the prosecution of said work, including labor, materials furnished, and for boarding the laborers thereon, then this obligation shall be void, otherwise to remain in full force, virtue and effect.

Geo. M. McClellan (SEAL)

V. C. Harlan (SEAL)

John T. Albertson (SEAL)

Orren A. Stout (SEAL)

D. D. Mills (SEAL)

Before me, the Subscriber, a Notary Public in and for said County, personally appeared George M. McClellan, John T. Albertson, David D. Mills and Victor Harlan, Orren A. Stout and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness, my hand and notarial seal, this 3rd day of August A.D. 1908.

Zimri E. Dougan, Notary Public.

Accepted and approved Aug 3rd. 1908.

B. S. McClain

E. M. Murphy

Alfred S. Lineinger

Board of Commissioners Hendricks County.

And now the Board finds and makes the following estimates for the preliminary costs and expenses of said road, to-wit:

1. Expenses and charges of Viewers & Engineer & Printing	\$150.00
2. Superintendant's Charges	\$200.00
3. Petitioners' Attorney fees	\$150.00
4. Cost of Printing & Sale of Bonds	<u>\$175.00</u>
Total preliminary charges	\$675.00
Contract Price for Construction	<u>\$2860.00</u>
Total	\$3535.00

It is now therefore ordered by the Board that said bonds be issued in the name of Hendricks County, Indiana, for the sum of Three Thousand Five Hundred and Thirty-five (\$3535.00) in series payable in ten years, ~~from the date~~ *Said bonds to bear date of September 5<sup>th</sup> 1908,* ~~of their issuance,~~ bearing interest at the rate of 4, 1/2 % per annum and payable semiannually, the first of said bonds being payable on the 15th day of May, 1909, and one to be paid every six months thereafter until all are paid.

And now the Board hereby and herein appoints Chas. E. Shields, who is a resident of Liberty Township, as Superintendant of Construction herein and he is ordered to file his bond for the faithful discharge of his duties herein by reason of said appointment and payable to the State of Indiana in the penal sum of \$5000.00 with good and sufficient sureties thereon to the approval of the Board and qualify in all respects for his appointment herein.



## Commissioners Court, August Term, 1908.

And now it appearing to the Board that the engineer heretofore appointed, to-wit, John W. Figg, in the above entitled matter, has filed his written resignation as such engineer and the Board has accepted the same the Board now appoints John O. Kain as engineer to take the place of said John W. Figg, resigned, and the Board orders said John O. Kain to file his bond conditioned for the faithful performance of his duty as such engineer, payable to the State of Indiana in the penal sum of \$6000.00 with surety thereon to the Board's approval, and said matter is continued.

In the matter of the A.A. Ross et al )  
Free Gravel Road Petition. )

( For Entry of this date herein see Commissioners Record No. 20 at Page 42 )

In the matter of the Samuel A. Reeves et al )  
Free Gravel Road Petition. )

And now at the regular August Term, 1908, of the Board comes now William H. Nichols, Auditor of Hendricks County, Indiana, and said auditor shows to the Board, that he, as such auditor, gave notice by publication one time in a newspaper of general circulation throughout the State, published at the City of Indianapolis, Indiana, to-wit: in the Indianapolis Commercial, more than two weeks prior to the 3rd day of August, 1908, and for proof thereof shows to the Board the proof of publication filed herein by Ellen Russell, who swears that she is a duly authorized clerk for said paper and has the authority to make such proof, a copy of which notice and proof of publication thereof are in the words and figures, to-wit: (Here Insert) and said Auditor further shows to the Board that he gave notice by publication for three consecutive weeks in "The Republican" a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publications was made on the 9th day of July, 1908, and the third and last of which publications was made on the 23rd day of July, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof filed herein by Julian D. Hogate, editor and publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:- (Here Insert) and the said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in "The Danville Gazette", a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publications was made on the 9th day of July, 1908, and the third and last of which publications was made on the 23rd day of July, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof filed herein by W.A. King, editor and publisher of said paper, a copy of which notice and proof of publication are in the following words and figures, to-wit:- (Here Insert), that the Board would on the 3rd day of August, 1908, up until the hour of 10 o'clock A.M. of said day receive at the Auditor's Office sealed proposals for the construction of the above entitled improvement in accordance with the report, plans and



specifications and profile on file at the office of said Auditor, and heretofore approved by the Board, and now the Board, having examined said copies of notice and proof of publication thereof, finds that the same are in due form and according to law, and specifically finds that the said Auditor gave notice that sealed proposals would be received by the Board on said 3rd day of August, 1908, and the hour and place thereof, for the construction of the above entitled improvements, according to an Act approved March 8th., 1905, as the same is therein provided in such cases in Section 73 thereof and all amendments thereto, if any, and entitled an Act concerning highways.

And now the hour of 10 o'clock A.M. of said 3rd day of August, 1908, having arrived the Board meets at the place designated in said notices and finds on file with the said Auditor in his office the sealed proposal of George M. McClellan, which is opened in the presence of the persons submitting the same and in the presence of the public generally, and after having examined the same and being sufficiently advised in the premises, the Board finds that said proposal of George M. McClellan is in due form and according to law, and that the same is accompanied by the proper affidavit of non-collusion on the part of the person submitting the same; that said proposal is accompanied by the necessary bond in double the amount of the bid to the Board's approval, which bid, non-collusion, affidavit, bond and the Board's approval thereof are in the following words and figures to-wit:-(Here Insert)-The Board finds that the bid and proposal submitted by the said George M. McClellan is the lowest and best bid submitted and the Board finds that the same is for the sum of \$8890.00, which the Board finds to be less than the estimates of the viewers and engineer as shown by their report filed herein.

The Board further finds that the total indebtedness for the construction of Free Gravel Road in Liberty township is not in excess of four per centum of the total assessed taxable valuation of the property in said Liberty Township. The Board further finds that said George M. McClellan should be awarded the contract for the construction of said proposed improvement, which is hereby done and said contract is in the following words and figures, to-wit:

Contract.

This Agreement, made this 3rd day of August, 1908, between George M. McClellan the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to furnish the materials and labor and build and construct the S.A. Reeves Road of Liberty Township, and George M. McClellan Road in Liberty township in said Hendricks County and State of Indiana, complete according to plans and specifications and profile on file in the office of the Auditor of said County, which plans and specifications and profile are made a part of this contract.

Said second party agrees to pay said first party for said work the sum



Commissioners Court, August Term, 1908.

of Eleven Thousand seven hundred fifty Dollars in cash when said work is completed according to the terms of this contract.

Said first party agrees to have said work completed on or before the 1st day of December, 1908. And the following specifications are hereby made a part of this contract, to-wit:-

1. The second party agrees to pay the first party for the construction of the S.A. Reeves Road \$8890.00 and for the construction of the Geo.M. McClellan Road the sum of \$2860.00
2. The first party hereto is to save the said county of Hendricks harmless from any damages occasioned by the construction of the above named roads.
3. The first party hereto is not to be required to do any work on the said named roads until the bonds for the construction thereof shall be sold and the proceeds realized therefrom deposited with the treasurer of the said county.
4. The second party hereto is not to pay any part of the contract price named herein except on the written estimate of the engineer filed with the second party and accompanied by a bill filed by the first party hereto and then only 80% of such estimate shall be allowed, and the second party hereto reserves the right of discretion in all matters pertaining to the payment of all bills.

B.S. McClain

Geo.M. McClellan, The First Party.

E.M. Murphy

Alfred S. Lineinger

Board of Commissioners, the Second Party.

And finds that the bond filed by the said Geo.M. McClellan is for the sum of \$18,000.00, and the Board finds that said bond is signed by good and sufficient freehold sureties of the County to the satisfaction of the Board and should be approved, which is accordingly done and which bond and the Board's Approval thereof are in the following words and figures, to-wit:-

Contractor's Bond for Construction.

Know all Men by these Presents, That we, the undersigned George M. McClellan, John T. Albertson, David D. Mills and Victor Harlan, Orren A. Stout of Hendricks County, Indiana, and firmly bound unto the State of Indiana in the penal sum of Eighteen Thousand (\$18,000) Dollars, for the payment of which, well and truly to be made, we bind ourselves jointly and severally, and our joint and several heirs, executors, administrators and assigns, firmly by these presents, this 3rd day of August, 1908.

The Conditions of the above obligation are such, That whereas, the Board of Commissioners of Hendricks County, Indiana are about to let a contract for the Improvement of a certain public highway, petitioned for improvement by Samuel A. Reeves, and others, located in Liberty Township, Hendricks County, Indiana,

And Whereas, the above named George M. McClellan has filed a bid for said work with the Auditor of the County; Now therefore, if the said Board of Commissioners shall award him the contract for said work, and the said George M. McClellan shall promptly enter into a contract with said Board of Commissioners for said work, and shall well and



## Commissioners Court, August Term, 1908.

faithfully do and perform the same in all respects according to the plans and specifications adopted by the Board of Commissioners, and according to the time, terms and conditions specified in said contract to be entered into and shall promptly pay all debts incurred by him in the prosecution of said work, including labor, materials furnished, and for boarding the laborers thereon, then this obligation shall be void, otherwise to remain in full force, virtue and effect.

Geo. M. McClellan (SEAL)

V. C. Harlan

(SEAL)

John T. Albertson (SEAL)

Orren A. Stout

(SEAL)

D. D. Mills (SEAL)

State of Indiana, County of Hendricks, SS:

Before me, the Subscribera Notary Public in and for said County, personally appeared George M. McClellan, John T. Albertson, David D. Mills and Victor Harlan, Orren A. Stout and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness, my hand and Notarial Seal, this 3rd day of August A. D. 1908.

My Com exp. June 30, 1909.

Zimri E. Dougan, Notary Public.

Accepted and approved Aug 3<sup>rd</sup>, 1908.

B. S. McClain

E. M. Murphy

Alfred S. Lineinger, Board of Commissioners Hendricks County.

And now the Board finds and makes the following estimates for the preliminary costs and expenses of said road, to-wit:

1. Expenses and charges of Viewers & Engineer & Printing	\$ 150.00
2. Superintendant's Charges	\$ 200.00
3. Petitioners' Attorney fees	\$ 150.00
4. Cost of Printing & Sale of Bonds	\$ 175.00
Total Preliminary Charges	\$675.00
Contract price for construction	\$8890.00
Total	\$9565.00

It is now therefore ordered by the Board that bonds be issued in the name of Hendricks County, Indiana, for the sum of Nine Thousand Five hundred Sixty-five dollars (\$9565.00) in series payable in ten years, ~~from the date of their issuance~~ *Paid Bonds to bear date of September 5<sup>th</sup> 1908,* bearing interest at the rate of 4, 1/2% per annum and payable semi-annually, the first of said bonds being payable on the 15th day of May, 1909, and one to be paid every six months thereafter until all are paid.

And now the Board hereby and herein appoints S. A. Reeves, who is a resident of Liberty Township, as Superintendant of Construction herein and he is ordered to file his bond for the faithful discharge of his duties herein by reason of said appointment and payable to the State of Indiana in the penal sum of \$5000.00 with good and sufficient sureties thereon to the approval of the Board and qualify in all respects for his appointment herein.



Commissioners Court, August Term, 1908.

And now it appearing to the Board that the engineer heretofore appointed, to-wit: John W. Figg, in the above entitled matter, has filed his written resignation as such engineer and the Board has accepted the same the Board now appoints John O. Kain as engineer to take the place of said John W. Figg, resigned, and the Board orders said John O. Kain to file his bond, conditioned for the faithful performance of his duty as such engineer, payable to the State of Indiana in the penal sum of \$6000.00 with surety thereon to the Boards Approval, and said matter is continued.

In the matter of the Sam Jordan et al )  
Free Gravel Road Petition. )

And now at the regular August Term, 1908, of the Board, comes now William H. Nichols, Auditor of Hendricks County, Indiana, and said auditor shows to the Board, that he, as such Auditor, gave notice by publication one time in a newspaper of general circulation throughout the State, published at the City of Indianapolis, Indiana, to-wit: In the Indianapolis Commercial, more than two weeks prior to the 3rd day of August, 1908, and for proof thereof shows to the Board the proof of publication filed herein by Ellen Russell, who swears that she is a duly authorized clerk for said paper and has the authority to make such proof, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:-(Here Insert) and said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in "The Republican", a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publication was made on the 9th day of July, 1908, and the third and last of which publications was made on the 23rd day of July, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof and filed herein by Julian D. Hogate, editor and publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:-(Here Insert) and the said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in the "Danville Gazette", a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publications was made on the 9th day of July, 1908, and the third and last of which publications was made on the 23rd day of July, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof filed herein by W. A. King, editor and publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:-(Here Insert) that the Board would on the 3rd day of August, 1908, up until the hour of 10 o'clock A.M. of said day receive at the Auditor's Office sealed proposals for the construction of the above entitled improvements in accordance with the report, plans and specifications and profile on file at the office of said Auditor, and heretofore approved by the Board, and now the Board, having examined said copies of notice and proof of publication thereof, finds that the same are in due form and according to law, and specifically finds that the said



## Commissioners Court, August Term, 1908.

Auditor gave notice that sealed proposals would be received by the Board on said 3rd day of August, 1908, and the hour and place thereof, for the construction of the above entitled improvement according to an Act approved March 8th, 1905, as the same is therein provided in such cases in Section 73 thereof, and all amendments thereto if any, and entitled an Act concerning highways.

And now the hour of 10 o'clock A.M. of said 3rd day of August, 1908, having arrived the Board meets at the place designated in said notices and finds on file with the said auditor in his office the sealed proposal of Avery, Haymond & Howard, which is opened in the presence of the persons submitting the same and in the presence of the public generally, and, after having examined the same and being sufficiently advised in the premises, the Board finds that said proposal of Avery, Haymond & Howard is in due form and according to law, and that the same is accompanied by the proper affidavit of non-collusion on the part of the persons submitting the same; that said proposal is accompanied by the necessary bond in double the amount of the bid to the Board's Approval, which bid, non-collusion affidavit, bond and the Board's approval thereof are in the following words and figures, to-wit:--(Here Insert); the Board finds that the bid and proposal submitted by the said Avery, Haymond & Howard is the lowest and best bid submitted and the Board finds that the same is for the sum of \$12,490.00, which the Board finds to be less than the estimates of the viewers and engineer as shown by their report filed herein.

The Board further finds that the total indebtedness for the construction of Free Gravel Roads in Center Township is not in excess of four per centum of the total assessed valuation of the property in said Center township.

The Board further finds that said Avery, Haymond & Howard should be awarded the contract for the construction of said proposed improvement, which is hereby done and said contract is in the following words and figures, to-wit:--

## Contract.

This Agreement, made this 3rd day of August, 1908, between the firm of Avery, Haymond and Howard the first party, and the Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to furnish the materials and labor and build and construct the John H. Dugan Road, in Middle township, and the Sam Jordan Road in Center township, in said Hendricks County and State of Indiana, complete according to plans and specifications and profile on file in the office of the Auditor of said County, which plans and specifications and profile are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Twenty one thousand two hundred eighteen Dollars in cash when said work is completed according to the terms of this contract.

Said first party agrees to have said work completed on or before the



Commissioners Court, August Term, 1908.

1st. day of June, 1909.

And the following specifications are hereby made a part of this contract, to-wit:

1. The second party agrees to pay the first party for the construction of the John H. Dugan Road the sum of \$8728.00 and for the construction of the Sam Jordan Road the sum of \$12490.00.
2. The first party hereto is to save the said county of Hendricks harmless from any damages occasioned by the construction of the above named roads.
3. The first party hereto is not to be required to do any work on the said named roads until the bonds for the construction thereof shall be sold and the proceeds realized therefrom deposited with the treasurer of said county.
4. The second party hereto is not to pay any part of the contract price named herein except on the written estimate of the engineer filed with the second party and accompanied by a bill filed by the first party hereto and then only 80% of such estimate shall be allowed, and the second party hereto reserves the right of discretion in all matter pertaining to the payment of all bills.

Avery, Haymond & Howard,

B.S. McClain

By William Avery, The First Party.

E.M. Murphy

Alfred S. Lineinger,

Board of Commissioners, the Second Party.

and finds that the bond filed by the said Avery, Haymond & Howard is for the sum of \$17,100.00, and the Board finds that said bond is signed by the Fidelity and Deposit Company of Maryland, as surety on said bond, which surety the Board now approves. Said Bond together with the Board's Approval thereon endorsed are as follows:-

Gravel Road Contractor's Bond.

Know all Men by these Presents, That the undersigned are held and firmly bound unto The State of Indiana, and for the benefits of the County of Hendricks and any persons who may have the right to recover any moneys hereon, in the penal sum of ~~Twenty-five~~ Thousand (\$25,000.00) Dollars, for the payment of which we, the undersigned, hereby bind ourselves, our heirs, administrators and executors, jointly and severally, firmly by these presents.

Witness our hands and seals on this 31st day of July, 1908.

The Conditions of the Foregoing Obligation are such that, whereas, the Board of Commissioners of the County of Hendricks is about to let a contract for the construction of certain Free Gravel Road in Center Township known as Samuel Jordan Road of said County; and, whereas, the undersigned Avery, Haymond & Howard have filed their proposal and bid for the construction of said work.

Now, if the said Avery, Haymond & Howard shall promptly enter into a contract for the construction of said work (should the same be awarded to them upon said proposal and bid as the law provides) and shall faithfully perform said work according to the time and manner of construction as set forth in the plans, specifications and profile as set forth in the report of the viewers, and shall complete the same within the time



limited in said contract, and shall pay for all labor and materials used and furnished in making said improvement, whether such work and labor or material was done and furnished for the contractor, sub-contractor or agent of the contractor or sub-contractor or any of them, including board furnished for the laborers thereon during the construction of said improvement, then this obligation shall be null and void, else in full force, and the principal and sureties shall be liable to any and all persons as contemplated by the statutes.

William Avery (SEAL)

Horace H. Haymond (SEAL)

Edward S. Howard (SEAL)

Fidelity and Deposit

Company of Maryland (SEAL)

By Frank A. Preston, Its Agent and

Attorney-in-fact.

State of Indiana

SS:

Marion County

Personally appeared the said Fidelity and Deposit Company of Maryland by Frank A. Preston its agent and acknowledged the execution of said instrument, this 1st day of August, 1908. Willard Robertson, Notary Public.  
(SEAL) Com ex 10/30/09.

Approved by the Board of Commissioners, this 1st 3 day of Aug 1908.

B. S. McClain

E. M. Murphy

Alfred S. Lineinger

Board of Commissioners Hendricks County.

and now the Board finds and makes the following estimates for the preliminary expenses of said road, to-wit:-

1. Expenses and charges of Viewers & Engineer & Printing	\$ 150.00
2. Superintendant's Charges	\$ 200.00
3. Petitioners' Attorney fees	\$ 150.00
4. Cost of Printing & Sale of Bonds	\$ 175.00
Total preliminary charges	\$675.00
Contract price for Construction	\$12,490.00
Total	\$13,165.00

It is now therefore ordered by the Board that bonds be issued in the name of Hendricks County, Indiana, for the sum of Thirteen Thousand, One hundred Sixty-five Dollars (\$13,165.00) in series payable in ten years, <sup>Raid bonds to bear date of September 5<sup>th</sup> 1908,</sup> ~~from the date of their issuance,~~ bearing interest at the rate of 4, 1/2 % per annum and payable semi-annually, the first of said bonds being payable on the 15th day of May, 1909, and one to be paid every six months thereafter until all are paid.

And now the Board hereby and herein appoints Henry Rodney, who is a



## Commissioners Court August Term, 1908.

resident of Center Township, as Superintendant of Construction herein and he is ordered to file his bond for the faithful discharge of his duties herein by reason of said appointment and payable to the State of Indiana in the penal sum of \$5000.00 with good and sufficient sureties thereon to the approval of the Board and qualify in all respects for his appointment herein.

And now it appearing to the Board that the engineer heretofore appointed, to wit: John W. Figg, in the above entitled matter, has filed his written resignation as such engineer and the Board has accepted the same the Board now appoints John O. Kain as engineer to take the place of said John W. Figg, resigned, and the Board orders said John O. Kain to file his bond, conditioned for the faithful performance of his duty as such engineer, payable to the State of Indiana in the penal sum of \$6000.00 with surety thereon to the Board's Approval, and said matter is continued.

