

Tuesday, July 6th., 1909, and 1st. day of July Term, 1909.

Tuesday Morning, July 6th., 1909.

Monday, July 5th., 1909, being the first Monday in July, 1909, and a legal holiday, the Board of Commissioners of Hendricks County, Indiana, are now convened in regular session, this the first Tuesday after the first Monday of July, 1909, at the Commissioners' Court Room in the town of Danville, said County and State.

Present, E.M. Murphy, Alfred S. Lineinger and Harry E. Sanders all members of said Board.

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

In the matter of the petition)
of Galileo Peacock et al for location of highway.)

Come now the viewers heretofore appointed in the above entitled matter and ask leave of the Board that the time be extended until the August Term, 1909, for the making of their report, and the Board being duly advised in the premises grants such extension of time and orders said viewers to make their report at the regular August Term, 1909, of this Board, and said matter is continued.

In the matter of the petition of)
Galileo Peacock for the vacation of)
a highway in Guilford and Liberty Townships.)

Come now the petitioners in the above entitled matter on this 6th day of July, 1909, and present to the Board of Commissioners of Hendricks County, Indiana, their petition for the vacation of a certain highway in Guilford and Liberty townships in said County and State, which petition is as follows, to-wit: (Here Insert) and the Board having examined said petition and being satisfied that five typewritten notices of the presentation of said petition were posted in the immediate vicinity of the highway sought to be vacated, a copy of which notices and the affidavit of Morris Peacock that said notices were so posted being in the following words and figures, to-wit:-(Here Insert), and the Board also being satisfied that the said notices were made over the name of the Auditor of said County, and that said Auditor mailed copies of said notices to all persons whose lands will be affected by said proposed vacation of highway whose names do not appear as petitioners of said petition, as the same is shown and evidenced by the Certificate of William H. Nichols, Auditor of said County, which certificate is as follows, to-wit:-(Here Insert), and now all the above things appearing to the satisfaction of the Board, it assumes jurisdiction in said matter, and, having been duly and sufficiently advised in the premises, finds that the prayer of the petitioners should be granted and that viewers should be appointed to view said proposed vacation of highway.

It is therefore ordered by the Board that George Jessup, Marshall

Tuesday, July 6th., 1909, and 1st. day of July Term, 1909.

Glidewell, and Charles Kocher, three disinterested freeholders of the County, be and they are hereby appointed to view said proposed vacation of highway.

It is ordered that they meet at the office of C.M. Havens of Plainfield, Indiana, at 10 o'clock A.M. July 20th., 1909, and qualify and that they file their report at the next term of this Board, and said matter is continued.

In the Matter of the petition of)

David Hadley 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 at this term of Court 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 August Term, 1909, 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.

In the matter of the Petition of)

Frank P. Reichard 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 at this term of Court 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 August Term, 1909, 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.

Tuesday, July 6th., 1909, and 1st. day of July Term, 1909.

In the matter of the petition of)
Charles F. McClelland 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 at this term of Court 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 August Term, 1909, 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.

In the matter of the Petition of)
James A. Downard 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 at this term of Court 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 presenting of the report of the said engineer and viewers be extended to the August Term, 1909, 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.

In the Matter of the Petition of)
George A. Blessing 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 at this term of Court 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 August Term, 1909, of this

Tuesday, July 6th., 1909, and 1st. day of July Term, 1909.

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.

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.

Wm W. Murphy)
Alfred S. Linsinger) Board Commissioners Hendricks County.
Harry E. Sanders)

Joint Session, July 14", 1909.

Be It Remembered that on the 21" day of July, 1909, the following transcript of proceedings was filed in the office of the County Auditor of Hendricks County, Indiana, to-wit:-

July 14, 1909.

In the matter of the Petition)
of Wm. C. Frazee et al, for)
Improvement of County Line)
Highway between Wayne Township,)
Marion County, and Washington)
Township, Hendricks County, Indiana.)

Joint Session.

Pursuant to notice ordered and issued from the Auditor of Marion County to the Auditor and Board of Commissioners of Hendricks County; and,

Pursuant to notice ordered and issued from the Auditor of Hendricks County to the Auditor and Board of Commissioners of the County of Marion, the Boards of Commissioners of the Counties of Marion and Hendricks, composed of the following members, to-wit: John M. Mendenhall, William H. Roberts and Carl Von Hake, Board of Commissioners of Marion County, and Elbert M. Murphy, Alfred S. Lineinger and Harry E. Sanders, Board of Commissioners of Hendricks County, met in joint session at the Office of the Auditor of said Marion County for the purpose of apportioning the cost and expenses of improving the said highway running from what was formerly known as the Rockville Road to what is known as Wall Street Pike, on said County-Line highway.

And said joint session of said Boards of Commissioners was organized by the election of Alfred S. Lineinger as President, and by the election of John C. Taylor, Deputy Auditor of Hendricks County, as Clerk thereof.

Thereupon, upon motion it was ordered that an apportionment be made between the Township of Wayne in the County of Marion, Indiana, and the Township of Washington in the County of Hendricks, Indiana, for said purpose, according to the assessed valuation of taxable property of said Wayne Township, Marion County, and said Washington Township, Hendricks County, and that the apportionment for said Washington Township shall be Fourteen Hundred Ninety-nine and 64/100 Dollars (\$1499.64) and that the apportionment for said Wayne Township shall be Five Thousand Six Hundred Fifty-five and 40/100 Dollars (\$5655.40), which apportionment is now ratified, approved and confirmed in said joint session.

And upon motion it was thereupon ordered that each of said several Boards of Commissioners shall order bonds issued and shall sell said bonds in accordance with said apportionment, for the improvement of said highway and the cost of said proceedings.

And said joint session was thereupon adjourned, upon motion of Elbert M. Murphy seconded by William H. Roberts, until further necessity of

Joint Session, July 14", 1909.

joint action in said premises.

John M. Mendenhall

Elbert M. Murphy

Wm. H. Roberts

Alfred S. Lineinger

Carl Von Hake

Harry E. Sanders

Board of Commissioners of

Board of Commissioners of

Marion County, Indiana.

Hendricks County, Indiana.

State of Indiana,)

SS:

County of Marion)

I, Albert Sahm, Auditor in and for Marion County, Indiana, do hereby certify that the foregoing is a true and complete copy of the proceedings had at the joint session of the Boards of Commissioners of Marion and Hendricks Counties, Indiana, on July 14, A.D. 1909, in the matter of the petition of Wm. C. Frazee et al.

Witness my hand and the seal of the Board of Commissioners of Marion County, Indiana, this 16th day of July, 1909.

Albert Sahm,

(SEAL)

Auditor Marion County, Indiana.

Special Session, Thursday, July 15th., 1909.

Thursday Morning, July 15th., 1909.

Pursuant to notice to the Board of County Commissioners, of Hendricks County, Indiana, by the Auditor of said County, the said Board are convened in at the Commissioners' Court room in the town of Danville, Indiana, special session for the purpose of ordering bonds in the Wm. C. Frazee et al Road.

Present: Elbert M. Mpurhy, Alfred S. Lineinger and Harry E. Sanders, all members of said Board.

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

In the matter of the petition of Wm. C. Frazee for)
Improvement of County Line Highway, between Wayne)
Township, Marion County, Indiana, and Washington)
Township, Hendricks County, Indiana.)

Whereas, proper proceedings having been taken by the Boards of Commissioners of the Counties of Marion and Hendricks, Indiana, resulting in authorizing and directing the apportionment of the cost and expenses of the improvement of a highway on a line dividing the township of Washington in Hendricks County, Indiana, and the township of Wayne in Marion County, Indiana, said highway being known as the Wm. C. Frazee et al. County Line Road; and

Whereas, the cost of said road apportioned to Washington Township, Hendricks County, Indiana is Fourteen Hundred Ninety-nine and 64/100 dollars (\$1499.64); and,

Whereas, it is necessary for the County of Hendricks to issue bonds for the purpose of raising money with which to pay its said portion of the cost of said road and the necessary expenses incident to the construction thereof, as provided by law.

Now Therefore, Be It Ordered, that bonds with appropriate interest coupons thereto attached be issued for the purpose of raising money to meet said amount required to be raised by Hendricks County; that said bonds be in the total sum of Fourteen Hundred Ninety-nine and 64/100 Dollars (\$1499.64); be of the denomination of \$74.98 each; bear interest at the rate of 4, 1/2 per cent, per annum, payable semiannually; be dated August 16th., 1909; be issued in twenty (20) equal series of one (1) bond each. The first series of said bonds, with appropriate interest coupons attached thereto, and the first coupons on all the series of bonds shall be due and payable on the 15th day of May, 1910, and one series thereof shall be due and payable, with appropriate interest coupons attached thereto, each six (6) months thereafter, until all are paid, all of said bonds and interest thereon to be payable, at the County Treasurer's Office, in the town of Danville, Indiana.

And be it further ordered by the Board of Commissioners that the Treasurer of Hendricks County be and he is hereby authorized and directed to sell said bonds at the best price obtainable therefor; provided, however, that they

Special Session, Thursday, July 15th., 1909.

shall not be sold for less than their face value.

And be it further ordered by the Board of Commissioners that for the purpose of raising money to meet the payment of said bonds and interest coupons thereon as they shall severally become due at the time of making the general tax levy a special tax upon all the taxable property in the said Washington Township sufficient to pay all maturing bonds and interest thereon each year shall be levied and collected as all other taxes are collected and applied to the payment of said bonds and interest.

And be it further ordered by the Board of Commissioners that the Auditor of said County be directed to cause said bonds to be prepared and issued and properly signed and delivered to the Treasurer of Hendricks County, to be sold as provided by law.

Alfred S. Lininger
Harry E. Sanders

)
) Board Commissioners Hendricks County, Indiana.
)

Monday, August 2nd., 1909, and 1st. day of August Term, 1909.

Monday Morning, August 2nd., 1909.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners' Court Room in the town of Danville, Indiana, it being the first Monday in said month.

Present, Elbert M. Murphy, Alfred S. Lineinger and Harry E. Sanders, all members of said Board.

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

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

No bids having been filed or received for the improvement of said highway the same is continued, and day is given.

In the matter of the petition of)
David Hadley et al for the improvement)
of a public highway by taxation.)

Come now the Viewers and Engineer heretofore appointed in this matter and file their report as heretofore ordered.

In the matter of the petition of)
Frank P. Reichard et al for the)
improvement of a public highway)
by taxation.)

Come now the Viewers and Engineer heretofore appointed in this matter and file their report as heretofore ordered.

In the matter of the petition of)
Charles F. McClelland et al for the)
improvement of a public highway by taxation.)

Come now the Viewers and Engineer heretofore appointed in this matter and file their report as heretofore ordered.

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

Come now the Viewers and Engineer heretofore appointed in this matter and file their report as heretofore ordered.

Monday, August 2nd., 1909, and 1st. day of August Term, 1909.

In the Matter of the Petition of)
John Casady et al for the improvement)
of a public highway by taxation.)

Come now the parties herein by their respective counsel, and now on motion this petition is dismissed at the costs of the petitioners.

It is therefore considered and adjudged by the Board that the petitioners herein pay all costs occasioned by the filing and presenting of this petition, including all costs of viewers etc. layed out and expended and taxed at _____ dollars and _____ cents.

All of which is finally ordered by the Board.

In the matter of the petition of)
James A. Downard 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 at this term of Court 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 September Term, 1909, 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.

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

Alfred B. Lineinger)
Harry E. Sanders) Board Commissioners Hendricks County.

Tuesday, August 3rd., 1909, and 2nd. day of August Term, 1909.

Tuesday Morning, August 3rd., 1909.

The Board of Commissioners of Hendricks County, Indiana, met at the Commissioners' Court Room in the town of Danville, Indiana, pursuant to adjournment.

Present, Elbert M. Murphy, Alfred S. Lineinger and Harry E. Sanders, all members of said Board.

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

Came 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.

Elbert M. Murphy
Alfred S. Lineinger
Harry E. Sanders

)

) Board Commissioners Hendricks County.

)

Wednesday, August 4th., 1909, and 3rd. day of August Term, 1909.

Wednesday Morning, August 3rd., 1909.

The Board of Commissioners of Hendricks County, Indiana, met at the Commissioners' Court Room in the town of Danville, Indiana, pursuant to adjournment.

Present, Elbert M. Murphy, Alfred S. Lineinger and Harry E. Sanders, all members of said Board.

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

In the matter of the petition of Wesley)
Hendrickson et al for the improvement of)
a highway by taxation.)

Comes now Morton Stipe, heretofore appointed Superintendant of Construction on the above entitled road, and files and presents his written resignation as such Superintendant on said road, which resignation is as follows, to-wit:- (Here Insert) And the Board having examined the same accepts said resignation, and appoints Dell Warnock, a resident of Middle Township, to be Superintendant of Construction on said above entitled road in the place and stead of said Morton Stipe, resigned, and now the said Dell Warnock accepts said appointment and qualifies for said appointment by filing his bond as by law required, which bond is for the penal sum of \$5000.00 and is as follows, to-wit:- (Here Insert)

In the matter of the petition of)
Galileo Peacock et al for the vacation)
of a highway in Guilford Township.)

Come now the viewers, heretofore appointed herein, and present to the Board their report in the above entitled matter, and the Board, having examined said report, together with the order of the Auditor to said viewers to view said proposed vacation, and the oath of the viewers, which report, order to view, and oath of the viewers are as follows, to-wit:- (Here Insert) and being duly and sufficiently advised in the premises doth say and find as follows, to-wit:-

That the viewers, George Jessup, Marshall Glidewell, and Charles Kocher, met according to the order heretofore made and took the oath as by law provided; that they then proceeded to view the highway proposed to be vacated and found by their report that the vacation of the highway as described in the petition herein would be of public utility and the Board now finds that the vacation of said described highway will be of public utility.

The Board finds that the report of the viewers was filed in the Auditor's Office on the 2nd. day of August, 1909, and that no remonstrance has been presented or filed against said report. The Board finds that said described road should be vacated, and that the report of the viewers should be accepted and approved.

Wednesday, August 4th., 1909, and 3rd. day of August Term, 1909.

It is therefore ordered by the Board that the report of the viewers herein be and the same is hereby accepted and approved.

It is further ordered that the following described highway in Guilford Township, Hendricks County, Indiana, be and the same is hereby vacated, to-wit:-

Commencing at a point on the east line of Sec. 9, township 14 north, range one east in Guilford Township, Hendricks County, Indiana, about forty rods north of the southeast corner of said section 9, township and range aforesaid, and extending thence in a general northwesterly direction through said section 9, township and range aforesaid, to where said highway intersects the west line of said section 9, township and range aforesaid, thence in a northwesterly direction through section 8, in township 14 north, range one east, in Liberty township, in said County and State, to the North line of said section 8, township and range last aforesaid, and ending at a point in said north line of said section about twenty rods west of the north east corner of said section 8, township and range last aforesaid, also the following described highway, to-wit: beginning at a point about twenty rods east of the south west corner of section 9, township 14 north, range one east in Guilford township, in said County and State, thence North and north west and extending along the west line of said section to a point in said west line about one hundred twenty rods south of the north west corner of said section 9, township and range last aforesaid, said point being the point in said west line where the same is intersected by the highway hereinbefore described and ending as said point.

It is ordered and the Auditor is directed to forward a copy of this order to the Trustee of Guilford township, in said County and State, and this matter is at an end.

"Endorsed on back of Report of Viewers is the following:-

"Aug-4-1909.

Report of viewers accepted and approved and the viewers are allowed for their services the amounts indorsed on back hereof:

George Jessup \$2.00

Marshall Glidewell \$4.25

Chas. Kocher \$2.00

. E. M. Murphy, P. B. "

Order issued to Trustee Guilford Sp. Aug 10 "1909. Wm. H. Nichols, Sec.

Wednesday, August 4th., 1909, and 3rd. day of August Term, 1909.

In the matter of the Galileo Peacock et al)
Road Petition for the establishment of a highway.)

Come now the viewers, heretofore appointed, in the above entitled matter, and present to the Board of Commissioners their report and the Board, having examined said report, together with the order issued by the Auditor to said viewers, and the oath of said viewers, which report, order to viewers, and oath are in the following words and figures, to-wit: (Here Insert) and being duly and sufficiently advised in the premises doth say and make the following findings:-

The Board finds that the viewers, George Jessup, Marshall Glidewell, and Charles Kocher, met at the time and place heretofore designated by the Board and each subscribed to an oath as by law provided; that said viewers then proceeded to view the highway as described in the petition and found same would be of public utility; the Board finds that said viewers filed their report with the Auditor on the 2nd day of August, 1909, and that their report should be accepted and approved. The Board finds that the highway described in the petition and hereinafter ordered established will be of public utility; the Board lastly finds that no remonstrance has been filed against the establishment of the highway as prayed for in these proceedings.

It is therefore ordered by the Board that the report of the viewers be and the same is hereby accepted and approved.

It is further ordered that the following described highway in Guilford township, Hendricks County, Indiana, be and the same is hereby established, to-wit:-

Commencing at the north east corner of the northwest quarter of the northwest quarter of Section 16, township 14 North, range one east in Hendricks County, Indiana, thence north one mile and ending at a point at the northeast corner of the northwest quarter of the northwest quarter of Section 9, township 14 north, range one east in Guilford township, in said County and State.

The Auditor is ordered to transmit a copy of this order to the Trustee of Guilford township, in said County and State.

"Said Order to said Viewers is endorsed on back as follows:

"Aug. 4-1909. Report of viewers accepted and approved and the viewers are allowed for their services the amounts indorsed on back hereof:

Geo. Jessup	\$2.25
Marshall Glidewell	\$4.00
Chas. Kocher	\$2.00

Order issued to Trustee of Guilford Sp. Aug 10 1909. Wm. H. Nicholas A. H. C.

Wednesday, August 4th., 1909, and 3rd. day of August Term, 1909.

Ordered that the board do now adjourn.

W. M. Murphy)
Alfred S. Linsinger) Board Commissioners Hendricks County.
Harry E. Sanders)

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

Wednesday Morning, September 8th., 1909.

Pursuant to adjournment

The Board of Commissioners of Hendricks County, Indiana, met at the Commissioners Court Room in the town of Danville, Indiana, it being the 3rd. day of the regular September Term, 1909, of said Board.

Present, Elbert M. Murphy, Alfred S. Lineinger and Harry E. Sanders, all members of said Board.

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

In the matter of the petition of)

David Hadley, and others, for the)

Improvement of a public highway.)

Come now again the petitioners in the foregoing entitled cause of action and produce the duly verified report and profile and specifications of the engineer and viewers made and filed for the improvement of the highway proposed to be improved in the foregoing entitled proceedings together with the original order to the said viewers and engineer duly issued by the Auditor, with their several oaths duly endorsed upon said order and thereto subscribed by each of them, 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 13th day of February A.D. 1909, at the hour of ten o'clock A.M. of said day, and there qualify as provided by law for the faithful discharge of their duties as such engineer and viewers, and in which said order it appears that said engineer and viewers did meet at the time and place provided therein and was duly qualified as provided by law.

Said petitioners also produce the bond of the engineer upon which is endorsed the Auditor's Approval, and which said bond and approval thereon are as follows, to-wit:-

"BOND OF ENGINEER"

Know all men by these presents, that we, John O. Kain as Principal, and The United States Fidelity & Guaranty Company of Baltimore, Md., as surety, are held and firmly bound unto the State of Indiana, in the penal sum of Five Thousand (\$5,000.00) Dollars, for the faithful discharge of the duties of the above principal as engineer for preliminary survey and make estimates as to cost of construction of the David Hadley et al Road in Center Township, Hendricks County, Indiana, as provided in Section Sixty-seven (67) of the Acts of 1905 of the General Assembly of Indiana.

Signed and sealed this 13th day of February, 1909.

Now if the said John O. Kain shall faithfully discharge his duties as such engineer as provided by law, then this obligation to be null and void; otherwise to remain in full force and effect for the use and benefits of any and all persons entitled thereto.

John O. Kain, Principal.

The United States Fidelity & Guaranty
Company, of Baltimore Md. By

John E. Messick, Attorney-in-fact.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

State of Indiana

Marion County. SS:

Before me, the undersigned, a Notary Public, in and for said County and State, this the 13th day of February, 1909, personally appeared John E. Messick, Attorney-in-fact, and acknowledged the execution of the annexed bond.

(SEAL) Witness my hand and Notarial Seal this 13th day of February, 1909.

My commission expires January 1st, 1912. Mary Gray, Notary Public.

State of Indiana

Hendricks County SS:

Before me, the undersigned notary public, personally appeared John O. Kain and acknowledged the execution of the above and foregoing bond.

Witness my hand and notarial seal this 13th day of February, 1909.

Carey W. Gaston, Notary Public. (SEAL)

My commission expires Sept 24th., 1911.

Approved this 13th day of February, 1909.

"Endorsed on Back: 6 "Filed Feb 13"-1909. Wm. H. Nichols, A. H. C."

Said petitioners also produce before said Board the duly verified Supplemental Report of said viewers prepared in all respects as provided by law.

And now the matters of said Supplemental Report, and said Report coming on for hearing and determination, and the Board having heard all of the evidence adduced, and having duly and fully examined said report, and the profiles, and plans and specifications, 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 damages whatever by reason of the construction of the improvement prayed for in the petition of said petitioners herein; that no person or corporation has made written claim for damages to said viewers 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 in all things be approved and spread of record upon the records in the Auditor's Office kept for that purpose.

The 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 2nd. day of August, 1909, that is, that said report was duly filed in said office at the regular August Term, 1909, of the Board of Commissioners of Hendricks County, Indiana, and that the same remained on file in said Auditor's Office, open to the inspection of any person since said date and for more than ten days before the 8th day of September, 1909; that the highway proposed to be improved under these proceedings is less than three 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; that United States Rural Mail Routes extend over and along the

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

entire line of said highway proposed to be improved herein by these said proceedings.

The Board further finds 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 Center Township, the township in which said highway is located. The Board further finds that said report is in due form and sufficient and should, in all things, be approved, and that said improvement as in said Report provided be ordered.

It is therefore ordered by the Board that the Supplemental Report of the 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 engineer and viewers.

It is further ordered by this Board that the said Auditor of this County give notice by one publication in The Indianapolis Star, a daily news-paper of general circulation throughout the State of Indiana, printed and published at the City of Indianapolis and by three weekly publications in The Republican, and in the Danville Gazette, two weekly news-papers of general circulation throughout the county of Hendricks, the County in which said road proposed herein to be improved is located, that on Monday, the 4th day of October, 1909, at the hour of ten 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 plans and specifications and the profile in said report set forth.

It is further ordered by the Board that said Supplemental report, and the said Report of the engineer and viewers, 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:-

Supplemental Report of Viewers.

To The Honorable Board of Commissioners:

In the matter of the petition of David Hadley et al.
for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 2nd day of August, 1909, 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 O. Kain

Ralph Swearengin

Ora F. Martin,
Viewers.

Wednesday, September 8th., 1909, and 3rd. day of Sept Term, 1909.

Subscribed and sworn to before me this the 6th day of Sept., 1909.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on Back as Follows:-

"Filed 9/6-09. Wm. H. Nichols, A. H. C."

"Approved Sept 8"-1909. E. M. Murphy, P. B."

Order to View Road.

The State of Indiana,

SS: Commissioners' Court, February Term, 1909.

Hendricks County,

To Ralph Swearengin, and Ora Martin and John O. Kain,

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their February Term, 1909, to view a highway asked to be improved by a petition filed by David Hadley et al as follows, to-wit:

Beginning at a point in the Rockville Free Gravel Road just east of White Lick Creek in the West half of the east half of Section three (3), Township sixteen (16) North, range one (1) west, near the Section Line dividing Sections three and ten, said township and range aforesaid, and running from thence in a north westerly direction through said Section three, township and range aforesaid, for a distance of about eighty (80) rods; thence due west through said Section three, township and range aforesaid, for a distance of eighty-five (85) rods to section line between Sections three and four, township and range aforesaid; thence north along said section line with its bearings, for a distance of about one hundred and ten (110) rods and terminating in the Danville and Lebanon Free Gravel Road, as the same is now established and used by the public and being in the County of Hendricks and State of Indiana.

Said petitioners, in their said petition, ask that said above described highway be improved by grading, draining, ditching, bridging and culverting, and graveling or paving with stone or other road paving material, and if said proposed improvement of said highway will be of public utility, mark and lay out the same, in the manner prescribed by law, to the width of not less than feet.

You will meet at the office of The Auditor of Hendricks County in the town of Danville, on Saturday the 13th day of February, 1909, at 10 o'clock A.M. and after being duly qualified, proceed to make said view, and report at the March term, 1909, of said Board.

(SEAL) 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 3rd. day of February, 1909. Wm. H. Nichols, Auditor.

OATH OF VIEWERS.

State of Indiana, Hendricks County, SS:

We, Ralph Swearengin, Ora Martin and John O. Kain 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

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

and ability, so help us God.

Ralph Swearingin

Ora F. Martin

John O Kain

Subscribed and sworn to before me, this 13th. day of February, 1909.

Wm. H. Nichols, Auditor.

REPORT OF VIEWERS.

State of Indiana, Hendricks County, ::

In the Commissioners Court, August Term, 1909.

In the matter of the petition of

David Hadley et al, to improve a public highway,

in Center Township, Hendricks County, Indiana.

TO THE HONORABLE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA.