In the matter of the John H. Dugan et al )  
Free Gravel Road Petition. )

And now at the regular August Term, 1908, of the Board, comes now William H. Nichols, Auditor of Hendricks County, Indiana, and said Auditor shows to the Board, that he, as such auditor, gave publication one time in a newspaper of general circulation throughout the state, published at the city of Indianapolis, Indiana, to wit, in the Indianapolis Commercial more than two weeks prior to the 3rd day of August, 1908, and for proof thereof shows to the Board the proof of publication filed herein by Ellen Russell, who swears that she is a duly authorized clerk for said paper and has the authority to make such proof a copy of which notice and proof of publication thereof are in the following words and figures, to wit, ( H.I. ), and said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in the "Republican", a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State the first of which publications was made on the 9th day of July, 1908, and the third and last of which publications was made on the 23rd day of July, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof and filed herein by Julian D. Hogate, Editor and Publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures, to wit, ( H.I. ), and the said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in the "Danville Gazette", a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publications was made on the 9th day of July, 1908, and the third and last of which publications was made on the 23rd day of July, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof filed by W. A. King, Editor and publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures to wit, ( H.I. ), that the Board would on the 3rd day of August, 1908, up until the hour of 10 o'clock A.M. of said day receive at the auditor's office sealed proposals for the construction



of the above entitled improvement in accordance with the report, plans and specifications and profile on file at the office of the Auditor, and here tofore approved by the Board, and now the Board, having examined said copies of notice and proof of publication thereof, finds that the same are in due form and according to law, and specifically finds that the said Auditor gave notice that sealed proposals would be received by the Board on the 3rd day of August, 1908, and the hour and place thereof, for the construction of the above entitled improvement according to an Act approved March 8th, 1905, as the same is therein provided in such cases in Section 73 thereof and all amendments thereto, if any, an entitled an Act concerning highways.

And now the hour of 10 o'clock A.M. of said 3rd day of August, 1908, having arrived the Board meets at the place designated in said notices and finds on file with the said Auditor in his office the sealed proposal of Avery, Haymond & Howard, which is opened in the presence of the persons submitting the same and in the presence of the public generally, and, after having examined the same and being sufficiently advised in the premises, the Board finds that said proposal of Avery, Haymond & Howard is in due form and according to law, and that the same is accompanied by the proper affidavit of non-collusion on the part of the persons submitting the same; that said proposal is accompanied by the necessary bond in double the amount of the bid to the Board's Approval, which bid, non-collusion affidavit, bond and the Board's Approval thereof are in the following words and figures, to-wit:-(Here Insert) The Board finds that the bid and proposal submitted by the said Avery, Haymond & Howard is the lowest and best bid submitted and the Board finds that the same is for the sum of \$8728.00, which the Board finds to be less than the estimates of the viewers and engineer as shown by their report filed herein.

The Board further finds that the total indebtedness for the construction of Free Gravel Roads in Middle Township is not in excess of four per centum of the total assessed taxable valuation of the property in said Center Township.

The Board further finds that said Avery, Haymond & Howard should be awarded the contract for the construction of said proposed improvement, which is hereby done and said contract is in the following words and figures, to-wit:-

Contract.

This Agreement, made this 3rd day of August, 1908, between the firm of Avery, Haymond and Howard the first party, and the Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to furnish the materials and labor and build and construct the John H. Dugan Road, in Middle Township, and the Sam Jordan Road, in Center township, in said Hendricks County and State of Indiana, complete according to plans and specifications and and profile on file in the office of the Auditor of said County, which plans and

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Commissioners Court, August Term, 1908.

specifications and profile are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Twenty one thousand two hundred eighteen Dollars in cash when said work is completed according to the terms of this contract.

Said first party agrees to have said work completed on or before the 1st day of June, 1909.

And the following specifications are hereby made a part of this contract, to-wit:

1. The second party agrees to pay the first party for the construction of the John H. Dugan Road the sum of \$8728.00 and for the construction of the Sam Jordan Road the sum of \$12490.00.
2. The first party hereto is to save the said County of Hendricks harmless from any damages occasioned by the construction of the above named roads.
3. The first party hereto is not to be required to do any work on the said named roads until the bonds for the construction thereof shall be sold and the proceeds realized therefrom deposited with the treasurer of said County.
4. The second party hereto is not to pay any part of the contract price named herein except on the written estimate of the engineer filed with the second party and accompanied by a bill filed by the first party hereto and then only 80% of such estimate shall be allowed, and the second party hereto reserves the right of discretion in all matters pertaining to the payment of all bills.

Avery, Haymond & Howard,

B.S. McClain

By William Avery, The First Party.

E.M. Murphy

Alfred S. Lineinger

Board of Commissioners, the Second Party.

and finds that the bond filed by the said Avery, Haymond & Howard is for the sum of \$17,100.00, and the Board finds that said bond is signed by a surety Company, and that the same is good and sufficient surety and ought to be approved, and they now endorse their written approval thereon, said bond and the Board's Approval thereon endorsed are in words and figures as follows, to-wit:-

Gravel Road Contractor's Bond.

Know all Men by these Presents, That the undersigned are held and firmly bound unto the State of Indiana, and for the benefits of the County of Hendricks and any persons who may have the right to recover any moneys hereon, in the penal sum of Seventeen Thousand One Hundred (\$17,100.00) Dollars, for the payment of which we, the undersigned, hereby bind ourselves, our heirs, administrators and executors, jointly and severally, firmly by these presents.

Witness our hands and seals on this 31st day of July 1908.

The Condition of the Foregoing Obligation are such that, whereas, the Board of Commissioners of the County of Hendricks is about to let a contract for the construction of certain Free Gravel Road in Middle Township known as J.H. Dugan Road of said County; and, whereas, the undersigned Avery, Haymond & Howard have filed their proposal and bid for



the construction of said work

Now; if the said Avery, Haymond & Howard shall promptly enter into a contract for the construction of said work (should the same be awarded to them upon said proposal and bid as the law provides) and shall faithfully perform said work according to the time and manner of construction as set forth in the plans, specifications and profiles as set forth in the report of the viewers, and shall complete the same within the time limited in said contract, and shall pay all labor and materials used and furnished in making said improvement, whether such work and labor or material was done and furnished for the contractor, sub-contractor or agent of the contractor or sub-contractor or any of them, including board furnished for the laborers thereon during the construction of said improvement, then this obligation shall be null and void, else in full force, and the principal and sureties shall be liable to any and all persons as contemplated by the statutes.

William Avery (SEAL)

Horace H. Haymond (SEAL)

Edward S. Howard (SEAL)

Fidelity and Deposit Company  
of Maryland (SEAL)

by Frank A. Preston, Its Attorney-in  
Fact.

State of Indiana

SS:

Marion County

Personally appeared the said Fidelity and Deposit Company of Maryland by its agent Frank A. Preston and acknowledged the execution of this instrument this 1st day of August, 1908. Willard Robertson, Notary Public.  
Com ex 10/30/09. (SEAL)

Approved by the Board of Commissioners, this 3 day of Aug 1908.

B. S. McClain

E. M. Murphy

Alfred S. Lineinger

Board of Commissioners Hendricks County.

and now the Board finds and makes the following estimates for the preliminary costs and expenses of said road, to-wit:-

1. Expense and charges of Viewers & Engineer & Printing	\$ 150.00
2. Superintendant's Charges	200.00
3. Petitioners' Attorney fees	150.00
4. Cost of Printing & Sale of Bonds	<u>175.60</u>
Total preliminary charges	\$ 675.00
Contract price for construction	<u>\$8728.00</u>
Total	\$9403.00

It is now therefore ordered by the Board that bonds be issued in the



Commissioners Court, August Term, 1908.

in the name of Hendricks County, Indiana, for the sum of Nine Thousand Four Hundred Three (\$9,403.00) Dollars in series (payable in ten years from the date of their issuance,) # bearing interest at the rate of 4, 1/2% per annum and payable semi-annually, the first of said bonds being payable on the 15th day of May, 1909, and one to be paid every six months thereafter until all are paid.

And now the Board hereby and herein appoints Morton Stipes, who is a resident of Middle Township, as Superintendant of Construction herein and he is ordered to file his bond for the faithful discharge of his duties herein by reason of said appointment and payable to the State of Indiana in the penal sum of \$5000.00 with good and sufficient sureties thereon to the approval of the Board and qualify in all respects for his appointment herein.

And now it appearing to the Board that the engineer heretofore appointed, to wit, John W. Figg, in the above entitled matter, has filed his written resignation as such engineer and the Board has accepted the same the Board now appoints John O. Kain as engineer to take the place of said John W. Figg, resigning, and the Board orders said John O. Kain to file his bond, conditioned for the faithful performance of his duty as such engineer, payable to the State of Indiana in the penal sum of \$6000.00 with surety thereon to the Board's Approval, and said matter is continued.

(This Entry is made as of August 4th., 1908.)

In the matter of the Road Petition )  
of John O. Tinder et als. ) Appointment of Viewers.

Comes now J. O. Tinder and fourteen others and present to the Board their petition for the establishment of a public highway in Center township, Hendricks County, Indiana, and, it appearing to the Board that notice of the presentation of said petition, and when the same would be presented, has been posted in three public places in said Center township, in said County and State, for more than twenty days prior to the day in said notices when said petition would be heard, as the same is evidenced by the affidavit of J. O. Tinder, one of the petitioners herein, which affidavit and copy of the notice so posted are in the following words and figures, to-wit:-(Here Insert) and it also appearing to the Board that the Auditor of said County mailed notices to all persons whose lands will be affected by the establishment of the highway herein proposed and who are not petitioners herein, as the same is evidenced by the certificate of William H. Nichols, Auditor, which certificate and copy of notice so mailed are in the following words and figures, to-wit:-(here Insert) and now all the above facts appearing to the satisfaction of the Board, the Board, having been duly and sufficiently advised in the premises, assumes jurisdiction in the matter of said petition and finds that said petition is signed by more than twelve freeholders of the township, more than six of whom reside in the immediate neighborhood of the highway proposed to be located; that notice of the filing of said petition and when and where the same would be heard has been given as by law provided; that viewers should be appointed to view said proposed highway and make their report to this Board as to the public utility of said proposed highway.

# Name for time entry  
It is ordered by the Board that the words "payable in ten years" from the date of their issuance be stricken from the order heretofore made herein and that said order be made to read "payable in a period of ten years" It is further ordered by the Board that said bonds bear date of Sept. 15, 1908.

Order to Viewers Issued Aug 4, 1908.



## Commissioners Court, August Term, 1908.

It is therefore ordered by the Board that Robert Hufford, Jesse L. Tharp and William Carrier, three disinterested freeholders of the County, be and they are hereby appointed as viewers in said above matter and are ordered to view said proposed highway and make their report to this Board on the 5th day of August, 1908, and said matter is continued.

In the matter of the petition of Orren )  
A. Stout, and others, for the improvement )  
of a Public highway by taxation. )

Come the petitioners, and come also the engineer and viewers, and it appearing to the satisfaction of the Board that it is impossible for the said engineer and viewers to file a report of their doings in the foregoing entitled improvement.

Therefore, it is hereby ordered by this board that said engineer and viewers be given time until the first day of the next regular session of this board to make, and file in the office of the auditor of Hendricks County, Indiana, their certain report in writing setting forth their determination in regard to said proposed improvement.

Bascom S. McClain )

W. M. Murphy )

Alfred S. Lininger )

) Board Commissioners Hendricks County.



Commissioners Court, Tuesday Morning, August 4th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment on this Tuesday Morning, August 4th., 1908.

Present, Bascom S. McClain, President Thereof, and Elbert M. Murphy and Alfred S. Lineinger all members of said Board..

The following proceedings were had:

In the matter of the Road Petition )  
of J.O. Tinder et als. )

(See Entry on Page 499, this Book.)

And now the Board Adjourned until 9 o'clock A.M. tomorrow.

*Bascom S. McClain*

*Elbert M. Murphy*

*Alfred S. Lineinger*

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Board Commissioners Hendricks Co. Ind.



Commissioners Court, Wednesday Morning, August 5th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met in regular Session on this Wednesday Morning, August 5th., 1908.

Present, Bascom S. McClain, President thereof, and Alfred S. Lineinger and Elbert M. Murphy, all Members of said Board.

The following Proceedings were then had, to-wit:-

In the matter of the Road Petition )  
of J.O. Tinder et als. )

Come now the petitioners herein and present to the Board the report of the viewers filed herein and ask that the Board accept and approve said report and that said highway be ordered opened, and the Board, having inspected and examined the said report of the viewers, and being duly and sufficiently advised in the premises, finds that the said viewers met at the place and time ordered heretofore and qualified as by law provided by taking oath to fairly and impartially discharge their duties herein, and that said viewers proceeded to view said proposed highway and now report to this Board, that said proposed road will be of public utility, which report is as follows, to-wit:- (Here Insert) The Board finds that said report should be accepted and approved; the Board finds that said proposed highway will be of public utility; the Board finds that the benefits of said proposed highway will be greater than the damages accruing therefrom.

It is therefore ordered by the Board that the following described road be established and opened, to-wit:-

Forty Feet in width, and commencing at a point in the north line of the corporation of Danville, Indiana, where the same is intersected by Tennessee Street, in said town, thence north about three hundred and fifty feet and ending at and intersecting the public highway known as "Lawton Avenue", said above described highway being in the Tout and Symons Addition to the Town of Danville, Indiana.

It is further ordered that the Auditor transmit to the Township Trustee of center township, in said County and State a copy of this order, and said matter is at an end.

In the matter of the Joshua Blanton et al )

Free Gravel Road Petition. )

Whereas it has been made to appear to the Board of Commissioners that William Alexander, who was heretofore appointed Superintendent of Construction in the above entitled improvement, cannot serve in such capacity the Board now appoints Lloyd C. Holtsclaw as Superintendent of Construction in said matter, and now the said Lloyd C. Holtsclaw accepts said appointment and qualifies for said appointment and files his bond with the Board for the sum of \$5000.00 with good and sufficient sureties thereon to the approval of the Board, which bond and the Boards approval indorsed thereon are in the following words and figures, to-wit: (Here Insert)

Copy of Order delivered to Trustee Aug 8, 1908.



Commissioners Court, Wednesday, August 5th., 1908.

In the matter of the petition of )  
George Parquer et al. For Free Gravel Road. ) Order of Board Extending Time for Reporting.

Come now the Engineer and Viewers heretofore appointed in this cause and this being the time for reporting their doings as such engineer and viewers they represent and show to the Board that it is impossible for them to report upon said proposed improvement within the time allowed in the order appointing them and ask the Board that they be allowed more time in which to view the proposed improvement and report thereon.

And the Board, having considered the matter and being fully advised in the premises, does now order that the time for the presenting of the report of the said engineer and viewers be extended to the Dec term, 1908, of this Board, at which time the said engineer and viewers are now hereby directed and ordered to make report of their doings in the premises.

And day is given and this matter continued.

No further Business Appearing the Board adjourned until 9 O'clock A.M. tomorrow.

*Bascom S. McClain*  
*Chas. Murphy*  
*Alfred S. Kinsinger*

)  
) Board Commissioners Hendricks Co.  
)



Thursday, August 6th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met in regular Session, this Thursday August 6th., 1908.

Present, Bascom S. McClain, President thereof, and Alfred S. Lineinger and Elbert M. Murphy, all Members of said Board:-

*Further*  
No Business Appearing the Board adjourned until 9 o'clock A.M. tomorrow.

Bascom S. McClain  
Elbert M. Murphy  
Alfred S. Lineinger

)  
) Board Commissioners Hendricks County.  
)



Friday, August 7th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met in regular Session, this Friday August 7th., 1908.

Present. Bascom S. McClain, President Thereof, and Alfred S. Lineinger and Elbert M. Murphy, all Members of said Board:-

In the matter of the George M. McClellan et al)  
Free Gravel Road Petition. )

Comes now George M. McClellan, to whom was awarded the Contract for the Construction of said road, and presents to the Board and files a new Contractor's bond herein, in lieu of the Bond heretofore filed and approved by said Board.

He now asks that said bond be approved, and that the liabilities on the other bond be discharged.

The Board now finds that said bond is sufficient and approves the same, and indorses its written approval thereon, and said board now in all things releases the sureties from any further liabilities on said original bond heretofore filed herein.

Said bond together with the Boards endorsement thereon is in words and figures as follows, to-wit:-

CONTRACTOR'S BOND FOR CONSTRUCTION.

Know all men by these presents, That we, the undersigned, George M. McClellan, as principal, and G.W. Reitzel, E. V. Milhon and W.D. Barnes and John T. Albertson of Hendricks County and firmly bound unto the State of Indiana in the penal sum of twenty three thousand five hundred dollars, for the payment of which, well and truly to be made, we bind ourselves jointly and severally, and our joint and several heirs, executors, administrators and assigns, firmly by all these presents, this 7th day of August, 1908.

The conditions of the above Obligation are such, That whereas, the Board of Commissioners of Hendricks County, State of Indiana, are about to let a contract for the construction of four miles of gravel road in Liberty Township, in Hendricks County in the State of Indiana, known as the George M. McClelland and the S.A. Reeves roads.

And whereas, the above named George M. McClelland has filed a bid for said work with the Auditor of the County: Now, therefore, if the said Board of Commissioners shall award him the contract for said work, and the said George M. McClelland shall promptly enter into a contract with said Board of Commissioners for said work, and shall well and faithfully do and perform the same in all respects according to the plans and specifications adopted by Board of Commissioners, and according to the time, terms and conditions specified in said contract to be entered into and shall promptly pay all debts incurred by him in the prosecution of said work including labor, materials furnished, and for boarding the laborers thereon then this obligation shall be void, otherwise to remain in full force, virtue and effect.

Geo. M. McClellan, (SEAL)

John T. Albertson (seal)

E.V. Milhon, G.W. Reitzel (seal)

W.D. Barnes (seal)

State of Indiana, Hendricks County, ss:

Before me, the Subscriber, a Notary Public in and for said County, personally appeared



Friday, August 6th 1908.

George M. McClellan, E. V. Milhon, John T. Albertson and W. D. Barnes and G. W. Reitzel and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

WITNESS, my hand and official seal this 7th day of August, 1908.

John W. Cox, Notary Public.

Accepted and approved Aug. 7, 1908.

B. S. McClain

E. M. Murphy

Alfred S. Lineinger

Board of Commissioners of Hendricks County,

No Further business appearing the said Board Adjourned.

*Bascom S. McClain*

*E. M. Murphy*

*Alfred S. Lineinger*

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)

)

Board Commissioners of Hendricks Co.



Special Joint Session, Commissioners Hendricks & Putnam Counties, August 10th., 1908.

Monday Morning, August 10th., 1908, the Commissioners of Hendricks & Putnam Counties met in Joint Session, at the Commissioners Room in Danville, Indiana:-

Present, Bascom S. McClain, Alfred S. Lineinger and Elbert M. Murphy, all members Board of Commissioners of Hendricks County, Indiana, and V.B. McCammack and George E. Rains, Members of Board of Commissioners of Putnam County, Indiana.

The following proceedings were then had to-wit:-

In the matter of the Petition of John Masten and )  
others for the improvement of a public highway on )  
the County line between the counties of Hendricks )  
and Putnam. )

And now pursuant to adjournment, duly made and entered of record on the 23rd. day of April, A.D. 1908, the Boards of Commissioners of the Counties of Hendricks and Putnam are met in joint session for the purpose of considering the report of the engineer and viewers now on file in this proceedings and of passing upon the public utility and convenience of said proposed improvement prayed for in said petition herein and for the further purpose of considering any other matters legally before the said Boards which concerns said proposed improvement.

And now comes Ernest McHaffie, a resident taxpayer of Mill Creek Township, Putnam County, Indiana, by his attorney, E.M. Blessing, and produces a remonstrance against the public utility of said proposed improvement duly signed by himself, but the said Boards in Joint Session now do refuse to consider or take any action whatever upon said remonstrance solely on the ground that the same was not filed according to the provisions of Section Six (6) of the Acts of the General Assembly of the State of Indiana, approved March 9th., 1907-Acts of 1907 P. 366.

And the Boards find that no person, either minor, idiot or of unsound mind, or corporation will sustain any damages by reason of said proposed improvement or will the property of such person or corporation suffer damages by reason of such improvement or has any person or corporation filed any claims of any nature with the viewers and engineer for damages to their property by reason of said proposed improvement, as shown by the supplemental report of the Engineer & Viewers, which is as follows, to-wit (H. J.)

And now said report of said viewers and engineer coming on for hearing and said Board having duly and fully examined the same, and being fully advised in the premises, do find that said report was filed in the office of the Auditor of Hendricks County, Indiana, the Auditor's Office in which county the petition for said improvement was filed, on the 28th day of February, 1908, that said report is correct and in all respects according to law; that said proposed improvement is of public utility and that said report should be approved and said proposed improvement established and ordered constructed as provided in said report.

The said Boards further find that accompanying said report is the order addressed to the said viewers and engineer directing them to appear at the Auditor's Office of Hendricks County, Indiana, on the 5th day of December, 1907, and there qualify according to law for the faithful discharge of their duties. Said Board further find

Certified copy of these proceedings sent to Auditor Putnam Co. Sept. 1st 1908. Attest: Wm. H. Nichols, A. H. Co.



that said report is accompanied by a copy of the oath of said viewers and engineer administered to them on the 5th day of December, 1907, by said Auditor of Hendricks County, Indiana. All of which said Boards find is regular and according to law, *that the Road of the Engineer, <sup>as follows</sup> (H. S.) is regular and sufficient.*

The said Boards do further find that there is no valid remonstrance on file against the public utility of said proposed improvement; that the only remonstrance presented was that of Ernest McHaffie which these Boards in Joint Session do refuse to consider because the same was not filed before the hour of ten o'clock A.M. on the day set for the hearing of objections to said proposed improvement as provided by law for so doing and as further given in the notices of the hearing of such objections.

It is now therefore considered and ordered by the said Boards in joint session that said report be, and the same is now in all things duly approved; that said proposed improvement is of public utility and convenient and that the same be and now is hereby duly established and ordered constructed in all respects as provided in said report.

It is further ordered by the Boards in joint session that the costs and expenses incident to said improvement be borne one half by Mill Creek Township, Putnam County, Indiana, and the other one half by Franklin Township, Hendricks County, Indiana, except that each of said Counties of Putnam and Hendricks shall provide for the payment of the costs of the printing of the bonds issued by each of said Counties for the payment of said costs and expenses and the sale thereof of the same.

It is further ordered by the Boards in joint session that said report, the original order issued to the said viewers and engineer, and the copy of the oath of said viewers, *which is in the words & figures following, (H. S.)* be spread of record on the records kept for that purpose in the Auditor's Office of said Hendricks County, Indiana, and that a duly certified copy of this proceeding be sent by the Auditor of Hendricks County, Indiana, to the Auditor of Putnam County, Indiana, to be by said Auditor of Putnam County, Indiana, recorded in a like record in said Putnam County.

And now it appearing to the satisfaction of said Boards in joint session that the costs and expenses occasioned by said proposed improvement together with the indebtedness of said townships of Mill Creek, Putnam County, and Franklin Township, Hendricks County, for gravel road purposes, would be in excess of Four Per Centum of the total assessed valuation of the taxable property of said townships, it is now ordered by said Boards in joint session that the Auditors of said Counties of Putnam and Hendricks shall from time to time consult with each other as to the amount of indebtedness of said townships and when it shall appear that the said townships shall be in such financial condition for gravel road building to issue bonds for this proposed improvement then it shall be the duty, and the said Auditors are hereby ordered, to convene these said



Special Joint Session, Commissioners Hendricks & Putnam Counties, August 10th., 1908.

Boards in Special Session for the purpose of completing the work of this improvement prayed for herein, and further proceedings herein are continued.

(Copy of Order to Viewers & Engineer, Oath of Viewers & Engineer & Report of Viewers & Engineer )

Order to View Road.

The State of Indiana SS: Commissioners' Court, November Term, 1907.  
Hendricks County

To John W. Figg, Edward Mills and Reason Larkin:

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their Special Session, November 26, 1907, to view a proposed highway, as follows, to-wit: Commencing at a point in the public highway known as the Greencastle and Stilesville Road at the North West Corner of Section Thirty (30) Township Fourteen (14) North, Range Two (2) West in Putnam County, Indiana, Thence east from said point along the boundary line dividing the Counties of Putnam and Hendricks and on and along said public highway as the same is now laid out and used by the public to the point of intersection of said public highway with the Free macadamized Road known as the National Road. Said highway asked to be improved is of the length of One (1) and one-third ( $\frac{1}{3}$ ) miles and does not, at any point throughout its entire length, vary from said County line a distance of one-half ( $\frac{1}{2}$ ) mile.

And, if said proposed highway will be of public utility, mark and lay out the same in the manner prescribed by law, to the width of 30 feet.

You will meet at the office of the Auditor of Hendricks County, Indiana, in Danville, Hendricks County, Indiana, on Thursday the 5th day of December, 1907, at 9 o'clock A.M., and after being duly qualified, proceed to make said view, and report at the next regular March Term 1908 of said Board.

I certify the foregoing to be a true copy of the Order of the Board in relation to said proposed highway. Witness my hand and official seal, this 27th day of November, 1907.  
(SEAL) D.D. Mills.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, John W. Figg, Edward Mills & Reason Larkin do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described proposed highway to the best of our skill and ability, so help us God.

John W. Figg

Edward Mills

Reason E. Larkin.

Subscribed and sworn to before me, this 5th day of December, 1907.

D.D. Mills, A.H.C.



(Report of Viewers & Engineer)

State of Indiana,  
Hendricks County, SS:

In the Commissioners Court March Term, 1908.

In the Matter of the Petition of John Masten  
& Others, to improve the Public Highway on Line  
dividing Putnam and Hendricks Counties.

To the Honorable Boards of Commissioners, Hendricks and Putnam  
Counties, Indiana.

Your viewers and engineer heretofore appointed in the above entitled  
cause beg leave to submit the following report, viz:

We have carefully examined the entire route of said highway proposed  
to be improved, as set out in the petition, and have caused a careful survey to be  
made of the same, together with levels, profiles, maps, plats and specifications here-  
with filed and made a part of this report.

The following is a description of the route over and upon which said  
improvement is to be located:-

Description.

Beginning at a point in the public highway known as the Greencastle  
and Stilesville Road at the North West corner of Section Thirty (30) Township  
Fourteen (14) North, Range Two (2) West in Putnam County, Indiana, and running thence  
East on the boundary line dividing the Counties of Putnam and Hendricks 6221 feet;  
thence South 74 ° East along the public highway as now laid out 544 feet to the  
point of intersection of said public highway with the Free macadamized Road known  
as the National Road.

The entire length of said road being 6765 feet. Said point of termin-  
ation being about 150 feet South of the Hendricks and Putnam County line.

Specifications.

For improving by cleaning, grubbing, grading, culverting, ditching, draining  
bridging and macadamizing with crushed stone the above described road on the line  
dividing Franklin Township, Hendricks County, Indiana, from Mill Creek Township,  
Putnam County, Indiana, as petitioned for by John Masten and others.

Roadway.

The right of way of said road shall be 30 feet wide, except where cuts  
or fills require a greater width; at all such places the right-of-way shall be  
sufficiently wide to preserve a sub-grade 18 feet wide, exclusive of side ditches,  
and also to allow the banks or sides of cuts and fills to be on the slope as the  
same is herein specified. Wherever, in the opinion of the Superintendent and engineer  
in charge, a change in the location of the road from the location as described  
herein will avoid an abrupt hollow or other serious natural obstacles, and be, in  
their opinion, of great and everlasting good to the road, then and in that case,



Special Joint Session, Commissioners Hendricks & Putnam Counties, August 10", 1908.

the right-of-way and the road may be shifted to the right or left as they may order, provided always, that the damages and costs of such change shall not exceed the benefits thereof, and provided also, that such change shall not increase the cost of construction of said road.

The right-of-way shall be grubbed its entire width of all obstructions and the same entirely removed, except in the case of landmarks or witness trees, which shall be carefully protected in their original positions. Where shade trees do not impede travel or cause damage to the road they may be left standing at the discretion of the Superintendent.

The center line of the right-of-way shall follow along and coincide with the center line of the road as described except as above provided for, in case of change of location of road. All angles shall be turned with regular curves of such radius as the engineer in charge shall direct.

#### Road Bed

The road bed shall be 18 feet wide, measured at right angles to the center line of right-of-way, and shall conform as nearly as practical to said line. The road bed shall be made to conform to the profile and drawing entitle "Cross Section of Road", and said road bed shall be made smooth and compact before the macadam is placed thereon.

#### Ditches.

Ditches shall be excavated along both sides of the entire line of road. The depth in no case to be less than eighteen (18) inches measured from the shoulder of the road bed twelve (12) inches wide at the bottom with side slopes of not less than one (1) to One (1).

The dimensions of the ditches may be varied by the Engineer in charge.

All ditches must present a regular and uniform appearance.

The fall of the ditches shall conform to the general slope of the country, and must be so constructed as to lead all of the water from the road to the nearest outlet. All old ditches that may threaten to wash into the road shall be so filled and made so compact that the water shall not follow or wash them.

#### Grade.

The grade line on the profiles show the grade of the sub-grade of the road bed and the top or surface of road bed must be made to conform to said grade line, making cuts and fills of the depth shown on said profiles.

All grading shall be done and the same allowed to stand at least four weeks before the macadam is placed on the subgrade.

Provided, that the construction contractor may procure a written permission, signed by the engineer, for placing the stone earlier.

#### Excavations.

All cuts shall be excavated to a width of 26 feet at the sub-grade. The slopes of all cuts shall be one and one half to one (1, 1/2 to 1.).



#### Embankments.

All embankments or fills shall be eighteen (18) feet wide at the sub-grade and the sides shall have a slope of one and one half to one ( $1\frac{1}{2}$  to 1). The Contractor shall make easy approaches to all intersecting roads. An allowance of 10 per cent must be made for shrinkage on all fills of over 12 inches.

#### Sewer Culverts.

Sewer culverts shall be constructed along the line of road at such places and of such size and material as shown on profile. All culverts shall be 20 feet long, and longer where slopes or fills require. All outlets and inlets shall be so constructed that no water shall stand in or about the culvert.

#### Bridges.

All points indicated on the profile for the same shall be constructed bridges of the length of span, width and material as shown on the plan and profile.

All abutments, foundations for abutments, wing walls, bridges, floors and railing on concrete bridges shall be concrete mixed in the following proportions:-

One part of accepted Portland Cement five (5) parts of approved gravel

All parts of concrete, which will be exposed to view, must be spaded with the proper tools so as to produce a smooth surface on all finished work.

No plastering of any part of the work to produce a finish will be allowed.

#### Paving.

For a width of 9 feet ( $4\frac{1}{2}$  feet on each side of center line of road) the road shall be covered with macadam to a depth of 9 inches. Said macadam to consist of broken and screened stones, any piece of which will readily pass through a ( $1\frac{1}{2}$ ) inch ring, except 2 inches in thickness over the entire surface of said macadam which shall consist of screenings evenly spread on said macadam. This macadam to be held in place by earthen bank as shown on "Cross Section of Road".

#### Material.

All material must be subject to inspection of engineer.

Any material condemned by the engineer shall not be used, or if used stand subject to engineer's discount.

#### Use of Highway.

The public shall in no way be barred from the use of the highway, except in cases of removing and rebuilding culverts and bridges. In such cases, the road shall be blocked no longer than necessary. The contractor shall begin placing the stone at such distance from the pits that it will not be necessary to haul material over any part of the road already built.

#### Changes.

As the work progresses, if any change in the specified plans suggests itself to this Board and engineer, to be of great and everlasting good to the road and costs no more than the contract price, such change may be ordered by the



Commissioners Joint Session, Hendricks & Putnam Counties, August 16th., 1908.

engineer.

Foreman.

The Contractor shall keep, at all times, a competent foreman on the work, to whom the Superintendent may direct his orders. The name of the foreman (unless the Contractor acts himself) shall be certified to the Superintendent in writing.

Time Limit.

The work of the construction of the entire improvement as herein specified, shall be completed on or before \_\_\_\_\_.

Cost of Construction.

We estimate the cost of construction as follows:-

\$ 6095.65

The profiles, plans and specifications for the construction of the highway herein described are herewith filed and made a part of this report.

We find that no damages on account of the construction of the foregoing described highway will accrue to any minor, idiot or lunatic.

We also find, that said road is less than three miles in length and connects a free gravel road with another free Gravel Road, and will be of public utility.

Respectfully submitted this 28 day of February, 1908.

John W. Eigg, Engineer.

Edward Mills )  
R.E. Larkin ) Viewers.

Bascom S. McClain )  
O. W. Murphy ) Commissioners Hendricks County.  
Alfred S. Lininger )  
Geo. Rainer )  
A. M. Gardner ) Commissioners Putnam County.



Special Joint Session, Commissioners Hendricks & Morgan Counties, August 27th., 1908.

Thursday Morning, August 27th., 1908.

The Commissioners of Hendricks and Morgan Counties met in Joint Session at the Commissioners Room in Danville, Indiana.

Present; Bascom S. McClain, Alfred S. Lineinger and Elbert M. Murphy, all members Board of Commissioners of Hendricks County, Indiana and J. M. Blair, Frank E. Carlisle and Silas W. Tackitt, all members of Board of Commissioners of Morgan County, Indiana.

The following proceedings were then had, to-wit:-

In the matter of the petition of John A. Baldwin et als )  
for the improvement of County Line Road. )

Come now the Boards of Commissioners of Hendricks and Morgan Counties pursuant to summonses issued to the members of said Boards By the Auditors of Hendricks and Morgan Counties and served upon the members of said Boards by the Sheriffs of said Counties, which summonses notify the members of said Boards of Commissioners that there will be a joint meeting of the Boards of Commissioners of said Counties in the Commissioners' Room at the Court House at Danville, Hendricks County, Indiana, at the hour of 10 o'clock A.M. of the 27th day of August, 1908, to receive sealed proposals for the construction of the improvement as prayed for by John A. Baldwin et al and heretofore ordered constructed by the said Boards while in joint session on the 13th day of July, 1908, at which time the Auditor of Hendricks County was ordered to give notice to bidders that on a day named in said notices sealed proposals would be received by the Joint Boards of said Counties for the construction of the above entitled improvement, and now all members of the said Boards of Commissioners being present at the time and place named in the said summonses and named in the notices given by the Auditor, and the hour of ten o'clock A.M. having arrived the Auditor presents to the said Boards while in Joint session the proofs of publication of notice given in the "Hendricks County Republican" and the "Martinsville Republican" two weekly newspapers of general circulation throughout the counties of Hendricks and Morgan respectively, printed and published therein, the first of which publications in both of said named papers being given on the 30th day of July, 1908, and the second and last of which publications was given in both of said named papers on the 6th day of August, 1908, that sealed proposals would be received on the 27th day of August, 1908, for the construction of the above entitled improvement, and now the said Boards while in joint session on said day jointly examine the proofs of publication so presented by the Auditor, which copies of notice and proofs of publication thereof are in the following words and figures, to-wit:- (Here Insert) and having been duly and sufficiently advised in the premises finds that the Auditor gave notice as by law provided in such cases as the same is established to the satisfaction of the joint Boards by the copies of notice and proofs of publication thereof as by the Auditor presented and filed herein, and now the joint Boards proceed to examine and inspect any sealed proposals that may be on file at the office of the Auditor of Hendricks County, at the hour named in said notices and finds on file but one bid and proposal, to-wit, the sealed bid and proposal of C.M.



Hadley, which is opened and found to be for the sum of Sixty seven hundred ninety four (\$6794.00) Dollars accompanied by the proper non-collusion affidavit as by law provided, and also accompanied by a bond payable to the State of Indiana in double the amount of the bid and signed by good and sufficient freehold sureties to the approval of the joint boards. And now the said Boards while in joint session makes the following findings:-

That the Bid and proposal of C.M. Hadley is the best and lowest bid submitted for the construction of the above entitled improvement; that the amount of said bid is less than the estimates made by the viewers and engineer heretofore made; that the bid of C.M. Hadley was opened in the presence of the bidder and in the presence of the public generally; that the indebtedness for the gravel road purposes of the township of Guilford, in Hendricks County, including the amount herein ordered and of the townships of Brown and Monroe in Morgan County, including the amount herein ordered is less than four per centum of the total assessed taxable valuation of the property in each of said townships.

It is further found that the bid and proposal of the said C.M. Hadley is in due form and according to law and that the contract for the construction of said improvement should be awarded to him which is accordingly done and said contract is in the following words and figures to-wit:-

Contract.

This Agreement, made this 27th day of August, 1908, between C.M. Hadley, the first party, and The Boards of Commissioners of Hendricks and Morgan Counties, Indiana, the second party, is that said first party agrees to furnish the materials, labor and build and construct the County Line Free Gravel Road as petitioned for by John A. Baldwin et al in said Hendricks and Morgan Counties, and State of Indiana, complete according to plans and specifications and profile on file in the offices of the Auditors of said Counties, which plans and specifications and profile are made a part of this contract.

Said party agrees to pay said first party for said work the sum of Sixty seven hundred ninety four and no/100 Dollars in cash when said work is completed according to the terms of this contract.

Said first party to have said work completed on or before the 1st day of January, 1909.

And the following specifications are hereby made a part of this contract:-

1. The first party is to be paid so much of the contract price as the work progresses as is based on written estimates furnished by the engineer in charge, and only 80 % of such estimates are to be allowed on a claim filed.

2. The first party is to save the Counties of Morgan and Hendricks harmless from any damages caused by the construction of the above named improvement.



Special Joint Session, Commissioners of Hendricks & Morgan Counties, August 27th., 1908.

3. The second party agrees to pay the full amount of the contract price named herein upon the completion of the road and the acceptance thereof by said second party.

4. The second party does not agree to pay any part of the contract price until the bonds are sold and the money is in the hands of the County Treasurer of Hendricks County.

Bascom McClain

James M. Blair

E.M. Murphy

Frank E. Carlisle

Alfred S. Lineinger

Silas W. Tackitt

Board of Commissioners of Hendricks County.

Board of Commissioners of Morgan Co.

C.M. Hadley, The First Party.

and that the bond of said C.M. Hadley should be approved which is also done and said bond is in the following words and figures to-wit:-

Know all men by these presents, that We, the undersigned, C.M. Hadley, Geo R. Scruggs, A.R. Cooper and R.C. Townsend of Morgan and Hendricks Counties are firmly bound unto the State of Indiana in the penal sum of Fourteen Thousand Dollars, for the payment of which, well and truly to be made, we bind ourselves, jointly and severally, and our joint and several heirs, executors, administrators and assigns, firmly by these presents, this 26th day of August, 1908.

The Conditions of the above obligation are such that, whereas, the Boards of Commissioners of Hendricks and Morgan County, Indiana, is about to let a contract for the construction of a free gravel road on the line between Hendricks and Morgan Counties, Indiana, as petitioned for by John A. Baldwin et al

And whereas, the above named C.M. Hadley has filed a bid for said work with the Auditor of the County: Now, therefore, if the said Boards of Commissioners shall award him the contract for said work, and the said C.M. Hadley shall promptly enter into a contract with said Boards of Commissioners for said work, and shall well and faithfully do and perform the same in all respects according to the plans and specifications adopted by the Boards of Commissioners and according to the time, terms and conditions specified in said contract to be entered into, and shall promptly pay all debts incurred by him in the prosecution of said work, including labor, materials furnished, and for boarding the laborers thereon, then this obligation shall be void; otherwise to remain in full force, virtue and effect.

C.M. Hadley (SEAL)

Geo R. Scruggs (SEAL)

A R Cooper (SEAL)

R C Townsend (SEAL)

State of Indiana, Morgan County, SS:

Before me, C. Shunnam in and for said County, personally appeared C.M. Hadley, Geo R. Scruggs, A R Cooper and R.C. Townsend and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness my hand and notarial seal, this 26th day of August, A.D. 1908.