We, the undersigned Viewers and Engineer, appointed by your Honorable Body, under the Provisions of an act of the General Assembly of Indiana, approved March 8th., 1905, and all amendments thereto, to view, examine, make all needful surveys of the road described in the petition of David Hadley et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grading, sewerage, ditching, draining, and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 13th day of February, 1909, at the office of the Auditor of Hendricks County, in the Town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such Viewers and Engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard crushed, screened limestone with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed with Curbs", and "Cross Section of Roadbed without Curbs", and "Cross Section of Roadbed with Rubble Side Ditch". We find that the proposed improvement, in accordance with the profile, drawings and specifications and plans, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty feet and specified in the specifications herewith filed. That the aforesaid profile shows the elevation of the center line of said proposed road, at the end of each hundred feet and certain plus Stations, together with certain tabulated elevations and that said profile, drawings, plans and specifications provide for all details of the improvement of said road. Said profile, drawings, plans

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

and specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed, sewers, ditches, drains, and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all necessary things to make a complete macadam road; that all drawings, plans, blue prints, and specifications, together with the profile are made by us and herewith 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:- Beginning at the Western Terminus of the Rockville Free Gravel Road, four (4) feet East of the East end of the bridge across White Lick Creek, on said highway, and running thence in a North Westwardly direction on the center line of the present highway, 1702.3 feet; thence West and along the center line of what is known as the Main Street in the Town of Danville, Indiana, 1365.8 feet to the point of intersection of said Main Street and what is known as Washington Street in the Town of Danville, Indiana; thence North 1429.5 feet to the Southern Terminus of the Danville and Lebanon Free Gravel Road. We find the total length of the proposed improved highway to be 4497.6 lineal feet, which is less than three (3) miles. We however, recommend that no improvement be made from Station 27 ± 13.6 feet to 27 ± 51.4 feet and from Station 30 ± 23.3 feet to Station 30 ± 94.2 feet.

All of said bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to any one.

We estimate the total cost of the proposed improvement to be \$9008.67

John O. Kain, Engineer.

Ralph Swearingin, Viewer.

Ora F. Martin, Viewer.

Subscribed and sworn to before me this 2nd. day of August, 1909.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, August Term, 1909.

In the matter of the petition of David Hadley et al,
to improve a public highway, in Center Township,
Hendricks County, Indiana.

Specifications for the construction of the David Hadley et al Road in Center Township, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th 1905, and all amendments thereto", by cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and macadamizing with crushed limestone, the above named Road as described in our report.

Wednesday, S
1. Intention. It
profile, with all
road complete in
blue prints and
complete in all
or omission, as af
contract, without
2. Board.
the Board of Com
3. Engineer.
understood as re
Board, or to his
4. Superintendent
referring to the
related to the
contemplated, or
to receive no
work herein con
5. Contractor.
to the party of
part of the wor
of said party
6. Disagreement
Contractor and
blue prints, an
furnished, or
and the decis
the work in
7. Change of P
the plans and
such change
ceed with su
specification
shall not be
furnished ov
8. Inspection
inspection
intention of
or workman
Engineer on

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

GENERAL SPECIFICATIONS.

1. Intention. It is intended that these specifications, drawings, plans, blue prints and profile, with all figures and writings thereon, and herewith filed, shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints and specifications shall not release the Contractor from constructing a road complete in all its details, any work done or material furnished on account of any error or omission, as aforesaid shall be done and furnished by the Contractor under his own contract, without any additional compensation.
2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.
3. Engineer. Whenever the word "Engineer" is used in these specifications it shall be understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.
4. Superintendent. Whenever the word "Superintendent" is used it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not to be related to the Contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor for any services or labor performed on the work herein contemplated, and who is under the directions of the Engineer.
5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representative of said party or parties.
6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints, and specifications, or concerning the quantity or quality of the materials furnished, or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.
7. Change of Plans. The Engineer shall have the right to make any change or alteration in the plans and specifications that the Engineer and Superintendent may deem advisable, and such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.
8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intention of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer on any and all subjects is to be final.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person or persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the condition and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in materials or workmanship promptly, when so requested, and within the time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

I, at any time previous to the final acceptance of the work, any of the material furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all noted, dimensions, figures, writings, thereon or thereto attached, etc., shall be considered a part of the specifications and in event of any discrepancy between the drawings, and specifications, the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings, including the profile figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorney fees, or any sum of money whatsoever by reason of any action, claim, demands or proceedings, arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the construction of work or by or in consequence of any neglect in guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The Contractor will be required to guard the public effectually from liability to damage or accident in consequence of operations during the whole progress of the work.

The Contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall at an early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such Contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage of material in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of work relative to Weather, and Conditions of Other Highways.

Whenever the weather conditions are such, or the conditions of other highways, over which materials has to be transported, that in the opinion of the Engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

Specific Specifications.- Profile.

The profile represents the elevation of the center line of the roadway, the elevation having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. A tabulated showing is made on the profile of the elevations of the curbs opposite the center line stations, also a like showing is made of the sub-grade elevations at the same points and are designated as "Right" and "Left" sides. The grade line established and indicated on the profile by straight red lines represents the elevations of the Sub-grade on the center line, at the same points of the elevations, that the roadway shall be raised or lowered to, being

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

referred to as the sub-grade and before material is put on.

Along the entire length of the proposed improvement where the edges of the roadway is defined by curbs on one or both sides, a tabulated showing is made, as aforesaid, of the sub-grade elevations, and the sub-grade shall be so made as to conform to the center sub-grade elevations and also "Right" and "Left" curb line sub-grade elevations.

Bidders and Contractors shall carefully examine the roadway and determine for themselves the amount of cutting and filling necessary to reduce the roadway to the sub-grade line established as indicated by the "Center" "Right" and "Left" sub-grade elevations, and the length of all hauls.

Route.

The route, length and width of this road are as heretofore set forth in the report of the Viewers and according to the plans herewith submitted.

Road-Way.

The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade 26 feet wide at such places as the roadbed is not limited by curbs and to allow the banks or sides of cuts and fills to be on the slope as the same is herein specified. Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the road from the location described herein will avoid an abrupt hollow or other natural obstacles, and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further 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 in the report, except as above provided for in case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the directions of the Engineer.

Road-Bed.

The roadbed shall be twenty-nine (29) feet wide, measured at right angles to the center line of right of way except where the same is defined by curbs where the same shall be from curb to curb and shall conform as nearly as practical to said center line. The road shall be made to conform to the

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

Profile and drawings entitled
of Roadbed without Curbs
said roadbed shall be made
by rolling with a twelve
acceptance of the Engineer.

Ditcher shall be
there are no curbs on both
points. The depth in no case
the grade, and if inches of
ditches must present a regular
conform to the general slope
of the water from the road
profile and directed by the
Station 16 & 24 on the South
either side Rubble Side
side ditches shall be 12
and shall be rolled, tamper
sub-grade when acceptable
first class limestone
the Engineer and flushed
laid first class Rubble
by 12 inches. Said stone
shall present a uniform
flushed with a concrete
equivalent, to two parts
or other foreign matter

At Station
24 inch first class
highway and from Station
feet of 24 inch first
Said sewer tile to be
and to be filled and
At Station
South side there shall
limestone screenings
to the specification
Grade.
The grade
of the roadbed, and
Grade line and to

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

profile and drawings entitled "Cross Section of Roadbed with Curbs" and "Cross Section of Roadbed without Curbs" and "Cross Section of Roadbed with Rubble Side Ditches", and said roadbed shall be made smooth and compact before the macadam is placed thereon, by rolling with a twelve (12) ton road roller until the same is compact and solid to the acceptance of the Engineer.

Ditches.

Ditches shall be excavated along both sides of the entire line of road where there are no curbs on both sides, unless otherwise directed by the Engineer at certain points. The depth in no case to be less than ten inches, measured from the shoulder of the grade, and 18 inches at the bottom with side slopes of one (1) to one (1). 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 unless otherwise provided by the profile and directed by the Engineer. From Station 15 ± 45 on the North side and from Station 16 ± 24 on the South side to Station 20 ± 53.5 feet there shall be constructed on either side Rubble Side ditches as exemplified by the drawings. The sub-grade for such side ditches shall be in accordance with the respective drawings with reference thereto and shall be rolled, tamped or rammed to the satisfaction of the Engineer and upon the sub-grade when acceptable to the Engineer there shall be placed 4 inches of good first class limestone screenings, thoroughly wet and tamped to the satisfaction of the Engineer and flushed with concrete mortar grout. Upon this shall then be immediately laid first class Rubble limestone, with a minimum dimensions of 4 inches by 10 inches by 12 inches. Said stone before being laid shall be thoroughly wet. When laid the surface shall present a uniform and even appearance as indicated in the drawings and shall be flushed with a concrete mortar grout, composed of one part Lehigh Cement, or its equivalent, to two parts sand. Sand shall be clean fine and sharp, free from loam, clay or other foreign matter.

At Station 15 ± 45 on the North side shall be laid 150 lineal feet of 24 inch first class vitrified sewer tile extending to the open drain crossing said highway and from Station 16 ± 24 feet on the South side there shall be laid 156 lineal feet of 24 inch first class vitrified sewer tile extending to the aforesaid open drain. Said sewer tile to be laid according to the staking and directions of the Engineer and to be filled and thoroughly tamped to the satisfaction of the Engineer.

At Station 15 ± 24 feet on the North side and at Station 16 ± 24 feet on the South side there shall be 24 inch intakes with limestone and concrete backing upon limestone screenings foundation as exemplified in the drawings and constructed according to the specifications for the Rubble Side Ditches.

Grade.

The grade line (the red line) of the profile shows the grade of the sub-grade of the roadbed, and the top or surface of the roadbed must be made to conform to said grade line and to the curb grade line, making cuts and fills of the depth shown on said

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

profile. However, in the case of discrepancy between the cuts and fills as shown on the profile, and the cuts and fills necessary to bring the sub-grade to the grade line established by making the required cut or fill, or whatever may be required, if any thing, at both ends of a continuous grade, such continuous grade to be maintained between the breaks. After the grading is completed the roadbed shall be rolled with a twelve (12) ton road roller until the same is solid and compact to the acceptance of the Engineer. The roller shall be either propelled by its own power or by horse power, the use of a roller pulled by a traction engine will not be allowed.

The Contractor shall complete his grade and the same shall be rolled and accepted by the Engineer before material is placed on, or any part thereof and the Contractor shall keep the roadbed perfectly smooth and compact in advance of the stone.

Excavations.

All cuts shall be excavated to a width of thirty (30) feet at the sub-grade. The slopes of all cuts shall be one (1) to one (1).

Embankments.

All embankments or fills shall be twenty-nine (29) feet at the sub-grade and the sides shall have a slope of one (1) to one (1). The contractor shall make easy approaches to intersecting highways, and shall replace all side walks intersections or cross overs where those all ready in place have to be raised or lowered.

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

Inspection

All materials shall be subject to the inspection and approval of the Engineer and Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The engineer shall set all stakes and determine all grades, levels and elevations.

Macadam.

For a width of ten (10) feet on each side of the center line of the road from Station 0 to Station 20 \pm 53.5 feet from curb to curb from Station 20 \pm 53.5 feet to Station 43 \pm 52.9 feet and for a width of 7 feet on east side of the center line of the road from Station 43 \pm 52.9 feet to Station 44 \pm 52.9 feet the road shall be covered with good, hard, crushed, screened limestone, suitable for first class road building purposes and acceptable to the Engineer. Said stone to be free from dirt and all other foreign and deleterious material and range in size from one-half inch to two inches in diameter. Such stone to be placed ten inches in the center and 4, 1/2 inches at the outer edges. On such portions of the highway as the roadbed is not bounded by curbs said stone is to be placed between boards properly lined. The embankment indicated on the "Cross Section

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

Section of Roadbed without Curbs" is to be placed before said boards are removed. Said boards shall remain in place until the Engineer or the Superintendent is satisfied that the required amount of stone has been placed on the road. After the acceptance of this work by either Engineer or Superintendent, said boards shall be removed and such stone shall be thoroughly wet and rolled. First the Contractor shall run the roller along on each embankment as close to the shoulder of the grade as may be done without unnecessarily injuring the shoulders of the ditches, then the stone is to be thoroughly wet and immediately the stone is to be thoroughly rolled to the satisfaction of the Engineer. All rolling of subgrade, stone and finished surface to be done with a twelve (12) ton road roller as hereinbefore provided. After the satisfactory rolling of said stone there shall be placed on such rolled stone hard clean limestone screenings to a thickness of two inches at the center and 1, 1/2 inches at the outer edge, the same to be levied and smoothed to the satisfaction of the Engineer, this having been done the same be thoroughly wet and immediately rolled to the satisfaction of the Engineer. The placing of material shall be commenced and carried out so as hauling over the stone will not be necessary, except the screenings, and the screenings to be placed at the direction of the Engineer.

Estimates.

The Contractor shall be entitled to estimates as provided by the statute, and payment will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent of the Engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all its details.

John O. Kain, Engineer.

Ralph Swearengin, Viewer.

Ora F. Martin, Viewer.

Subscribed and sworn to before me this 2nd. day of August, 1909.

Wm. H. Nichols, Auditor.

Endorsed on back:- "Filed Aug.-2-1909. Wm. H. Nichols, Auditor Hendricks County."

"Approved by the Board of Commissioners of Hendricks County, Indiana, this 8th. day of Sept. 1909. E. M. Murphy, President."

And further proceedings herein are continued.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

In the matter of the petition of)
 Frank P. Reichard et al for the Improvement)
 of a public highway by taxation.)

Come now again the petitioners in the above entitled cause and respectfully show to the Board of Commissioners of Hendricks County that pursuant to an order heretofore made by the Board and a notice issued by the Auditor, which notice is in words and figures as follows, to-wit:-(Here Insert) that the viewers and engineer, appointed in this cause, met on the 13th day of February, 1909, which date was within ten days after the appointment of said viewers and engineer, and took the oath, as provided by law, for the faithful discharge of their duties as viewers and engineer in this cause; and that the engineer, on said date, filed his bond in the sum of \$5000.00 which bond is in words and figures as follows, to-wit:-

Know all men by these presents, That we John O. Kain as principal and The Title Guaranty and Surety Company of Scranton Penn, as surety, all of the County of Hendricks, and State of Indiana, are held and firmly bound unto the State of Indiana in the penal sum of Five Thousand Dollars for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly, severally and firmly by these presents.

Witness, our hands and seals, this 13th day of February, 1909.

The Condition of the above obligation is such, That whereas the above bound John O. Kain was on the 13th day of February, 1909, duly appointed Engineer for the preliminary survey of the road known as the Frank Reichard et al road in Center Township, Hendricks County, Indiana;

Now, if the said John O. Kain shall well and faithfully discharge the duties of Preliminary Engineer according to law, make due report as required by law and make a complete settlement according to law with the board of Commissioners of said Hendricks County, Indiana, and faithfully perform all his duties as such preliminary Engineer, then the above obligation to be null and void, else to remain in full force and virtue in law.

John O. Kain (SEAL)

The Title Guaranty & Surety Company by
 B. F. Higdon (SEAL)

State of Indiana

SS:

County of Marion

On the 14th day of April, 1909, personally appeared before me, a Notary Public in and for said County and State, B. F. Higdon, of Indianapolis, Indiana, to me known to be the individual who executed the foregoing bond and who acknowledged that he executed the same as Attorney-In-Fact for the Title Guaranty & Surety Company, of Scranton, Pennsylvania; that he is Attorney-in-fact and duly authorized to execute such a bond and that same was executed for the intent and purposes therein shown.

Horace L. Gould (SEAL)

My commission expires Sept 18, 1909.

Notary Public.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

with the approval of the Auditor endorsed thereon, which approval and endorsement are in words and figures as follows, to-wit:-

"Accepted and Approved by the Auditor, this 15th. day of April, 1909.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back thereof as follows:-

"Filed this 13th day of April, 1909. Wm. H. Nichols, Auditor."

And now said petitioners respectfully show to the Board that the time for filing the report of the viewers and engineer in this cause was extended to the August Term, 1909, of said Board, and now comes the viewers and engineer herein and produce and file their report on the 2nd. day of August, 1909, which report is in words and figures as follows, to-wit:-

Order to View Road.

The State of Indiana

SS: Commissioners' Court February Term, 1909.

Hendricks County

To James T. Leak, John E. Vestal, John O. Kain, Engineer:

You are hereby notified that you were appointed by the Board of Commissioners of said County at their February Term, 1909, to view a proposed improvement of a Highway, as follows, to-wit: Commencing at a point on the Danville and North Salem improved free gravel road, a public highway, where the West line of the East half of the South East quarter of section 4, Township 15 North of Range 1 West in Hendricks County in the State of Indiana, crosses the center line of said road, and running thence Southeast about 675 feet, to the intersection of said public highway, with a public highway known as Cross Street in the town of Danville, Indiana; thence South about 3,875 feet to the intersection of said highway with a public highway known as Lincoln Street, or Klondike Avenue in said town; thence East about 1,350 feet to the intersection of said highway with a public highway known as Tennessee Street in said town; thence North about 100 feet to the Danville and Cartersburg public highway; thence Southeast to the South line of the right of way of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company where said described public highway connects with the Danville and Cartersburg improved free gravel road, and if said proposed improvement of the above described highway will be of public utility, mark and lay out the same, in the manner prescribed by law, to the width of 30 feet, to view and report also the character of the improvement to be made, including grading, draining, and paving together with complete plans and specifications of said improvement at the estimated cost of such improvement.

You will meet at the office of the County Auditor in Danville, Indiana, on the 13th day of February, 1909, at 10 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.

(SEAL) Witness my hand and official seal, this 3rd day of February, 1909.

Wm. H. Nichols, Auditor.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

Oath OF Viewers.

State of Indiana, Hendricks County, SS:

We, James T. Leak, John E. Vestal and John O. Kain, 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.

James T. Leak

John E. Vestal

John O. Kain

Subscribed and sworn to before me, this 13th. day of February, 1909.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, August Term, 1909.

In the matter of the petition of Frank P. Reichard et al. to improve a public highway in Center Township, Hendricks County, Indiana.

TO THE HONORABLE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA:

We, the undersigned Viewers and Engineer, appointed by your Honorable Body, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto", to view, examine, make all needful surveys of the road described in the petition of Frank P. Reichard et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grading, sewerage, ditching, draining, and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 13th day of February, 1909, at the office of the Auditor of Hendricks County, in the Town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard crushed, screened limestone with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed with Curbs", "Cross Section of Roadbed without Curbs", "Cross Section of Roadbed with Rubble Side Ditches" and "Cross Section of Roadbed with Curbs and Rubble Side Ditches"

We find that the proposed improvement, in accordance with the profile, drawings and specifications and plans, herewith filed, will be of public utility

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

and convenience and that the costs of constructing the same shall be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and the width of thirty (30) feet specified in the specifications herewith filed. That the aforesaid profile shows the elevation of the center line of said proposed road, at the end of each hundred feet and certain plus stations, together with certain tabulated elevations and that said profile, drawings, plans and specifications provide for all details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed, sewers, ditches, drains and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all necessary things to make a complete macadam road; that all drawings, plans, blue prints and specifications, together with the profile are made by us and herewith 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:- Commencing at a point in the Danville and North Salem public highway, being the end of the Danville and North Salem Free Gravel Road and a point where said highway crosses or intersects with the West line of the East half of the South East quarter of Section 4, Township 15 North Range 1 West in Hendricks County, Indiana, and running thence South Easterly on and along the center line of said public highway a distance of 735.7 feet to the point of intersection of said highway and the center line of Cross Street in the Town of Danville, Indiana; thence South 3881.4 feet to the intersection of said center line with the center line of a public highway known as Lincoln Street or Klondike Avenue in said town of Danville, Indiana; thence East 1350.6 feet to the center intersection of said center line with the center of a public highway known as Tennessee Street in said Town; thence North 12 feet to the center line of the Danville and Cartersburg public highway; thence South Easterly on and along the center line of the last named highway 566.6 feet to the Northern Terminus of the Danville and Cartersburg Free Gravel Road. We find the total length of the proposed improved highway to be 6656.3 lineal feet which is less than three (3) miles. We however, recommend that no improvement be made on the 566.6 feet described in the last course above. All bearings and distances being the center line of said proposed improved highway.

We find that no damaged on account of the construction of the foregoing described proposed improved highway will accrue to any one.

We estimate the total cost of the proposed improvement to be \$10360.00

John O. Kain, Engineer.

John E. Vestal, Viewer

James T. Leak, Viewer.

Subscribed and sworn to before me this 2nd. day of August, 1909.

Wm. H. Nichols, Auditor.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, August Term, 1909.

In the matter of the petition of Frank P. Reichard et al,
to improve a public highway, in Center Township, Hendricks County, Indiana.

Specifications for the construction of the Frank P. Reichard et al
Road in Center Township, Hendricks County, Indiana, under the "Provisions of an
Act of the General Assembly of Indiana, approved March 8th 1905, and all amendments
thereto", by cleaning, grubbing, grading, culverting, sewerage, ditching, drawing,
bridging and macadamizing with crushed limestone, the above named Road as described
in our report.

General Specifications.

1. Intention. It is intended that these specifications, drawings, plans, blue prints
and profile, with all figures and writings thereon, and herewith filed, shall
provide for a road complete in every respect, and any error or omission in the
profile, plans, drawings, blue prints and specifications shall not release the
Contractor from constructing a road complete in all its details, any work done
or materials furnished on account of any error or omission as aforesaid shall be
done and furnished by the Contractor under his contract, without any additional
compensation.

2. Board. Whenever the word "Board" is used, it shall be understood as referring
to the Board of Commissioners of Hendricks County, in the State of Indiana.

3. Engineer. Whenever the word "Engineer" is used in these specifications it shall
be understood as referring to the Engineer in charge of such work, duly appointed
by the Board, or to his deputy or assistant.

4. Superintendent. Whenever the word "Superintendent" is used, it shall be under-
stood as referring to the regular appointee of the Board, as provided by law, and
who is not to be related to the Contractor, or interested with the Contractor on
the work herein contemplated, or interested in any other business affairs with the
Contractor, and who is to receive no compensation from the Contractor for any
services or labor performed on the work herein contemplated, and who is under the
directions of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as
referring to the party or parties, who shall enter into an agreement to execute
and perform all or any part of the work as herein specified and contemplated,
or to the authorized representative of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement,
between the Contractor and Superintendent, concerning the interpretation of
the profile, plans, drawings, blue prints, and specifications, or concerning the
quantity or quality of the materials furnished, or as to the character of the
work, the same shall be submitted to the Engineer and the decision of the
Engineer shall control and the Contractor shall proceed with the work in

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

accordance therewith.

7. Change of Plans. The Engineer shall have the right to make any change or alterations in the plans and specifications that the Engineer and Superintendent may deem advisable, any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person or persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the condition and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the material furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all notes, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in event of any discrepancy between the drawings, and specifications, the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

or fills, as the case may be, at the break in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorney fees, or any sum of money whatsoever by reason of any action, claim, demands or proceedings, arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system of arrangement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The Contractor will be required to guard the public effectually from liability to damage or accident in consequence of operations during the whole progress of the work.

The contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall, at an early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage of materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of Work Relative to Weather and Conditions of other Highways.
Whenever the weather conditions are such, or the conditions of other

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

highways, over which material has to be transported, that in the opinion of the engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

Specific Specifications. Profile.

The profile represents the elevation of the center line of the roadway, the elevation having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. A tabulated showing is made of the profile of the elevations of the Curbs opposite the center line stations, also a like showing is made of the sub-grade elevations at the same points and are designated as "Right" and "Left" sides. The grade line established and indicated on the profile by straight red lines represents the elevations of the sub-grade on the center line, at the same points of the elevations that the roadway shall be raised or lowered to, being referred to as the subgrade and before material is put on.

Along the entire length of the proposed improvement where the edges of the roadway is defined by curbs on one or both sides, a tabulated showing is made, as aforesaid, of the sub-grade elevations, and the sub-grade shall be so made as to conform to the center subgrade elevations and also the "Right" and "Left" curb line sub-grade elevations.

Bidders and Contractors shall carefully examine the roadway and determine for themselves the amount of cutting and filling necessary to reduce the roadway to the sub-grade line established as indicated by the "Center", "Right" and "Left" sub-grade elevations and the length of all hauls.

Route

The route, length and width of this road are as heretofore set forth in the report of the Viewers and according to the plans herewith submitted.

Roadway.

The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a subgrade 26 feet wide at such places as the roadbed is not limited by curbs and to allow the banks or sides of cuts and fills to be on the slope as the same is herein specified. Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the road from the location described herein will avoid an abrupt hollow or other natural obstacles, and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order; Provided always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further 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.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

The center line of the right of way shall follow along and coincide with the center line of the road as described in the report, except as above provided for in case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the directions of the Engineer.

Road Bed.

The roadbed shall be twenty-nine (29) feet wide, measured at right angles to the center line of right of way except where the same is defined by curbs where same shall be from curbs to curbs and shall conform as nearly as practical to said center line. The road shall be made to conform to the profile and drawings entitled "Cross Section of Roadbed with Curbs" and "Cross Section of Roadbed without Curbs" and "Cross Sections of Roadbed with Rubble Ditches" and said roadbed shall be made smooth and compact before the macadam is placed thereon, by rolling with a twelve (12) ton road roller until the same is compact and solid to the acceptance of the Engineer.

Ditches.

Ditches shall be excavated along both sides of the entire line of road where there are no curbs on both sides unless otherwise directed by the Engineer at certain points. The depth in no case to be less than ten inches, measured from the shoulder of the grade, and 18 inches at the bottom with side slopes of one (1) to one (1). 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, unless otherwise provided by the profile and directed by the Engineer.

From Station 1 ± 69 feet to Station 16 ± 65.2 feet there shall be constructed on each side "Rubble Side Ditches" as exemplified by the drawing and from Station 18 ± 60.5 feet to Station 28 ± 57 feet there shall likewise be on either side "Rubble Side Ditches" as exemplified by the drawings.

The sub-grade for such side ditches shall be in accordance with the respective drawings with reference thereto and shall be rolled, tamped or rammed to the satisfaction of the Engineer and upon the subgrade, when acceptable to the Engineer, there shall be placed 4 inches of good first class Limestone screenings, thorough wet and tamped to the satisfaction of the Engineer and flushed with concrete mortar grout. Upon this shall then be immediately laid first class Rubble limestone, with a minimum dimensions of 4 inches by 10 inches by 12 inches. Said stone, before being laid shall be thoroughly wet. When laid the surface shall present a uniform and even appearance as indicated in the drawings and shall be flushed with a concrete mortar grout, composed of one part Lehigh Cement, or its equivalent, to two parts sand. Sand shall be clean, fine and sharp, free from loam, clay or other foreign matter.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

At Station 1 ± 84 feet there shall be a turn-out on each side of the same construction as the side ditches and shall extend to the bottom of the fill and then turning again parallel with the center line of the road. On each side at Station 28 ± 57 feet there shall be placed a 24 inch Gutter manhole with grating and with 18 inch connections from said manholes of the sewer openings through the North abutments of the concrete bridge at said point.

Grade.

The grade line (the red line) of the profile shows the grade of the sub-grade of the roadbed, and the top or surface of the roadbed must be made to conform to said grade line and to the curb grade line, making cuts and fills of the depth shown on said profile. However, in case of discrepancy between the cuts and fills as shown on the profile, and the cuts and fills necessary to bring the sub-grade to the grade line established by making the required cut or fill, or whatever may be required, if any thing, at both ends of a continuous grade, such continuous grade to be maintained between the breaks. After the grading is completed the roadbed shall be rolled with a twelve (12) ton road roller until the same is solid and compact, to the acceptance of the Engineer. The roller shall be either propelled by its own power or by horse power, the use of a roller pulled by a traction engine will not be allowed.

The Contractor shall complete his grade and the same shall be rolled and accepted by the Engineer before material is placed on, or any part thereof and the Contractor shall keep the roadbed perfectly smooth and compact in advance of the stone.

Excavations.

All cuts shall be excavated to a width of thirty (30) feet at the sub-grade. The slopes of all cuts shall be one (1) to one (1).

Embankments.

All embankments or fills shall be thirty (30) feet at the subgrade and the sides shall have a slope of one (1) to one (1). The Contractor shall make easy approaches to all intersecting highways, and shall replace all sidewalk intersections or cross overs where those already in place have to be raised or lowered.

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

Inspection.

All materials shall be subject to the inspection and approval of the Engineer and Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The engineer shall set all stakes and determine all grades, levels and elevations.

Macadam.

For a width of seven (7) feet on each side of the center line of the road from Station 1 ± 84 to Station 8 ± 11.8 feet and from curb to curb from Station 8 ± 11.8 feet to station 46 ± 0.21 feet and for a width of 9 feet on each side of the center line of the road from station 0 to station ± 84 feet and from Station 46 ± 0.21

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

feet to Station 60 ± 87.7 feet, the road shall be covered with good, hard crushed, screened limestone, suitable for first class road building purposes and acceptable to the Engineer. Said stone to be free from dirt and all other foreign and deleterious material and range in size from one-half inch to two inches in diameter. Such stone to be placed ten inches in the center and 4, 1/2 inches at the outer edges. On such portions of the highway as the roadbed is not bounded by curbs said stone is to be placed between boards properly lined. The embankments indicated on the "Cross Section of Roadbed without Curbs" are to be placed before said boards are removed. Said boards shall remain in place until Engineer or the Superintendent is satisfied that the required amount of stone has been placed on the road. After the acceptance of this work by either the Engineer or Superintendent, said boards shall be removed and such stone shall be thoroughly wet and rolled. First the Contractor shall run the roller along on each embankment as close to the shoulder of the grade as may be done without unnecessarily injuring the shoulders of the ditches, then the stone is to be thoroughly wet and immediately the stone is to be thoroughly rolled to the satisfaction of the Engineer. All rolling of sub-grade, stone and finished surface to be done with a twelve (12) ton road roller as hereinbefore provided. After the satisfactory rolling of said stone there shall be placed on such rolled stone hard clean limestone screenings to a thickness of two inches at the center and 1, 1/2 inches at the outer edge, the same to be leveled and smoothed to the satisfaction of the Engineer, this having been done the same shall be thoroughly wet and immediately rolled to the satisfaction of the Engineer. The placing of material shall be commenced and carried out so as hauling over the stone will not be necessary, except the screenings to be placed at the directions of the Engineer Estimates.

The Contractor shall be entitled to estimates as provided by the statute, and payment will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent of the Engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all its details.

John O. Kain, Engineer.

John E. Vestal, Viewer.

James T. Leak, Viewer.

Subscribed and sworn to before me this 2nd. day of August, 1909.

Wm. H. Nichols, Auditor.

Endorsed on back of said report is the following:-

"Filed Aug 2-1909. Wm. H. Nichols, Auditor Hendricks Co."

"Approved by the Board of Commissioners of Hendricks County, Indiana, this 8th day of Sept. 1909. E. M. Murphy, President."

And now come the viewers and engineer, after the expiration of ten days

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

from the filing of their report herein, on the 2nd day of August, 1909, and at the next regular session of said Board of Commissioners after said date and file their supplemental report herein, which report is in words and figures as follows, to-wit:-

Supplemental Report of Viewers.

To the Honorable Board of Commissioners:

In the matter of the petition of Frank P. Reichard et al
for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 2nd. day of August, 1909, 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 O. Kain

John E. Vestal

James T. Leak, Viewers.

Subscribed and sworn to before me this the 2nd. day of August, 1909.

Wm. H. Nichols, Auditor Hendricks County.

Said Supplemental report is indorsed on back as follows:-

"Filed Sept 8", 1909. Wm. H. Nichols, Auditor"

"Approved Sept 8-1909. E. M. Murphy. P. B."

And now said Board being fully advised in the premises finds that the viewers and engineer appointed herein met on the 13th day of February, 1909, and were qualified as provided by law and that said engineer filed his bond in the sum of \$5000.00 and that the same was approved by the Auditor of Hendricks County, and the Board further finds that pursuant to an order heretofore made by them that the time for filing the report of the viewers and engineer was extended to the August Term, 1909, of said Board, and that the report of the engineer and viewers was filed in the office of the Auditor of Hendricks County, Indiana, on the 2nd day of August, 1909, 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 September Term of said Board, 1909, and before the filing of the supplemental report herein, and the Board having examined said report finds that it conforms to the law in all respects and should be approved; that the highway, described therein, is less than three miles in length, and that the improvement as reported in said report will be 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 Center Township.

It is therefore ordered by the Board that the report of the engineer and viewers be and the same is now, hereby in all things fully approved. And the Board further finds

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

that the viewers and engineer filed their supplemental report on the 8th day of September, 1909, that the same was filed at the next regular session of the Board of Commissioners after the expiration of ten days from the filing of the first report, and that said report being fully examined said Board finds that no injury will result to the property of any idiot or any person of unsound mind or will any 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 claims 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 ought to be approved in all things.

It is therefore ordered by the Board that the supplemental report of the viewers and engineer be and the same is hereby fully approved.

And the Board further finds from the examination of the report of said viewers and engineer that said improvement prayed for by the petitioners herein should be established.

It is therefore ordered that said improvement, as prayed for, be made and that the same shall 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 of Hendricks County give notice by one publication in the Indianapolis Star, 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 the 4th day of October, 1909, at the hour of ten 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, and this cause is continued.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

In the Matter of the Petition of Charles F.)
McClelland et al for the Improvement of a)
public highway by taxation.)

Come now again the petitioners in the above entitled cause and respectfully show to the Board of Commissioners of Hendricks County that pursuant to an order heretofore made by the Board and a notice issued by the Auditor, which notice is in words and figures as follows, to-wit:-(Here Insert) that the viewers and engineer, appointed in this cause, met on the 13th day of February, 1909, which date was within ten days after the appointment of said viewers and engineer, and took the oath, as provided by law, for the faithful discharge of their duties as viewers and engineer in this cause; and that the engineer, on said date, filed his bond in the sum of \$5000.00, which bond is in words and figures as follows, to-wit:-

Know all men by these presents, That we, John O. Kain as principal and The Title Guaranty and Surety Company, of Scranton Penn. as surety all of the County of Hendricks, and State of Indiana, are held and firmly bound unto the State of Indiana in the penal sum of Five Thousand Dollars for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly, severally and firmly by these presents.

Witness, our hands and seals, this 13th day of February, 1909.

The Condition of the above Obligation is such, That whereas the above bound John O. Kain was on the 13th day of February, 1909, duly appointed Engineer for the preliminary survey of the road known as the Chas. F. McClelland et al road in Center Township, Hendricks County, Indiana;

Now, if the said John O. Kain shall well and faithfully discharge the duties of Preliminary Engineer according to law, make due report as required by law and make a complete settlement according to law with the board of Commissioners of said Hendricks County, Indiana, and faithfully perform all his duties as such Preliminary Engineer, then the above obligation to be null and void, else to remain in full force and virtue in law.

John O. Kain (SEAL)

The Title Guaranty & Surety Company

by B. F. Higdon, Attorney in Fact (SEAL)

State of Indiana, County of Marion, SS:

On this 14th day of April, A.D. 1909, personally appeared before me, a Notary Public in and for the said County and State, B. F. Higdon, of Indianapolis, Indiana, to me known to be the individual who executed the foregoing bond and who acknowledged that he executed the same as Attorney-in-fact for the Title Guaranty & Surety Company, of Scranton, Pennsylvania; that he is attorney-in-fact and duly authorized to execute such a bond, and the same was executed for the intent and purposes therein shown.

(SEAL) My commission expires Sept. 18", 1909. Horace L. Gould, Notary Public (SEAL)

with the approval of the Auditor endorsed thereon, which approval and endorsement are in words and figures as follows, to-wit:- "Accepted and approved by the Auditor, this 15th

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

day of April, 1909.

Wm. H. Nichols, Auditor Hendricks County.

Said bond is indorsed on back as follows:-

"Filed this 15th day of April, 1909. Wm. H. Nichols, Auditor."

And now said petitioners respectfully show to the Board that the time for filing the report of the viewers and engineer in this cause was extended to the August Term, 1909, of said Board, and now comes the viewers and engineer herein and produce and file their report on the 2nd day of August, 1909, which report is in words and figures as follows, to-wit:-

"Order to View Road"

The State of Indiana,
Hendricks County,

SS: Commissioners' Court, February Term, 1909.

To, J. A. Mattern, and J. J. C. Clay, J. O. Kain, Engineer:

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their February Term, 1909, to view a proposed improvement of a Highway, as follows, to-wit: Commencing at a point in the Danville and Cartersburg improved free gravel road at the South line of the right of way of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company and extending thence Northwest about 900 feet; thence North about 1200 feet, thence East about 1500 feet, thence North about 600 feet, thence West about 225 feet, thence North about 75 feet, thence West about 750 feet, thence North about 1775 feet, thence West about 325 feet, thence North about 750 feet, thence West about 325 feet to the intersection of the Danville and Lebanon free gravel road, and if said proposed improvement of the above described highway will be of public utility, mark and lay out the same, in the manner prescribed by law, to the width of 30 feet, the character of the improvement including draining, grading, paving, together with complete plans and specifications of each improvement, and the estimated cost of each improvement to be made.

You will meet at the office of the County Auditor in Danville, Indiana, on the 13th. day of February, 1909, at 10 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.

(SEAL) Witness my hand and official seal, this 3rd. day of February, 1909.

Wm. H. Nichols, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, J. A. Mattern, J. J. C. Clay and John O. Kain 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.

J. A. Mattern

J. J. C. Clay

John O. Kain.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

Subscribed and sworn to before me, this 13th day of June, 1909.

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

State of Indiana, Hendricks County, SS:

In the Commissioners Court, August Term, 1909.

In the matter of the petition of Charles F. McClelland et al, to improve a public highway, in Center Township, Hendricks County, Indiana.

TO THE HONORABLE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA.

We, the undersigned Viewers and Engineer, appointed by your Honorable Body, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto", to view, examine, make all needful surveys of the road described in the petition of Charles F. McClelland et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grading, sewerage, ditching, draining and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 13th day of February, 1909, at the office of the Auditor of Hendricks County, in the Town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such Viewers and Engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard crushed, screened limestone with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed with Curbs", and "Cross Section of Roadbed without Curbs". We find that the proposed improvement, in accordance with the profile, drawings and specifications and plans, herewith filed will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty (30) feet and specified in the specifications herewith filed. That the aforesaid profile shows the elevation of the center line of said proposed road, at the end of each hundred feet and certain plus Stations, together with certain tabulated elevations and that said profile, drawings, plans and specifications provide for all details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed, sewers, ditches, drains, and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all necessary things to make a complete macadam road; that all drawings, plans, blue prints and specifications, together with the profile are made by us and herewith filed and made a part of this report.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

The following is a description of the route over and upon which said improvement is to be located:- Commencing at the Northern Terminus of the Danville and Cartersburg Free Gravel Road and then running North Westerly 566.45 feet on and along the center line of the highway known as the Danville and Cartersburg highway to the intersection of said center line with the center line of Tennessee Street in the town of Danville, Indiana; thence North 1280.05 feet; thence East 1428.35 feet; thence North 630.15 feet; thence West 420.55 feet; thence curving to the right on a 55 foot radius a distance of 86.45 feet; thence West 945.5 feet; thence North 1741 feet; thence West 342.6 feet; thence North 785.5 feet; thence West 292.3 feet to the center of the Danville and Lebanon Free Gravel Road. We find the total length of the proposed improved highway to be 8518.9 lineal feet which is less than three (3) miles. We however, recommend that no improvement be made on the first 566.45 feet being the distance from the beginning point to the intersection of said highway with the center line of Tennessee Street in the Town of Danville, Indiana. We also recommend that no improvement be made on so much of said highway as lies between Station 60 ± 0.4 feet and Station 60 ± 30 feet. All of said bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to any one.

We estimate the total cost of the proposed improvement to be
\$10303.70

John O. Kain, Engineer

J. J. C. Clay, Viewer

J. A. Mattern, Viewer.

Subscribed and sworn to before me this 2nd. day of August, 1909.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, August Term, 1909.

In the matter of the petition of Charles F. McClelland et al to improve a public highway in Center Township, Hendricks County, Indiana.

Specifications for the construction of the Charles F. McClelland et al Road in Center Township, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th 1905, and all amendments thereto", by cleaning, grubbing, grading, culverting, sewerage, ditching, drawing, bridging and macadamizing with crushed limestone, the above named Road as described in our report.

GENERAL SPECIFICATIONS.

1. Intention. It is intended that these specifications, drawings, plans, blue prints, and profile, with all figures and writings thereon, herewith filed, shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints and specifications shall not release the Contractor from

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

constructing a road complete in all its details, any work done or materials furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.

2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.

3. Engineer. Whenever the word "Engineer" is used in these specifications it shall be understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.

4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not to be related to the Contractor, or interested with the Contractor on the work herein contemplated or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor for any services or labor performed on the work herein contemplated, and who is under the directions of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representative of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints, and specifications, or concerning the quantity or quality of the materials furnished, or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The Engineer shall have the right to make any change or alterations in the plans and specifications that the Engineer and superintendent may deem advisable, any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intention of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person or persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the condition and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in materials or workmanship promptly, when so requested, and within the time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the material furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not adviseable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all noted, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in event of any discrepancy between the drawings, and specifications, the matter shall be referred to the Engineer for adjustment, and his decisions shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, or any sum of money whatsoever by reason of any action, claim, demands or proceedings, arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding dangerous places, or in any improper

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

materials used, or by or on account of any act of omission or commission of the Contractor of his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any his obligations to construct, in a first class manner, all or the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The contractor will be required to guard the public effectually from liability to damage or accident in consequence of operation during the whole progress of the work.

The contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall at an early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage of materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of work relative to weather and conditions of other highways.

Whenever the weather conditions are such, or the conditions of other highways, over which materials has to be transported, that in the opinion of the Engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

SPECIFIC SPECIFICATIONS.

PROFILE.

The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. A tabulated showing is made on the profile of the elevations of the curbs opposite the center line stations, also a like showing is made of the sub-grade elevations at the same points and are designated as "Right" and "Left" sides. The grade line established and indicated on the profile by straight red lines represents the elevations of the sub-grade on the center line, at the same points of the elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before material is put on.

Along the entire length of the proposed improvement where the edges of the roadway is defined by curbs on one or both sides, a tabulated showing is made, as aforesaid, of the sub-grade elevations, and the sub-grade shall be so made as to conform to

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

the center sub-grade elevations and also the "Right" and "Left" curb line sub-grade elevations.

Bidders and Contractors shall carefully examine the roadway and determine for themselves the amount of cutting and filling necessary to reduce the roadway to the sub-grade line established as indicated by the "Center", "Right" and "Left" subgrade elevations, and the length of all hauls.

Route.

The route, length and width of this road are as heretofore set forth in the report of the viewers and according to the plans herewith submitted.

Roadway.

The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a subgrade 26 feet wide at such places as the roadbed is not limited by curbs and to allow the banks or sides of cuts and fills to be on the slope as the same is herein specified. Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the road from the location described herein will avoid an abrupt hollow or other natural obstacle, and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided, always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further 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 in the report, except as above provided for in case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the direction of the Engineer.

Road Bed.

The roadbed shall be twenty-nine (29) feet wide, measured at right angles to the center line of right of way, except where the same is defined by curbs where the same shall be from curbs to curbs and shall conform as nearly as practical to said center line. The road shall be made to conform to the profile and drawings entitled "Cross Section of Roadbed with Curbs" and "Cross Section of Roadbed without Curbs" and said roadbed shall be made smooth and compact before the macadam is placed thereon, by rolling with a twelve (12) ton road roller until the same is compact and solid to the acceptance of the Engineer.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

Ditches.

Ditches shall be excavated along both sides of the entire line of road where there are no curbs on both sides, unless otherwise directed by the Engineer at certain points. The depth in no case to be less than ten inches, measured from the shoulder of the grade, and 18 inches at the bottom with side slopes of one (1) to one (1). 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, unless otherwise provided by the profile and directed by the Engineer.

Grade.

The grade line (the red line) of the profile shows the grade of the sub-grade of the roadbed, and the top or surface of the roadbed must be made to conform to said grade line and to the curb 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 bring the sub-grade to the grade line established by making the required cut or fill, or whatever may be required, if any thing, at both ends of a continuous grade, such continuous grade to be maintained between the breaks. After the grading is completed the roadbed shall be rolled with a twelve (12) ton road roller until the same is solid and compact to the acceptance of the Engineer. The roller shall be either propelled by its own power or by horse power, the use of a roller pulled by a traction engine will not be allowed.

The contractor shall complete his grade and the same shall be rolled and accepted by the Engineer before material is placed on, or any part thereof and the Contractor shall keep the roadbed perfectly smooth and compact in advance of the stone.

Excavations.

All cuts shall be excavated to a width of thirty (30) feet at the sub-grade. The slopes of all cuts shall be one (1) to one (1).

Embankments.

All embankments or fills shall be thirty (30) feet at the subgrade and the sides shall have a slope of one (1) to one (1). The Contractor shall make easy approaches to all intersecting highways and shall replace all side walk intersections or cross overs where those all ready in place have to be raised or lowered.

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

Inspection.

All materials shall be subject to the inspection and approval of the Engineer and Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations.

Macadam.

For a width of 9 feet on each side of the center line of the road from Station

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

5 ± 66 to Station 13 ± 83.6 feet, from Curb to Curb from Station 13 ± 83.6 feet to Station 79 ± 39.2 feet and for a width of 7 feet on each side of the center line of the road from Station 79 ± 39.2 feet to Station 85 ± 18.9 feet the road shall be covered with good, hard, crushed, screened limestone, suitable for first class road building purposes and acceptable to the Engineer. Said stone to be free from dirt and all other foreign and deleterious material and range in size from one-half inch to two inches in diameter. Such stone to be placed ten inches in the center and 4, 1/2 inches at the outer edges. On such portions of the highway as the roadbed is not bounded by curbs said stone is to be placed between boards properly lined. The embankment indicated on the "Cross Section of Roadbed without Curbs" is to be placed before said boards are removed. Said boards shall remain in place until the Engineer or the Superintendent is satisfied that the required amount of stone has been placed on the road. After the acceptance of this work by either the Engineer or Superintendent, said boards shall be removed and such stone shall be thoroughly wet and rolled. First the Contractor shall run the roller along on each embankment as close to the shoulder of the grade as may be done without unnecessarily injuring the shoulder of the ditches, then the stone is to be thoroughly wet and immediately the stone is to be thoroughly rolled to the satisfaction of the Engineer. All rolling of sub-grade, stone and finished surface to be done with a twelve (12) ton road roller as hereinbefore provided. After the satisfactory rolling of said stone there shall be placed on such rolled stone hard clean limestone screenings to a thickness of two inches and 1, 1/2 inches at the outer edge, the same to be leveled and smoothed to the satisfaction of the Engineer, this having been done the same shall be thoroughly wet and immediately rolled to the satisfaction of the Engineer. The placing of material shall be commenced and carried out so as hauling over the stone will not be necessary, except the screenings, and the screenings to be placed at the discretion of the Engineer.

Estimates.

The Contractor shall be entitled to estimates as provided by the statute, and payment will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent of the Engineer's estimate of the work done by the Contractor, nor shall the whole of the contract price be paid until the road shall have been received as completed in all its details.

John O. Kain, Engineer.

J. J. C. Clay, Viewer.

J. A. Mattern, Viewer.

Subscribed and sworn to before me this 2nd. day of August, 1909.

Wm. H. Nichols, Auditor.

Said report is indorsed on back thereof as follows:-

"Filed Aug 2-1909. Wm. H. Nichols, Auditor Hendricks Co." "Approved by

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

the Board of Commissioners of Hendricks County, Indiana, this 8th day of Sept., 1909.

E.M. Murphy, President

And now come the viewers and engineer, after the expiration of ten days from the filing of their report herein, on the 2nd day of August, 1909, and at the next regular session of said Board of Commissioners after said date and file their supplemental report herein, which report is in words and figures as follows, to-wit:-

Supplemental Report of Viewers.

TO THE HONORABLE BOARD OF COMMISSIONERS:

In the matter of the petition of Chas. P. McClelland et al
for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 2nd day of August, 1909, filed our report in the above cause as ordered by 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 O. Kain

J. J. C. Clay

J. A. Mattern, Viewers.

Subscribed and sworn to before me this the 8th day of Sept., 1909.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back of said Supplemental report if the following:-

"Filed Sept 8", 1909. Wm. H. Nichols, Auditor"

"Approved Sept 8" 1909. E. M. Murphy, P. B."

And now said Board being fully advised in the premises finds that the viewers and engineer appointed herein met on the 13th day of February, 1909, and were qualified as provided by law and that said engineer filed his bond in the sum of \$5000.00 and that the same was approved by the Auditor of Hendricks County, and the Board further finds that pursuant to an order heretofore made by them that the time for filing the report of the viewers and engineer was extended to the August Term, 1909, of said Board, and that the report of the engineer and viewers was filed in the office of the Auditor of Hendricks County, Indiana, on the 2nd day of August, 1909, 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 September Term of said Board, 1909, and before the filing of the supplemental report herein, and the Board having examined said report, finds that it conforms to the law in all respects and should be approved; that the highway, described therein, is less than three miles in length, and that the improvement as reported in said report will be of public utility and the said improvement should be allowed and

Wednesday, September 8th., 1909; and 3rd. day of September Term, 1909.

established, as provided in said report, without submitting the matter of said improvement to the legal voters of Center Township.

It is therefore ordered by the Board that the report of the engineer and viewers be and the same is now hereby in all things fully approved. And the Board further finds that the viewers and engineer filed their supplemental report on the 8th day of September, 1909, that the same was filed at the next regular session of the Board of Commissioners after the expiration of ten days from the filing of the first report, and the said report being fully examined said Board finds that no injury will result to the property of any idiot or any person of unsound mind or will any 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 claims 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 ought to be approved in all things.

It is therefore ordered by the Board that the supplemental report of the viewers and engineer be and the same is hereby fully approved.

And the Board further finds from the examination of the reports of said viewers and engineer that said improvement prayed for by the petitioners herein should be established.

It is therefore ordered that said improvement, as prayed for, be made and that the same shall be made in all respects as provided in said reports of said viewers and said engineer.

It is further ordered by this board that the Auditor of Hendricks County give notice by one publication in the Indianapolis Star, 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 and Gazette, public weekly newspapers of general circulation throughout the County of Hendricks, the County in which said road to be improved is located, that on the 4th day of October, 1909, at the hour of ten 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, and this cause is continued.

Wednesday, Sept
In the matter of t
George A. Blessing
Improvement of a p
Come no
show to the Board
heretofore made by
words and figures
in this cause, net
appointment of said
faithful discharge
engineer, on said d
as follows, to-wit:

Know All
United States Place
bound unto the Sta
the faithful disc
preliminary survey
et al road in Unit
Section Sixty-seve
Signed
Now if
engineer as provi
remain in full fo
thereto.

State of Indiana,
Before
this the 14th day
acknowledged the
Witness
My commission exp
State of Indiana,
Before
acknowledged the
Witness
My commission exp
with the approval
words and figures
*Appr

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

In the matter of the petition of)
George A. Blessing et al for the)
Improvement of a public highway.)

Come now again, the petitioners in the above entitled cause and respectfully show to the Board of Commissioners of Hendricks County that pursuant to an order heretofore made by the Board and a notice issued by the Auditor, which notice is in words and figures as follows, to-wit:-(Here/Insert) that the viewers and engineer, appointed in this cause, met on the 14th day of April, 1909, which date was within ten days after the appointment of said viewers and engineer, and took the oath, as provided by law, for the faithful discharge of their duties as viewers and engineer in this cause; and that the engineer, on said date, filed his bond in the sum of \$5000.00 which is in words and figures as follows, to-wit:-

Bond of Engineer.