C. Shunnam, Notary Public, Morgan County, Indiana



Accepted and Approved August 27<sup>th</sup>, 1908

Bascom S. McClain

J. M. Blair

E. M. Murphy

Frank E. Carlisle

Alfred S. Lineinger

Silas W. Tackitt,

Board of Commissioners of Morgan and Hendricks Counties.

State of Indiana, Morgan County, SS:

I, B. E. Thornburgh, Auditor in and for said County and State, do hereby certify that the sureties on the within bond are the owners of real estate valued at more than the within bond, as shown by the Tax Duplicate of said County for the year 1908.

Witness my hand and official seal, the 26<sup>th</sup> day of August, 1908.

B. E. Thornburgh, Auditor Morgan County.

and now the joint Boards find and make the following estimates for the preliminary costs and expenses of said road, to-wit:-

1. Superintendant of Construction	\$250.00
2. Engineer	150.00
3. Petitioners Attorney fees	250.00
4. Printing Bonds	90.00
5. Viewers and Engineer's charges and damages allowed	<u>366.00</u>
Total preliminary expenses	\$1106.00
Contract price for Construction	<u>\$6794.00</u>
Total	\$7900.00

It is therefore ordered by the Boards of Commissioners of Hendricks and Morgan Counties while in joint session and in this their joint order that bonds be issued for the construction of the above improvement for the sum of Seventy nine hundred (\$7900.00) Dollars and that they be issued in the name of Hendricks County, Indiana, for the sum of \$3950.00 and in the name of Morgan County, Indiana, for the sum of \$3950.00 in series payable in ten years ~~from the date of~~ *Said Bonds to bear date of Sept 5<sup>th</sup> 1908.* ~~their issuance,~~ bearing interest at the rate of 4, 1/2 % per annum and payable semi-annually, the first one of said bonds in each of said counties being payable on the 15<sup>th</sup> day of May, 1909, and one every six months thereafter until the same are all paid, and that Monroe Township, Morgan County, Indiana, shall be assessed to pay for \$1270.00 of said bonds; that Brown Township, Morgan County, Indiana, shall be assessed to pay for \$2680.00 of said bonds; that Guilford Township, Hendricks County, Indiana, shall be assessed to pay for \$3950.00 of said bonds.

And now said Boards while in joint session appoint John A. Baldwin a freehold resident of Guilford Township, Hendricks County, Indiana, as superintendent of construction and orders him to file his bond payable to the State of Indiana in the penal sum of \$5000.00 with sureties thereon to the Boards' approval.



Joint Session Commissioners Hendricks & Morgan Counties, August 27th., 1908.

And now on motion duly seconded and carried said Joint Session is adJourned.

Bascom S. McClain

W. Murphy

Alfred S. Kinsinger

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Commissioners Hendricks County.

John Blair

Frank E. Carlisle

Silas W. Tackitt

Commissioners Morgan County.



Monday Morning, September 7th., 1908, the Board of Commissioners met in Regular Session.

Present, Bascom S. McClain, President thereof, and Alfred S. Lineinger and Elbert M. Murphy, all members of said Board.

The following proceedings were then had:

In the matter of the A.A. Ross et al )  
Free Gravel Road Petition. )

Comes now William H. Nichols, Auditor of Hendricks County, Indiana, and said Auditor shows to the Board, that he, as such Auditor, gave notice by publication one time in a newspaper of general circulation throughout the State, published at the City of Indianapolis, Indiana, to-wit, in the Indianapolis Commercial, more than two weeks prior to the 7th. day of September, 1908, and for proof thereof shows to the Board the proof of publication filed herein by Ellen Russell, who swears that she is duly authorized clerk for said paper and has the authority to make such proof, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit: (Here Insert) and said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in the Republican, a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publication was made on the 6th. day of August, 1908, and the <sup>third and</sup> last on the 20th day of August, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof and filed herein by Julian D. Hogate, editor and publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:-(Here Insert) and the said auditor further shows to the Board that he gave notice by publication for three consecutive weeks in the Danville Gazette, a weekly newspaper of general circulation throughout Hendricks County, printed and published at the town of Danville, in said County and State, the first of which publications was made on the 6th. day of August, 1908, and the third and last of which publications was made on the 20th. day of August, 1908, and for proof thereof shows to the Board the copy of notice and proof of publication thereof filed herein by W.A. King, editor and publisher of said paper, a copy of which notice and proof of publication thereof are in the following words and figures, to-wit:-(Here Insert) that the Board would on the 7th. day of September, 1908, up until the hour of 10 o'clock A.M. of said day receive at the Auditor's Office sealed proposals for the construction of the above entitled improvement in accordance with the report, plans and specifications and profile on file at the office of said Auditor, and heretofore approved by the Board, and now the Board, having examined said copies of notice and proof of publication thereof, finds that the same are in due form and according to law, and specially finds that the said Auditor gave notice that sealed proposals would

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March 8th., 19  
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contract, to-wit:-  
1. The said firm  
damages caused by the  
2. All claims for money



Monday, September 7th., 1908.

be received by the Board on said 7th. day of September, 1908, and the hour and place thereof, for the construction of the above entitled improvement, according to an Act approved March 8th., 1905, as the same is therein provided in such cases in Section 73 thereof, and all amendments thereto, if any, an entitled an Act concerning highways.

And now the hour of 10 o'clock A.M. of said day of August, 1908, having arrived the Board meets at the place designated in said notices and finds on file with the said Auditor in his office the sealed proposal of Hadley & Cummins, which is opened in the presence of the persons submitting the same and in the presence of the public generally, and after having examined the same and being sufficiently advised in the premises, the Board finds that said proposal of Hadley & Cummins is in due form and according to law, and that the same is accompanied by the proper affidavit of non-collusion on the part of the persons submitting the same; that said proposal is accompanied by the necessary bond in double the amount of the bid to the Board's Approval, which non-collusion affidavit, bond and the Board's Approval thereof are in the following words and figures, to-wit:-(Here Insert); the Board finds that the bid of Hadley & Cummins is the lowest and best bid submitted and the Board finds that the same is for the sum of \$11,500.00, which the board finds to be less than the estimates of the viewers and engineer as shown by their report filed herein.

The Board further finds that the total indebtedness for the construction of Free Gravel Roads in Washington Township is not in excess of four per centum of the total assessed taxable valuation of the property in said Washington township.

The Board further finds that said Hadley & Cummins should be awarded the contract for the construction of said proposed improvement, which is hereby done and said contract is in the following words and figures, to-wit:-

Contract.

This Agreement, made this 7th day of September, 1908, between Walter G. Hadley and C.R. Cummins the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to furnish the material and labor and build and construct the A.A. Ross et al Road in Washington Twpnship in said Hendricks County and State of Indiana, complete according to plans and specifications and profile on file in the office of the Auditor of said County, which plans and specifications and profile are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Eleven Thousand and Five hundred and no/100 Dollars in cash when said work is completed according to the terms of this contract.

Said first party agrees to have said work completed on or before the 8th day of Sept 1909. And the following additional specifications are hereby made a part of this contract, to-wit:-

1. The said first parties are to save the said County of Hendricks harmless from any damages caused by the construction of the above named road.
2. All claims for money on the contract, as the said work progresses, must be based on the



Monday, September 7th., 1908.

written estimates of the engineer in charge, and then only 80 % of such estimates will be considered by the second party in passing on said claims.

3. The first parties hereto are not to be required by the second parties to do any work on the above improvement until the bonds are sold and the proceeds are deposited with the Treasurer.

4. The whole amount of the contract as above specified will not be due the said first parties until the said road is completed according to plans and specifications and the Engineer and Superintendant so report and the same is received and accepted by the second party.

Hadley & Cummins, by C.R. Cummins, The First Party.

B.S. McClain

E.M. Murphy

Alfred S. Lineinger

Board of Commissioners, the Second Party.

and finds that the bond filed by the said Hadley & Cummins is for the sum of \$23,000.00, and the Board finds that said bond is signed by good and sufficient freehold sureties of the County to the satisfaction of the Board and should be approved which is accordingly done and which bond and the Board's Approval thereof are in the following words and figures, to-wit:-

Contractor's Bond For Construction.

Know all Men by These Presents, That we, the undersigned Walter G. Hadley, C.R. Cummins, principals and T.J. Christie and L.M. Christie, as sureties, of Hendricks County, Indiana, and firmly bound unto the State of Indiana in the penal sum of Twenty-three Thousand (\$23,000.00) Dollars, for the payment of which, well and truly to be made, we bind ourselves jointly and severally, and our joint and several heirs, executors, administrators and assigns, firmly by these presents, this 4th day of September, 1908.

The conditions of the above obligations are such, That whereas, the Board of Commissioners of Hendricks County, Indiana are about to let a contract for the construction of the A.A. Ross Free Gravel Road in Washington Township, Hendricks County, Indiana.

And whereas, the above named Walter G. Hadley and C.R. Cummins have filed a bid for said work with the Auditor of the County: Now, therefore, if the said Board of Commissioners shall award them the contract for said work, and the said Walter G. Hadley and C.R. Cummins shall promptly enter into a contract with said Board of Commissioners for said work, and shall well and faithfully do and perform the same in all respects according to the plans and specifications adopted by the Board of Commissioners, and according to the time, terms and conditions specified in said contract to be entered into and shall promptly pay all debts incurred by them in the prosecution of said work including labor, materials furnished, and for boarding the laborers thereon, then this obligation shall be



Monday, September 7th., 1908.

void, otherwise to remain in full force, virtue and effect.

Walter G. Hadley (Seal) T. J. Christie (Seal)  
C. R. Cummins (Seal) L. M. Christie (Seal)

State of Indiana, County of Hendricks, SS:

Before me, the Subscriber, a Notary Public in and for said County personally appeared Walter G. Hadley, C. R. Cummins, T. J. Christie and L. M. Christie and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness my hand and Notarial seal, this 4th day of September, A. D. 1908.

(Seal)

Zimri E. Dougan,

My Com. Exp. June 30th, 1909.

Notary Public.

Accepted and approved, Sept. 7<sup>th</sup>, 1908.

B. S. McClain

E. M. Murphy

Alfred S. Lineinger,

Board of Commissioners of Hendricks County.

and now the Board finds and makes the following estimates for the preliminary costs and expenses of said road, to-wit:-

1. Expense and charges of Viewers & Engineer & Printing	\$150.00
2. Superintendant's Charges	\$200.00
3. Petitioners' Attorney fees	\$150.00
4. Cost of Printing & Sale of Bonds	<u>\$175.00</u>
Total preliminary charges	\$675.00
Contract price for Construction	<u>\$11,500.00</u>
Total	\$12,175.00

It is now therefore ordered by the Board that bonds be issued in the name of Hendricks County, Indiana, for the sum of Twelve Thousand One hundred Seventy-five (\$12,175.00) in series payable in ten years, <sup>said bonds to bear date of September 5<sup>th</sup> 1908,</sup> ~~from the date of their issuance,~~ bearing interest at the rate of 4 1/2 % per annum and payable semi-annually, the first of said bonds being payable on the 15th day of May, 1909, and one to be paid every six months thereafter until all are paid.

And now the Board hereby and herein appoints A. A. Ross, who is a resident of Washington Township, as Superintendant of Construction herein and he is ordered to file his bond for the faithful discharge of his duties herein by reason of said appointment and payable to the State of Indiana in the penal sum of \$5000.00 with good and sufficient sureties thereon to the approval of the Board and qualify in all respects for his appointment herein.

And now it appearing to the Board that the engineer heretofore appointed, to-wit, John W. Figg, in the above entitled matter, has filed his written resignation as such engineer and the Board has accepted the same the Board now appoints John O. Kain as engineer to take the place of said John W. Figg, resigning, and the Board orders said John O. Kain to file his bond, conditioned for the faithful performance of his duty as



Monday, September 7th., 1908.

such engineer, payable to the State of Indiana in the penal sum of \$6000.00 with surety thereon to the Board's approval, and said matter is continued.

In the matter of the petition of Orren A. Stout, et al, )  
for the improvement of a public highway by taxation. )

Come the petitioners, and come also the engineer and viewers, and it appearing to the satisfaction of the Board that it is impossible for the said engineer and viewers to file a report of their doings in the foregoing entitled improvement.

Therefore, it is hereby ordered by this board that said engineer and viewers be given time until the first day of the next regular session of this board to make, and file in the office of the auditor of Hendricks County, Indiana, their certain report in writing setting forth their determination in regard to said proposed improvement.

Ordered that the Board adjourn.

Bascom S. McClain  
O. M. Murphy  
Alfred B. Fincinger

)  
) Commissioners Hendricks Co.  
)



Transcript in Ezra E. Good et al Free Gravel Road.

Be It Remembered, that on the 30th. day of September, 1908, the following transcript was filed in the office of the County Auditor as follows, to-wit:-

In The Matter of the Petition of  
Ezra E. Good et al For a Gravel Road  
on Line Between Boone and Hendricks  
Counties, Indiana.

In The Matter of Final Meeting and Acceptance of said Road.

Now on Wednesday, the 2nd day of September, pursuant to a notice duly made by the Auditor of Boone County, Indiana, which notice fixed the time for the holding of a joint session of said Boards of Commissioners at the office of the Auditor of said Boone County, Indiana, the Boards of Commissioners of said Counties of Boone and Hendricks, State of Indiana, meets in joint session at said office of the Auditor of said Boone County, for the purpose of taking up and considering the final reports of the superintendant and engineer on said road, and the acceptance of said road and the final payment of the contractor, and for said purpose do now proceed to organize a joint Board as a Court.

The following members of said Boards are present and acting, to-wit:- Morris Ritchie, Littleton B. Walker, and Marion A. Davis, members of the Board of Commissioners of Boone County, and Bascom S. McClain, E. M. Murphy and Alfred S. Lineinger, members of the Board of Commissioners of Hendricks County, Indiana.

B. F. Herdrich, Auditor of said Boone County, and B. B. McRoberts, Sheriff of said Boone County, are also present and acting as Clerk and Sheriff of this Court, to-wit:- said Joint Board.

And now said Joint Board selected Alfred S. Lineinger, a member of the Board of Commissioners of Hendricks County, to be chairman of this joint session of said Boards and this Court is now in open session for the transaction of said business.

The Joint Boards of Commissioners having personally viewed said road with the help and assistance of John O. Kain, engineer for said road, they now examine the reports of the Superintendent and engineer of said road, which reports are as follows, to-wit:-

#### REPORT OF SUPERINTENDENT.

State of Indiana, County Of Boone, SS:-

I, The undersigned superintendent, desire to report, that the following work has been done on the Ezra E. Good Gravel Road in Perry, Harrison and Middle Townships, according to the plans and specifications and profile for the same, viz:- the entire work has been completed from beginning to end.

Respectfully submitted this 25th day of August, 1908.

Ezra E. Good, Superintendent.

Subscribed and sworn to before me this 25th day of August, 1908.

B. F. Herdrich, Auditor Boone County.

#### REPORT OF ENGINEER

To the Auditor of Boone County, Indiana.

This is to notify you as provided by the Acts of 1907, page 369, that the contractor



claims to have completed the Ezra E. Good et al road.

John O. Kain, Engineer.

And now a motion is made that said road be accepted, and the joint Board hereby accept said road and the work is hereby approved. The full contract price of \$6579.00 due the contractor Joseph O'Conner is hereby allowed by said Joint Board and ordered paid. And it is hereby ordered by said joint board that the East half of said road shall belong to Boone County, and the West half of said road shall belong to Hendricks County, Indiana to be hereafter maintained by such Counties as Free Turnpikes or Gravel Roads as are now or may hereafter be maintained by the Counties.

All of which is done and confirmed this 2nd day of September, 1908.

And now this record is read and approved in open Court and ordered to be duly signed by all the members of this Court.

It is now ordered that this Court do adjourn.

Bascom S. McClain, : Commissioners of

E. M. Murphy, Hendricks County.

Alfred S. Lineinger Indiana.

Morris Ritchie, Commissioners of Boone  
Littleton B. Walker, County, Indiana.

Marion A. Davis

State of Indiana

County of Boone

SS:-

I, B. F. Herdrich, Auditor of Boone County, in the State of Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of the records of the Joint session of the Board of Commissioners of Boone County, and the Board of Commissioners of Hendricks County, held in the office of the Auditor of said Boone County, on the 2nd day of September 1908, for the transaction of business in the matter of the proceedings referred to in said record; as the same appears of record in my office in the Commissioners record of said Boone County.

Witness my hand and the seal of said Board of Commissioners of the County of Boone, this 29th day of September, 1908.

B. F. Herdrich

(SEAL)

Auditor Boone County, Indiana.



Monday, October 5th., 1908.

Monday Morning, October 5th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners Room in the Court House in the town of Danville, in said County and State on Monday October 5th., 1908, it being the 1st. Monday in said Month.

Present: Bascom S. McClain, Alfred S. Lineinger and E. M. Murphy all members of said Board.

The following proceedings were then had, to-wit:-

In the matter of the Burdette Swope et al )  
Road Petition, for improvement of highway. ) Resignation & Appointment of Superintendant.

Comes now Frank Johnson, heretofore appointed as superintendant of construction on said road and tenders to the Board his resignation as such superintendant, in writing, the same being in words and figures as follows, to-wit:- (Here Insert) The Board now examines said resignation, and being duly advised in the premises accepts the same and endorses their acceptance of said resignation on said resignation in words and figures as follows:- "The above resignation is accepted by the Board of Commissioners of Hendricks County, Indiana, on this 5th day of Oct., 1908. B. S. McClain

E. M. Murphy

Alfred S. Lineinger

Board of Commissioners of Hendricks  
County, Indiana.

And now the Board being duly advised in the premises appoints James W. Phillips as Superintendant of said Road. And now comes the said James W. Phillips and accepts said appointment and files bond as such Superintendant in the sum of \$5,000.00 with W. H. Shields, J. H. Shields and J. L. Newman as surety thereon, which bond is now duly approved by the board and their approval is endorsed thereon. Said bond together with the Boards' approval thereon endorsed is as follows:- (Here Insert)

And now the said James W. Phillips is duly sworn to faithfully in all things perform his duties as such superintendant of said road and he now files a copy of his oath as follows:- (Here Insert)

And now the said James W. Phillips is directed to proceed with the execution of his said trust.



Monday, October 5th., 1908.

In the Matter of the Petition of William )  
A. McDaniel, and others, for the improvement )  
of a public Highway by taxation. )

Come now William A. McDaniel, and others, petitioners for the improvement of a certain public highway located in the townships of Middle and Union, Hendricks County, Indiana, and their said petition coming on for hearing before the Board, said petitioners now produce and file the affidavit of Julian D. Hogate, editor and publisher of The Republican, a public weekly newspaper of general circulation, printed and published in the town of Danville, Hendricks County, Indiana, the County in which said highway proposed to be improved is located. Said affidavit reads as follows:-(Here Insert)

Said petitioners also produce and file the affidavit of W.A. King, editor and publisher of the Danville Gazette, a public weekly newspaper of general circulation, printed and published in the town of Danville, Hendricks County, Indiana, the County in which said highway proposed to be improved by said petition is located. Said affidavit reads as follows, to-wit:-(Here Insert)

And from which said affidavits it appears to the satisfaction of the Board that due notice of the filing, and the time and place of the hearing of said petition was given in said newspapers by two successive weekly publications therein. The first of which publications was on the 10th day of September, 1908, and the last on the 17th day of September, 1908.

Said petitioners also produce and file the affidavit of Isaac J. Mendenhall, the Sheriff of said Hendricks County, Indiana, as follows, to-wit:-(Here Insert) And from which said affidavit it appears that due notice of the filing of said petition, and the time and place of the hearing of the same was duly given by said Sheriff, under the order and direction of the Auditor of said Hendricks County, Indiana, by posting copies of said petition, with the time and place of the hearing of the same endorsed thereon, in three of the most public places in said Union Township and also the same number in three of the most public places in Middle township, said County and State aforesaid, for more than fifteen (15) days before the 5th day of October A.D. 1908.

Said petitioners also produce and file the certificate of Wm. H. Nichols, the Auditor of said Hendricks County, as follows, to-wit:-(Here Insert). And from which said certificate it appears that a duly certified copy of said petition with the time and place of the hearing of the same endorsed thereon, was duly posted by said Auditor at the door of the Court House for more than fifteen (15) days before the 5th day of October, 1908.

And comes The Cleveland, Cincinnati, Chicago and St. Louis Railway Company, a corporation whose line of railroad passes through the said Townships of Union and Middle aforesaid, and file the following objections to petitioners petition herein (Here Insert), and the Board, being sufficiently advised and



Monday, October 5th., 1908.

informed in the premises, does now overrule said objections.

And no taxpayer of either Union or Middle Township aforesaid having filed any objections to the said petition, other than as aforesaid, and the Board, having examined said petition, does now find the same sufficient and in due form; that the same was duly filed in the office of the Auditor of Hendricks County, Indiana, on the 7th day of September A.D. 1908, and by endorsement upon said petition the said Auditor did fix as the date for the hearing of the same on 5th. day of October, 1908, the same being the first day of the regular October Term, 1908, of the Commissioners' Court of Hendricks County, Indiana.

The Board further finds that said highway to be improved in said petition is less than three miles in length; that a United States rural mail route passes its entire length except about three quarters of a mile of the northern portion of said highway; that said highway connects at one extremity with a free gravel road and at the other with the township boundary line between the said townships of Union and Middle.

It is therefore ordered by the Board that said petition is sufficient in all respects and that the same be spread of record in the records of the Auditor's office of said Hendricks County, Indiana, which is now done and is as follows, to wit :-

State of Indiana, SS:  
Hendricks County

To The Honorable Board of Commissioners of Hendricks County and State of Indiana:

Gentlemen:- We, the undersigned free-holders and legal voters of the Townships of Middle and Union, Hendricks County and State of Indiana, do hereby respectfully petition your Honorable Board to take the necessary steps for the improvement by grading, draining, ditching, bridging, culverting, and graveling, or using stone or other macadamizing materials, the following described highway in said Townships of Middle and Union, to-wit:-

Beginning at a point in what is commonly known as the State Road, which is a free-gravel road, on the boundary line between the Townships of Middle and Union, in the County of Hendricks and State of Indiana, and running thence North on the line dividing said two Townships, aforesaid, to the North East corner of Section Thirty-four (34), Township Seventeen (17) North, Range One (1) West; Thence West, with Section bearing, on the Section line between said Section Thirty-four (34), aforesaid, and Section Twenty-seven (27), said Township and Range aforesaid, for a distance of Eighty (80) rods; Thence due North entirely through the remainder of said Section Twenty-Seven (27), aforesaid, and for a distance into and through Section Twenty-Two (22), Township and Range aforesaid, of Two Hundred and Forty (240) rods; Thence due East for a distance of Eighty (80) rods to the boundary line between the said Townships of Middle and Union, as the same is now established and used by the public.

Said highway herein described and asked to be improved is less than Three miles in length, to-wit: About Two (2) and Three Quarters ( $\frac{3}{4}$ ) miles in length and has one of its termini in a Free Gravel Road and the other in a Township boundary line of the Townships of Middle and Union, and is located, partly on the township boundary line between said two Townships of Middle and Union, and partly in the Township of Union, County and



State aforesaid, and over and upon which there is a United States Rural Mail Route, except about three quarters of a mile of the northern portion of said highway.

Said petitioners would further ask that said improvement be not less than Thirty (30) feet in width; that upon a hearing of their petition, if the same be found sufficient, by your Honorable Board, that the same be referred to viewers, and a competent engineer, for their report upon said proposed improvement herein prayed for as provided in Section 6794, Burn's Supplement, 1905; that said improvement be made in all respects as provided by an Act of the General Assembly of the State of Indiana, approved March 8th, 1905, beginning with Section 6788, Burn's Supplement, 1905, thereof, and following, and amendments to said Act, especially as provided in Sections one (1) and two (2), chapter 46 of the Acts of the General Assembly of the State of Indiana, of the year 1907. And also as provided in Section one (1) of chapter 96 of the said Acts of 1907, aforesaid. And in all other respects as provided by law for the improvement of public highways by taxation without submitting the matter of improvement of the same to the legal voters of the said Townships.

Your petitioners would further ask that bonds be sold to pay the costs and expenses incident to said improvement and that they be issued in series

payable in Ten (10) years from the date of their issue.

Gabriel Ginn	W.D. Wilson	C.J. Olsen
Wm. A. McDaniel	J. R. Hale	
John Poland	John W. Keeney	
James H. Pebworth	A. S. Bursott	
C. A. Weaver	J. H. Lovell	
F. A. Haynes	P. G. McCoun	
James U. May	John F. Armstrong	
John L. Rutledge	G. W. English	
Joe Hale	J. C. Pike	
J. G. Walter	J. E. Parker	
A. S. Overstreet	G. W. Dicks	
R. Lee Overstreet	John A. Long	
Lee A. Hedge	Isaac W. Foster	
George H. Money	G. E. Davis	
Joseph C. Lowe	Jas. Bryant	
Orion F. Keeney	W. H. Stevenson	
Geo E. Walter	S. W. Scott	
J. M. Leak	Edgar Foster	
J. A. Wilson	P. F. Watkins	
F. M. Wilson	C. W. Ratliff	
Simmie Odom	Alva Gibson	
J. O. Harlan	John P. Duzan	
William Odom	J. O. Leach	
J. J. Dungan	Chas. T. Pigg	
Charles J. Patterson	Robert T. Hall	
Wm. Hovermale	John H. Pritchett	
G. C. Joseph	Geo R. Blake	
C. D. Batman	Charlie Clifton	
Lewis Leathers	John T. Hocker	
David Foster	O. M. Overstreet	
C. E. Biggs	D. D. Keeney	
M. F. Thompson	Sidney Phillips	
J. I. Scott	Noah Wright	
Obe Higgins	N. M. Scott	
J. W. Hamilton	C. W. McClintock	
Martin Poland	L. B. Ashby	
Geo Hale	J. A. Robbins	
Bruce Hamilton	G. W. Vice	
J. O. Borgan	Peter Case	
Aaron Overstreet	Logan S. Halfaker	
T. N. Kennedy	John H. Halfaker	
J. T. Leak	Allen Griffith	
G. W. Arnold	A. A. Surber	
J. S. Tharp	Henry Procter	

Said petition is indorsed on back as follows:—"Filed Sept 7", 1908.  
Wm. H. Nichols, A. H. C."

"The within petition is set for presenting to the Board of Commissioners of Hendricks County, Indiana, on the 5th day of October, 1908 the same being the first day of the regular October Term, 1908, of said Board. Wm. H. Nichols, Auditor."



Monday, October 5th., 1908.

And now said Board appoints as viewers John D. Brickert and James Haynes, two responsible free-holders and voters of said Hendricks County, neither of whom is a resident of said Union or Middle Townships or the owner of any taxable property in either of said Townships aforesaid and in which said highway proposed to be improved is located.

Said board also does now hereby appoint John O. Kain, the Surveyor of Hendricks County, Indiana, civil engineer to act with said viewers. The said John O. Kain not being a resident of either of said townships or the owner of any taxable property located therein.

It is further ordered by the Board that said engineer and viewers shall meet at the Auditor's Office of Hendricks County, Indiana, on the 14th day of October, 1908, at the hour of ten o'clock A.M. of said day and there take an oath, and subscribe the same, to faithfully and impartially discharge such duties as the law imposes in such cases provided.

And it is further ordered by the Board that the said civil engineer file his sufficient bond in the penal sum of \$5000.00, conditioned for the faithful discharge of his duties as such engineer.

And it is further ordered by the Board that said engineer and viewers do make report of their doings in the premises at the November Term, 1908, of this Court, which is the 2nd day of November A.D. 1908.

And further proceedings herein are continued.

In the matter of the petition of Orren A. Stout et al )  
for the improvement of a public highway by taxation. )

Come the petitioners, and come also the engineer and viewers, and it appearing to the satisfaction of the Board that it is impossible for the said engineer and viewers to file a report of their doings in the foregoing entitled improvement.

Therefore, it is hereby ordered by this board that said engineer and viewers be given time until the first day of the next regular session of this board to make, and file in the office of the Auditor of Hendricks County, Indiana, their certain report in writing setting forth their determination in regard to said proposed improvement.

Ordered that the Board adjourn until nine o'clock A.M. tomorrow.

*Bascom S. McClain*  
*Wm Murphy*  
*Alfred S. Lineberger*

)  
) Board Commissioners Hendricks County.  
)

"Order issued to Viewers Oct. 5th 1908"



Be It remembered that on the 5th. day of October, 1908, the following transcript of proceedings was filed in the office of the County Auditor of Hendricks County, Indiana, to-wit:

In the Matter of Willis M. Jackson et al, )  
Petition for the Improvement of a public )  
highway, on the County line between the )  
Counties of Hendricks and Putnam, in the )  
State of Indiana. )

September 25th., 1908, the Boards of Commissioners of the Counties of Putnam and Hendricks, meet and convened in a special session upon the call and notice issued to them in the above entitled cause, with the following members present, to-wit: Bascom McClain, Elbert M. Murphy and Alfred S. Lineinger, members of the Board of Commissioners of said Hendricks County, and V. B. McCammack, George E. Raines and Albert Gardner, members of the Board of Commissioners of Putnam County, and after so meeting and with the assistance and advise of A. A. Lane, the Engineer of said road, we have gone and been over said improved highway, and have with the assistance of said Engineer inspected said road and the improvement made, and after said inspection and due consideration we find that said road has been completed and all work done and performed according to the contract let for said improvement, and that the same has been done in conformity to the plans, profiles and specifications for said improvement, and we now in this joint session accept said road as completed from the contractor, and order and direct that the balance due said contractor be allowed and paid to him, the said balance due and unpaid and which is hereby ordered paid him by the Treasurer of Hendricks County, being the sum of \$899.44 and the sum of \$1569.32 by the Treasurer of Putnam County.

And we further apportion said road between said Counties for maintenance as follows, to-wit:

We apportion and set apart to Hendricks County 7918 feet off of the North end of said road, and to Putnam County, 7918 feet off of the South end of said road.

And we hereby direct the Auditors of Hendricks and Putnam Counties to spread this order of record in their respective Counties, and each of said Boards of Commissioners do here and now adopt this order and finding as the finding of said Boards separately and severally, as their full acts as fully as if in session at their respective places of meeting in their said Counties.

Bascom S. McClain	)	
Elbert M. Murphy	)	Board of Commissioners of Hendricks County, Indiana.
Alfred S. Lineinger	)	
V. B. McCammack	)	
George E. Raines	)	Board of Commissioners of Putnam County, Indiana.
A. M. Gardner	)	



Tuesday, October 6th., 1908.

Tuesday Morning, October 6th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment.

Present: Bascom S. McClain, Alfred S. Lineinger and E. M. Murphy, all members of said Board.

The following proceedings were then had, to-wit:-

In the matter of the Petition of David )

A. McCrea, et al for Free Gravel Road. )

Come now David A. McCrea, Oliver Harris, Erasmus W. Thomas and more than fifty other petitioners, resident free holders and voters of Center Township, Hendricks County, State of Indiana, by Brill & harvey, their attorneys. And now said petitioners file proofs of publication of notice of the pendency of their petition herein, made by Julian D. Hogate, editor of the Hendricks County Republican, and also the proof of publication made by William A. King, publisher of the Danville Gazette, both weekly newspapers of general circulation, printed and published in Hendricks County, Indiana, each of which proofs of publication shows that a notice, a copy of which is attached to each of said proofs, was duly published in each of said papers for two weeks successively, the first of which publications was on the 10<sup>th</sup> day of September, 1908, and the last on the 17<sup>th</sup> day of September, 1908, in said newspapers, and which proofs of the said several publications are in words and figures as follows, to-wit:- (Here Insert)

And now said petitioners also file the proof of publication of like notices by posting one notice at the east door of the Court House in the town of Danville, said County and State, and by posting five like notices in conspicuous places in Center Township, Hendricks County, Indiana, where said public improvement is to be located, and which proof of the posting of said notice at the door of the Court House, as aforesaid, being made by W. H. Nichols, Auditor of said County, as provided by law, and the proof of posting of notices in said township made by David A. McCrea, one of the petitioners herein, and which proofs of posting are in words and figures as follows, to-wit:- (Here Insert)

And now the sufficiency of the petition and of the notices is submitted to the Board for their examination and approval. And the Board being sufficiently informed and advised in the premises finds that the proceedings and notices are in all things in conformity to law, and the said petition having been endorsed and approved, as by law provided, for presentation to the Board on this 5<sup>th</sup> day of October, 1908, by endorsement of the Auditor on said petition, the same is now regularly before the Board for action, and upon motion the petition of the petitioners was granted.

And John O. Kain, a resident voter and freeholder of said County, and surveyor of Hendricks County, is appointed engineer for the preliminary survey of said public improvement, and David Reitzel of Clay Township and Henry West of Clay Township, both of Hendricks County and both of whom are householders, voters and freeholders of said County,



Tuesday, October 6th., 1908.

were appointed to view the said proposed improvement and are now ordered to meet at the Auditor's Office, October 19", 1908, at 9:00 o'clock A.M. and qualify, and proceed with their duties in that behalf, as prescribed by law, and to report their doings in the premises to this Court at its November Term, 1908, for the Court's further action and approval. And day is given.

In the matter of the M.A. Euliss )  
Road Petition for Public Highway. )

Comes now M.A. Euliss and thirteen others and present to the Board of Commissioners their petition for the establishment of a public highway in Washington township, Hendricks County, Indiana, and it fully appearing to the Board that notice of the presentation of said petition, and when and where the same would be presented and heard, has been posted in three conspicuous and public places in said township for more than twenty days before the day when said notices indicated that said petition would be heard as the same is evidenced by the affidavit of Bascom S. McClain, one of the petitioners herein, which affidavit and copy of the notice so posted are in the following words and figures, to-wit:—(Here Insert) and it further appearing to the Board that the Auditor of said County mailed notices like those posted, as aforesaid, to all persons whose lands will be affected by the establishment of the highway herein proposed to be located and established and who are not petitioners herein as the same is evidenced by the certificate of William H. Nichols, Auditor, which certificate and copy of notice so mailed are in the following words and figures, to-wit:—(Here Insert), and now all the above named facts appearing to the satisfaction of the Board it assumes jurisdiction after having been duly and sufficiently advised in the premises and finds that said petition is in due form and according to law; that the same has been signed by more than twelve freeholders of the township wherein said proposed highway is located, and that more than six of said petitioners reside in the immediate neighborhood of the said highway as petitioned for; that notice of the filing of said petition has been given as by law provided and now said petition coming on for hearing and action the petitioners ask leave to amend the same as to the description thereof of said highway and the Board finding that no other persons will be affected by the same as amended than was previously affected as originally filed grants leave that said amendment may be made that viewers should be appointed to make a view of said proposed highway.

It is therefore ordered by the Board that viewers should be and they are hereby appointed and said order is indorsed on said petition in the following words and figures, to-wit" October 6th., 08. Petition accepted and the following viewers appointed: Henry C. Ratliff, Alonzo Hadley, D. S. Barker, and are ordered to meet at the Auditor's Office at Danville and qualify on October 7th., 1908, and file their report with the Board on October 8th., 1908. E. M. Murphy, Pres. Pro tem of Board."

"Order Said. to Viewers Oct. 6<sup>th</sup> 1908."



Tuesday, October 6th., 1908.

Ordered that the Board adjourn until nine o'clock A.M. tomorrow.

Bascom S. McClain )  
O. M. Murphy )  
Alfred S. Lininger )

Board Commissioners Hendricks County.



Wednesday, October 7th., 1908..

Wednesday Morning, October 7th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met  
pursuant to adjournment.

Present: Bascom S. McClain, Alfred S. Lineinger and E. M. Murphy, all members  
of said Board.

Ordered that the Board adjourn until nine o'clock A.M. tomorrow.

Bascom S. McClain ,  
E. M. Murphy , Board Commissioners Hendricks County.  
Alfred S. Lineinger ,



Thursday, October 8th., 1908.

Thursday Morning, October 8th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment.

Present: Bascom S. McClain, Alfred S. Lineinger and E. M. Murphy, all members of said Board.

The following proceedings were then had, to-wit:-

In the matter of the M. A. Euliss )  
Road Petition for Public Highway. )

Come now the petitioners herein and present to the Board the report of the viewers filed herein and ask that the Board accept and approve said report and that said highway be ordered opened, and the Board, having examined and inspected the said report of the viewers, and being duly and sufficiently advised in the premises, finds that the said viewers met at the place and time heretofore ordered and qualified as by law provided, and that said viewers proceeded to view said proposed highway and now report to this Board that said proposed highway will be of public utility, which report and oath of qualification attached thereto are in the following words and figures, to-wit:- (Here Insert) And the Board further finds that said report be accepted and approved; that said proposed highway will be of public utility; the Board finds that the benefits of said proposed highway will be greater than the damages accruing therefrom.

It is therefore ordered by the Board that the highway described in said petition, and report of the viewers, and herein in this order described as follows, to-wit:-

Commencing 215.82 feet West at right angles from a point in the Sigerson Free Gravel Road, said point being 7.9 rods west of the North half mile stone of Section 3, township 15 North, range one East, and South 64° West 12 chains, at a stone in said road, thence South 995 feet to a stone at the center of the north west quarter of said section 3, thence south 1300 feet to within 15 feet of a stone, which stone is 3.60 chains East of the Center West of the center of said Section 3, township and range aforesaid, thence West 197 feet, thence South 30°-59 Minutes West, 109 1/2 feet to a point 15 feet West of the line running North and South through the center of the South West quarter of said Section 3 as aforesaid, thence south parallel with said line to the "Rockville Road".

be and the same is hereby ordered established and opened.

It is further ordered that the Auditor transmit a copy of this order to the trustee of Washington township, in said County and State, and this matter is finis.

Ordered that the Board adjourn.

Bascom S. McClain )  
E. M. Murphy ) Board Commissioners Hendricks County.  
Alfred S. Lineinger )

Order to Erect Road, Oct 15, 1908



Special Session, October 16th., 1908.

In the matter of the petition of John H. Dugan et al )  
for the improvement of a highway. )

Comes now the Board of Commissioners of Hendricks County, Indiana, in special session at the call of the Auditor of said County, which call is made known to the members of said Board by means of a summons issued by said Auditor to the Sheriff of said County and by said Sheriff reading to the members of said Board the summons as aforesaid, which summons and the Sheriff's indorsement of return thereon are in the following words and figures, to-wit:-(Here Insert) And now the said Auditor presents to said Board while in Special session the things and matters designated by said Auditor in the summons, heretofore issued, which things and matters said Auditor deemed of such importance as that said Board should be called together in special session by him at the date named in said summons, to-wit, this 16th day of October, 1908, and now said Auditor presents to said Board first the matter of the redating of the bonds heretofore ordered issued by the Board in the above entitled matter and suggests to the Board that according to law the date of the issuance of said bonds should be changed from the 15th day of September, 1908, to the 5th day of September, 1908, which last date would be prior to the time of the making of the annual tax levy in said year of 1908, and now said Board having <sup>been</sup> duly and sufficiently advised in the premises finds that the bonds in said above entitled matter, as heretofore ordered, should bear date of September 5th., 1908.

It is therefore ordered by the Board that the bonds heretofore ordered issued in the above entitled matter for the sum of Nine thousand four hundred and three Dollars (\$9,403.00) bear date of September 5th., 1908, and it is further ordered that said bonds be payable in a period covering ten years.

And now the Auditor of said County presents to the Board the Bond of Avery, Haymond & Howard, who were heretofore awarded the contract for the construction of the above entitled improvement, which bond is filed herein in lieu of the former bond filed by said contractors and is for the sum of \$17500.00 with the Fidelity and Deposit Company of Maryland as surety thereon, which bond is approved by the Board and is in the following words and figures, to-wit:-

"Gravel Road Contractor's Bond"

Know all Men by these Presents, That the undersigned are held and firmly bound unto The State of Indiana, and for the benefits of the County of Hendricks and any persons who may have the right to recover any moneys hereon, in the penal sum of Seventeen Thousand Five Hundred (\$17,500.00) Dollars, for the payment of which we, the undersigned, hereby bind ourselves, our heirs, administrators and executors, jointly and severally, firmly by these presents.