Know All Men By These Presents, that we, John O. Kain, as Principal, and The United States Fidelity & Guaranty Company of Baltimore, Md. as surety, are held and firmly bound unto the State of Indiana, in the penal sum of Five Thousand (\$5000.00) Dollars, for the faithful discharge of the duties of the above named principal as Engineer for preliminary survey and make estimates as to cost of construction of the George A. Blessing et al road in Union and Middle Townships, Hendricks County, Indiana, as provided in Section Sixty-seven (67) of the Acts of 1905, of the General Assembly of Indiana.

Signed and sealed this 14th day of April, 1909.

Now if the said John O. Kain shall faithfully discharge his duties as such engineer as provided by law, then this obligation to be null and void; otherwise to remain in full force and effect for the use and benefits of any and all persons entitled thereto.

John O. Kain, Principal.

The United States Fidelity & Guaranty Company
of Baltimore, Md. by John E. Messick, Attorney-in-fact.

State of Indiana, Marion County, SS:

Before me, the undersigned, a Notary Public, in and for said County and State, this the 14th day of April, 1909, personally appeared John E. Messick, attorney-in-fact and acknowledged the execution of the annexed bond.

Witness my hand and notarial seal this 14th day of April, 1909.

My commission expires January 1", 1912. Mary Gray, Notary Public. (SEAL)

State of Indiana, Hendricks County, SS:

Before me, the undersigned Notary Public, personally appeared John O. Kain, and acknowledged the execution of the above and foregoing bond.

Witness my hand and notarial seal this 14th day of April, 1909.

My commission expires Sept 24th., 1911. Carey W. Gaston, Notary Public (SEAL)

with the approval of the Auditor endorsed thereon, which approval and endorsement are in words and figures as follows, to-wit:-

"Approved this 14" day of April, 1909. Wm. H. Nichols, Auditor of Hendricks County"

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

And now said petitioners respectfully show to the Board that the time for filing the report of the viewers and engineer in this cause was extended to the August Term, 1909, of said Board, and now comes the viewers and engineer herein and produce and file their report on the 2nd. day of August, 1909, which report is in words and figures as follows, to-wit:-

Order to View Road.

The State of Indiana

SS; Commissioners' Court, April Term, 1909.

Hendricks County

To James M. Barlow and Alonzo Townsend and John O. Kain.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their April Term, 1909, to view a proposed improvement of the highway, as follows, to-wit:- Commencing at the center of a public highway at the Southwest corner of Section 2, Township 17 North of Range 1 West in said County and State, said place of beginning being at a point upon the Danville & Pittsboro Improved free gravel road and running thence North on the dividing line of said Middle and Union Townships for a distance of about one and one half miles to where said already and heretofore established public highway intersects with the Crawfordsville and Indianapolis improved free gravel road, and, if said proposed improvement of said public highway will be of public utility, mark out and lay out the same, in the manner prescribed by law, to the width of thirty feet.

You will meet at the office of the Recorder of Hendricks County, in Danville, Indiana, on Wednesday the 14th day of April, 1909, at 10 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, 1909.

Wm. H. Nichols, Auditor (SEAL)

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, James M. Barlow and Alonzo Townsend and John O. Kain do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described proposed improvement of said described public highway to the best of our skill and ability, so help us God; and we James M. Barlow and Lon Townsend further swear that neither of us is a resident of either Middle or Union Township, said County and State and that we do not own any taxable property within the said Townships.

James M. Barlow

Alonzo H. Townsend

John O. Kain, Engineer.

Subscribed and sworn to before me, this 14th day of April, 1909.

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

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, August Term, 1909.

In the matter of the petition of George

A. Blessing et al, to improve a public highway

on the line between Middle and Union Townships,

Hendricks County, Indiana.

TO THE HONORABLE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA.

We, the undersigned Viewers and Engineer, appointed by your honorable Body, under the "Provisions of and act of the General Assembly of Indiana, approved March 8th., 1905, and all amendments thereto", to view examine, make all needful surveys of the road described in the petition of George A. Blessing et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grubbing, culverting, sewerage, ditching, draining, bridging and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 5th day of April, 1909, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and made the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the road way should be hard crushed, screened limestone with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed". We find that the proposed improvement, in accordance with the profile, drawings, plans and specifications, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty feet and specified in the specifications herewith filed. That the aforesaid profile shows the elevations of the center line of said proposed road, at the end of each one hundred feet, and that said profile, drawings, plans and specifications provide for all the details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the specifications describe in detail the sizes, materials to be used and the methods of construction of the road bed, culverts, sewers, ditches, drains and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all things necessary to make a complete macadam road; that all drawings, plans, blue prints and specifications, together with the profile are made by us and herewith filed and made a part of this report.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

The following is a description of the route over and upon which said improvement is to be located:- Commencing at a point in the Danville and Pittsboro Free Gravel Road at the South West corner of Section 2, Township 16, North, Range 1 West and running thence North on the line between Union and Middle Townships, Hendricks County, Indiana, and on line between Section 2 and Section 5, Township 16, North, Range 1 West, and Section 34 and Section 35, Township 17, North, Range 1 West, a distance of 8173 feet and intersecting the Indianapolis and Crawfordsville Free Gravel Road, where the same crosses the line between Union and Middle Townships, Hendricks County, Indiana.

We find the total length of the proposed improved highway to be 8173 lineal feet, and on the line between Middle and Union Townships, Hendricks County, Indiana, and that the length of said road is less than three miles. All of said distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed highway will accrue to any one.

We estimate the total cost of the proposed improvement to be \$6706.07.

John O. Kian, Engineer.

Alonzo H. Townsend, Viewer.

James M. Barlow, Viewer.

Subscribed and sworn to before me this 2nd. day of August, 1909.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, August Term, 1909.

In the matter of the petition of George A. Blessing et al,
to improve a public highway, on the line between
Union and Middle Townships, Hendricks County, Indiana.

Specifications for the construction of the George A. Blessing et al Road on the line between Union and Middle Townships, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th., 1905, and all amendments thereto", by cleaning, grubbing, grading, culverting, sewerage, ditching, drawing, bridging and macadamizing with crushed limestone, the above named Road as described in our report.

GENERAL SPECIFICATIONS.

1. Intention. It is intended that these specifications, drawings, plans, blue prints and profile, with all figures and writings thereon, and herewith filed, shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints and specifications shall not release the Contractor from constructing a road complete in all its details, any work done or materials furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.

Wednesday
2. Board. Whenever the
of Commissioners of
3. Engineer. Whenever
understood as refer
Board, or to his d
4. Superintendent. Wh
ring to the regular
the Contractor, or i
interested in any o
compensation from t
contemplated and wh
5. Contractor. When
to the party or par
any part of the wor
representative of s
6. Disagreement. Sho
Contractor and Super
blue prints, and spe
furnished, or as to
and the decision of
work in accordance
7. Change of Plans.
in the plans and s
any such change not
not proceed with s
specifications sha
shall not be incur
furnished over and
8. Inspection. All
inspection and re
intentions of the
or workmanship an
Engineer shall co
subjects is to be
9. Superintendence
times, or have son
After the work is
of men to insure
materials must be
needed.
10. Sub-Contract

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.

3. Engineer. Whenever the word "Engineer" is used in these specifications it shall be understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.

4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not to be related to the Contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor for any services or labor performed on the work herein contemplated and who is under the directions of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representative of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints, and specifications, or concerning the quantity or quality of the materials furnished, or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The Engineer shall have the right to make any change or alterations in the plans and specifications that the Engineer and Superintendent may deem advisable, any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claims whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person or

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the conditions and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the material furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all noted, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in event of any discrepancy between the drawings, and specifications, the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements. In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with ^{grade} established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions ^{whether} particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from payment of any and all damages, costs, expenses, royalties, patent fees, attorney fees, or any sum of money whatsoever by reason of any action, claim, demands or proceedings, arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for ~~on~~ on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. ready for accep
temporarily pas
Engineer. Any i
to construct, in
16. Bills. Befor
must satisfy t
17. Protection.
liability to d
highway, so as
18. Other Contr
put himself in
harmony or act
solely by the
19. Risks. All
the like, as we
acceptance the
20. Time of wo
weather condit
to be transpor
herein contemp
Engineer may s
to the Enginee
elevations hav
number of plus
the elevations
shall be raise
put on. As the
bidders and co
the elevations
to reduce them
report of the
cuts and fills

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16 Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The contractor will be required to guard the public effectually from liability to damage or accident in consequence of operations during the progress of the work

The Contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall at an early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such Contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage of materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of work relative to weather and conditions of other highways. Whenever the weather conditions are such, or the conditions of other highways, over which materials has to be transported, that in the opinion of the Engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

SPECIFIC SPECIFICATIONS.

PROFILE.

The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus Stations, from the point of beginning. The grade line established represents the elevations of the center line, at the same points of the elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before material is put on. As the profile only shows the elevations along the center line of the Roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line.

Route.

The route, length and width of this road are as heretofore set forth in the report of the Viewers and according to the plans herewith submitted.

Roadway.

The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

sufficiently wide to preserve a sub-grade twenty (20) 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. Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the Road from the location described herein will avoid an abrupt hollow or other natural obstacles and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further 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 in the report, except as above provided for in case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the direction of the Engineer.

Road Bed.

The Roadbed shall be twenty (20) feet wide, measured at right angles to the center line of right of way and shall conform as nearly as practical to said center line. The road shall be made to conform to the profile and drawing entitled "Cross Section of Roadbed", and said Roadbed shall be made smooth and compact before the macadam is placed thereon, by rolling with an eight ton road roller until the same is compact and solid to the acceptance of the Engineer.

Ditches.

Ditches shall be excavated along both sides of the entire line of Road. The depth in no case to be less than eighteen inches, measured from the shoulder of the grade, and 18 inches at the bottom with side slopes of one (1) to one (1). 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, unless otherwise provided by the profile.

All ditches now in said road between the ditches as specified and required to be constructed for the drainage of said Road, shall be filled up, and made so compact that the water will not follow or wash them.

Grade.

The grade line (the red line) of the profile shows the grade of the sub-grade of the Roadbed, and the top or surface of the Roadbed must be made to conform to said grade line, making cuts and fills of the depth shown on said

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

profile. However, in the case of discrepancy between the cuts and fills as shown on the profile, and the cuts and fills necessary to bring the sub-grade to the grade line established by making the required cut or fill, or whatever may be required, if any thing, at both ends of a continuous grade, such continuous grade to be maintained and the grade line maintained between the breaks. After the grading is completed the roadbed shall be rolled with an eight ton road roller until the same is solid and compact to the acceptance of the Engineer. The roller shall be either propelled by its own power or by horse power, the use of a roller pulled by a traction engine will not be allowed.

The Contractor shall complete his grade for a distance of at least 1200 feet, and the same shall be rolled and accepted by the Engineer before material is placed on such 1200 feet of road, or any part thereof and the Contractor shall keep the roadbed perfectly smooth and compact in advance of the stone.

Excavations.

All cuts shall be excavated to a width of twenty-seven (27) feet at the sub-grade. The slopes of all cuts shall be one (1) to one (1).

Embankments.

All embankments or fills shall be twenty (20) feet at the sub-grade and the sides shall have a slope of one (1) to one (1). The Contractor shall in addition to making a roadbed for the extra material as exemplified in the drawing on the profile, and the placing of extra material therein provided for, make easy approaches to all intersecting Roads. An allowance of ten per cent must be made for shrinkage on all fills of more than twelve inches.

Sewer Culverts.

Sewer culverts shall be constructed along the line of the Road at such places and of such sizes and materials as shown on the profile. The concrete to be of the same quality, proportion and mixture as hereinafter provided. The headers or walls at the ends of the sewers shall be reinforced with two lines of one-half inch twisted or corrugated bars above the sewer openings and by two like bars below such openings and the bars to come within two inches of each^{end} of the headers or walls. The headers shall be twelve inches thick at the bottom and battered to ten inches at the top and shall extend eighteen inches above the openings for the sewer pipes and shall extend eighteen inches below such openings, the headers for 12 inch pipes or sewers shall be seven feet long, 24 inch pipes or sewers shall be eight and one-half feet long, 36" pipe or sewer shall be 9' long.

All outlets and inlets shall be so constructed that no water shall stand in or about the sewers.

Concrete.

The concrete shall be composed of one part American Portland Cement, the brand to be named by the Engineer, to two parts of approved clean sharp sand and three parts clean hard limestone, the largest pieces which will pass through a two inch ring.

Stone.

The stone shall be a good quality of hard, crushed, screened limestone, free from

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

dirt and other fine material, except stone dust, and shall be of sizes that the largest pieces shall pass through a two inch ring.

Cement.

The cement shall be a good quality of American Portland Cement, the brand to be designated by the Engineer, and shall pass the customary standard tests.

Mixing.

The cement and sand shall be mixed dry by turning at least twice if hand mixed, in the proportions of one part cement to two parts sand, then the mixed sand and cement shall be mixed with the stone dry by turning at least twice combined as aforesaid, measured by volume loose, sufficient water to be then added to make a mixture as wet as consistent with satisfactory place and results, which shall be turned at least twice. The whole mass to be placed immediately, tamped and spaded.

Placing.

The concrete shall be placed in layers not exceeding six inches in thickness.

Facing.

The concrete next to the forms shall be spaded with a spade or manipulated with some other tool so that the stone will be prevented from touching the forms, a smooth face to be secured without plastering. Forms on exposed faces shall be removed in time so that the face of the concrete may be rubbed and brushed to remove timber markings and the surface to be covered with wet canvass, the canvass to be wet daily for at least five days.

Steel Bars.

The steel bars used shall be twisted or corrugated iron bars, sizes as indicated on the plans, and shall be free from rust, scales or paint and shall be embedded to a depth of at least two inches at the end and otherwise as indicated on the plans.

Inspection.

All materials shall be subject to the inspection and approval of the Engineer and Superintendent and any material by them or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations.

Macadam.

For a width of nine feet, four and one-half feet on each side of the center line of road, the road shall be covered with good, hard crushed, screened limestone, suitable for first class road building purposes and acceptable to the Engineer. Said stone to be free from dirt and all other foreign deleterious material and range in size from one-half to two inches in diameter. Such stone to be placed eight inches thick and between boards properly lined. The embankment

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

indicated on the "Cross Section of Roadbed" is to be placed before said boards are removed. Said boards shall remain in place until the Engineer & the Superintendent is satisfied that the required amount of stone has been placed on the road. After the acceptance of this work by either the Engineer or Superintendent, said boards shall be removed and such stone shall be rolled. First the Contractor shall run the roller along on each embankment as close to the shoulder of the grade as may be done without unnecessarily injuring the shoulders or the ditches then the stone is to be thoroughly rolled to the satisfaction of the Engineer. All rolling of sub-grade, stone and finished surface to be done with an eight ton road roller as hereinbefore provided. After the satisfactory rolling of said stone there shall be placed on such rolled stone hard clean limestone screenings to a thickness of three inches, the same to be leveled and smoothed to the satisfaction of the Engineer, this having been done the same shall be thoroughly rolled to the satisfaction of the Engineer. The placing of material shall be commenced and carried out so as hauling over the stone will not be necessary, except the screenings, and the screenings to be placed at the direction of the Engineer.

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 be blocked no longer than possible, at no event shall the roadway be blocked during the night time.

Estimates.

The Contractor shall be entitled to estimates as provided by the statute, and payment will be made at such time as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent of the Engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received in all its details.

John O. Kain, Engineer.

Alonzo H. Townsend, Viewer.

James M. Harlow, Viewer.

Subscribed and sworn to before me this 2nd day of August, 1909.

Wm. H. Nichols, Auditor.

Said report is indorsed on back as follows:-

"Filed Aug 2-1909. Wm. H. Nichols, Auditor Hendricks Co."

"Approved by the Board of Commissioners of Hendricks County, Indiana, this 8th day of Sept., 1909. E. M. Murphy, President"

And now come the viewers and engineer, after the expiration of ten days from the filing of their report herein, on the 2nd day of August, 1909, and at the next regular session of said Board of Commissioners after said date and file their supplemental report herein, which report is in words and figures as follows, to-wit:-

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

Supplemental Report of Viewers.

TO THE HONORABLE BOARD OF COMMISSIONERS:

In the matter of the petition of George A. Blessing et al. for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 2nd day of August, 1909, 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 O. Kain

James M. Barlow

Alonzo H. Townsend, Viewers.

Subscribed and sworn to before me this the 8th day of Sept., 1909.

Wm. H. Nichols, Auditor Hendricks County.

And now said Board being fully advised in the premises finds that the viewers and engineer appointed herein met on the 14th day of April, 1909, and were qualified as provided by law and that said engineer filed his bond in the sum of \$5000.00 and that the same was approved by the Auditor of Hendricks County, and the Board further finds that pursuant to an order heretofore made by them that the time for filing the report of the viewers and engineer was extended to the August Term, 1909, of said Board; that the report of the engineer and viewers was filed in the office of the Auditor of Hendricks County, Indiana, on the 2nd day of August, 1909, 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 September Term, of said Board, 1909, and before the filing of the supplemental report herein, and the Board having examined said report, finds that it conforms to the law in all respects; and should be approved; that the highway, described therein, is less than three miles in length, and that the improvement as reported in said report will be 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 votes of Middle and Union Townships.

It is therefore ordered by the Board that the report of the engineer and viewers be and the same is now hereby in all things approved. And the Board further finds that the viewers and engineer filed their supplemental report on the 8th day of September, 1909, that the same was filed at the next regular session of the Board of Commissioners after the expiration of ten days from the filing of the first report, and that said report being fully examined said Board finds that

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

no injury will result to the property of any idiot or any person of unsound mind or will any 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 claims 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 ought to be approved in all things.

It is therefore ordered by the Board that the supplemental report of the viewers and engineer be and the same is hereby fully approved.

And the Board further finds from the examination of the reports of said viewers and engineer that said improvement prayed for by the petitioners herein should be established.

It is therefore ordered that said improvement, as prayed for, be made and that the same shall be made in all respects as provided in said reports of said viewers and said engineer.

It is further ordered by this board that the Auditor of Hendricks County give notice by one publication in the Indianapolis Star, 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 and Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, the County in which said road to be improved is located, that on the 4th day of October, 1909, at the hour of ten 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, and this cause is continued.

In the matter of the petition of W.S. Jones et al)
for the Improvement of a public highway, in)
Washington Township, by taxation.)

Come now the petitioners in the above entitled matter and present to the Board of Commissioners of Hendricks County, Indiana, their petition for the establishment and improvement of a certain highway, described in said petition in Washington Township, of said County and State, and it appearing to the Board by the proofs of publication of notice filed herein, which proofs of publication and copies 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 by publication 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 indorsed on said petition by the Auditor when the same would be heard by the Board, and it further appearing to the Board that like notices were posted in three public places in Washington Township, in said

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909,

county and state, for more than fifteen days prior to said day so named as the same is evidenced by the affidavit of John Ader, Sheriff, 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 said named day in said notice as the same is evidenced by the certificate of William H. Nichols, Auditor of said County, which certificate and copy of notice are as follows, to-wit:-(Here Insert) and now all the above and foregoing facts appearing to the satisfaction of the Board it assumes jurisdiction in the matter and after being fully advised doth say and make the following findings:

The Board finds that the petition filed herein is in due form and according to law; that said petition was signed by more than fifty freeholders and voters of Washington 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 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 establishment and improvement of highway, and, if they find the same to be of public utility, to estimate the costs of construction.

The Board also finds that the highway herein sought to be improved is passed over by a United States Mail Route.

It is therefore ordered by the Board that the following viewers and engineer be and they are hereby appointed, to-wit: George West, Clay township, Hendricks County, Indiana, H. A. Record, Center township, Hendricks County, Indiana, and John O. Kain, engineer.

It is ordered by the Board that said viewers and engineer meet at the Auditor's Office at Danville, Indiana, on the 13th day of September, 1909, and qualify for their appointment herein, and said viewers and engineer are ordered to report on September 22nd., 1909.

It is further ordered that the said engineer file his bond for the sum of \$5000.00 payable to the State of Indiana, with sufficient surety to the approval of the Auditor, which is accordingly done and is as follows, to-wit:-(Here Insert)

The Auditor is ordered and directed to spread a copy of the petition of record, which is done and is as follows, to-wit:-

State of Indiana, Hendricks County, SS:

In the Commissioners Court, September Term, 1909.

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, and allege they are and constitute more than fifty freeholders and voters of Washington Township, in said County and State, and by

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

this their petition ask the Board to improve, br. grading, ditching, draining, bridging and culverting, graveling and making thereof a Free Gravel Road, the following described highway in said Washington Township, in said County and State, to-wit:-

Beginning at a point in the township line between Washington and Middle townships, in said County and State, at or near the northeast corner of the northwest quarter of the southwest quarter of Section 29, township 16 north, range one east, in said County and State, and running thence south along the line of said quarter-quarter section, and succeeding quarter-quarter sections in Sections 29 and 32 of said township and range, following the same for a distance of about one and one half mile and ending at a point in the A.A. Ross et al Road at the Southeast corner of the southwest quarter of the south west quarter of Section 32, township and range aforesaid, and your petitioners petition for the laying out, establishment to the width of thirty feet, and for the improvement of like character of the following described highway, which is an arm or spur to the foregoing described highway, to-wit:-

Beginning at a point on the township line between Washington and Center townships, in said County and State, at or near the southwest corner of the north west quarter of the south west quarter of Section 29, township 16 north, range one east, in said County and State, and running thence eastwardly along the line of said quarter-quarter Section for a distance of about one quarter of a mile and ending at the south east corner of the north west quarter of the southwest quarter of Section 29, township 16 north, range one east, in said county and state; that said above described highways constitute one system of highway and your petitioners ask that they be improved as one system and of like character; that said highways and system has all of its termini in improved free gravel roads and is less than three miles in length; that two United States Rural Mail Routes pass over portions of the above described highways and that said highways are at times not readily passable for said Mail Carriers to pass over; your petitioners recommend that all of said highways be opened and established and improved to the width of thirty feet; that all of said system of highways lies wholly in Washington township, in said County and State, and that they are now established highways and unimproved.

Wherefore your petitioners ask that the improvement and establishment of highway herein sought be made thirty feet in width and ask that there be no election held in said township to determine the question of establishment and improvement; that viewers and an engineer be appointed to perform their duties as by law provided and that bonds, in ten years series, be issued to pay for the improvement herein sought and all expenses therewith connected, and your petitioners will ever pray.

1. W. S. Jones,	7. Mack Smith	13. William Merritt	19. W. E. Merritt
2. Geo. W. Reno	8. J. H. Merritt	14. John W. Robinson	20. Thomas Merritt
3. J. W. Barnett	9. R. A. Merritt	15. J. H. Flinn	21. J. E. Merritt
4. H. C. Ratliff	10. C. F. Riggan	16. C. H. Patterson	22. S. B. Stiles
5. Josh Bly	11. C. W. Stiles	17. Wilbur Hadley	23. J. E. Winings
6. Harlan C. Hadley	12. S. N. Merritt	18. Walter Hadley	24. A. W. Hurin

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

25. C. E. Parnell	36. W. G. Reed	47. C. D. Hoadley
26. John L. Francis	37. W. A. Rice	48. B. M. McClain
27. John McClain	38. J. M. Barlow	49. G. D. McClain
28. E. S. Euliss	39. J. H. Ferree	50. A. R. McClain
29. L. F. Carter	40. R. F. Ramsey	51. D. W. Carter
30. A. B. Smith	41. Joseph Smith	52. Geo. L. Appleby
31. A. Merritt	42. Thomas McCalment	53. Arthur Parsons
32. W. E. Gossett	43. F. E. Guthrie	54. Isaac Parsons
33. James Baldwin	44. Wm. Denney	55. F. M. Petty
34. D. S. Barker	45. C. M. Roark	56. J. Norris
35. D. Givan	46. J. W. Frazee	57. Thomas J. Dugan.

Said petition is indorsed on back as follows:-

"Filed Aug. 17-1909. Wm. H. Nichols, Auditor Hendricks County."

"Set for hearing Sept 6", 1909. Wm. H. Nichols, A. H. C."

"Action of Board:-Prayer of petitioners granted and viewers appointed, Sept 8-1909. George West, H. A. Record, John O. Kain, Engineer. Meet Sept 13" 1909 and report Sept 22-1909. E. M. Murphy P. B."

and said matter is continued.

In the matter of the petition of)
James A. Downard 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 at this time, 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 October 4th, 1909, of this Board.

And day is given and this matter continued.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

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

Comes now W.A. Smith, heretofore appointed Superintendent of Construction in the above entitled road, and files his written resignation as such Superintendent, which is as follows, to-wit:-(Here Insert) and the Board of Commissioners accepts said resignation and appoints William H. Alexander, a resident of Center township, in the place and stead of said Superintendent, resigned, to act as Superintendent of Construction of said road, and now said William H. Alexander accepts said appointment and qualifies by filing his bond as by law provided, which bond is approved by the Board and it together with the Board's approval are in the following words and figures, to-wit:-(Here Insert)

In the matter of the Frank Johnson)
et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the Engineer and Superintendent of Construction, of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed and releases the Contractor from further liability herein.

It also appearing to the satisfaction of the Board that an overdraft exists in the Frank Johnson et al Road Fund to the amount of \$18.75, it is hereby ordered and the Auditor is hereby directed to reimburse said Fund out of the County Free Gravel Road Fund to the extent of said overdraft.

In the matter of the)
J.A. Sharp et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the engineer and superintendent of Construction of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed and releases the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale of bonds for the improvement of said road, and now remaining in said Fund, be by the Auditor transferred to the County Free Gravel Road fund, as by law provided in such cases.

In the matter of the)
John Leitzman et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the Engineer and Superintendent of Construction of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed and releases

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale of bonds for the improvement of said road and now remaining in said fund, be by the Auditor transferred to the County Free Gravel Road Fund, as by law provided in such cases.

In the matter of the Jesse)

Masten et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the Engineer and Superintendent of Construction, of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed, and releases the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale of bonds for the improvement of said road and now remaining in said Fund be by the Auditor transferred to the County Free Gravel Road Fund, as by law provided in such cases.