Witness our hands and seals on this 31st day of July, 1908.

The Conditions of the Foregoing Obligation are such that, whereas, the Board of Commissioners of the County of Hendricks is about to let a contract for the construction of certain Free Gravel Road in Middle Township, known as J.H. Dugan Road, of said County, and, whereas, the undersigned Wm. Avery, Horace H. Haymond and Edward S. Howard have filed their



Special Session, October 16th., 1908.

proposal and bid for the construction of said work.

Now, if the said Wm. Avery, Horace H. Haymond and Edward S. Howard shall promptly enter into a contract for the construction of said work (should the same be awarded to them upon said proposal and bid as the law provides) and shall faithfully perform said work according to the time and manner of construction as set forth in the plans, specifications and profiles as set forth in the report of the viewers, and shall complete the same within the time limited in said contract, and shall pay for all labor and material used and furnished in making said improvement, whether such work and labor or material was done and furnished for the contractor, sub-contractor or agent of the contractor or sub-contractor, or any of them, including board furnished for the laborers thereon during the construction of said improvement, then this obligation shall be null and void, else in full force, and the principal and sureties shall be liable to any and all persons as contemplated by the statutes.

William Avery (SEAL)

Horace H. Haymond (SEAL)

Edward S. Howard (SEAL)

Fidelity and Deposit Company

of Maryland, By Frank A. Preston

Its Agent and Attorney-in-fact. (SEAL)

Approved by the Board of Commissioners, this 3rd. day of August, 1908.

Bascom S. McClain

E. M. Murphy

Board of Commissioners Hendricks County.

Alfred S. Lineinger

Attest: Wm. H. Nichols, County Auditor.

(Said Bond is Properly acknowledged by the principals and Sureties on the back of the same. Attest: Wm. H. Nichols, County Auditor.)

And now no further business being presented the Board adjourns.

-: -

Bascom S. McClain )

E. M. Murphy )

Alfred S. Lineinger )

Board Commissioners Hendricks County.



## PROCEEDINGS IN THE MATTER OF MARTIN L. BROWN ET AL, COUNTY LINE Road.

Be It Remembered, that on the 17th day of October, 1908, the following transcript of proceedings was filed in the office of the County Auditor as follows, to-wit:-

October Term, 1908.

In the matter of the petition of M.L. Brown

et al for Gravel Road on County Line between

Cause No. 834.

Boone, Marion and Hendricks Counties, Ind.

Petition.

State of Indiana

SS:- In the Commissioners Court, October Term, 1908.

Boone County

To the Honorable Board of County Commissioners of Boone, Hendricks and Marion Counties.

The undersigned petitioners, who number at least seventy five adult resident freeholders of the respective townships abutting the highway herein described to be opened and improved by grading, draining and graveling the same and at least ten of whom reside in each of the townships to be affected, hereby petition your honorable Board that it, as by law provided, lay out, and construct along the boundary line on the south side of Boone County and along a part of the north lines of Hendricks and Marion Counties, a turnpike and improve the same by grading, graveling the same.

The road herein prayed to be improved is described as follows; Beginning at the point where the Lafayette Gravel Road crosses the County lines between Hendrix and Boone Counties and run thence east on the south line of the said Boone County, for a distance of about one half mile to a point on the line of the said Boone County and of the north line of Marion County, to a point where said opened highway will intersect a highway running north and south. Said point being at the south west corner of the southeast quarter of the southeast quarter of section eight (8) township seventeen (17) north, range two (2) east.

The said highway will, when completed, begin and end at a gravel road and will be over and upon the lands of the following persons:-

Your petitioners recommend that the same be graded to a suitable height, and that at least 5 yards of good coarse gravel be placed upon each and every rod thereof.

They further declare that the said improvement will be of public utility, convenience and that the benefit will be less than the cost.

Wherefore your petitioners pray your honorable Board that it proceed to fix a day for the joint hearing of the same and order the opening and improving of the same as by law provided.

State of Indiana

SS:

County of Boone

Before me the undersigned notary public in and for said County personally appeared M.L. Brown, who being duly sworn says that he is a freeholder of Eagle Township, Boone County, Indiana, one of the Townships to be affected by the herein prayed for improvement and that there are hereto attached the signatures of at least seventy-five



adult freeholders whose property abuts the respective townships hereby effected  
and that at least ten of them reside in each of the townships effected hereby.

M.L. Brown (SEAL)

Subscribed and sworn to before me this 9th day of September, 1908.

My Com Exp 3-13-1910.

Rapheal P. Bundy, Notary Public. (L.S.)

Signers.

Martin L. Brown	M.S. Anderson	John N. Wilson
L.M. Daugherty	Herschel H. Avery	Alonzo G. Gardner
Christfor Shillings	Clark B. Jennings	Francis A. Delong
Bert Shelburne	C.K. Hornaday	Clark Gossett
Peter Moore	John Huffman	Willi N. Lemon
Lewis N. Ogburne	George R. Reveal	Wm. A. Moore
Orion O. Smith	John M. Houser	Geo. S. Beeler,
John Trost	Real W. Pitts	William E. Lemon,
Clark Sweeney	William A. Tudor	Wm. A. Avery
John R. Shull	O.H. Starkey	James F. Furr
J.I. Walden	Gilbert L. Wood	Calvin Davis
J.L. Repass	Della Thompson	William E. Delong
Marthe Elen Markland	Frank Thompson	Henry N. Avery
Oliver P. Hollingsworth	J. Clark Mills	Franklin S. Anderson
John L. Moore	Ira E. Conrad	Wm. F. Threewits
Albert M. Shaw	Selars Watts	John Barnhill
John B. Lemon	Sanel Gresh	Raphael P. Bundy
William Davis	Harrison Hollingsworth	Anderson Harmon
John E. Beeler	Sanders Hollingsworth	Frank Gardner
Trouggott P. Mills	John Shanklin	W.H. Brinley
Wash Brouhard	Cass Hogan	Moses Delong
Cal Gault	William Mark	Elias Hightaline
Wm. J. Smith	Arthur T. Mark	Richard De Long
John C. Reiber	William H. Tomlinson	Lewis Smith
R.S. Russell	David L. Wilson	John Rush
Albert Delong	Emmett Repass	Mattie De Long
	Thomas Dickerson	Nancy Sheets

Order of the Board.

In the matter of the petition of Martin L. Brown et al for a gravel  
Road by taxation on the line between Boone, Hendricks and Marion Counties, Indiana.

Come now the petitioners in the above entitled petition, by Raphael P.  
Bundy, their attorney, and present their petition heretofore filed in this cause,  
which petition is as follows, to-wit:-(Here Insert)

And now said petition is submitted to the court and the evidence is  
adduced before the court. And now the Court, having heard the evidence and inspect-  
ed said petition and the affidavit of Martin L. Brown, one of the petitioners,  
appended thereto and being sufficiently advised in the premises finds and adjudges  
that all the allegations contained in said petition are true; that said petition  
is signed by more than seventy five (75) adult freeholders of the three townships  
abutting the proposed gravel road, and that more than ten of said petitioners so  
having signed said petition reside in each of said townships.

And now, said petition having been originally filed in the office of  
the Auditor of said Boone County, Indiana, and before the Board of Commissioners  
of said Boone County, the Court hereby fixes and designated Thursday, the 26th  
day of November, 1908, at 1 o'clock P.M. as the day on which the Board of Commission-  
ers of Boone County, shall meet in joint session with the Board of Commissioners  
of Marion County, Indiana, and the Board of Commissioners of Hendricks County,  
Indiana, at the office or room of said Board of Commissioners of the County of



Proceedings in the Martin L. Brown et al, Free Gravel Road Petition.

Boone, for the purpose of appointing viewers and a surveyor and engineer to perform the duties required of them by law.

It is further ordered by the Court that the Auditor of Boone County, Indiana, give to the Board of Commissioners of Marion County, Indiana, and the Board of Commissioners of Hendricks County, Indiana, at least fifteen (15) days notice of the presentation of said petition and of the time and place of such joint session of said Boards; and that said notice be given by transmitting to the Auditor of Marion County, and the Auditor of Hendricks County, a certified copy of this order and of said petition including the names of all petitioners and the proof attached thereto, the same to be served on the members of said Board of Commissioners of Marion County, by the Auditor of said Marion County, and on the members of the Board of Commissioners of Hendricks County, by the Auditor of said Hendricks County, at once upon the receipt of the same, by calling them together and delivering such copy of such order to said Commissioners and making a record thereof in his office.

All of which is done and confirmed this 5th day of October, 1908.

Morris Ritchie

Littleton B. Walker Commissioners of Boone County, Indiana.

State of Indiana

SS:

Marion A. Davis

County of Boone

I, B.F. Herdrich, Auditor in and for the County of Boone, in the State of Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of the certain petition for gravel road on the line between the Counties of Boone, Marion and Hendricks, in the State of Indiana, that is above referred to and of the names and proof attached or appended thereto and also of all pleas and proceedings had by or before the Board of Commissioners of the County of Boone in the matter of said petition, and of all entries made on the records of said Court in the matter of said petition.

Witness the hand of said Auditor and the seal of said Board of Commissioners of the County of Boone, this 16th day of October, 1908.

B.F. Herdrich (SEAL)

Auditor of Boone County, Indiana.



Monday, November 2nd., 1908, and 1st. day of November Term, 1908.

Monday Morning, November 2nd., 1908.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners Court Room in the town of Danville, in said County and State, Monday November 2nd., 1908, it being the first Monday of said Month.

Present: Bascom S. McClain, Alfred S. Lineinger and E. M. Murphy, all members of said Board.

The following proceedings were then had, to-wit:-

In the matter of the petition of )  
William A. McDaniel et al for the )  
improvement of a public highway by )  
taxation. )

Come now the engineer and viewers heretofore appointed in this cause and this being the time for reporting their doings as such engineer and viewers they represent and show to the Board that it is impossible for them to report upon said proposed improvement within the time allowed in the order appointing them and ask the Board that they be allowed more time in which to view the proposed improvement and report thereon.

And the Board, having considered the matter and being fully advised in the premises, does now order that the time for the presenting of the report of the said engineer and viewers be extended to the February Term of this Board, at which time the said engineer and viewers are now hereby directed and ordered to make their report of their doings in the premises.

And day is given and this matter continued.

In the matter of the petition of Orren A. Stout et al )  
for the improvement of a public highway by taxation. )

Come the petitioners, and come also the engineer and viewers, and it appearing to the satisfaction of the Board that it is impossible for the said engineer and viewers to file a report of their doings in the foregoing entitled improvement.

Therefore, it is hereby ordered by this Board that said engineer and viewers be given time until the first day of the next regular session of this board to make, and file in the office of the auditor of Hendricks County, Indiana, their certain report in writing setting forth their determination in regard to said proposed improvement.

Ordered that the Board do now adjourn.

B. S. McClain  
Alfred S. Lineinger  
E. M. Murphy

)  
) Board Commissioners Hendricks County.  
)



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

Monday Morning, December 7th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners Court Room in the town of Danville, in said County and State, on Monday, December 7th., 1908, it being the first Monday in said month.

Present: Bascom S. McClain, Alfred S. Lineinger and E. M. Murphy, all members of said Board.

The following proceedings were then had, to-wit:-

In the matter of the Petition of )  
George Farquer, and others, for the )  
Improvement of a public highway. )

Come now again the petitioners in the foregoing entitled cause of action and produce the Report and Profile of the engineer and viewers, together with the original order issued to said Engineer and Viewers by the Auditor of this County notifying them, and each of them severally of their appointment as such engineer and viewers and requiring them to meet at the office of said auditor on the 14th day of July, 1908, and there qualify as provided by law for the faithful discharge of their duties. Said petitioners also produce a copy of the oath administered by said Auditor to said Viewers and engineer duly qualifying them to act as such viewers and engineer, and also produce the bond of the engineer on which is endorsed the Auditor's approval which bond and approval are as follows:-(Here Insert)

And now said petitioners also produce the duly verified Supplemental Report of said viewers and engineer prepared in all respects as provided by Section 69 of the Acts of the General Assembly of the State of Indiana, approved March 8th. 1905, Acts of 1905, page 553.

And now the matters of said Supplemental Report and said Report coming on for hearing and determination, and the Board having heard the evidence, and having duly and fully examined said reports, and profile, made by said viewers and engineer, and being fully advised in the premises doth say and find:

That no injury will result to the property of any idiot or person of unsound mind or will any such person sustain any damage whatever by reason of the construction of the improvement prayed for by the petitioners herein; that no person or corporation has made written claim for damages to said viewers and engineer because of injury to property by reason of said improvement, and that said Supplemental Report is in due form and regular and that the same be approved in all things and spread of record on the records in the Auditor's Office kept for that purpose.

And said Board further finds that the Report of the Engineer and Viewers was duly filed in the office of the Auditor of Hendricks County, Indiana, on the 20th day of October, 1908, and that it has remained on file in said office, open to the inspection of any person since said date and for more than ten days before the 7th day of December, 1908; that the highway proposed to be improved under these proceedings is less than three



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

miles in length, as shown by said Report; that the improvement prayed for in said petition, and as reported in said report is of public utility and that said improvement should be allowed, and established as provided in said report without submitting the matter of said improvement to the legal voters of said Liberty Township. The Board further finds that said report is in due form and sufficient and should in all things be approved, and said improvement be ordered.

It is therefore ordered by the Board that the Supplemental Report of the Engineer and Viewers be, and the same is now hereby in all things fully approved.

It is also ordered by the Board that the Report of the Engineer and viewers be and the same is hereby in all things approved; and that said improvement be and the same is now hereby established by order of this Board and that the same be made in all respects as provided in said Report of said Viewers and said Engineer.

It is further ordered by this Board that the Auditor give notice by one publication in The Indianapolis News, a daily newspaper of general circulation throughout the State of Indiana, printed and published at the city of Indianapolis, and by three weekly publications in The Republican, a public weekly newspaper of general circulation throughout the County of Hendricks, the County in which said road to be improved is located, that on Monday the 4th day of January, 1909, at the hour of 10 o'clock A.M. of said day, sealed proposals will be received by the Board of Commissioners of Hendricks County, Indiana, at their usual place of meeting, for the work of said improvement in accordance with the profile and report and plans and specifications in said report set forth.

It is further ordered by the Board that the Supplemental Report, and the Report of the Viewers and Engineer, be spread of record on the records in the Auditor's Office kept for that purpose, which is now done and are in the words and figures following, to-wit:-

**"Order to View Road"**

The State of Indiana, )  
Hendricks County. ) SS: Commissioners' Court, July Term, 1908.

To John G. Kain, George L. Christie and John Hunt.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their July Term, 1908, to view a proposed improvement of highway, as follows, to-wit:- Commencing at a point on the township boundary line between the townships of Liberty and Center, in Hendricks County and State of Indiana, at the North East corner of Section 25, Township Fifteen (15) North, Range one (1) West, and running thence South on the Section line between Sections 25 and 27 in said Township Fifteen (15) North, Range one (1) West for a distance of about one mile and terminating in the Danville and Clayton Free Gravel Road, in Liberty Township, as the same is now established and used by the public,



Monday, December 7th., 1908, and 1st day of December Term, 1908.

and, if said proposed highway will be of public utility, mark and lay out the same, in the manner prescribed by law, to the width of 30 feet.

You will meet at the office of The Auditor of Hendricks County in Danville, Indiana, on Tuesday the 14th day of July 1908, at 9 o'clock A.M., and after being duly qualified, proceed to make said view, and report at the next regular term of said Board.

I certify the foregoing to be a true copy of the Order of the Board in relation to said proposed highway. Witness my hand and official seal, this 9th day of July, 1908.

(SEAL)

W.H. Nichols, Auditor.

"Oath of Viewers"

State of Indiana, Hendricks County, SS:

We, John O. Kain, John Hunt & Geo. L. Christie do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described proposed highway to the best of our skill and ability, so help us God.

John O. Kain

John Hunt

Geo. L. Christie

Subscribed and sworn to before me, this 14th day of July, 1908.

Wm. H. Nichols, A.H.C.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, November Term, 1908.

In the matter of the petition of George Farquer and others to improve Public Highway in Liberty Township, Hendricks County, Indiana.

To the Honorable Board of Commissioners of Hendricks County, in the State of Indiana.

Your viewers and engineer heretofore appointed in the above entitled cause, beg leave to submit the following report, to-wit:

We have carefully examined the entire route of said highway proposed to be improved, as set out in the petition, and have caused a careful survey to be made of the same, together with level, profiles, maps, plats and specifications herewith filed and made a part of this report, and we are of the opinion that the improvement of said highway in accordance with the levels, maps, plats and specifications herewith filed, is of public utility.

The following is a description of the route over and upon which said improvement is to be located.

DESCRIPTION.

Commencing at a point on the township boundary line between the townships of Liberty and Center, in Hendricks County, in the State of Indiana, at the North East corner of Section 28, Township 15, North Range 1 West, and running thence South on the line between Sections 27 and 28 Township and Range aforesaid 690 feet; thence South 30 degrees and 13 minutes East 185 feet; thence South 26 degrees and 11 minutes East 25 feet; thence South



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

15 degrees and 19 minutes East 50 feet; thence South 13 degrees and 46 minutes West 50 feet; thence South 28 degrees and 23 minutes East 100 feet, thence South 27 degrees and 6 minutes West 122 feet to said line dividing said Section 27 and 28; thence South on said line 4141 feet and terminating at the South East corner of said Section 28, the same being in the Danville and Clayton Free Gravel road, in Liberty Township, Hendricks County, Indiana. All of said bearings and distances being the center line of said established highway. The entire length of said proposed improved highway being 5363.3 feet.

#### SPECIFICATIONS.

For improving by cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and macadamizing with crushed stone, the above described road in Liberty Township, in said County and State, as petitioned for by George Farquer et al

#### ROADWAY.

The right of way of said road shall be 30 feet wide, except where cuts or fills require a greater width; at all of such places the right of way shall be sufficiently wide to preserve a sub-grade 18 feet wide, exclusive of the side ditches and also to allow the banks or sides of cuts and fills to be on the slope as the same is herein specified.

Wherever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the road from the location as described herein will avoid an abrupt hollow or other natural obstacles, and be, in their opinion, of great and everlasting good to the road, then and in that case the right of way be shifted to the right or left as they may order; Provided always, that the damages and costs of such change shall not exceed the benefits thereof; and provided, also, that such change shall not increase the cost of construction of said road.

The right of way shall be grubbed its entire width of all obstruction and the same entirely removed, except in the case of land marks or witness trees, which shall be carefully protected in their original positions. Where shade trees do not impede travel or cause damage to the road they may be left standing at the discretion of the Engineer.

The center line of the right of way shall follow along and coincide with the center line of the road as described, except as above provided for, in case of change of location of road. All angles shall be turned with regular curves of such radius as the Engineer in charge shall direct.

#### ROAD BED.

The road-bed shall be 18 feet wide, measured at right angles to the center line of right of way and shall conform as nearly as practicable to said center line. The road shall be made to conform to the profile and drawing entitled "Cross Section of Road-bed", and said road-bed shall be made smooth and compact before the macadam is placed thereon.



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

#### DITCHES.

Ditches shall be excavated along both sides of the entire line of road. The depth in no case to be less than 18 inches, measured from the shoulder of the grade, and 18 inches wide at the bottom with sides slopes of not less than one (1) to one (1). The dimensions of the ditches may be varied by the engineer in charge. All ditches must present a regular and uniform appearance.

The fall of the ditches shall conform to the general slope of the County and must be so constructed as to lead off the water from the road to the nearest natural outlet, unless otherwise provided by the profile. SPECIAL ATTENTION IS CALLED TO THE FACT THAT THE DITCHES MUST BE HAND FINISHED IF THE CONTRACTOR IS UNABLE TO MEET THE REQUIREMENTS OF THE SPECIFICATIONS WITHOUT DOING SO. All old ditches that may threaten to wash into the road shall be so filled and made so compact that the water shall not follow or wash them.

#### GRADE.

The grade line of the profile shows the grade of the sub-grade of the road bed, and the top or surface of the road-bed must be made to conform to said grade line, making cuts and fills of the depth shown on said profile. However in the case of discrepancy between the cuts and fills, as shown on the profile, and the cuts and fills necessary to bridge the sub-grade to the gradeline established by making the required cut or fill at both ends of a certain continuous grade, such continuous grade is to be maintained and the grade line thus formed shall control.

All grading shall be done and the same allowed to stand at least four weeks before macadam is placed on the sub-grade.

PROVIDED, that the constructing Contractor may procure a written permission, signed by the Engineer, for placing the macadam earlier.

#### EXCAVATIONS.

All cuts shall be excavated to a width of 27 feet at the sub-grade. The slopes of all cuts shall be one to one.

#### EMBANKMENTS.

All embankments or fills shall be 18 feet wide at the sub-grade and the sides shall have a slope of one to one. The contractor shall make easy approaches to all intersecting roads.

An allowance of ten per cent must be made for shrinkage on all fills of more than 12 inches.

#### SEWER CULVERTS.

Sewer culverts shall be constructed along the line of road at such places and of such sizes and materials as shown on the profile and plans. All culverts shall be twenty feet long, except in case where a greater length is required as shown on the plans. All outlets and inlets shall be so constructed that no water shall stand in or about the culverts.

#### BRIDGES.

At points indicated on the profile for the same, shall be constructed bridges of



the length of span, width of road way and of the kind and quality of material as shown on the plans, profile and bridge specifications. All abutments, foundations for abutments, wing, walls, bridges, floors and railing on concrete bridges shall be concrete mixed in the following proportions: One part of accepted Portland cement to five parts of approved crushed limestone and two parts sand, to be approved by the engineer. All exposed surfaces of the concrete must be sufficiently and properly spaded so as to produce a smooth, even and true surface on all finished work. No plastering of any part of the work to produce such a finish will be allowed.

#### PAVING.

For a width of Nine feet (Four and one-half feet on each side of center line or road), the road shall be covered with crushed limestone screened and of a general uniform size, and piece of which will readily pass through a 2, 1/2 ring, except Three inches in thickness over the entire surface of said macadam which shall consist of screenings evenly spread on said macadam. The macadam to be eight inches thick and to be placed between boards properly lined and set and the embankment indicated on the cross section of road bed is to be placed before said boards are removed. The said three inches of limestone screenings to be put on the macadam after the macadam has settled and packed to the approval of the engineer, however the contractor may roll the macadam with a ten ton roller immediately after a rain which has thoroughly met the same and after such rolling the contractor may proceed to put on said screenings.

#### MATERIAL.

All material must be subject to inspection by the Engineer and any material condemned by the Engineer shall not be used, or if used, stand subject to Engineers discount.

#### USE OF HIGHWAY.

The public shall in no way be barred from the use of the highway except in cases of removing and rebuilding culverts and bridges. In such case the road shall be blocked no longer than necessary.

The Contractor shall begin placing stone at such distance from the pits or cars that it will not be necessary to haul material over any part of the road already built.

#### CHANGES.

As the work progresses, if any change in the specified plans suggest itself to the Board and Engineer, to be of great and everlasting good to the road and costs no more than the contract price, such change may be ordered by the Engineer.

#### FOREMAN.

The contractor shall keep, at all times, a competent foreman on the work to whom the Superintendent or Engineer may direct their order. The name of the foreman (unless the contractor acts himself) shall be certified to the superinten-



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

dant in writing.

ACCEPTANCE.

The contractor shall in no case receive more than eight per cent of the contract price of the said work until the same has been completed according to the plans and specifications and approval of the Engineer and Board.

COST OF CONSTRUCTION.

We estimate the cost of construction as follows: \$4451.15

The profile, together with all plans and specifications thereto attached, for the improving of the highway herein described, are herewith filed and made a part of this report.

We find that no damages on account of the construction of the foregoing described highway will accrue to any minor, idiot or lunatic.

We also find that said road is less than three miles in length and connects a free gravel road with a township line.

Respectfully submitted this 20th day of October, 1908.

John O. Kain, Engineer.

Geo. L. Christie

John Hunt, Viewers.

Said report is indorsed on back as follows:-

"Filed Oct 20", 1908. Wm. H. Nichols, A. H. C."

"Action of Board.

Dec. 7-1908- Report approved and profile and plans approved and the Auditor ordered to give notice to bidders that a letting will be held at 10 o'clock on the 1st. Monday of Jan. 1909. Jan. 4th., 1909.

Bascom S. McClain, P. B."

And further proceedings herein are continued.

In the matter of the Application of )  
Wm. A. McDaniel et al for the Improvement )  
of a Free Gravel Road. )

Come now certain of the petitioners herein for the improvement of the aforesaid road and present to the Board and file protest as follows, to-wit:-(Here Insert)

In the matter of the Application of D. A. McCrea )  
et al for the Improvement of a Free Gravel Road. )

Come now the Engineer and Viewers heretofore appointed in this cause, and the time for reporting their doings having been fixed for the November Term, 1908, they now show to the Board their report which was duly filed in the office of the County Auditor on the 19th. day of October, 1908.

And the Board, having considered the matter and being fully advised in the premises, does now order that the time for the hearing of the report of the said engineer and viewers be extended to the \_\_\_\_\_ term, 1909, of this Board.

And day is given and this matter continued.

# Supplemental Report of Viewers: To the Honorable Board of Commissioners: In the matter of the petition of George Garquer et al for the improvement of the highway, 5th. & 6th. streets, in the 20th day of October, 1908, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 20th day of October, 1908, filed our report in the office of the County Auditor, and in your order appointing us, and the day of the same, now file this as our supplemental report, to-wit: We would report that the improvement of said highway, which was the subject of our report, was not completed, and that we have made any written claims for damages on account of said proposed improvement. Respectfully submitted, Wm. H. Nichols, A. H. C. John O. Kain, Engineer. Geo. L. Christie. John Hunt, Viewers.



In the matter of the Nicholas Koebrich et al )  
Free Gravel Road Petition. )

Come now the petitioners in the above entitled matter and present to the Board of County Commissioners of Hendricks County, Indiana, their petition for the improvement of a certain highway, described in said petition, in Middle township of said County and State, and it appearing to the Board by the proof of publication of notice filed herein, which proof of publication and copy of notice are in the following words and figures, to-wit:-(Here Insert), that notice of the pendency of this petition and when the same would be heard by the Board, and the place thereof, was given in the "Danville Gazette" and the "Republican" two weekly newspapers of general circulation throughout said county, printed and published at the town of Danville, in said County and State, for two weeks prior to the day named in said notices when said petition would be heard, the said day being the day indorsed on said petition by the Auditor when the same would be heard by the Board, and it further appearing to the Board that notice of the pendency of this petition, and the time and place of hearing, was posted in three public places in Middle township in said County and State for more than fifteen days prior to the day named in said notices and named by the Auditor in his indorsement on said petition when the same would be presented to the Board as the same is evidenced by the affidavit of Isaac J. Mendenhall, Sheriff of said County, which affidavit and copy of notice are in the following words and figures, to-wit:-(Here Insert) and it further appearing to the Board that a like notice was posted at the east door of the Court House at Danville, Indiana, for more than fifteen days prior to the day named in said notice so posted when the said petition would be heard as the same is evidenced by the affidavit of William H. Nichols, Auditor of said County, which is filed herein and is as follows, to-wit:-(Here Insert), and now all the above and foregoing facts appearing to the Board it assumes jurisdiction of the matter and makes the following findings:-

The Board being fully advised in the premises finds that the petition filed herein is in due form and according to law; that the said petition was signed by more than fifty freeholders and voters of Middle township, in said County and State; that proper and legal notice of the pendency of said petition and the time and place of hearing was given by the Auditor of said County of Hendricks as by law required and the Board finds that a copy of said petition was contained in said notices.

The Board further finds that viewers and an engineer should be appointed to view said proposed improvement and, if they find the same to be of public utility, to estimate the cost of construction thereof.

It is now therefore ordered by the Board that a copy of said petition be spread of record by the Auditor, which is accordingly done and is in the following words and figures, to-wit:-

State of Indiana  
County of Hendricks  
To the Board of County Commissioners  
Come now  
Hendricks County  
and voters of Middle township  
grading, ditching, and  
material the following  
to-wit:-  
Begun at the  
west quarter of Section 36  
County, Indiana, and  
township and range  
and northeasterly  
north of said section  
township and range  
said north line  
and range aforesaid  
highway already  
Petitioners  
and herein petitioners  
and State, and has  
road is less than  
which is unimproved  
Your petitioners  
width and that no  
improvement shall  
Your petitioners  
according to law,  
tions as by law re-  
by law provided.  
Your petitioners  
the payment of the  
ses connected therewith  
and your petitioners  
manner and form  
entitled an Act  
all amendments to  
1. Nicholas Koebrich  
2. J. H. Dugan  
3. W. E. Swain  
4. Morton Stipe  
5. E. A. Ray  
6. John Bodenhamer  
7. Squire Tindler  
8. Everett Ray  
9. John A. Carter  
10. T. M. Shoffner  
11. John W. Hughes  
12. James W. Hughes  
13. Orion Hughes  
14. A. O. Chamness  
15. Presley E. Ray



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

"State of Indiana

County of Hendricks, SS: In the Commissioners Court, December Term, 1908.

To the Hon. Board of Commissioners of Hendricks County, Indiana:-

Come now the undersigned and represent to the Board of Commissioners of Hendricks County, Indiana, that they represent and constitute more than fifty freeholders and voters of Middle township, in said County and State, and ask the Board to improve by grading, ditching, draining, bridging, and paving with stone, gravel or other road paving material the following described highway in said township, county and state as aforesaid, to-wit:-

Beginning at the south-west corner of the north west quarter of the north west quarter of Section 24, township 16 north range one west, in Middle township, Hendricks County, Indiana, and running thence north on the line dividing Sections 23 & 24, and 13 & 14, township and range aforesaid, for a distance of about three fourths of a mile, thence east and northeasterly general direction in Section 13, township and range aforesaid, to the center north of said section 13; thence north and north-easterly general direction in Section 12, township and range aforesaid, to the north line of said section 12, and ending at a point in said north line about 100 rods west of the north east corner of said section 12, township and range aforesaid, and in all of said description heretofore made to follow the line of highway already established and now in use as a highway.

Petitioners further represent to the Board that the highway above described and herein petitioned to be improved lies wholly within Middle township, in said County and State, and has both termini in a County Free Gravel Road; that the said above described road is less than three miles in length; that the said road is now an established highway which is unimproved.

Your petitioners ask that the improvement herein sought be made thirty feet in width and that no election be held in the said township to determine whether said improvement shall be made.

Your petitioners further ask that, if you find the petition to be in due form and according to law, you appoint a competent civil engineer and two viewers, with the qualifications as by law required, to view said above described highway and perform their duties as by law provided.

Your petitioners further ask that bonds be issued and sold to provide funds for the payment of the cost of construction of the improvement herein sought and for all expenses connected therewith and that said bonds be issued in series payable in ten years period and your petitioners pray the Board for the improvement of said above described highway in manner and form as above requested and in accordance with the law approved March 8th., 1905, entitled an Act Concerning Highways beginning with Section 62 thereof and following and all amendments thereto now in force and effect.

1. Nicholas Koebrich	16. Patrick King	31. William Tout	46. George Procter
2. J. H. Dugan	17. A. Frank Junken	32. P. O. Waters	47. Jasper Fisher
3. W. E. Swain	18. C. J. Olsen	33. F. S. Haynes	48. Wm. F. Fisher
4. Morton Stipe	19. L. W. Job	34. I. B. Waters	49. John E. Parker
5. E. A. Ray	20. A. A. Surber	35. John A. Holley	50. J. C. Pike
6. John Bodenhamer	21. Ellis M. Weaver	36. J. S. Call	51. A. T. Rich
7. Squire Tinder	22. F. T. Kirk	37. E. W. Sawyer	52. W. F. Hart
8. Everett Ray	23. I. H. Palmer	38. A. C. Dunn	53. Chas. M. Cox
9. John A. Carter	24. H. Stanley	39. W. H. Terrell	54. L. C. Holtsclaw
10. T. M. Shoffner	25. Geo. Kress	40. A. J. Griffith	55. Ora Cocherell
11. John W. Hughes	26. John T. Waters	41. W. B. Osborne	56. Robert Pierson
12. James W. Hughes	27. Henry Proctor	42. T. A. Griffith	57. Baldes Kress
13. Orion Hughes	28. J. M. Water	43. A. M. Griffith	58. T. B. Jones
14. A. O. Chamness	29. Miles Hession	44. R. L. Dillon	59. C. A. Weaver
15. Presley E. Ray.	30. M. Phillips	45. Jerry Lisby	60. H. J. Sallee



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

61. Harry E. Hill  
62. Robert Parker  
63. Samuel James  
64. A. A. Hunt  
65. Glen Arnold  
66. John W. Buckingham  
67. Porter Weaver

68. Wes. Hendrickson  
69. W. H. Haynes  
70. W. A. Hollingsworth  
71. J. T. Bell  
72. Samuel Selch  
73. A. S. Jones.

Said Petition is indorsed on back as follows:-

"Filed Nov. 13th., 1908. Wm. H. Nichols, Auditor Hendricks Co."

"Set for hearing on the 7<sup>th</sup> day of December, 1908.

Wm. H. Nichols, Auditor Hendricks Co."

"Dec. 7<sup>th</sup>-08. Petition found in due form, and the following Viewers appointed: Frank Jackson, Morton West, John O. Kain, Engineer, and are ordered to meet on Dec. 15<sup>th</sup>, 1908, and qualify, and are ordered to report Jan 15<sup>th</sup>, 1909.

B. S. McClain, P. B."

It is further ordered by the Board that two viewers and an engineer be, and they are hereby appointed by the Board and are as follows:-

1. Frank Jackson, Liberty township, in said County and State
2. Morton West, Liberty township, in said County and State
3. John O. Kain, Engineer.

The Board orders that the above named viewers meet at the town of Danville, Indiana, on the 15<sup>th</sup> day of December, 1908, and qualify for their appointment herein, and orders that said John O. Kain file his bond as by law required in the penal sum of \$5000.00 with sufficient surety to the approval of the Auditor, the same to be payable to the State of Indiana, and that said bond be filed and approved before entering upon his said duties herein. Said engineer now presents said bond, which is duly approved and is as follows, to-wit:- (Here Insert)

It is further ordered by the Board that the said viewers and engineer file their report with the Auditor on the 15<sup>th</sup> day of January, 1909, and this matter is continued.

In the matter of the petition of )  
Orren A. Stout et al, for the improvement )  
of a public highway by taxation. )

Come the petitioners, and come also the engineer and viewers, and it appearing to the satisfaction of the Board that it is impossible for the said engineer and viewers to file a report of their doings in the foregoing entitled improvement.

Therefore, it is hereby ordered by this board that said engineer and viewers be given time until the first day of the next regular session of this board to make, and file in the office of the auditor of Hendricks County, Indiana, their certain report in writing setting forth their determination in regard to said proposed improvement.



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

In the matter of the Thomas B. Jones et al )  
Free Gravel Road Petition. )

Come now the petitioners in the above entitled matter and present to the Board of County Commissioners of Hendricks County, Indiana, their petition for the improvement of a certain highway, described in said petition, in Middle township of said County and State, and it appearing to the Board by the proof of publication of notice filed herein, which proof of publication and copy of notice are in the following words and figures, to-wit:-(Here Insert), that notice of the pendency of this petition and when the same would be heard by the Board, and the place thereof, was given in the "Danville Gazette" and the "Republican" two weekly newspapers of general circulation throughout said County, printed and published at the town of Danville, in said County and State, for two weeks prior to the day named in said notices when said petition would be heard, the said day being the day indorsed on said petition by the Auditor when the same would be heard by the Board, and it further appearing to the Board that notice of the pendency of this petition, and the time and place of hearing, was posted in three public places in Middle Township, in said County and State for more than fifteen days prior to the day named in said notices and named by the Auditor in his indorsement on said petition when the same would be presented to the Board as the same is evidenced by the affidavit of Isaac J. Mendenhall, Sheriff of said County, which affidavit and copy of notice are in the following words and figures, to-wit:-(Here Insert), and it further appearing to the Board that a like notice was posted at the east door of the Court House at Danville, Indiana, for more than fifteen days prior to the day named in said notice so posted when the said petition would be heard as the same is evidenced by the affidavit of William H. Nichols, Auditor of said County, which is filed herein and is as follows, to-wit:-(Here Insert), and now all the above and foregoing facts appearing to the Board it assumes jurisdiction of the matter and makes the following findings:-

The Board being fully advised in the premises finds that the petition filed herein is in due form and according to law; that the said petition was signed by more than fifty freeholders and voters of Middle Township, in said County and State; that proper and legal notice of the pendency of said petition and the time and place of hearing was given by the Auditor of said County of Hendricks as by law required and the Board finds that a copy of said petition was contained in said notices.

The Board further finds that viewers and an engineer should be appointed to view said proposed improvement and, if they find the same to be of public utility, to estimate the cost of construction thereof.

It is now therefore ordered by the Board that a copy of said petition be spread of record by the Auditor, which is accordingly done and is in the following words and figures, to-wit:-

State of Indiana

In the Commissioners Court, December Term, 1908.

County of Hendricks, SS

To The Hon. Board of Commissioners of Hendricks County, Indiana:-

Come now the undersigned and represent to the Board of Commissioners of



Hendricks County, Indiana, that they represent and constitute more than fifty freeholders and legal voters of Middle township, in said County and State, and by this their petition ask the Board to improve, by grading, ditching, draining, bridging, and paving with stone or gravel, or other road paving material the following described highway in said township, county and state as aforesaid,

to-wit:-

Beginning at a point in the township line between Middle and Washington townships, Hendricks County, Indiana, at a point a little to the west of the south-east corner of the southwest quarter of the northwest quarter of Section 29, township 16 north, range one east, in said county and state, thence north passing through said section 29 about one fourth of a mile; thence making a slight jog to the east, thence running north through sections 29 and 20, township and range as aforesaid, to the north east corner of the northwest quarter of the south west quarter of said section 20; thence west one fourth of a mile to the west line of said section 20; thence north on section lines between sections 19 and 20, and sections 17 and 18, township and range as aforesaid, to about one fourth of a mile north of the center east of said section 18, and ending at a point at said place in a County Free Gravel Road already established of record.

Your petitioners further say that United States Rural Routes pass over and upon the entire length of the above described road.

Your petitioners further represent to the Board that the highway above described and herein petitioned to be improved lies wholly within Middle township, in said County and State, and has one terminus in an established County Free Gravel Road, and that the other terminus is at the boundary line of said township; that said above described highway is less than three miles in length; that said described highway is now an established highway which is unimproved.

Your petitioners ask that the improvement herein sought be made thirty feet in width, and further ask that no election be held in said township to determine whether said improvement shall be made.

Your petitioners further ask that, if you find the petition to be in due form and according to law, you appoint a competent civil engineer and two viewers, with the qualifications as by law required, to view said above described highway and perform their duties as by law provided.

Your petitioners further ask that bonds be issued and sold to provide funds for the payment of the cost of construction of the improvement herein sought and for all expenses connected therewith and that said bonds be issued in series payable in ten years period, and your petitioners pray the Board for the improvement of said above described highway in manner and form as above requested and in accordance with the law approved March 8th, 1905, entitled an act concerning highways, beginning with section 62 thereof and following and all amendments thereto now in force and effect and all other laws applicable thereto and now in force, and your petitioners will ever pray.