In the matter of the)

Willis Jackson et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said Road, and also by an inspection of the report of the Engineer and Superintendent of Construction, of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed, and releases the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale of bonds for the improvement of said road and now remaining in said Fund be by the Auditor transferred to the County Free Gravel Road Fund, as by law provided in such cases.

In the matter of the)

Joshua Blanton et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the Engineer and Superintendent of Construction, of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed, and releases the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

of bonds for the improvement of said road and now remaining in said fund be by the Auditor transferred to the County Free Gravel Road Fund, as by law provided in such cases.

In the matter of the)
George Farquer et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the Engineer and Superintendant of Construction, of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed, and releases the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale of bonds for the improvement of said road and now remaining in said Fund be by the Auditor transferred to the County Free Gravel Road Fund, as by law provided in such cases.

In the matter of the)
Milton W. Patterson et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the Engineer and Superintendant of Construction, of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed, and releases the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale of bonds for the improvement of said road and now remaining in said Fund be by the Auditor transferred to the County Free Gravel Road Fund, as by law provided in such cases.

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

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the Engineer and Superintendant of Construction, of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed, and releases the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale of Bonds for the improvement of said road and now remaining in said Fund be by the Auditor transferred to the County Free Gravel Road Fund, as by law provided in such cases.

Wednesday, September 8th., 1909, and 3rd. day of September Term, 1909.

In the matter of the)
Ezra E. Good et al Road.)

It appearing to the satisfaction of the Board, after an inspection of said road, and also by an inspection of the report of the Engineer and Superintendent of Construction, of said work, that the same has been completed according to the plans and specifications heretofore adopted for the same, the Board now accepts said work as completed, and releases the Contractor from further liability herein.

It is now ordered by the Board that all funds derived from the sale of bonds for the improvement of said road and now remaining in said Fund be by the Auditor transferred to the County Free Gravel Road Fund, as by law provided in such cases.

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

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.

O. M. Murphy)
Alfred S. Linnenger) Board Commissioners Hendricks County.
Harry E. Sanders)

Monday, October 4th., 1909, and 1st. day of October Term, 1909.

Monday Morning, October 4th., 1909.

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

Present, Elbert M. Murphy, Alfred S. Lineinger and Harry E. Sanders, all members of said Board.

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

In the matter of the Petition of)
David Hadley et al for the improvement)
of a public highway by taxation.)

Comes now the Auditor and presents to the Board all bids filed for said proposed improvement.

And the Board being duly advised in the premises finds that on the 2nd. day of October, 1909, an appeal was asked and Bond was filed with said Auditor in said cause.

The Board now decline to consider said bids at this time.

In the matter of the Petition of)
Frank P. Reichard et al for the)
improvement of a public highway by taxation.)

Comes now the Auditor and presents to the Board all bids filed for said proposed improvement.

And the Board being duly advised in the premises finds that on the 2nd. day of October, 1909, an appeal was asked and Bond was filed with said Auditor, in said cause.

The Board now decline to consider said bids at this time.

In the matter of the petition of)
Charles F. McClelland et al for the)
improvement of a public highway by taxation.)

Comes now the Auditor and presents to the Board all bids filed for said proposed improvement.

And the Board being duly advised in the premises finds that on the 2nd. day of October, 1909, an appeal bond was filed with said Auditor in said cause.

The Board now decline to consider said bids at this time.

Monday, October 4th., 1909, and 1st. day of October Term, 1909.

In the matter of the Petition of)
James A. Downard 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 at this time, 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 October 21", 1909.

And day is given and this matter continued.

In the matter of the Petition of)
W.S. Jones et al for the improvement)
of a public highway by taxation.)

Come now the Engineer and Viewers heretofore appointed in this matter, 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 at this time, 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 November 1st., 1909.

And day is given and this matter continued.

In the matter of the Jerry Kee et al)
petition for public highway.)

Comes now Jerry R. Kee and fourteen others and present their petition for the establishment and location of a public highway in Liberty Township, Hendricks County, Indiana, which petition is in the following words and figures, to-wit:--(Here Insert) And the Board having read said petition and being fully satisfied from the affidavit thereto attached that notices of the presentation of said petition, and the time and place of hearing, were posted in three public places in the neighborhood of the road prayed for more than twenty days before the day designated in said notices when said 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 the Board being further satisfied by the certificate of William H. Nichols, Auditor of Hendricks County, Indiana, that like notices were mailed by him to all persons, named in said petition whose lands would be affected by the proposed establishment and location of highway, and

Monday, October 4th., 1909, and 1st. day of October Term, 1909.

who are not petitioners therein, more than twenty days before the day named in said notices when said petition would be heard by the Board, which certificate of the Auditor and copy of notices so mailed are in the following words and figures, to-wit:-(Here Insert), and it further appearing to the Board that all the notices given herein were given over the name of the Auditor of said County, it assumes jurisdiction in the matter of said petition and doth say and make the following findings:-

The Board finds that proper notice of the time and place of the hearing of the petition herein was given and that notice was given as by law provided. The Board finds that the petition is in due form and according to law and that three viewers should be appointed to view said proposed establishment and location of highway and make their report to this Board.

It is therefore ordered by the Board that Thomas P. White, James S. Ellis and Clarence Martin be and they are hereby appointed to make a view of the said highway and make their report to this Board at the next regular term of the Board.

It is further ordered by the Board that said above named viewers meet at the office of E. J. Smith, Clayton, Indiana, on the 14th day of October, 1909, and qualify for their duties herein by taking the oath as by law provided and proceed to view said proposed establishment and location of highway and pass upon the question of its public utility and make their report to the Board as above ordered, and said matter is continued for further proceedings.

In the matter of the George A.)

Blessing et al Road.)

It appearing to the board of County Commissioners, since advertising for bids for the construction of the proposed improvement in said entitled cause, that the indebtedness of Middle Township is over and above the four per cent limit as provided by statute, this cause is now continued from term to term and until it shall be made to appear to said board that the indebtedness of said township shall have been sufficiently reduced to permit of the construction of said proposed improvement according to law.

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.

)

) Board Commissioners Hendricks County.

)

Alfred S. Linsinger
Harry E. Sanders
E. Murphy

Wednesday, November 3rd., 1909, and 3rd. day of November Term, 1909.

Wednesday Morning, November 3rd., 1909.

The Board of Commissioners of Hendricks County, Indiana, met at the Commissioners' Court Room in the town of Danville, Indiana, pursuant to adjournment.

Present, Elbert M. Murphy, Alfred S. Lineinger and Harry E. Sanders, all members of said Board.

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

In the matter of the petition of D.D. Mills et al)
for the improvement of a highway on the County)
line between Hendricks and Marion Counties, Indiana.)

Comes now David D. Mills et al and file their petition for the improvement of a public highway on the County line between the Counties of Hendricks and Marion, which said petition is as follows, to-wit:-

State of Indiana

County of Hendricks, SS: In the Commissioners Court, November Term, 1909.

To the Honorable Boards of Commissioners of Hendricks and Marion Counties:

We, the undersigned, represent to the above named Boards of Commissioners and allege that we constitute more than seventy five adult, resident freeholders of Washington township, Hendricks County, Indiana, and Wayne township, Marion County, Indiana, and as such we come by this petition and ask that your Honorable Boards improve by grading, ditching, draining, bridging, graveling or covering with crushed stone or macadam, according as the viewers and engineer and your Honorable Boards may deem best, the following described highway between the townships of Washington Hendricks County, Indiana, and Wayne township, Marion County, Indiana, and on the County line between the said counties, to-wit:-

Beginning at a point where where an improved Free Gravel Road, now known as the Danville and Avon Free Gravel Road, the same being what has heretofore been known as the Rockville Road, crosses the County line dividing the said Hendricks and Marion Counties, in said State, the said point of beginning also being at the northeast corner of Section 8, township 15 north, range 2 East, in Washington township, Hendricks County, Indiana, and running thence south on said county line for a distance of about two and one third miles, and terminating in an improved Free Gravel Road that is now known as and called the Plainfield and Bridgeport Free Gravel Road, the same being what has heretofore been known as the National or Cumberland Road, the aforesaid County Line highway as above described being on the line between and separating sections 8 and 17 and 20 all in township 15 north, range 2 east, in Washington Township, Hendricks County, Indiana, from Sections 9 and 16 and 21 all in township 15 north, range 2 East, in Wayne Township, Marion County, Indiana.

Your petitioners further say and recommend that the above prayed for improvement be made thirty feet in width; that the same is less than three miles in length and connects at both termini with an improved Free Gravel Road. Petitioners further allege that not less than ten of the undersigned petitioners reside in each of the abutting townships which will be affected by the improvement herein sought; that the only townships which will be affected by the improvement herein sought and which abut on the above described highway are Washington township, Hendricks County, Indiana, and Wayne township, Marion County, Indiana;

Wednesday, November 3rd., 1909, and 3rd. day of November Term, 1909.

Wherefore your petitioners pray and recommend that the above described highway be improved by straightening, grading, draining, ditching, bridging, gravelling or macadamizing with crushed stone pursuant to an Act of the General Assembly of the State of Indiana, approved March 9th., 1907, and any amendment thereto, and ask that bonds of the said counties be ordered and sold to pay for the cost of said improvement and that said bonds be payable in ten years from the date thereof or in a period of ten years, and petitioners ask for all general relief.

David D. Mills
F.A. Price
C.M. Hobbs
E.A. Zimmerman
B.B. Broyles
Geo. Mann
M.N. Frantz
J.W. Price
his
James L. McDaniel
mark
Geo. Kenzel
Marlh. Sanders
M.K. Symmonds
Chas. E. Hawkins
Eliza J. Winings
E.E. Blair
Frank E. H. rsong
T.E. Francis
F.A. Wilson
Geo. P. Wilson
S.O. Winings
T.A. Gossett
Joseph T. Reid

Nancy E. Parker
Lurina C. Parker
J. Brooke Gossett
Barney Gossett
Michel Crone
Peter Poland
David F. Copeland
Wm. E. Compton
Joseph Watkins
James W. Parsons
Emsley E. Bomgardner
Ella Freeland
W.C. Frazee
Angeline Walters
M.H. Wehr
Frank McCalment
Wm. Gable

Wayne Tp. Marion County.
Charles Yoke
A.A. Peek
Aley Jay
J.H. Ingling
John N. Price
Wm. C. Price
James B. Wedle
Owen Waters
John H. Gladden
Oscar Robinson
Louis O'Brien
B.H. Buford
E.W. Turner
Wm. Yates
Thomas Bradshaw
L.M. Miars
Jessie H. Parnell
Moses Allen
M. Walsh
Henry Morris
William Staley
Geo. D. Hardin
A.B. Conroe
O.E. Overman
G.W. Gerking
E.T. Killough
Obed Clarkson Cox
M.A. Moody
Edward Power
W.B. West
Sam Reagan
H. Forsha
Jane W. Janes
Fred Price
L.A. Stewart
De Forest Miller
Ernest Viewegh
Horace McCalmet
Mrs. Blanche Brown
Mrs. Alice Tansel
T.S. Davis
C.W. Linn
G.L. Gladden
S.F. Powner
Michael Casserly
Chas. W. Kersey
Walter Goss.

State of Indiana

Marion County, SS:

David D. Mills, being duly sworn, upon his oath says that he is one of the petitioners in the foregoing petition; that the said petition is for the improvement of a County Line Highway between the townships of Washington in Hendricks County, Indiana, and the township of Wayne in Marion County, Indiana; that said petition is signed by more than seventy five adult resident freeholders of the townships abutting said highway; that affiant is a freeholder and voter of Washington township, in said County and State; that said petition is signed by more than ten freeholders from each of the above named townships which abut said highway and are the only townships which so abut, and further affiant says not.

David D. Mills.

Subscribed and sworn to before me this 26th day of October, 1909.

My Commission expires Jan. 1st., 1910.

Charles A. Carter, Notary Public. (SEAL)

The Board of Commissioners of Hendricks County, Indiana, the County in which said petition was filed, now proceed to hear said petition read and also to hear other evidence on said petition and the Board, having heard said petition read, and hearing the evidence and being sufficiently advised in the premises finds that said petition is signed by more than seventy five adult, resident freeholders of Washington Township, Hendricks County, Indiana, and Wayne township, Marion County, Indiana.

The Board further finds that said petition is signed by more than ten adult resident freeholders from each of said above named townships. The Board further finds

Wednesday, November 3rd., 1909, and 3rd. day of November Term, 1909.

that said petition is in all respects proper and sufficient and in compliance with the law in such cases provided for the improvement of County Line highways, and the Board hereby orders said petition spread of record by the Auditor of Hendricks County, Indiana.

It is hereby further ordered by the Board that the Board of Commissioners of Marion County, Indiana, meet with this Board in joint session in the Commissioners Room in the Court House at Danville, Indiana, on November 23", 1909, at 10 o'clock A.M. for the purpose of appointing an engineer and two viewers and to take such other action necessary to be taken in this cause, and it is further ordered and directed by the Board that at least fifteen days notice be given by the Auditor to the Board of Commissioners of Marion County, Indiana, of the presentation of the petition herein and the time and place of the joint session of the two Boards as above ordered and that the Auditor of Hendricks County, Indiana, transmit a certified copy of this order and of the petition filed herein, including the names signed thereto and the affidavit thereto attached to the Auditor of Marion County and that he shall immediately deliver and read the same to the said Board of Marion County as notice of the time and place of said joint meeting of the two Boards, and said matter is continued.

(Certified Copy of Order duly transmitted)

In the matter of the Petition of A.A. Ross et al)
for improvement of highway by taxation.)

Comes now A.A. Ross, Superintendant of Construction of the above entitled road and files his report of completion, which report is in the following words and figures, to-wit:-(Here Insert)

Comes also John O. Kain, Engineer of Construction of the above entitled road, and files his report, which is in the following words and figures, to-wit:-(Here Insert)

Comes also Charles Hollingsworth and files his motion to strike out the report of the Superintendant of Construction, which motion is in the following words and figures, to-wit:-(Here Insert), and said Hollingsworth also files his objections to the reports of the said Superintendant of Construction and the Engineer of Construction, which written objections are in the following words and figures, to-wit:-(Here Insert)

And the Board after having been duly advised in the premises continues the hearing on said motion and written objections until the next regular term of said Board and orders the said Engineer of Construction and Superintendant of Construction to file new reports, 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 again the petitioners, engineer and viewers and at their request the time for the reporting on said road is extended to the next ^{regular} Term of this Board

Wednesday, November 3rd., 1909, and 3rd. day of November Term, 1909.

In the matter of the petition of)
Jerry Kee et al for the opening)
and establishment of a public highway.)

Come now the viewers heretofore appointed herein and make their report to the Board as ordered and directed in the order heretofore made, which report is in the following words and figures, to-wit:--(Here Insert) and the same is hereby accepted by the Board.

The Board finds from said report that said viewers reported that the opening of the highway petitioned for would not be of public utility and it is therefore ordered by the Board that said highway as petitioned for be not opened in these proceedings and said matter is now at an end.

In the Matter of the Petition of)
James A. Downard et al for the)
Improvement of a 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 at this term of Court 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 Feb. Term, 1910.} ~~December 6th., 1909.~~

And day is given and this matter continued.

In the matter of the Petition of W.S. Jones 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 at this term of Court, 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 Feb. Term, 1910.} ~~December 6th., 1909.~~

And day is given and this matter continued.

Ordered that the Board do now adjourn.

) Board Commissioners Hendricks County.

Alfred S. Linsinger
Harry E. Sanders
Wm. Murphy

Thursday, February 10", 1910, and 4th. day of February Term, 1910.

Thursday Morning, February 10", 1910.

The Board of Commissioners of Hendricks County, Indiana, met at the Commissioners' Court Room in the town of Danville, Indiana, pursuant to adjournment, it being the 4th. day of the regular February Term, 1910.

Present: Alfred S. Lineinger, Elbert M. Murphy and Harry E. Sanders, all members of said Board.

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

In the matter of the Petition of)
 Samuel Jordan et al for the Improvement)
 of a highway by taxation.)

And now come the engineer and superintendent of the construction of the foregoing entitled improvement and produce their duly verified reports showing that said improvement has been fully completed according to the plans and specifications therefor, and that the quantity and quality of materials provided for use upon said improvement in the plans, specifications and contract were all furnished and put upon said improvement as in said contract, plans and specifications provided. And no objections having been filed to the said reports, or to the receiving of said road by this board as completed, and said reports having been on file in the Auditor's Office for more than ten days before the first day of the present regular session of this Board.

It is therefore ordered by this board that said reports be in all things approved and that said improvement be accepted by this board as in all matters and things completed according to the plans and specifications and the contract under which said improvement was made.

All of which is now finally ordered by this Board.

In the matter of the C.M. Ewing et al)
 Free Gravel Road.)

And now come the engineer and superintendent of the construction of the foregoing entitled improvement and produce their duly verified reports showing that said improvement has been fully completed according to the plans and specifications therefor, and that the quantity and quality of materials provided for use upon said improvement in the plans, specifications and contract were all furnished and put upon said improvement as in said contract, plans and specifications provided. And no objections having been filed to the reports, or to the receiving of said road by this board as completed, and said reports having been on file in the Auditor's Office for more than ten days before the first day of the present regular session of this board.

It is therefore ordered by this board that said reports be in all things approved and that said improvement be accepted by this board as in all matters and things completed according to the plans and specifications and the contract under which said improvement was made.

All of which is now finally ordered by this board.

Thursday, February 10", 1910, and 4th. day of February Term, 1910.

In the matter of the Burdette Swope)
Free Gravel Road, Franklin Township.)

And now come the engineer and superintendent of the construction of the foregoing entitled improvement and produce their duly verified reports showing that said improvement has been fully completed according to the plans and specifications therefor, and that the quantity and quality of materials provided for use upon said improvement in the plans, specifications and contract were all furnished and put upon said improvement as in said contract, plans and specifications provided. And no objections having been filed to the said reports, or to the receiving of said road by this board as completed, and said reports having been on file in the auditor's office for more than ten days before the first day of the present regular session of this board.

It is therefore ordered by this board that said reports be in all things approved and that said improvement be accepted by this board as in all matters and things completed according to the plans and specifications and the contract under which said improvement was made.

All of which is now finally ordered by this board.

In the matter of the)
A.A. Ross et al Road.)

Comes now John O. Kain, Engineer of Construction in the above matter, and files his report that said work of construction has been completed in accordance with the plans and specifications, profile and contract, which report is as follows, to-wit:-(Here Insert) And comes also A.A. Ross, Superintendant of Construction in the above road, and files his report that said work of improvement has been completed, which report is as follows, to-wit:-(Here Insert) And now said reports coming on for hearing before the Board, Charles D. Hollingsworth files his objections to the acceptance of said reports and to acceptance of said Road by the Board, and upon the issues thus joined the Board hears the evidence adduced and being fully and sufficiently advised in the premises over-rules the objections presented to the acceptance of said road and accepts and approves the reports of the Engineer and Superintendant of Construction and accepts said road as described in the report of the viewers and engineer, heretofore filed and approved, as completed according to the plans, specifications, profile and contract.

It is therefore ordered by the Board that the Road described in these proceedings be and become a County Free Gravel Road, and the Auditor is directed to make an entry on the Gravel Road Record describing said highway as being and constituting a County Free Gravel Road.

Thursday, February 10", 1910, and 4" day of February Term, 1910.

In the matter of the petition of)
Chas. A. White et al for the)
Improvement of a public Highway.)

And now comes William H. Nichols, the Auditor of Hendricks County, State of Indiana, and produces to this board the following duly certified order and judgment of the Hendricks Circuit Court, (Here Insert); and from which said order and judgment it appears to the satisfaction of the board that the appeal in said cause taken by Wm. F. Franklin et al to the Hendricks Circuit Court has been dismissed in said Hendricks Circuit Court without any proceedings had in said cause therein except the appointment of a Special Judge to hear and determine the matters of said appeal and the dismissal of said cause and the remanding of the same to this board.

And now it is ordered by this board that the Auditor of this County give notice, as by law provided, that this board will receive sealed proposals for the construction of the improvement in this cause provided up to the hour of ten o'clock A.M. of Tuesday, the 15th day of March, 1910; that said bids will be received by this board at their usual place of meeting in the Court House in the town of Danville, Indiana; that said notice shall state that the several bidders take notice that this Board reserves the right to reject any and all bids.

And further proceedings herein are continued.

In the matter of the Petition of)
David Hadley, and others for the)
Improvement of a public highway.)

And now comes William H. Nichols, the Auditor of Hendricks County, State of Indiana, and produces to this board the following duly certified order and judgment of the Hendricks Circuit Court (Here Insert); and from which said order and judgment it appears to the satisfaction of the board that the appeal in said cause taken by Robert Westerfield to the Hendricks Circuit Court has been dismissed in said Hendricks Circuit Court without any proceedings had in said cause therein except the appointment of a special judge to hear and determine the matters of said appeal and the dismissal of said cause and the remanding of the same to this board.

And now said cause being again before this board for such action in the premises as the law provides, the matter of opening and considering the several bids submitted by bidders pursuant to notice heretofore given in this cause, now comes on for action by this board.

And the board having duly considered the matter of receiving and accepting any of said bids does now find that it will not best conserve the public interest to accept any of said bids.

Thursday, February 10", 1910, and 4th. day of February Term, 1910.

It is therefore ordered by this board that all bids heretofore filed by any bidder for the construction of said improvement pursuant to notice given, be and the same are now hereby rejected by this board.

And now it is further ordered by this board that the Auditor of this County again give notice, as by law required, that this board will receive sealed proposals for the construction of the improvement in this cause provided up to the hour of ten o'clock A.M. of Tuesday, the 15th. day of March, 1910; that said bids will be received by this board at their usual place of meeting in the Court House in the town of Danville, Indiana; that said notice shall state that the several bidders take notice that this board reserves the right to reject any and all bids.

And further proceedings herein are continued.

In the matter of the Petition of)

Frank P. Reichard, and others for the)

Improvement of a public highway.)

And now comes William H. Nichols, the Auditor of Hendricks County, State of Indiana, and produces to this board the following duly certified order and judgment of the Hendricks Circuit Court (Here Insert); and from which said order and judgment it appears to the satisfaction of the board that the appeal in said cause taken by C.C. Higgins to the Hendricks Circuit Court has been dismissed in said Hendricks Circuit Court without any proceedings had in said cause therein except the appointment of a special judge to hear and determine the matters of said appeal and the dismissal of said cause and the remanding of the same to this Board.

And now said cause being again before this board for such action in the premises as the law provides, the matter of opening and considering the several bids submitted by bidders pursuant to notice heretofore given in this cause, now comes on for action by this board.

And the board having duly considered the matter of receiving and accepting any of said bids does now find that it will not best conserve the public interest to accept any of said bids.

It is therefore ordered by this board that all bids heretofore filed by any bidder for the construction of said improvement pursuant to notice given, be and the same are now hereby rejected by this board.

And now it is further ordered by this board that the Auditor of this County again give notice, as by law provided, that this board will receive sealed proposals for the construction of the improvement in this cause provided up to the hour of ten o'clock A.M. of Tuesday, the 15th day of March, 1910; that said bids will be received by this board at their usual place of meeting in the Court House in the town of Danville, Indiana; that said notice shall state that the several bidders take notice that this board reserves the right to reject any and all bids.

And further proceedings herein are continued.

Thursday, February 10th., 1910, and 4th. day of February Term, 1910.

In the matter of the Charles F. McClelland)
et al. Road.)

And now comes William H. Nichols, the Auditor of Hendricks County, State of Indiana, and produces to this board the following duly certified order and judgment of the Hendricks Circuit Court (Here Insert); and from which said order and judgment it appears to the satisfaction of the board that the appeal in said cause taken by Wm. F. Franklin to the Hendricks Circuit Court has been dismissed in said Hendricks Circuit Court without any proceedings had in said cause therein except the appointment of a special judge to hear and determine the matters of said appeal and the dismissal of said cause and the remanding of the same to this board.

And now said cause being again before this board for such action in the premises as the law provides, the matter of opening and considering the several bids submitted by bidders pursuant to notice heretofore given in this cause, now comes on for action by this Board.

And the board having duly considered the matter of receiving and accepting any of said bids does now find that it will not best conserve the public interest to accept any of said bids.

It is therefore ordered by this board that all bids heretofore filed by any bidder for the construction of said improvement pursuant to notice given, be and the same are now hereby rejected by this Board.

And now it is further ordered by this board that the Auditor of this County again give notice, as by law provided, that this board will receive sealed proposals for the construction of the improvement in this cause provided up to the hour of ten o'clock A.M. of Tuesday, the 15th day of March, 1910; that said bids will be received by this board at their usual place of meeting in the Court House in the town of Danville, Indiana; that said notice shall state that the several bidders take notice that this board reserves the right to reject any and all bids.

And further proceedings herein are continued.

In the matter of the petition of)
Samuel Jordan, and others, for the Improvement of a public)
highway.)

And now it appearing to the satisfaction of the board that the total sum realized from the sale of bonds in the foregoing entitled improvement is insufficient to pay the contract price in full, and the expenses incurred in said improvement, and that said deficiency amounts to the sum of \$65.63;

And it also appearing to the satisfaction of the board that in the following named improvements made of highways in Center Township, to-wit:-

Jacob L. Higgins,

Joshua Blanton,

Thursday, February 10th., 1910, and 4th. day of February Term, 1910.

There remained, after the payment of the contract price in each of said roads and all expenses of said improvements, a total of \$216.74.

Now therefore, it is hereby ordered by this board that the said deficiency of \$65.63 in the Samuel Jordan Road, made up of the following claims, to-wit:-

John Ader, the contractor	\$26.63
Henry Rodney, Superintendent	\$29.00
John O. Kain, Engineer	\$10.00
Total	\$65.63

Be and the same are hereby ordered paid out of the Free Gravel Road Repair Fund of District No. 2 of the Free Gravel Road Districts of Hendricks County, Indiana.