1. Thomas B. Jones  
2. John W. Hughes  
3. W. A. Hughes  
4. E. A. Ray  
5. Glen Arnold  
6. Everett Ray  
7. J. H. Dugan  
8. Morton Stipe  
9. Orion Hughes

10. James W. Hughes  
11. John F. Moore  
12. Anson L. Jones  
13. T. M. Shoffner  
14. Walter Lisby  
15. Squire Tinder  
16. Presley E. Ray  
17. J. C. Pike  
18. Fred Griffith

19. H. D. Ebett  
20. Wilmer Long  
21. Ora Bryant  
22. Wesley Hughes  
23. Fred Hughes  
24. John A. Carter  
25. Robert Pierson  
26. W. E. Swain  
27. A. W. McClintock



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

28. J. H. Ashby	41. W. H. Milam	54. W. H. Terrell
29. J. F. Neaville	42. C. A. Weaver	55. J. J. Petty
30. Wm. Selch	43. Samuel Janes	56. Samuel Selch
31. J. J. Hendrickson	44. Ellis M. Weaver	57. A. C. Weaver
32. John T. Waters	45. Miles Hession	58. N. Koebrick
33. I. B. Waters	46. Israel Hendrickson	59. H. Stanley
34. Alfred Stanley	47. F. A. Haynes	60. A. A. Surber
35. J. T. Bell	48. Martin Poland	61. Lee A. Hedge
36. W. B. Osborn	49. Elijah Dickerson	D. A. Surber
37. J. A. Osborne	50. William Y. Turner	Jno W Buckingham
38. L. C. Holtsc;aw	51. A. C. Dunn	J. E. Moore
39. W. A. Hollingsworth	52. Chas. M. Cox	
40. John W. Smith	53. I. H. Palmer	

Said petition is indorsed on back as follows:-

"Filed Nov 12, 1908. Wm. H. Nichols, Auditor Hendricks Co."

"Set for hearing on the 7" day of December, 1908. Wm. H. Nichols, A. H. C."

(Action of the Board)

"Dec 7-1908. Petition found in due form and the following viewers appointed:-

Smith R. Davis, John P. Chapman, John O. Kain, Engineer, and are ordered to meet on Dec 14th., 1908, and qualify and are ordered to report Jan 15", 1909.

B. S. McClain P. B."

It is further ordered by the Board that two viewers and an engineer be, and they are hereby appointed by the Board and are as follows:-

1. Smith R. Davis, Eel River township, said County and State
2. John P. Chapman, Eel River township, said County and State.
3. John O. Kain, Engineer.

The Board orders that the above named viewers meet at the town of Danville, Indiana, on the 14th. day of December, 1908, and qualify for their appointment herein, and orders that said John O. Kain file his bond as by law required in the penal sum of \$5000.00 with sufficient surety to the approval of the Auditor, the same to be payable to the State of Indiana, and that said bond be filed and approved before entering upon his said duties herein. Said engineer now presents said bond, which is duly approved and is as follows:-

(Here Insert)

It is further ordered by the Board that the said viewers and engineer file their report with the auditor on the 15th day of January, 1909, and this matter is continued.







Monday, December 7th., 1908, and 1st. day of December Term, 1908.

State of Indiana

County of Hendricks, SS. In the Commissioners Court, December Term, 1908.

To the Hon. Board of Commissioners of Hendricks County, Indiana:-

Come now the undersigned and represent to the Board of Commissioners of Hendricks County, Indiana, that they represent and constitute more than fifty freeholders and legal voters of Middle township, in said County and State, and by this their petition ask the Board to improve by grading, ditching, draining, bridging, and paving with stone or gravel, or other road paving material the following described highway in said township, County and State as aforesaid, to-wit:-

Beginning at a point in a County Free Gravel Road at the southwest corner of the northwest quarter of the northeast quarter of Section 24, township 16 north, range one west in Middle Township, said County and State, thence east one half of a mile to the Meridian line; thence north on the Meridian line one fourth of a mile to the southwest corner of fractional Section 18, township 16 north, range one east; thence east on the section line to the east line of said fractional section 18, township 16 north, range one east; thence north on the section line one fourth of a mile; thence east one half of a mile; thence north one fourth of a mile to the center of Section 17, township 16 north, Range one East; thence east and making a slight jog to the north and thence east to the east line of said Section 17, township 16 north, range one east ending at a point in the township line between Middle and Lincoln townships, Hendricks County, Indiana, following a highway already established and in use.

Petitioners further represent to the Board that the highway above described and herein petitioned to be improved lies wholly within Middle township, in said County and State, and has one terminus in a free Gravel Road and that the other terminus is at the boundary line of said township; that the said above described highway is less than three miles in length; that said road is now an established highway which is unimproved.

Your petitioners ask that the improvement herein sought be made thirty feet in width; and further ask that no election be held in said township to determine whether said improvement shall be made.

Your petitioners further ask that, if you find the petition to be in due form and according to law, you appoint a competent civil engineer and two viewers, with the qualifications as by law required, to view said above described highway and perform their duties as by law provided.

Your petitioners further ask that bonds be issued and sold to provide funds for the payment of the cost of construction of the improvement herein sought and for all expenses connected therewith and that said bonds be issued in series payable in ten years period, and your petitioners pray the Board for the improvement of said above described highway in manner and form as above requested, and in accordance with the law approved March 8th., 1905, entitled an act concerning highways, beginning with section 62 thereof and following and all amendments thereto now in force and effect and all others laws applicable hereto and now in force, and your petitioners will ever pray.

1. Wesley Hendrickson	12. H. Procter	23. Nathan Huddleston
2. Id Hendrickson	13. A. A. Surber	24. George Kress
3. Elijah Ray	14. W. T. Ashby	25. F. A. Haynes
4. George D. Junken	15. W. A. Hollingsworth	26. S. W. Pierson
5. Jas. W. Hughes	16. T. A. Griffith	27. E. W. Sawyer
6. Orion Hughes	17. A. C. Dunn	28. I. H. Palmer
7. John F. Neaville	18. I. G. Lisby	29. Samuel Janes
8. Miles Hession	19. John T. Waters	30. I. B. Waters
9. Chas. M. Cox	20. A. J. Griffith	31. W. H. Terrell
10. R. E. Parker	21. J. M. Waters	32. A. Frank Junken
11. C. F. Ray	22. J. A. Pratt	33. J. A. Osborne
		34. Allen M. Griffith



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35. R. L. Dillon	47. Morton Stipe
36. J. E. Parker	48. Harry Dugan
37. Jot King	49. Everett Ray
38. W. F. Hart	50. T. M. Shoffner
39. John A. Carter	51. Walter Lisby
40. Nickes Koebrich	52. John F. Moore
41. W. E. Swain	53.
42. Squire Tinder	54. John W. Hughes
43. Presley Ray	55. Oliver Kesler
44. Glen Arnold	56. J. E. Moore
45. Jno. W. Quackingham	57. W. B. Osborne
46. W. A. Hughes	

"Said petition is indorsed on back as follows, to-wit"

"Filed Nov. 12", 1908. Wm. H. Nichols, Auditor Hendricks Co."

"Set for hearing on Dec 7", 1908. Wm. N. Nichols, Auditor Hendricks Co."

"ACTION OF BOARD."

"Dec 7"-08. Petition found in due form and the following viewers appointed:- George Jessup, Eli Ross and John O. Kain, Engineer.; and are ordered to meet on Dec. 12"-1908, and qualify, and are ordered to report Jan 15", 1909.

B. S. McClain, P. B."

It is further ordered by the Board that two viewers and an engineer be, and they are hereby appointed by the Board and are as follows:-

1. George Jessup, Washington township, said County and State.
2. Eli Ross, Washington township, said County and State,
3. John O. Kain, Engineer.

The Board orders that the above named viewers meet at the town of Danville, Indiana, on the 12" day of December, 1908, and qualify for their appointment herein, and orders that said John O. Kain file his bond as by law required in the penal sum of \$5000.00 with sufficient surety to the approval of the Auditor, the same to be payable to the State of Indiana, and that said bond be filed and approved before entering upon his said duties herein. Said engineer now presents said bond, which is duly approved and is as follows, to-wit:- (Here Insert)

It is further ordered by the Board that the said viewers and engineer file their report with the Auditor on the 15" day of January, 1909, and this matter is continued.



Monday, December 7th., 1908, and 1st. day of December Term, 1908.

In the matter of the petition of R.C. Townsend et al )  
 for the location and establishment of a highway in )  
 Guilford Township. )

Come now R.C. Townsend and twenty-one others, and present their petition for the location and establishment of a certain highway in Guilford Township, Hendricks County, Indiana, which petition is in the following words and figures, to-wit:-(Here Insert) and the Board having inspected the petition and the affidavit thereto attached of Roscoe C. Townsend, that notices were duly posted by him in three public places in the said township for more than twenty days before the 7th day of December, 1908, the same being the day named in the said notices when the petition would be heard by the Board, which affidavit and copy of notices so posted are in the following words and figures, to-wit:-(Here Insert) And it further appearing by certificate of the Auditor under his seal that he, as such Auditor, mailed copies of like notices as were posted to all persons named in the said petition whose lands would be effected by the location and establishment of the proposed highway who were not petitioners therein more than twenty days before the day set for the hearing of said petition, which certificate and copy of notice of the said Auditor is in the following words and figures, to-wit:-(Here Insert) And now all the above facts and things done appearing to the satisfaction of the Board it assumes jurisdiction of the said matter and, having been duly and sufficiently advised in the premises, finds that viewers should be appointed to view said proposed highway and make their report thereon.

It is therefore ordered by the Board that viewers be and they are hereby appointed and are as follows: Baxter Vestal, Chas. Mattern, and Wilbur Hanna. Said viewers are ordered to meet at Plainfield on the 11th day of December, 1908, and qualify and proceed to make a view of said road as the same is described in the petition and file their report with the Auditor not later than January 2nd., 1909, and this matter is continued.

Ordered that the Board adjourn until nine o'clock A.M. tomorrow.

*Roscoe C. Townsend* )  
*Chas. Mattern* )  
*Alfred S. Linsinger* )

) Board Commissioners Hendricks County.



Tuesday Morning, December 8th., 1908.

The Board of Commissioners of Hendricks County, Indiana, met in regular session, at the Commissioners Court Room, in the Town of Danville, in said County and State on this, Tuesday, December 8th., 1908.

Present: Bascom S. McClain, Alfred S. Lineinger and E. M. Murphy, all members of said Board.

The following proceedings were then had, to-wit:-

In the matter of the Free Gravel Road Petition )  
of Walter C. Larimore et als. )

Come now again the petitioners herein, by and through their attorney, in the above entitled matter and present to the Board of Commissioners of Hendricks County, Indiana, the report of the viewers and engineer filed herein on the 23rd. day of November, 1907, and ask that the same be accepted and approved by the Board, and it fully appearing to the Board that the viewers and engineer, heretofore appointed, met at the office of John S. Walton, a notary public in and for said County and State, on the 12th day of November, 1907, the same being the day designated by the Board when said viewers and engineer should meet and qualify, and qualified for said appointment by taking an oath to faithfully and impartially discharge their duties as the same appears from said oath, which oath is made a part of the report of the viewers filed herein, and it further appearing to the Board that the said engineer executed and filed with the Auditor of said County his bond in the penal sum of \$5000.00 payable to the State of Indiana, conditioned for the faithful performance of his duties by reason of said appointment and with good and sufficient sureties thereon to the approval of said Auditor, which bond is in the following words and figures, to-wit:- (Here Insert) And it further appearing to the Board that said report of the viewers and engineer has been on file at the Auditor's Office, open to the inspection of every one interested or affected by reason of the improvement herein, their agents and attorneys, for more than ten days prior to this 8th day of December, 1908, and that no written or oral objection have been made thereto or filed herein, and now, in view of all the above things fully appearing to the Board, it inspects and examines the report of the viewers herein, and also the profile filed herein, and also the profile filed herein, and having been duly advised in the premises the Board makes the following findings.

The Board finds that the report of the viewers and engineer and the profile should be approved; that the viewers and engineer met and qualified in accordance with the order of the Board heretofore made and as by law provided; that said viewers are each responsible freeholders and voters of Hendricks County, Indiana, and are not residents of, nor are owners of any taxable property in the township where said improvement is located; that the engineer heretofore appointed is a competent civil engineer and that before entering upon his duties



Tuesday, December 8th., 1908, and 2nd. day of December Term, 1908.

herein he filed his bond with the Auditor of said County for the sum of \$5000.00, and the Board finds that the said Auditor approved said bond; the Board further finds that the report of the viewers and engineer and the profile remained on file at the office of the Auditor of said County, open to the inspection of every one interested or affected by the improvement herein, his agents and attorneys, for more than ten days prior to the regular December Term, 1908, of said Board, and the Board finds that no written or verbal remonstrance or objection has been made to the said report and that no written or verbal claims have been presented to the viewers for damages herein; that no damages are justly due any infant, idiot or person of unsound mind by reason of said proposed improvement; the Board further finds that by reason of the fact that no verbal or written claims for damages were presented to the viewers and engineer herein during the ten days allowed by law, or at any time thereafter, the said viewers and engineer filed no supplemental report herein and that no supplemental report was presented to the Board at the said December Term, 1908.

The Board further finds that the improvement sought herein will be of public utility and that the same should be constructed according to the plans, specifications and profile filed herein and approved by the Board; the Board finds that said proposed improvement will be less than three miles in length and connects at each terminus thereof with a free gravel road already constructed; that said improvement as herein petitioned for and as reported upon by the viewers and engineer lies wholly within Franklin township, in said County and State; the Board finds that no election should be held of the voters of said township to determine whether said improvement should be constructed as reported.

It is now therefore ordered by the Board that the report of the viewers and engineer and the profile be and they are hereby approved by the Board.

It is further ordered by the Board that said proposed improvement be constructed according to the plans, specifications and profile filed herein and approved by the Board.

The Board also orders that the County Auditor give notice by publication one time in the Indianapolis News, a newspaper of general circulation throughout the State, not later than two weeks prior to the day named in said notice, and also by publication for three consecutive weeks in the "Republican", a weekly newspaper of general circulation throughout Hendricks County, Indiana, printed and published in Hendricks County, that the Board will receive sealed proposals for the construction of the improvement ordered herein at the auditor's office at Danville, in said County and State, on the 4th. day of January, 1909, up until the hour of 10 o'clock A.M. of said day.

It is further ordered by the Board that the report of the viewers and engineer be spread of record in the office of the Auditor, which is accordingly done and is as follows, to-wit:- ORDER TO VIEW ROAD.

The State of Indiana )  
Hendricks County ) Commissioners' Court, November Term, 1907.

To Jacob Ryner, Preston T. Long and John W. Figg:

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their November Term, 1907, to view a proposed improvement of highway,



as follows, to-wit:

Commencing at the at a point in the old Cumberland or National Road about one half mile south west of the town of Stilesville, in said Township, County and State, where said road is intersected by the Stilesville and Coatsville Road, and running thence North Westerly direction, said road which is sought to be improved being said Stilesville and Coatsville Road; that the said road begins at said above named point in the south west quarter of section 21, township 14, north range 2 west, and runs thence north west until the same intersects the line separating sections 21 and 20, in said township and range aforesaid, thence north on said section line, and thence north on the line separating sections 16 and 17, for about one fourth of a mile, in said township and range aforesaid, thence in a northwesterly direction through 17 until the same connects with a free gravel road running to the town of Coatesville, in Clay township Hendricks County, Indiana.

and if said proposed improvement of highway will be of public utility, mark and lay out the same, in the manner prescribed by law, to the width of feet.

You will meet at the office of John S. Walton, a notary public, who resides in Coatsville, Hendricks County, Indiana, Tuesday the 12th day of November, 1907, at 9 o'clock A.M., and after being duly qualified, proceed to make said view, and report at the next regular term of said Board.

I certify the foregoing to be a true copy of the Order of the Board in relation to said proposed highway. Witness my hand and official seal, this 5th. day of November 1907.

D. D. Mills, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, Jacob Ryner, Preston T. Long and John W. Figg, do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described proposed highway to the best of our skill and ability, so help us God.

Jacob Ryner

Preston T. Long

John W. Figg

(SEAL) Subscribed and sworn to before me, this 12th day of November, 1907.

Commission expires Nov 2nd. 1908.

John S. Walton, Notary Public.

#### ROAD VIEWERS' REPORT.

To the Honorable Board of Commissioners of Hendricks County, Indiana.

We, the undersigned Viewers, who were appointed by your honorable body at your regular November Term, 1907, to view a proposed improvement of highway, as petitioned for by Walter C. Larimore et al., have discharged the duty assigned us, and submit to you the following report, to-wit:

We met as directed in the order hereunto attached and made a part hereof and after being duly qualified as appears therein, proceeded to view such proposed improvement of highway in the manner as by law prescribed, which by metes and bounds and course and distance is as follows, to-wit: The said proposed highway to be 30 feet in width, and commences at a point in the old Cumberland or National Road in the South West quarter of Section 21, Township 14 North, Range 2 West, where what is known as the Coatesville and Stilesville Road intersects said National Road, and running thence in a north westerly direction following said road to be improved until the same intersects the line separating sections 20 and 21 of



Tuesday, December 8th., 1908, and 2nd. day of December Term, 1908.

said Township of 14, a distance of 1479 feet; thence North on Section line between sections 20 and 21 and 16 and 17, 3371 feet thence west 1250 feet; thence North 1350 feet; thence West 606 feet; thence in a North Westerly direction 2968 feet and terminating in a rock road running to said town of Coatesville. Said proposed improvement of highway being 11524 feet in length.

#### WIDTH OF ROADWAY.

The right of way shall be thirty feet in width and where cuts and fills are necessary the right of way must be widened to allow the proper slopes as hereinafter provided.

The right of way shall be grubbed its entire width of all obstructions and the same removed except as to landmarks, which shall be carefully protected, and where shade trees do not impede travel or drainage they may be left if the Superintendent so directs.

#### ROAD BED.

The road bed shall be 18 feet wide measured at right angles to the center line of right of way. The road bed shall be made to conform to the profile and drawing entitled "Cross Section of Road Bed" which is made a part of this report, and said road bed shall be made smooth and compact before placing macadam thereon.

#### DITCHES.

Ditches shall be excavated along both sides of the entire line of road. The depth in no case to be less than 12 inches measured from the shoulder of road bed; 12 inches wide at bottom with slopes of not less than one to one. The dimensions of the ditches may be varied by permission of engineer or superintendent. All ditches must present a regular and uniform appearance. The ditches must be so constructed as to lead all water to the nearest natural outlet. All ditches that may threaten to wash into the road bed shall be so filled and made compact that the water shall not follow nor wash them.

#### GRADE.

Where red lines appear on the profile the present grade shall be cut or filled to conform to same. All grading shall be made not less than four weeks before placing the macadam thereon, provided that the constructing contractor may procure a written permission, signed by the engineer for placing macadam earlier.

#### EXCAVATIONS.

All excavations shall be made 24 feet wide at bottom. The slope of outside of said excavations shall be one foot to one foot.

#### EMBANKMENTS.

All embankments shall be 18 feet wide at top, and sides shall have a slope of one foot to one foot. An allowance of 10 per cent shall be made for shrinkage on all fills over 12 inches.

#### SEWER CULVERTS.

Sewer culverts shall be constructed along the line of road at such places and of such size and material as shown on profile. All outlets and inlets to culverts and bridges shall be cut to such distance from such sewers and bridges as to allow no water to stand



in or about said culverts and bridges.

BRIDGES.

At such places as indicated on the profile shall be constructed Bridges of such length of span as shown on profile and according to plans filed therewith.

MACADAM.

For a width of 9 feet (4 1/2 feet on each side of center line of road) the road shall be covered with macadam to a depth of 9 inches. Said macadam to consist of broken and screened stones any piece of which would readily pass through a 2 1/2 inch ring. Said macadam to be covered to a depth of 3 inches over its entire surface with sand or gravel suitable for such work and approved by engineer and superintendent. This macadam to be held in place by earthen bank as shown on "Cross Section of Road Bed".

All material must be subject to inspection of Engineer and superintendent. Any material condemned shall not be used, or if used, stand subject to engineer and superintendents discount.

USE OF HIGHWAY.

The public shall in no way be debarred from use of highway except in cases of removing and rebuilding culverts and bridges.

In such case the road shall be blocked no longer than necessary.

As the work progresses, if any change suggests itself to the board of Commissioners and engineer to be of great and everlasting good to the road and costs no more than the contract price such changes may be ordered by the engineer.

ESTIMATE OF COST.

We the viewers and engineer, estimate the cost of said improvement as follows 11524 feet \$9700.00

And we are of the opinion that said highway would be of public utility.

Respectfully submitted,

Jacob Ryner )

Preston T. Long ) Viewers.

J.W. Figg )

And said matter is continued.

Ordered that the Board adjourn.

*Bascom S. McPlain*  
*W. M. Murphy*  
*Alfred S. Lininger*

)  
) Commissioners Hendricks County.  
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