In the matter of the petition of Orren A. et al)

Stout, and others, for the improvement of a)

Public Highway by taxation. (Hendricks County, Indiana))

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 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.

In the matter of the petition of)

James A. Downard et al for the improvement)

of a public highway by taxation.)

Come now, 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.

Thursday, February 10th., 1910, and 4th. day of February Term, 1910.

In the matter of the petition of W.S. Jones 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.

In the matter of the petition of David D. Mills et al)
for the Improvement of County Line Road between)
Washington Tp. Hendricks County, and Wayne Tp.)
Marion County.)

It is hereby ordered by the Board of Commissioners of Hendricks County, Indiana, that there be a joint meeting of the Boards of Commissioners of Hendricks and Marion Counties, Indiana, in the Commissioners Room at the Court House at Danville, Hendricks County, Indiana, on the 2nd. day of March, 1910, at 10 o'clock A.M. for the purpose of appointing an engineer and two viewers in the above entitled matter, fixing a day when they shall meet and qualify and make a view in said above matter and also fixing a day to make their report therein, and to take such other action as may be legal and necessary in this cause.

It is further ordered and directed by this Board that at least fifteen days notice be given by the Auditor to the Board of Commissioners of Marion County of the presentation of the petition herein and of the time and place of the joint meeting of the two Boards as above ordered and that the Auditor of Hendricks County, Indiana, transmit a certified copy of this order to the Auditor of Marion County, Indiana, and that he shall immediately deliver and read the same to the said Board of Commissioners of Marion County, Indiana, as notice of the time and place of said joint meeting of the two Boards as above ordered, and said matter is continued.

(Certified Copy of Order Duly Transmitted to Auditor Marion Co.)

Thursday, February 10th., 1910; and 4th. day of February Term, 1910.

In the Matter of the Petition of)
Burdette Swope et al for the)
Improvement of a public highway.)

And now it appearing to the satisfaction of the board that the total sum realized from the sale of bonds in the foregoing entitled improvement is insufficient to pay the contract price in full, and the expenses incurred in said improvement; that said deficiency amounts to the sum of \$309.73.

And it also appearing to the satisfaction of the Board that in the following named improvements made of highways in Franklin Township, to-wit:

Willis M. Jackson,

John W. Leitzman,

Frank Johnson,

Jesse Masten.

That there remained, after the payment of the contract price in each of said roads and all expenses of said improvements, a total sum of \$419.22.

Now therefore, it is hereby ordered by this board that the said deficiency of \$309.73 in the Burdette Swope, and others, road, and made up of the following claims, to-wit:--

John F. Curran, Contractor, the sum of	\$178.23;
Frank Johnson, Superintendent,	\$116.50;
John O. Kain, engineer,	\$15.00;
Total	\$309.73

Be and the same are hereby ordered paid out of the Free Gravel Road Repair Fund of District No. 1 of the Free Gravel Road Districts of Hendricks County, Indiana.

Thursday, February 10th., 1910, and 4th. day of February Term, 1910.

In the matter of the petition)

of John P. Street et al, for)

the improvement of a Public)

Highway in Union Township.)

Comes now John P. Street and seventy-eight others, petitioners in the above entitled matter, by Charles V. Sears, their attorney, and present to the Board of Commissioners of Hendricks County, Indiana, their petition for the improvement of a certain public highway therein described, in Union Township, in said County and State, which petition is in words and figures as follows, to-wit: (Here Insert) Which said petition was heretofore, to-wit, on the 16th day of November, 1909, duly filed in the Auditor's Office of Hendricks County, Indiana, and the Auditor of said County by indorsement thereon set the 6th day of December 1909, the same being the 1st day of the regular December Term, 1909, of the board of Commissioners of Hendricks County, Indiana, as the day for the hearing of said petition by said Board of Commissioners. And said Auditor issued and signed notices, setting forth a copy of said petition, the filing and pendency of the same and the day and place of the presentation of said petition to said Board for hearing, said notice being in words and figures as follows, to-wit:-(Here Insert).

And it appears to the satisfaction of said Board from the affidavit of Julian D. Hogate, editor and publisher of The Republican, said affidavit being in words and figures as follows, to-wit:-(Here Insert), and from the affidavit of W. A. King, editor and publisher of The Danville Gazette, said affidavit being in words and figures as follows, to-wit:-(Here Insert), both of said newspapers being weekly newspapers of general circulation in said County and State and printed and published in said County, that said notice, as issued and signed by said Auditor was published in each of said newspapers for two consecutive weeks before the said day, designated by said Auditor, when said petition would be presented to said Board for hearing.

And it further appears from the affidavit of Obe Higgins, said affidavit being in words and figures as follows, to-wit:-(Here Insert) that said notices, as issued and signed by said Auditor, were posted in three public places in said Union Township, wherein said highway proposed to be improved is located, for more than fifteen days before the said day set by said Auditor for the hearing of said petition.

And it further appears from the affidavit of Wm. H. Nichols, Auditor of said County, said affidavit being in words and figures as follows, to-wit:-(Here Insert) that said notice, as issued and signed by said Auditor, was posted at the door of the Court House in said County for more than fifteen days before the said day set by said Auditor for the hearing of said petition.

And now it appearing to said Board that no taxpayer of said Union Township, or any other person or corporation has filed objections to the said

Thursday, February 10th., 1910, and 4th. day of February Term, 1910.

petition herein, and it appearing that no remonstrance signed by any of the freeholders and voters of said Union Township was filed with said Board of Commissioners within twenty days after the day set for the hearing of said petition, and that no such remonstrance was at any time filed with said Board, and said Board having examined said petition and considered the evidence and being fully advised in the premises now finds that said petition is in due form, sufficient and according to law, that the same was signed by more than fifty of the legal voters and freeholders of said Union Township and was duly filed in the office of the Auditor of Hendricks County, Indiana, on the 16th day of November, 1909, and by endorsement thereon said Auditor fixed as the day for the hearing of the same the 6th day of December, 1909, the same being the 1st day of the Regular December Term, 1909, of the Commissioners Court of Hendricks County, Indiana, and that said day, as designated by said Auditor for the presentation of said petition to said Board, was less than thirty days after the filing of said petition. And said Board further finds that more than twenty days has elapsed since the day set by said Auditor for the hearing of said petition, and that no remonstrance signed by any of the freeholders and voters of said Union Township has been filed with said Board of Commissioners. And said Board further find that due and legal notice, as required by law, was given of the filing and pendency of said petition and the time and place of the hearing of the same, by publication and posting of notices setting forth a copy of said petition, the filing and pendency of the same and the time and place of the hearing of the same by the Board. And said Board also find that an engineer and viewers should be appointed to view said highway proposed to be improved and make report of their determinations to this Board.

It is now therefore ordered by the Board of Commissioners of Hendricks County, Indiana, that a copy of said petition and all the proceedings herein be spread of record in the Auditor's Office of said County, which is now accordingly done and are in words and figures as follows, to-wit:-

State of Indiana,

Hendricks County, SS: In the Commissioners Court, December Term, 1909.

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

The undersigned petitioners represent to the Board that they constitute fifty or more freeholders and voters of Union Township in said County and State, and that said Union Township does not have within its boundaries an incorporated city or town containing thirty thousand inhabitants or more, and said petitioners respectfully petition your Honorable Board that the following established, unimproved public highway, situated wholly within said Union Township, and described as follows, beginning in the Center of the Danville and Lebanon Improved Free Gravel Road at or near the South West Corner of the South East quarter of Section Four (4), Township Sixteen (16) North Range One (1) West, in said County and State and running thence East on and along the South line of said Quarter Section and on and along the South line of Section Three (3) in said Township and Range, for a distance of about One and one half miles, to the

Thursday, February 10th., 1910, and 4th. day of February Term, 1910.

Township line between said Union Township and Middle Township in said County and State, be improved by grading, draining, ditching and paving with stone, gravel or other road paving material, and by building the necessary bridges, culverts and sewers thereon.

That said public highway proposed to be improved is thirty feet in width and is less than three miles in length. One of its termini is in the Danville and Lebanon Free Gravel Road and the other terminus is at the boundary line of said Union Township between Union and Middle Townships as aforesaid, said last mentioned terminus is also in the Danville and Pittsboro Improved Free Gravel Road.

That a United States Rural Mail Route passes over the entire length of said public highway proposed to be improved.

Wherefore your petitioners pray that the above described public highway be improved by grading, draining, ditching and paving with stone, gravel or other road paving material, and by building bridges, culverts and sewers thereon.

And your petitioners ask that said improvement be made thirty feet in width; that said improvement be made without an election by the voters of said Union Township; that viewers and an engineer be appointed to perform their duties as by law provided; and that bonds, in ten year series, be issued and sold to pay the cost of said improvement and all expenses connected therewith, and your

petitioners will ever pray.

John P. Street	M. F. Thompson	Joe Hale	E. M. Leak
Homer Higgins	Thomas Day	John Elmore	G. W. Arnold
Obe Higgins	I. J. Mendenhall	David Foster	John S. Tharp
Wilson T. Johnson	P. F. Watkins	Harry Foster	W. D. Wilson
John L. Rutledge	George Runion	Edgar Foster	E. D. Wheat
George Blessing	Sidney Phillips	Geo. Montgomery	Grant Reeves
J. W. Hamilton	Milton Armstrong.	Chas. H. English	H. S. Montgomery
Leonard E. Montgomery	William A. McDaniel	Tors Ellis	George Sherrard
William H. Stevenson	J. C. Walter	Lawson Montgomery	Wm. Leack
Noah Wright	J. C. Lowe	John Armstrong	Wm. Pritchett
Samuel W. Scott	O. F. Keeney	S. J. Jones	J. T. Scott
Isaac W. Foster	J. A. Wilson	Joe Jones	J. M. Gentry
Geo. Davis	F. M. Wilson	E. B. Groover	Allen Weddle
Curtis D. Bateman	William Odom	Luis Eddy	John A. Woodward
James Bryant	Simmie Odom	B. W. Hamilton	Henry Woodard
Lewis M. Leathers	Jos. J. Dungan	J. O. Borgan	J. E. Vorhies
C. E. Biggs	E. A. Landreth	C. E. Arnold	R. E. Kennedy
Amos Bramell	S. P. Mason	J. W. Fowler	Wm. Hovermale
H. B. Leak	H. M. Caldwell	J. Q. Adams	Marion Bailey
W. T. Brown	J. D. Hendricks	James Armstrong.	

Said petition is indorsed on back as follows:-

Filed Nov. 16th, 1909. Wm. H. Nichols, Auditor.

Set for hearing Dec 6th., 1909. Wm. H. Nichols, Auditor.

C. V. Sears, Atty.

Feb 10th., 1910, Petition found sufficient. John A. Miles and Thomas H. Little appointed Viewers. John O. Kain, appointed engineer. Ordered to meet at Auditor's Office Feb 17" to qualify and make report of their doings on first day of the March Term, 1910. Alfred S. Lineinger P. B.

It is further ordered, and said Board does hereby appoint as Engineer, John O. Kain, who is a competent civil engineer, and, as Viewers, John A. Miles and Thomas H. Little, each of whom are responsible freeholders and voters of said Hendricks County, Indiana, and neither of whom is a resident or owner of

Thursday, February 10th., 1910, and 4th. day of February Term, 1910.

taxable property in said Union Township. And said Engineer and Viewers are ordered to meet at the Office of the Auditor of Hendricks County, Indiana, at Danville, Indiana, on the 17th day of February, 1910, at 10 o'clock A.M., and each take and subscribe an oath faithfully and impartially to discharge his duties, as required by law, and said engineer is ordered to execute and file with the Auditor of said County his bond with good and sufficient sureties, payable to the State of Indiana, in the penal sum of \$5000.00, conditioned for the faithful discharge of his duties as such engineer, and said engineer and viewers are ordered, after being duly qualified as aforesaid, to proceed to view said highway proposed to be improved and determine whether it will be of public utility to grade, drain and pave said highway with stone, gravel or other road paving material, and build the necessary bridges, culverts and sewers thereon, and if they find said proposed improvement to be of public utility, then to determine the width and character of said proposed improvement, including the grading, draining and paving to be done, with complete plans and specifications of such improvement, and of all bridges, culverts and waterways required therein, together with the estimated cost of said proposed improvement, and said engineer and viewers are ordered to make report to said Board of Commissioners on the first day of their Regular Term, 1910, of their determination in said matter in respect to said highway, whether said proposed improvement will be of public utility, and, if they find the same to be of public utility, to include in their said report their determination as to the width of said improvement, and the character of the same, including the grading, draining and paving to be done, with complete plans and specifications of such improvement and of all bridges culverts and waterways required therein, and including an accurate description of the highway to be graded, drained and paved, together with their recommendations in respect to the paving material to be used, and the estimated cost of such improvement, and accompany said report with an accurate profile of said highway to be improved, showing by proper lines and figures the elevation thereof at each one hundred feet of its length and the changes to be made therein by excavations and fills, all of which is ordered and directed by the Board, and proceedings herein are continued.

Thursday, February 10th., 1910, and 4th. day of February Term, 1910.

Ordered that the Board do now adjourn.

Alfred S. Lininger
Harry E. Sanders
O. Murphy

)

)

)

Board Commissioners Hendricks County.

Wednesday, Mar
State of Indiana
Hendricks County
Be It R
Court met at the
Hendricks, Indiana, in
Following members of
J. N. Murphy, Alfred S. L.
the Board of Commis
and James Kervan, when
In the Matter of the
David D. Mills et al
Improvement of highwa
between Hendricks and
Come now
and in response to an
County, Indiana, on the
Joint meeting of the
said State, at the Cou
the hour of 10 o'clock
of David D. Mills et al
of Hendricks and Mar
having been taken at
other action as may
of Marion County, Ind
Marion County, Indian
And now
heretofore ordered a
president of the ad
attorneys, Hume and
petition herein and
said petition conta
Improvement of high
on this 2nd-day of
sufficiently advised
and according to la
Improved herein are
Marion County, India
townships so abstrac
of each of said tow
It is
Marion Counties wh

Wednesday, March 2nd., 1910, Joint Session of Boards Hendricks & Marion Counties.

State of Indiana

SS:

Hendricks County

Be It Remembered, That the Boards of Commissioners of Hendricks and Marion Counties met at the Commissioners Room at the at the Court House in the town of Danville, Indiana, in special session and in joint session of the two Boards with the following members of the Board of Commissioners of Hendricks County present, to-wit: E.M. Murphy, Alfred S. Lineinger and Harry E. Sanders, and with the following members of the Board of Commissioners of the County of Marion present, to-wit: William H. Roberts and James Kervan, when the following proceedings were had, to-wit:-

In the Matter of the petition of)
David D. Mills et al for the)
Improvement of highway of the County Line)
between Hendricks and Marion Counties, Indiana.)

Come now the Commissioners of Hendricks County, Indiana, in compliance with and in response to an order heretofore made by the Board of Commissioners of Hendricks County, Indiana, on the 10th day of February, 1910, to the effect that there would be a joint meeting of the Boards of Commissioners of Hendricks and Marion Counties, both in said State, at the Court House at Danville, Indiana, on the 2nd day of March, 1910, at the hour of 10 o'clock A.M. of said day, for the purpose of passing upon the petition of David D. Mills et al for the improvement of a certain highway between said Counties of Hendricks and Marion, in said State, and for appointing viewers therein, no action having been taken at the meeting of the joint Boards on Nov. 23rd., 1909, and for such other action as may be necessary in said matter, and comes also the Board of Commissioners of Marion County, Indiana, in response to a notice given said Board by the Auditor of Marion County, Indiana, which notice is as follows, to-wit:- (Here Insert)

And now said above named Boards of Commissioners meet at the time and place heretofore ordered and organize for their joint meeting by electing William H. Roberts, president of the said Boards in said joint meeting, and the petitioners by and through their attorneys, Hume and Gaston, present to the said Boards, meeting in joint session, their petition herein and ask that said Boards while in joint session grant their prayer in said petition contained and appoint viewers and an engineer to view said proposed improvement of highway and make a report thereon, and the said Boards in joint session on this 2nd day of March, 1910, having heard the petition read and being duly and sufficiently advised in the premises finds that the petition filed herein is in due form and according to law; that the only townships abutting on said highway proposed to be improved herein are Washington township, Hendricks County, Indiana, and Wayne township, Marion County, Indiana; that said petition is signed by more than 75 freeholders of the townships so abutting said proposed improvement and that more than ten are residents of each of said townships; that the prayer of the petitioners should be granted.

It is therefore ordered by the Boards of Commissioners of Hendricks and Marion Counties while in joint session and by current order of said Boards that two

March 2nd 1910: Certified copy transmitted to Auditor Marion Co. Attest: Mrs. H. B. Nichols, Auditor.

viewers and a competent civil engineer should be appointed herein and that they be as follows: 1. Wallace W. Mains, Pike Township, Marion County, Indiana, 2. John S. Moore, Guilford Township, Hendricks County, Indiana, 3. John O. Kain, engineer, and the Auditor of Hendricks County, Indiana, is hereby ordered to notify said viewers and engineer of their appointment herein and it is hereby ordered that they meet at the Auditor's Office of Marion County, Indiana, on the 8th day of March, 1910, and qualify for their appointment herein, and they are hereby ordered to file their report in the office of the Auditor of Hendricks County, Indiana, on the 2nd. day of May, 1910, and a duplicate thereof with the Auditor of Marion County on the same date, and this matter is continued.

Wm. H. Roberts

Alfred S. Lineinger

James Kervan

Harry E. Sanders

E. M. Murphy,

Board of Commissioners of Marion County.

Board Commissioners of

Hendricks County.

Monday, March 7th., 1910, and 1st. day of March Term, 1910.

Monday Morning, March ^{7th} 2nd., 1910.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners' Court Room in the town of Danville, Indiana, it being the first Monday in said month.

Present, Alfred S. Lineinger, Elbert M. Murphy and Harry E. Sanders, all members of said Board.

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

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

Come now the engineer and viewers heretofore appointed in the above entitled cause and file their report herein, in the office of the County Auditor of Hendricks County, Indiana.

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

Come now the engineer and viewers heretofore appointed in the above entitled cause and file their report herein, in the office of the County Auditor of Hendricks County, Indiana.

In the matter of the petition of)
W.S. Jones 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.

In the matter of the petition of)
John P. Street 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 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 their determination in regard to said proposed improvement.

Monday, March 7th., 1910, and 1st. day of March Term, 1910.

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

Come now the petitioners, by Brill & Harvey, their attorneys and on
their motion this petition is dismissed at the costs of the petitioners.

It is therefore considered and adjudged by the Board that the petition
herein be and the same is hereby dismissed, and that the petitioners herein pay
all costs and charges occasioned by the filing of the same taxed at _____
dollars and _____ cents.

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

Alfred S. Linsinger)
Harry E. Sanders)
E. W. Murphy)

) Board Commissioners Hendricks County.

Special Session of the Board, Tuesday, March 15th., 1910.

Whereas, on the 10th. day of February, 1910, the Board of Commissioners of Hendricks County, Indiana, did make and enter an order directing the County Auditor of Hendricks County, Indiana, to give notice as provided by law that said board would up to the hour of ten o'clock A.M. of the 15th day of March, 1910, receive bids for the improvement of the following named highways located in Center Township, Hendricks County, Indiana, to-wit: Charles A. White, and others; David Hadley, and others; Frank P. Reichard, and others; Charles McClelland, and others; and, whereas, in the opinion of the County Auditor of said Hendricks County, Indiana, the public interest of the County requires a special session of the Board of County Commissioners of said County; and, whereas, said Auditor, for the purpose of convening the board in such special session has issued a writ in the words and figures following, to-wit:-

State of Indiana,
SS:
Hendricks County

To the Sheriff of Hendricks County, Greeting:

Pursuant to an order of the board of Commissioners of Hendricks County, Indiana, made on the 10th day of February, 1910, I, William H. Nichols, Auditor of said County, did give notice, as provided by law, that said board would on the 15th day of March, 1910, up to the hour of ten o'clock A.M. of said day, receive sealed bids for the improvement of the following named highways located in Center Township, Hendricks County, Indiana, to-wit:- Charles A. White, and others; David Hadley, and others; Frank P. Reichard, and others; Charles F. McClelland, and others.

You are, therefore, hereby commanded to summons Alfred S. Lineinger, Elbert M. Murphy, and Harry E. Sanders, members of the Board of Commissioners in and for said County, to meet in special session of said board, at the Court House in the town of Danville, Hendricks County, Indiana, at their usual place of meeting, at the hour of ten o'clock A.M. on the 15th day of March, 1910, for the purpose of receiving sealed bids for the work of said improvements, and for the further purpose of awarding a contract to the successful bidders, and to issue the bonds of the County to raise money to pay the costs and expenses of said improvements, and for the further purpose of appointing superintendents to superintend the work of said improvements, and then and there make due return of this writ.

Witness my hand and the seal of the board of County Commissioners this 7th day of March, 1910.

Wm. H. Nichols, Auditor Hendricks County. (SEAL)

and the said Sheriff of said County having made his return of said writ, which return is in words and figures following, to-wit:-

Sheriff's Return.

Came to hand March 7th. 1910, at the hour of ten o'clock A.M. and I served said writ upon the within named Alfred S. Lineinger, Elbert M. Murphy and Harry E. Sanders, by reading the same to and within the hearing of them and each of them, this the 8th day of March, 1910.

John W. Ader, Sheriff of Hendricks County, Indiana.

Come now Alfred S. Lineinger, Elbert M. Murphy, and Harry E. Sanders, who constitute the Board of Commissioners of said Hendricks County, in obedience to said writ, and

Special Session, Tuesday, March 15th., 1910.

convene in Special Session of said Board for the purposes aforesaid declared in said writ, and the following proceedings are had, to-wit:-

In the matter of the petition of)
David Hadley, and others, for the)
improvement of a Public Highway)
by taxation.)

Be It Remembered that on this the 15th. day of March, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in Special session for the purpose of receiving sealed proposals and awarding a contract for the improvement of the highway petitioned for improvement by David Hadley and others located in Center Township, Hendricks County, Indiana, for the appointment of a superintendent to superintend the construction of said improvement, and to order the issue of bonds to pay the costs and expenses of said improvement.

And now comes William H. Nichols, the Auditor of said County, and produces 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. Said affidavit being in the words and figures following, to-wit:- (Here Insert); and from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper for three consecutive weeks, the first of which publications was on the 17th day of February, 1910, and the last on the 3rd day of March, 1910, a copy of which notice so published being attached to said affidavit and reading as follows, to-wit:- (Here Insert)

Said Auditor also produces 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. Said affidavit being in the words and figures following, to-wit:- (here Insert), and from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper for three consecutive weeks; the first of which publications was on the 17th day of February, 1910, and the last on the 3rd day of March, 1910, a copy of which notice so published being attached to said affidavit and reading as follows, to-wit:- (Here Insert).

Said Auditor also produces the affidavit of J.H. Fox, Clerk for the Star Publishing Company, publishers of The Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis, and which said affidavit is in the words and figures following, to-wit:- (Here Insert); and from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the

Special Session, Tuesday, March 15th., 1910.

improvement prayed for in the foregoing entitled cause was duly published in said newspaper on the 19th. day of February, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids, a copy of which notice so published as aforesaid being attached to said affidavit and reading in the words and figures following, to-wit:—(Here Insert).

And from all of which affidavits and copies of notice it appears, and the board so finds, that due notice of the time and place for receiving sealed proposals for the making of said improvement had been given by said auditor as provided by law in such cases.

And the hour of ten o'clock A.M. having arrived, the hour of said 15th day of March, 1910, up to which it was provided in said notices that sealed bids would be received by this board for said work, the board finds, upon an examination of all proposals submitted, which several proposals were, each and all, opened in the presence of the several bidders, that the following named persons, with the amount of his said bid, did submit sealed proposals, to-wit:—

George T. Miller,	\$8200.00;
Walter G. Hadley	\$8510.00;
Kelleher-Huffine Construction Co.	\$7896.00.

And the Board finds that each of said bids so submitted are in due form and sufficient; that each are accompanied by affidavit as required by the notices given and also as provided by law; and that bids of George T. Miller and Walter G. Hadley are each accompanied by bond as required by law, but that the bid of the said Kelleher-Huffine Construction Company is not accompanied by bond as required by law and said bid of said Kelleher-Huffine Construction Company is, for that reason, rejected by the board.

And the Board further finds that the entire cost of said improvement, including the lowest valid bid aforesaid received, and the expenses incurred, and to be incurred in the per diem of the engineer and superintendent, is the sum of \$760.00 dollars; that the total indebtedness of Center Township, Hendricks County, Indiana, the township in which said highway proposed to be improved by these proceedings is located, including all the costs and expenses of this improvement and all bonds heretofore issued for the building of free gravel or macadamized roads in said township, will not exceed four per centum of the total assessed taxable valuation of the property of said township.

The board further finds that the contract for said improvement should be awarded; and that the bid of George T. Miller, he being the lowest responsible bidder whose bid is accompanied by the bond as provided by law and his bid being less than the estimated cost of said improvement should be accepted; and that the bonds of the County should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

It is therefore ordered by the board that the bid of the said George T. Miller be, and the same is now hereby duly accepted by this board, and that the contract for said improvement be, and the same is now awarded to the said George T. Miller.

And the bond of the said George T. Miller, with good and sufficient surety and

Special Session, Tuesday, March 15th., 1910.

conditioned for the faithful performance of the work in accordance with the profile and report and the plans and specifications therein set forth, and the contract hereinafter set out, in the sum of Eighteen Thousand dollars, which is a sum double his said bid, is now duly approved by this Board. Said bond and the approval of this board written thereon is in the words and figures following, to-wit:-

Federal Union Surety Company. Bond No. 68044.

Know all Men by these Presents, That we, the undersigned, George T. Miller, of Lebanon, Indiana, as principal, and the Federal Union Surety Company, of Indianapolis, Indiana, as surety, are held 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, successors and assigns, firmly by these presents, this 12th day of March, 1910.

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 construction of the David Hadley, et al, gravel road in Hendricks County, Indiana.

And Whereas, the above named George T. Miller 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 T. Miller 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.

George T. Miller

(SEAL)

Federal Union Surety Company,

By C. M. Abbott Vice-President

(SEAL)

Attest: L. C. Breuning Asst. Secretary. (SEAL)

State of Indiana, County of Boone, SS:

Before me, the Subscriber, a Notary Public in and for said County, personally appeared George T. Miller and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and Notarial seal, this 14th day of March A. D. 1910.

Walter H. Hodge (SEAL)

My commission expires Feb. 28, 1912.

State of Indiana, County of Marion.

Before me, the undersigned, Notary Public, personally appeared C. M. Abbott, Vice President, and L. C. Breuning, Assistant Secretary, of the Federal Union

Special Session, Tuesday, March 15th., 1910.

Surety Company and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and Notarial seal, this 12th day of March A.D. 1910.

My commission expires Aug. 4, 1913.

Robert B. Farley, Notary Public. (SEAL)

Accepted and Approved, March 15, 1910.

Alfred S. Lineinger)

Harry E. Sanders) Board Commissioners Hendricks County.

E. M. Murphy)

Attest: Wm. H. Nichols, Auditor Hendricks County.

Endorsed on Back:-

"Filed Mar. 15-1910. Wm. H. Nichols, Auditor Hendricks County."

The bid of the said George T. Miller having been accepted by this board and his bond duly approved, said board does now enter into a contract with the said George T. Miller for said improvement, and which said contract duly signed by the said George T. Miller and the members of this board as the Board of Commissioners of Hendricks County, Indiana, is in the words and figures following, to-wit:-

Contract.

This Agreement, made this 15th day of March, 1910, between George T. Miller, of Lebanon, Boone County, State of Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to Improve the highway known and designated in these proceedings as the David Hadley Road, located in Center Township, in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Eight Thousand Two Hundred (\$8200.00) Dollars in payments as follows, to-wit:-

Upon estimates furnished by the engineer of said work as the said work progresses. Said payments, however, shall not at any time be in excess of 80 % of the work actually done by said contractor as furnished and duly certified to by said engineer. The balance of said contract price herein remaining to be fully paid when the whole of said improvement has been accepted by the party of the Second Part hereof.

Said first party agrees to have said improvement completed on or before the 15th day of November, 1910.

George T. Miller, Lebanon, Ind. The First Party.

Alfred S. Lineinger)

Board of

Harry E. Sanders)

Commissioners, the

E. M. Murphy)

Second Party.

Endorsed on back as follows:-

"Filed Mar. 15-1910. Wm. H. Nichols, Auditor Hendricks Co."

And it is now hereby ordered by this board that the bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs, and expenses, of said improvement; that said bonds be issued in a total sum of \$8960.00, and in series

Special Session, Tuesday, March 15th., 1910.

of \$224.00 each and bearing interest at the rate of four and one half per centum per annum, and payable over a period of twenty years, as prayed for in the petition filed in this proceedings, from the 15th. day of May, 1911, and that said bonds bear date of March 15, 1910. And the treasurer of this County is charged with the sale of said bonds.

Whereupon the board does now appoint Henry Rodney, a resident of said Center Township, Hendricks County, Indiana, Superintendent to supervise the construction of said improvement according to the plans, profile and specifications filed by the engineer and viewers, and he is ordered and directed by this Board to file his bond as such superintendent in the sum of \$5,000.00, conditioned for the faithful discharge of his duties as such Superintendent. And now comes the said Henry Rodney and accepts said appointment and files his bond as heretofore ordered as follows, to-wit:-(Here Insert).

And the duly appointed and acting engineer heretofore appointed in these proceedings is now hereby ordered by this board to execute his bond in the penal sum of \$6,000.00, conditioned for the faithful discharge of his duties as such engineer; whereupon the said engineer does now file his bond as heretofore ordered, and which bond is as follows, to-wit:-(Here Insert)

And further proceedings herein are continued.

Special Session, Tuesday, March 15th., 1910.

In the Matter of the Petition of)
Charles A. White et al, for the)
Improvement of a public highway,)
by taxation.)

Be It Remembered, that on this 15th day of March, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in special session, pursuant to notice and order of said Board, for the purpose of receiving sealed proposals and awarding the contract for the improvement of a highway petitioned for improvement, by Charles A. White et al, located in Center Township, Hendricks County, Indiana, for the appointment of a Superintendent to Superintend the construction of said improvement and to order the issueing of bonds to pay the costs and expenses of said improvement.

And now comes William H. Nichols, Auditor of said County, and produces 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, said affidavit being in the words and figures following, to-wit:- (Here Insert) from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause, was duly published in said newspaper for three consecutive weeks, the first of which publications was on the 17th day of February, 1910, and the last on the 3rd day of March, 1910, a copy of which notice so published, being attached to said affidavit, and which notice and the proof of publication thereof is as follows, to-wit:- (Here Insert)

And also at the same time said William H. Nichols, Auditor as aforesaid, also produces 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, said affidavit being in the words and figures following, to-wit:- (Here Insert) and from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause, was duly published in said newspaper for three consecutive weeks, the first of which publications was on the 17th day of February, 1910, and the last on the 3rd day of March, 1910, a copy of which notice so published being attached to said affidavit, and reading as follows, to-wit:- (Here Insert)

And now said Auditor also produces the affidavit of J. H. Fox, Clerk for the Star Publishing Company, publishers of the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis, and which said affidavit is in words and figures as follows, to-wit:- (Here Insert), and from which affidavit it appears that notice of the time and place for receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper on the 19th day of February, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids, a copy of which notice so published, as aforesaid, being attached to said affidavit, and reading in words and figures as follows, to-wit:- (Here Insert)

Special Session, Tuesday, March 15th., 1910.

And from all of which affidavits and copies of notices it appears, and the Board so finds, that due notice for the time and place for receiving sealed proposals for the making of said improvement had been given by said Auditor, as provided by law in such cases.

And the hour of 10 o'clock A.M., the hour of said 15th day of March, 1910, upon which it was provided in said notices said sealed bids would be received by this board for said work, the Board finds upon an examination of all proposals submitted, which several proposals were each and all opened in the presence of the several bidders, that the following named persons, with the amount of his said bid, did submit sealed proposals, to-wit:-

George T. Miller	\$8500.00
Kelleher, Huffine Construction Co.	\$8479.00
Walter G. Hadley	\$8510.00

The Board finds that each of said bids, so submitted, is in due form and sufficient; that each is accompanied by affidavit, as required by the notices given, and also as provided by law, and that the bids of George T. Miller and Walter G. Hadley are each accompanied by bond, as required by law, but that the bid of the said Kelleher-Huffine Construction Company is not accompanied by bond, as required by law, and said bid of said Kelleher-Huffine Construction Company is for that reason rejected by the Board.

And the Board further finds that the entire cost of said improvement, including the lowest valid bid aforesaid received, and the expenses incurred and to be incurred in the per diem of the engineer and superintendent, is the sum of \$9320.00, and the total indebtedness of Center Township, Hendricks County, Indiana, the township in which said highway proposed to be improved by this proceeding is located, including all the costs and expenses of this improvement, and all bonds heretofore issued for the building of free gravel or macademized roads in said township will not exceed 4 % of the total assessed taxable valuation of the property of said township.

And the Board further finds that the contract for said improvement should be awarded, and that the bid of George T. Miller, he being the lowest responsible bidder whose bid is accompanied by bond, as provided by law, and that his bid being less than the estimated cost of said improvement should be accepted, and that the bonds of the County should be issued, and sold, for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

It is therefore ordered by the Board that the said bid of the said George T. Miller be and the same is now hereby duly accepted by this Board. And that the contract for said improvement be and the same is now awarded to the said George T. Miller. And the said bond of the said George T. Miller, with good and sufficient security and conditioned for the faithful performance of the

Special Session, Tuesday, March 15th., 1910.

work in accordance with the profile and report and the plans and specifications therein set forth, and the contract hereinafter set out, in the sum of \$17000.00 which is a sum double his said bid, is now approved by this Board, which said bond and the approval by this Board written thereon is in words and figures following, to-wit:-

Federal Union Surety Company. Bond No. 68043.

Know all Men by these Presents, That we, the undersigned George T. Miller, of Lebanon, Indiana, as Principal, and the Federal Union Surety Company, of Indianapolis, Indiana, as surety, are held and firmly bound unto the State of Indiana in the penal sum of Seventeen Thousand (17,000) 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 12th day of March, 1910.

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 construction of the Charles White gravel road in Hendricks County, Indiana.

And Whereas, the above named George T. Miller 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 T. Miller 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.

George T. Miller (SEAL)
Federal Union Surety Company
by C. M. Abbott Vice President (SEAL)
Attest: L. C. Braunig, Asst. Secretary (SEAL)

State of Indiana, County of Boone, SS:

Before me, the subscriber, a Notary Public in and for said County, personally appeared George T. Miller and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and notarial seal, this 14th day of March, 1910.

Walter H. Hodge (SEAL)

Commission expires Feb 28, 1912.

State of Indiana

County of Marion.

Before me, the undersigned, a Notary Public, personally appeared C. M. Abbott, Vice President, and L. C. Braunig, Asst. Secretary, of the Federal Union Surety Company and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and Notarial seal, this 12th day of March A. D. 1910.

My commission expires Aug. 4, 1913.

Robert B. Farley, Notary Public (SEAL)

Special Session, Tuesday, March 15th., 1910.

"Accepted and Approved, March 15", 1910.

Alfred S. Lineinger)

Harry E. Sanders) Board of Commissioners of

E. M. Murphy) Hendricks County.

Attest: Wm. H. Nichols, Auditor Hendricks County.

Endorsed on Back:

"Filed Mar 15-1910. Wm. H. Nichols, Auditor Hendricks Co."

The bond of said George T. Miller having been accepted by this Board, and his bond duly approved, said Board does now enter into a contract with the said George T. Miller for said improvement, and which said contract duly signed by the said George T. Miller and the members of this Board, as the Board of Commissioners of Hendricks County, Indiana, is in words and figures as follows:-

Contract.

This Agreement, made this 15th day of March, 1910, between George T. Miller of Lebanon, Boone County, State of Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to Improve the highway known and designated in these proceedings as the Charles A. White Road, located in Center Township in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Eight Thousand Five Hundred (\$8500.00) Dollars in payments as follows, to-wit:-

Upon estimates furnished by the engineer of said work as the work of said improvement progresses. Said payments however shall not at any time be in excess of 80 % of the work done by said contractor as furnished and duly certified to by said engineer. The balance of said contract price herein remaining to be fully paid when the whole of said improvement has been accepted by the party of the Second Part hereof.

Said First party agrees to have said improvement completed on or before the 15th day of November, 1910.

George T. Miller, Lebanon, Ind.

The First Party

Alfred S. Lineinger

Harry E. Sanders

E. M. Murphy

Board of Commissioners, the Second Party.

And it is now hereby ordered by this Board that the bonds of Hendricks County, Indiana, be issued and sold, for the purpose of raising money to pay the costs and expenses of said improvement. That said bonds be issued in a total sum of \$9320.00, and in series of \$233.00 each, and bearing interest at the

Special Session, Tuesday, March 15th., 1910.

rate of 4 1/2 % per annum, and payable over a period of twenty years, as prayed for in the petition filed in this proceedings, from the 15th. day of May, 1911, and that said bonds bear date of March 15", 1910, and the Treasurer of this County is charged with the sale of said bonds.

Whereupon, the Board does now appoint Henry Rodney a resident of said Canter Township, Hendricks County, Indiana, Superintendent in supervising the construction of said improvement according to the plans, profile and specifications filed by the engineer and viewers, and he is ordered and directed by this Board to file his bond as such Superintendent in the sum of \$5000.00, conditioned for the faithful discharge of his duties as such Superintendent.

And now comes said Henry Rodney, and accepts said appointment, and files his bond as heretofore ordered as follows, to-wit:-(Here Insert), and the duly appointed and acting engineer heretofore appointed in this proceeding is now hereby ordered by this Board to execute his bond in the penal sum of \$6000.00, conditioned for the faithful discharge of his duties as such engineer, whereupon the said engineer does now file his bond, as heretofore ordered, and which bond is as follows, to-wit:-(Here Insert), and further proceedings herein are continued.

Special Session, Tuesday, March 15th., 1910.

In the Matter of the Petition of)
 Frank P. Reichard et al, for the)
 improvement of a public highway)
 by taxation.)

Be It Remembered, that on this 15th day of March, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in Special Session for the purpose of receiving sealed proposals and awarding a contract for the improvement of the highway petitioned for improvement by Frank P. Reichard et al, located in Center Township, Hendricks County, Indiana; for the appointment of a Superintendent to superintend the construction of said improvement and to order the issue of bonds to pay the costs and expenses of said improvement.

And now comes William H. Nichols, Auditor of said County, and produces 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, said affidavit being in the words and figures as follows, to-wit:-(Here Insert) And from which said affidavit it appears that notice of the time and place of receiving bids, for the construction of the improvement proposed in the foregoing entitled cause, was duly published in said newspaper for three consecutive weeks, the first of which publication was on the 17th day of February, 1910, and the last on the 3rd day of March, 1910, a copy of which notice so published being attached to said affidavit, and reading as follows, to-wit:-(Here Insert)

Said Auditor also produces the affidavit of William 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, said affidavit being in the words and figures as follows, to-wit:-(Here Insert) and from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper for three consecutive weeks, the first of which publications was on the 17th day of February, 1910, and the last on the 3rd day of March, 1910, a copy of which notice so published being attached to said affidavit, and reading as follows, to-wit:-(Here Insert)

Said Auditor also produces the affidavit of J. H. Fox, Clerk for the Star Publishing Company, publishers of the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis, and which said affidavit is in the words and figures as follows, to-wit:-(Here Insert), and from which affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause was duly published in said newspaper on the 19th day of February, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids, a copy of which notice so published, as

Special Session, Tuesday, March 15th., 1910.

aforesaid, being attached to said affidavit and reading in the words and figures following, to-wit:-(Here Insert)

And from all of which affidavits and copies of notice it appears, and the Board so finds, that due notice of the time and place for receiving sealed proposals, for the making of said improvement, had been given by said Auditor, as provided by law in such cases.

And the hour of 10 o'clock A.M. having arrived, the hour of said 15" day of March, 1910, up to which it was provided in said notices that sealed bids would be received by this Board for said work, the Board finds, upon an examination of all proposals submitted, which several proposals were each and all opened in the presence of the several bidders, that the following named persons, with the amount of his said bid, did submit sealed proposals, to-wit:-

George T. Miller	\$9950.00
Kelleher-Huffine Construction Co.	\$10089.00
Walter G. Hadley	\$10175.00

And the Board finds that each of said bids so submitted is in due form and sufficient; that each is accompanied by affidavit, as required by the notices given, and also as provided by law, and that the bid of George T. Miller and Walter G. Hadley are each accompanied by bond, as required by law, but that the bid of the said Kelleher Huffine Construction Company is not accompanied by bond, as required by law, and said bid of said Kelleher Huffine Construction Company is for that reason rejected by the Board.

And the Board further finds that the entire cost of said improvement, including the lowest bid aforesaid received, and the expenses incurred and to be incurred in the per diem of the engineer and superintendent is the sum of \$10840.00. That the total indebtedness of Center Township, Hendricks County, Indiana, the township in which said highway proposed to be improved by these proceedings is located, including all the costs and expenses of this improvement, and all bonds heretofore issued for the building of free gravel or macadamized roads in said township, will not exceed four per centum of the total assessed taxable valuation of the property of said township.

The Board further finds that the contract for said improvement should be awarded, and that the bid of George T. Miller, he being the lowest responsible bidder, whose bid is accompanied by bond, as provided by law, and his bid being less than the estimated cost of said improvement, should be accepted, and that the bonds of the County should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

It is therefore ordered by the Board that the bid of the said George T. Miller be, and the same is now hereby duly accepted by this Board, and that the contract for said improvement be, and the same is now awarded to the said George T. Miller.

And the bond of the said George T. Miller, with good and sufficient surety, and conditioned for the faithful performance of the work in accordance with the profile and report and the plans and specifications therein set forth, and the contract hereinafter

Special Session, Tuesday, March 15th., 1910.

set out, in the sum of \$20,500.00, which is a sum double his said bid, is now duly approved by this Board; said bond and the approval of said Board written thereon is in the words and figures following, to-wit:-

Federal Union Surety Company. Bond No. 68048.

Know all Men by these Presents, That we, the undersigned George T. Miller, of Lebanon, Indiana, as Principal, and the Federal Union Surety Company, of Indianapolis, Indiana, as surety, are held and firmly bound unto the State of Indiana in the penal sum of Twenty Thousand Five Hundred (20,500) 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, successors and assigns, firmly by these presents, this 12th day of March, 1910.

The Condition of the above Obligation are such, That whereas, the Board of Commissioners of Hendricks County, Indiana, are about to let a contract for the construction of the Frank P. Reichard gravel road in Hendricks County, Indiana.

And whereas, the above named George T. Miller 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 T. Miller shall promptly enter into a contract with said Board of Commissioners for said work, and shall well and 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 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.

George T. Miller

(SEAL)

Federal Union Surety Company

By C. M. Abbott, Vice President

(SEAL)

Attest: L. C. Breunig, Asst. Secretary (SEAL)

State of Indiana, County of Boone, SS:

Before me, the subscriber, a Notary Public, in and for said County, personally appeared George T. Miller and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my Hand and notarial seal, this 14th day of March, 1910.

Walter H. Hodge

(SEAL)

My Commission expires Feb. 28, 1912.

State of Indiana

County of Marion.

Before me, the undersigned, a Notary Public, personally appeared C. M. Abbott Vice President, and L. C. Breunig, Assistant Secretary, of the Federal Union

Special Session, Tuesday, March 15th., 1910.

Surety Company and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and Notarial seal, this 12th day of March A.D. 1910.

My commission expires Aug. 4, 1913.

Robert B. Farley, Notary Public. (SEAL)

Accepted and approved, March 15, 1910.

Alfred S. Lineinger)

Harry E. Sanders)

E. M. Murphy)

Board of Commissioners of Hendricks County.

Attest: Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back: "Filed Mar 15-1910. Wm. H. Nichols, Auditor Hendricks Co."

And the bid of the said George T. Miller having been accepted by this Board, and his bond duly approved, said Board does now enter into a contract with the said George T. Miller, for said improvement, and which said contract, duly signed by the said George T. Miller, and the members of this Board, as the Board of Commissioners of Hendricks County, Indiana, is in words and figures as follows, to-wit:-

Contract.

This Agreement, made this 15th. day of March, 1910, between George T. Miller, of Lebanon, Boone County, State of Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to improve the highway known and designated in these proceedings as the Frank P. Reichard Road, located in Center Township, in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Nine Thousand Nine hundred and fifty (\$9,950.00) Dollars in payments as follows, to-wit:-

Upon estimates furnished by the engineer of said work as the said work of improvement progresses. Said payments, however, shall not at any time be in excess of 80 % of the work actually done by said contractor as furnished and duly certified to by said engineer. The balance of said contract price herein remaining to be fully paid when the whole of said improvement has been accepted by the party of the second part hereof.

Said first party agrees to have said improvement completed on or before the 15th day of November, 1910.

Alfred S. Lineinger

George T. Miller, Lebanon, Ind.

Harry E. Sanders

The first Party.

E. M. Murphy

Board of Commissioners, the Second Party.

Endorsed on back as follows:-

"Filed Mar 15-1910. Wm. H. Nichols, Auditor Hendricks Co."

And it is now hereby ordered by this Board that the bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs and

Special Session, Tuesday, March 15th., 1910.

expenses of said improvement; that said bonds be issued in a total sum of \$10,840.00, and in series of \$271.00 each, and bearing interest at the rate of four and one half per cent ($4\frac{1}{2}\%$) per annum, and payable over a period of twenty years, as prayed for in the petition filed in this proceeding, from the 15th day of May, 1911, and that said bonds bear date of March 15th, 1910, and the Treasurer of this County is hereby charged with the sale of said bonds.

Whereupon the Board does now appoint Henry Rodney, a resident of said Center Township, Hendricks County, Indiana, Superintendent to supervise the construction of said improvement according to the plans and profile and specifications filed by the engineer and viewers, and he is ordered and directed by this Board to file his bond as such Superintendent in the sum of \$5000.00, conditioned for the faithful discharge of his duties as such Superintendent. And now comes the said Henry Rodney and accepts the said appointment, and files his bond, as heretofore ordered, which bond is in words and figures as follows, to-wit:—(Here Insert)

And the duly appointed and acting engineer, heretofore appointed in these proceedings, is now hereby ordered by this Board to execute his bond in the penalsum of \$6000.00, conditioned for the faithful discharge of his duties as such engineer, whereupon the said engineer does now file his bond, as heretofore ordered, and which bond is as follows, to-wit:—(Here Insert)

And further proceedings herein are continued.

Special Session, Tuesday, March 15th., 1910.

In the matter of the petition of)
Charles F. McClelland et al for)
the improvement of a public highway)
by taxation.)

Be It Remembered, that on this 15th day of March, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in Special session for the purpose of receiving sealed proposals and awarding a contract for the improvement of the highway petitioned for improvement by Charles F. McClelland et al. located in Center Township, Hendricks County, Indiana; for the appointment of a Superintendent to superintend the construction of said improvement and to order the issue of bonds to pay the costs and expenses of said improvement.

And now comes William H. Nichols, Auditor of said County, and produces 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, said affidavit being in the words and figures as follows, to-wit:-(Here Insert) And from which affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause, was duly published in said newspaper for three consecutive weeks, the first of which publications was on the 17th day of February, 1910, and the last on the 3rd day of March, 1910, a copy of which notice so published being attached to said affidavit, and reading as follows, to-wit:-(Here Insert).

Said Auditor also produces the affidavit of William 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, said affidavit being in the words and figures as follows, to-wit:-(Here Insert) and from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper for three consecutive weeks, the first of which publications was on the 17th day of February, 1910, and the last on the 3rd day of March, 1910, a copy of which notice so published being attached to said affidavit, and reading as follows, to-wit:-(Here Insert).

Said Auditor also produces the affidavit of J. H. Fox, Clerk for the Star Publishing Company, publishers of the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis, and which said affidavit is in the words and figures as follows, to-wit:-(Here Insert), and from which affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause was duly published in said newspaper on the 19th day of February, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids, a copy of which notice so published, as aforesaid, being attached to said affidavit and reading in the words and figures following, to-wit:-(Here Insert)

And from all of which affidavits and copies of notice it appears, and the Board

Special Session, Tuesday, March 15th., 1910.

so finds, that due notice of the time and place for receiving sealed proposals, for the making of said improvement, has been given by said Auditor, as provided by law in such cases.

And the hour of 10 o'clock A.M. having arrived, the hour of said 15th day of March, 1910, up to which it was provided in said notices that sealed bids would be received by this Board for said work, the Board finds, upon an examination of all proposals submitted, which several proposals were each and all opened in the presence of the several bidders, that the following named persons, with the amount of his said bid, did submit sealed proposals, to-wit:-

George T. Miller	\$10000.00
Kelleher-Huffine Construction Co.	\$ 9869.00
Walter G. Hadley	\$ 9945.00

And the Board finds that each of said bids so submitted is in due form and sufficient; that each is accompanied by affidavit, as required by the notice given, and also as provided by law, and that the bids of George T. Miller and Walter G. Hadley are each accompanied by bond, as required by law, but that the bid of the said Kelleher Huffine Construction Company is not accompanied by bond, as required by law, and said bid of said Kelleher Huffine Construction Company is for that reason rejected by the Board.

And the Board further finds that the entire cost of said improvement, including the lowest bid aforesaid received, and the expenses incurred and to be incurred in the per diem of the engineer and superintendent is the sum of \$10,760.00. That the total indebtedness of Center Township, Hendricks County, Indiana, the township in which said highway proposed to be improved by these proceedings is located, including all the costs and expenses of this improvement, and all bonds heretofore issued for the building of free gravel or macadamized roads in said township, will not exceed four per centum of the total assessed taxable valuation of the property of said township.

The Board further finds that the contract for said improvement should be awarded, and that the bid of Walter G. Hadley, he being the lowest responsible bidder, whose bid is accompanied by bond, as provided by law, and his bid being less than the estimated cost of said improvement, should be accepted, and that the bonds of the County should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

It is therefore ordered by the Board that the bid of the said Walter G. Hadley be, and the same is now hereby duly accepted by this Board, and that the contract for said improvement be, and the same is now awarded to the said Walter G. Hadley.

And the bond of the said Walter G. Hadley, with good and sufficient surety, and conditioned for the faithful performance of the work in accordance with the profile and report and the plans and specifications therein set forth,

Special Session, Tuesday, March 15th., 1910.

and the contract hereinafter set out, in the sum of \$19,890.00, which is a sum double his said bid, is now duly approved by this Board; said bond and the approval of said Board written thereon is in the words and figures following, to-wit:-

Contractor's Bond for Construction.

Know all Men by these Presents, that we, the undersigned Walter G. Hadley, principal, and The United States Fidelity and Guaranty Company, surety, of Hendricks County, Indiana, and Baltimore Md. are held and firmly bound unto the State of Indiana in the penal sum of Nineteen Thousand eight hundred ninety 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 15th day of March, 1910.

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 construction of the Charles F. McClelland et al Road in Center township, in said County and State,

And whereas the above named Walter G. Hadley 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 Walter G. Hadley 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 laborers thereon, then this obligation shall be void, otherwise to remain in full force, virtue and effect.

Walter G. Hadley (SEAL)

United States Fidelity & Guaranty

Company, Baltimore Md., (SEAL)

By John E. Messick, Atty. in fact. (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, principal, and John E. Messick, attorney in fact for the United States Fidelity and Guaranty Company, surety, and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and notarial seal, this 15th day of March A.D. 1910.

My commission expires Sept 24th, 1911.

Carey W. Gaston, Notary Public. (SEAL)

Accepted and Approved, March 15th, 1910.

Alfred S. Lineinger)

Harry E. Sanders)

E. M. Murphy)

) Board of Commissioners of Hendricks County.

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

Endorsed on back as follows:-

"Filed Mar 15-1910. Wm. H. Nichols, Auditor Hendricks Co."

And the bid of the said Walter G. Hadley having been accepted by this Board, and

Special Session, Tuesday, March 15th., 1910.

his bond duly approved, said Board does now enter into a contract with the said Walter G. Hadley for said improvement, and which said contract, duly signed by the said Walter G. Hadley and the members of this Board, as the Board of Commissioners of Hendricks County, Indiana, is in words and figures as follows, to-wit:-

Contract.

This Agreement, made this 15th day of March, 1910, between Walter G. Hadley, of Danville, Hendricks County, State of Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to improve the highway known and designated in these proceedings as the Charles F. McClelland Road, located in Center Township, in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Nine Thousand Nine Hundred Forty Five Dollars in cash, payments as follows, to-wit:-

Upon estimates furnished by the engineer of said work as the said work of improvement progresses. Said payments, however, shall not at any time be in excess of 80 % of the work actually done by said contractor as furnished and duly certified to by said engineer. The balance of said contract price herein remaining to be fully paid when the whole of said improvement has been accepted by the party of the Second Part hereof.

Said First Party agrees to have said improvement completed on or before the 15th day of November, 1910.

Walter G. Hadley, The First Party.

Alfred S. Lineinger

Harry E. Sanders

E. M. Murphy,

Board of Commissioners, the Second Party.

Endorsed on back as follows:-

"Filed Mar 15-1910. Wm. H. Nichols, Auditor Hendricks Co.

And it is now hereby ordered by this Board that the bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs and expenses of said improvement; that said bonds be issued in a total sum of \$10,760.00, and in series of \$269.00 each, and bearing interest at the rate of four and one half per cent ($4\frac{1}{2}\%$) per annum, and payable over a period of twenty years, as prayed for in the petition filed in this proceedings, from the 15th day of May, 1911, and that said bonds bear date of March 15", 1910, and the Treasurer of this County is hereby charged with the sale of said bonds, at not less than their face value.

Whereupon the Board does now appoint Henry Rodney, a resident of said Center Township, Hendricks County, Indiana, Superintendent to Supervise the

Special Session, Tuesday, March 15th., 1910.

construction of said improvement according to the plans and profile and specifications filed by the engineer and viewers, and he is ordered and directed by this Board to file his bond as such superintendent in the sum of \$5000.00, conditioned for the faithful discharge of his duties as such Superintendent. And now comes the said Henry Rodney and accepts the said appointment, and files his bond, as heretofore ordered, which bond is in words and figures as follows, to-wit:-(Here Insert)

And the duly appointed and acting engineer, heretofore appointed in these proceedings, is now hereby ordered by this Board to execute his bond in the penal sum of \$6,000.00 conditioned for the faithful discharge of his duties as such engineer, whereupon the said engineer does now file his bond, as heretofore ordered, and which bond is as follows:-(Here Insert)

And further proceedings herein are continued.

Ordered that the Board adjourn.

Alfred S. Lining)
 Harry E. Sanders) Board Commissioners Hendricks County.
 J. Murphy)

Wednesday ,April 6th.,1910,and 3rd.day of April Term,1910.

Wednesday Morning, April 6th., 1910.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment, it being the 3rd. day of the regular April Term, 1910, of said Board.

Present: Alfred S. Lineinger, Elbert M. Murphy and Harry E. Sanders, all members of said Board.

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

In the matter of the petition of)
Orren A. Stout, and others, for the)
Improvement of a public highway.)

Come now J. W. Frazee and James A. Hadley, the duly appointed, qualified and acting viewers in the foregoing entitled cause; and comes also John W. Figg the duly appointed and acting engineer in said cause, and all being present in court they produce the original order issued to them by the auditor of this county notifying them severally of their appointments as such viewers and engineer, respectively, in said cause and requiring them to appear at the auditor's office of this County on a day fixed in said order for the purpose of qualifying as the law provided in such cases. Said order being in the words and figures following, to-wit:- (Here Insert). And the board, having duly examined said order so produced by the viewers and engineer, find that said viewers and said engineer did appear at the auditor's office of this county on the 15th day of April, 1908, the day upon which they were required to so appear, and there subscribed an oath, as follows, to-wit:- (Here Insert), for the faithful discharge of their duties as such viewers and engineer.

And now John W. Figg as such engineer exhibits his bond duly approved by the auditor of this county, and which said bond with said approval endorsed thereon is as follows, to-wit:- (Here Insert).

And now the auditor of this county produces the duly verified report of the said engineer and viewers. And the board, having examined the same, finds that it was filed in the office of the auditor of this county on the 7th day of March, 1910, as heretofore ordered by the board, and that the same has been on file therein said office open to the inspection of all persons, their agents and attorneys, for more than ten days before the 6th. day of April, 1910, the day which these proceedings are now being had.

And said viewers now make and file their duly verified Supplemental report herein. And the board, having examined said Supplemental Report, and heard all matters connected therewith, find:

That no injury will result to the property of any idiot or person of unsound mind; or will any such person sustain any damages whatever by reason of the construction of the improvement prayed for in these proceedings herein.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

The board also finds that the following named persons filed written claims with said viewers for damages to the real estate of each by reason of said proposed improvement:-

A.R. Glover, Laura Moon, Orren A. Stout, Alva Stout, E.J. Smith, O.H. Johnson, John T. Richardson.

Said claims with the sums asked to be allowed each being in the words and figures following, to-wit:-(Here Insert).

The board also finds that each of said claimants, all being now present in court, accepts the said sum allowed to each, respectively; the board also finds that said Supplemental Report is in due form and regular and that the same should, in all things, be approved and spread of record upon the records in the Auditor's Office kept for that purpose.

And now, all matters in respect to damages sustained by any person or corporation having been fully determined by this board, the report and profile made by the engineer and viewers are now taken up and fully considered by this board. And the board having examined the same and been duly advised in the premises, finds:-

That the highway proposed to be improved under and pursuant to these proceedings is less than three miles in length and connects at one end with an improved free gravel road and at the other end with the township boundary line of said Liberty township; that the improvement prayed for in said petition, and as reported in said report, is of public utility.

The board further finds that said improvement should be allowed and established as provided in said report and without submitting the matter thereof to a vote of the legal voters of said township of Liberty.

The board further finds that said report and profile are in due form and sufficient and should, in all things, be approved, and that said improvement, as in said report provided, be ordered.

It is therefore ordered by the board that the Supplemental Report of the viewers be, and the same is now 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 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 the Board that the auditor of this County give notice by one publication in some daily news-paper of general circulation throughout the State of Indiana, printed and published at the City of Indianapolis, and by three weekly publications in The Republican, and in the Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, the County in which said road to be improved is located, that on Monday the 2nd day of May, 1910, at the hour of ten o'clock A.M. said day dealed 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

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

in accordance with the profile and report and plans and specifications in said report set forth. Said notice shall also state that this board reserves the right to reject any and all bids submitted.

It is further ordered by this Board that the Supplemental Report, and the said report be spread of record on the records in the Auditor's Office kept for such purposes. Which is now done and are in the words and figures following, to-wit:-

State of Indiana,
Hendricks County.

SS:

In the Matter of the Petition of
Orren A. Stout, and others, for the
improvement of a public highway
by taxation.

Supplemental Report of Viewers.

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

Gentlemen:- We the undersigned viewers heretofore appointed by your honorable board in the foregoing entitled cause respectfully submit to you the following our supplemental report in said cause:-

1. That no damage will result to the property of any infant, idiot, or person of unsound mind by reason of the improvement as provided in the report of the viewers and engineer in said proceeding.

2. The following named persons have made written claim to us for damages to property owned by them severally, to-wit:-

A.R. Glover, in the sum of	\$35.00
Laura Moon, in the sum of	96.00
Orren A. Stout, in the sum of	35.00
Alva Stout, in the sum of	10.00
E.J. Smith, in the sum of	65.00
O.H. Johnson, in the sum of	20.00
John T. Richardson, in the sum of	35.00

And having duly considered the several claims submitted, we allow damages to said several claimants as follows, to-wit:-

To A.R. Glover we allow the sum of	\$35.00 ✓
To Laura Moon we allow the sum of	60.00 ✓
To Orren A. Stout we allow the sum of	35.00 ✓
To Alva Stout we allow the sum of	2.50 ✓
To E.J. Smith we allow the sum of	52.50 ✓
To O.H. Johnson we allow the sum of	7.50 ✓
To John T. Richardson we allow the sum of	32.50; ✓

As and for the damages each will sustain to his property by reason of the improvement of the public highway petitioned for improvement in the foregoing

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

entitled cause.

Respectfully submitted,

James A. Hadley)
Viewers.
John W. Frazee)

Subscribed and sworn to before me this the 18" day of March, 1910.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back as follows:-

Filed March 18", 1910. Wm. H. Nichols, Auditor"

April 6, 1910. Report Approved in full. Alfred S. Lineinger, President Board."

ORDER TO VIEW ROAD.

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

To John W. Figg, John W. Frazee and James Hadley:

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 in said Liberty Township, Hendricks County, Indiana, at the south east corner of section 21 in township 14 North, range one (1) west and running thence due west with section bearing on the section line between sections 21 and 28, 20 and 29 in said Township 14 north, range one (1) west to the boundary line between the Townships of Liberty and Franklin, as the same is now 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 County Auditor who resides Danville on Wednesday, the 15th 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 8th day of April, 1908.
(SEAL) Wm. H. Nichols, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, John W. Figg, John W. Frazee and James A. Hadley, 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

J. W. Frazee

James A. Hadley

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

Wm. H. Nichols, Auditor.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

State of Indiana, Hendricks County, SS:

In The Commissioners Court, December Term, 1909.

In the matter of the petition of
O.A. Stout et al, to improve a public highway, in
Liberty Township, Hendricks County, Indiana.

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

We, the undersigned Viewers and Engineer, appointed by your Honorable Body, under the "Provisions of and Act of the General Assembly of Indiana, approved March 8th. 1907, and all amendments thereto", to view, examine, make all needful surveys of the road described in the petition of O.A. Stout et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 14th day of April, 1908, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such Viewers and Engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be first class gravel suitable for a first class road building building purposes as detailed in the specification and exemplified in the drawings entitled "Cross Section of Roadbed". We find that the proposed improvement, in accordance with the profile, drawings, plans and specifications, herewith filed, will be of public utility and convenience and that the costs of construction of the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty (30) feet and specified in the specifications herewith filed. That the aforesaid profile shows the elevations of the center line of said proposed road, at the end of each one hundred (100) feet, and that said profile, drawings, plans and specifications provide for all the details of the improvement of said road. Said profile, drawings, plans specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed, bridges, culverts, sewers, ditches, drains, retaining wall and gravel required therein and likewise provide the quality and quantity of each and every kind of material, and all things necessary to make a complete gravel road; that all drawings, plans, blue prints, and specifications, together with the profile are made by us and herewith filed and made a

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

part of this report.

The following is a description of the route over and upon which said improvement is to be located:- Commencing at a stone common to Sections 21, 22, 27 & 28 Township 14 North, Range 1 West, said stone being in the George Reitzel Free Gravel Road in Liberty Township, Hendricks County, Indiana, and running thence West on the line between Sections 21 & 28, Township 14 North, Range 1 West, 1809.2 feet; thence deflecting to the Right 3 degrees, 21 minutes, 45.8 feet to a point 3 feet North of the line dividing Sections 21 & 28 aforesaid; thence West parallel with the last aforesaid line 1192 feet; thence deflecting to the left 6 degrees, 53 minutes, 75 feet to a point 6 feet South of the line dividing Sections 21 & 28 Township and Range aforesaid; thence West parallel with the last aforesaid line and the line dividing Sections 20 & 29 Township and Range aforesaid 6158.7 feet; thence deflecting to the left 16 degrees, 35 minutes, 30.7 feet; thence deflecting to the right 150 degrees, 54 minutes, 141.10 feet; thence deflecting to the left 24 degrees, 12 minutes, 72 feet, to the line running dividing Sections 20 & 29 said township and range; thence deflecting to the right 11 degrees, 52 minutes and running West on said Sections line 1081 feet to the Southwest corner of Section 20 said township and range, the same being on the line between Franklin and Liberty Townships, Hendricks County, Indiana. We find the total length of the proposed improved highway to be 10605.5 lineal feet, which is less than three miles. All of said bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to any one.

We estimate the total cost of the proposed improvement to be \$5861.35

John W. Figg, Engineer.

James A. Hadley, Viewer.

J. W. Frazee, Viewer.

Subscribed and sworn to before me this 19th day of Feb. 1910.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, December Term, 1909.

In the matter of the petition of O. A. Stout et al, to improve a public highway, in Liberty Township, Hendricks County, Indiana.

Specifications for the construction of the O. A. Stout et Al Road in Liberty Township, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th 1905, and all amendments thereto" by cleaning, grubbing, grading, culverting, sewerage, ditching, drawing, bridging and graveling with first class gravel, the above named road as described in our report.

General Specifications.

1. Intention. It is intended that these specifications, drawings, plans, blue prints, and profile, with all figures and writings thereon, and herewith filed, shall provide for a

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints, and specifications shall not release the contractor from constructing a road complete in all its details, any work done or materials furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.

2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.

3. Engineer. Whenever the word "Engineer" is used in these specifications, it shall be understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assutant.

4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not to be related to the Contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with Contractor, and who is to receive no compensation from the Contractor for any services or labor performed on the work herein contemplated, and who is under the directions of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representatives of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints and specifications, or concerning the quantity or quality of the materials furnished, or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The Engineer shall have the right to make any change or alterations in the plans and specifications that the ENGINEER and Superintendent may deem advisable, any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints, and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any material or workmanship and the engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person or persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the conditions and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such work may be done by the engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the materials furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the engineer in connection herewith, with all notes, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in the event of any discrepancy between the drawings and specifications the matter shall be referred to the engineer for adjustment, and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorneys fees, or any sum of money whatsoever, by reason of any action, claim, demands or proceedings, arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The Contractor will be required to guard the public effectually from liability to damage or accident in consequence of his operations during the whole progress of the work.

The contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The contractor for any part of this work shall at any early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such Contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage of materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of Work Relative to Weather and Conditions of Other Highways.

Whenever the weather conditions are such, or conditions of other highways, over which material has to be transported, that in the opinion of the Engineer, the best interests of the work herein contemplated, the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

Specific Specifications.

Profile.

The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. The grade line established represents the elevations of the center line, at the same points of the elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before material is put on. As the profile only shows the elevations along the center line of the roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

Route.

The route, length and width of this road are as heretofore set forth in the report of the viewers and according to the plans herewith submitted.

Roadway.

The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade 210 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. Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the road from the location described herein will avoid an abrupt hollow or other natural obstacles, and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided always, that the damages and costs of such a change shall not exceed the benefits thereof, and provided further 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 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 and coincide with the center line of the road as described in the report, except as above provided for in case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the directions of the Engineer.

Road-Bed.

The roadbed shall be eighteen (18) feet wide, measured at right angles to the center line of right of way and shall conform as nearly as practical to said center line. The road shall be made to conform to the profile and drawings entitled "Cross Section of Road-Bed", and said roadbed shall be made smooth and compact before the gravel is placed thereon. After the completion of the grading the same shall be allowed to settle four (4) weeks before placing gravel thereon, unless permission is given by the engineer and superintendent for placing the same earlier. At any event the roadbed shall be kept smooth and compact to the satisfaction of the Engineer and Superintendent.

Ditches.

Ditches shall be excavated along both sides of the entire line of road. The depth in no case to be less than eighteen inches, measured from the shoulder of the grade, and eighteen (18) inches, at the bottom with side slopes of one (1) to one (1). 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, unless otherwise provided by the profile.

All ditches now in said road between the ditches as specified and required to be constructed for the drainage of said road, shall be filled up, and made so compact that the

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

water will not follow or wash them.

Where the public drain runs along parallel and on the highway no additional ditches are to be made.

Grade.

The grade line (the red line) of the profile shows the grade of the sub-grade of the roadbed, and the top or surface of the roadbed 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 bring the sub-grade to the grade line established by making the required cut or fill, or whatever may be required, if any thing, at both ends of a continuous grade, such continuous grade to be maintained between the breaks. After the grading is completed the roadbed shall be allowed to settle four (4) weeks before placing gravel thereon, unless permission is given by the Engineer and Superintendent for placing the same earlier. At any event the roadbed shall be kept smooth and compact to the satisfaction of the engineer and Superintendent.

Excavations.

All cuts shall be excavated to a width of twenty-seven (27) feet at the sub-grade. The slopes of all cuts shall be one (1) to one (1).

Embankments.

All embankments or fills shall be eighteen (18) feet at the sub-grade and the sides shall have a slope of one (1) to one (1) and one half ($1\frac{1}{2}$). The Contractor shall make easy approaches to all intersecting roads.

An allowance of ten per cent (10 %) must be made for shrinkage on all fills of more than twelve inches.

Retaining Wall.

There shall be erected a reinforced concrete retaining wall parallel with the center line of said highway ten and one-half ($10\frac{1}{2}$) feet distant therefrom, commencing at station eighteen (18) plus sixty-three (63) feet and running West a distance of one hundred and fifty-five (155) feet. The detailed dimensions thereof as exemplified in the drawing on the profile of said road shall determine all sizes and also the size, number, kind and manner of placing the reinforcement. The specifications for bridge herein provided shall control the kind of cement, proportion of gravel and cement, quality of all materials, mixing, forms, placing, facing and any and all things pertaining thereto.

Bridges.

At points indicated on the profile for the same, shall be constructed bridges of the length of span, width of roadway and of the various detailed dimensions as shown on the plans attached to the profile and in accordance with the specifications.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

Foundations.

The excavations for abutments shall be to such depths as are indicated on the drawings attached and as will be staked out by the Engineer. The contractor shall construct suitable cofferdams, if necessary and ordered by the Engineer, water shall be entirely excluded therefrom during the placing of concrete.

Concrete.

The concrete shall be composed of one part American Portland Cement, the brand to be named by the Engineer, to two parts of approved clean sharp sand and three parts clean hard limestone, the largest pieces which will pass through a two inch ring.

Gravel.

The gravel shall be a good quality of first class creek gravel, free from dirt and other fine material, except sand, and shall be of sizes that largest pieces shall pass through a two inch ring.

Cement.

The cement shall be a good quality of American Portland Cement, the brand to be designated by the Engineer, and shall pass the customary standard tests.

Mixing.

The cement and sand shall be mixed dry by turning at least twice, if hand mixed, in the proportions of one part cement to two parts sand, then the mixed sand and cement shall be mixed with the stone dry by turning at least twice combined as aforesaid, measured by volume loose, sufficient water to be then added to make a mixture as wet as consistent with satisfactory place and results, which shall be turned at least twice. The whole mass to be placed immediately, tamped and spaded.

Placing.

The concrete shall be placed in layers not exceeding six inches in thickness.

Facing.

The concrete next to the forms shall be spaded with a spade or manipulated with some other tool so that the stone will be prevented from touching the forms, a smooth face to be secured without plastering. Forms on exposed faces shall be removed in time so that the face of the concrete may be rubbed and brushed to remove timber markings and the surface to be covered with wet canvass, the canvass to be wet daily for at least five days.

Steel Bars.

The steel bars used shall be twisted or corrugated iron bars, sizes as indicated on the plans, and shall be free from rust, scales, or paints and shall be embedded to a depth of at least two inches at the end and otherwise as indicated on the plans.

Forms.

Rigid centerings and forms shall be provided to receive the concrete and hold it in place until firmly set. The forms supporting the floor shall remain until the Engineer authorizes its removal. The timber forms in contact with exposed faces of concrete shall be finished to a perfectly smooth surface, so that no mark of imperfection shall be on the work. Forms shall extend to the bottom of the concrete in all foundations.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

Cleaning Up.

The Contractor shall remove all false work and all surplus materials from the bridge site, and shall also remove all dirt, gravel, sand and other materials and substance down to a level with the water line from abutment to abutment, the entire length of the same.

Inspection.

All materials shall be subject to the inspection and approval of the engineer and Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the engineer. The engineer shall set all stakes and determine all grades, levels and elevations.

Gravel.

For a width of eight (8) feet, four (4) feet on each side of the center line of road, the road shall be covered with first class gravel suitable for first class road building purposes acceptable to the Engineer and Superintendent. Said gravel to be free from dirt, sticks, chunks, and all other foreign and deleterious material. The gravel to be placed fourteen (14) inches thick in between boards properly lined. The embankment indicated on the "Cross Section of Road - Bed" is to be placed before boards are removed. Said boards shall remain in place until the Engineer or the Superintendent is satisfied that the required amount of stone has been placed on the road. After the acceptance of this work by either the Engineer or Superintendent, said boards shall be removed, the placing of gravel shall be commenced and carried out so as hauling over the gravel will not be necessary.

Before the final acceptance of the road the Contractor will be required to rake in the gravel without raking in dirt and leaving the edges of the gravel in a straight line and presenting a uniform slight appearance.

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 shall be blocked no longer than possible, at no event shall the roadway be blocked during the night time.

Estimates.

The Contractor shall be entitled to estimates as provided by the statute, and payments will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent (80 %) of the engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all its details.

John W. Figg, Engineer.

James A. Hadley, Viewer.

J. W. Frazee, Viewer.

Subscribed and sworn to before me this 19th day of Feb., 1910.

Wm. H. Nichols, Auditor.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

Said report is endorsed on back as follows:-

"Filed March 7"1910. Wm.H.Nichols, Auditor."

"Report examined and approved Apr.6,1910. Road Ordered improved without an election.Auditor ordered to give notice for bids for 1st day of Regular Term of May, 1910. Alfred S.Lineinger, President Board."

And further proceedings herein are continued.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

In the matter of the Petition of)

James A. Downard et al, for the)

Improvement of a public highway.)

Come now again the petitioners in the above entitled cause and respectfully show to the Board of Commissioners of Hendricks County, Indiana, that pursuant to an order heretofore made by said Board and a notice issued by the Auditor of said County, which notice is in words and figures as follows, to-wit:-(Here Insert) the viewers and engineer, appointed in this cause, met on the 13th day of Feb. 1909, which date was within ten days after the appointment of said viewers and engineer, and took an oath, as provided by law, for the faithful discharge of their duties as viewers and engineer in this cause, and that the engineer on said date filed his bond in the sum of \$5000.00, with the approval of said Auditor endorsed thereon, which bond and approval are in words and figures as follows, to-wit:-(Here Insert)

And now said petitioners show to the Board that the time for filing the report of said viewers and engineer was fixed in said notice for the Regular March Term, 1909, of said Board, and that said Board continued and extended the time for filing said report of said viewers and engineer from Term to Term to the 1st. day of the regular March Term, 1910, of said Board, and now come the viewers and engineer herein and produce and file their report on the 7th day of March, 1910, the same being the 1st day of the regular March Term, 1910, of said Board, which report is in words and figures as follows, to-wit:-(Here Insert)

And now come the viewers and engineer herein, after the expiration of ten days from the filing of their said report on the said 7th day of March, 1910, and on the 18th day of March, 1910, file with the auditor of said County their supplemental report herein, and at the next regular session of said Board after the expiration of ten days from the filing of their first report, to-wit:- April Term, 1910, they file with and present to said Board their said supplemental report, which supplemental report is in words and figures as follows, to-wit:-(Here Insert)

And now said Board being fully advised in the premises finds that the viewers and engineer appointed herein met on the 13th day of Feb., 1909, and qualified as provided by law, and that said engineer filed his bond in the sum of \$5000.00 and that the same was approved by the Auditor of Hendricks County, Indiana and the Board further finds that pursuant to an order heretofore made by them, and to orders made by them continuing and extending the time for filing the report of the viewers and engineer herein, the report of the viewers and engineer herein was filed in the office of the Auditor of said County on the 7th day of March, 1910, and that it has remained on file in said office open to the inspection of any and all persons since said date and for more than ten days before the said 18th day of March, 1910, on which date the supplemental report herein was filed, and the Board having examined said report finds that it conforms to the law in

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

all respects and should be approved; that the public highway described therein is less than three miles in length, and that the improvement as reported in said report will be of public utility, and that said improvement should be allowed and established in all respects as provided in said report, without submitting the matter of said improvement to the legal voters of Center Township, Hendricks County, Indiana, in which said highway is located.

And the Board further finds that the viewers and engineer herein filed their supplemental report with the Auditor of said County on the 18th day of March, 1910, which was more than ten days after the filing of said viewers and engineer's first report, that the same was left on file in said Auditor's Office until the next regular session of the Board of Commissioners of said County, that the same was filed with and presented to said Board of Commissioners at the next regular session of said Board after the expiration of ten days from the filing of the first report, and having fully examined said report said Board finds that no injury will result to the property of any idiot or person of unsound mind nor will any 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 ought to be approved in all things.

It is therefore ordered by the Board that the 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 supplemental report of the viewers and engineer be and the same is hereby fully approved.

It is also ordered by the Board that said improvement, as prayed for, be made and that the same be made in all respects as provided for in said report of said viewers and engineer, and that the same be made without an election by the voters of said Center Township.

It is further ordered by the Board that the Auditor of said Hendricks County give notice by one publication in the Indianapolis Star, 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 and in the Danville Gazette, two weekly newspapers of general circulation throughout the said County of Hendricks, in which said road proposed to be improved is located, that until 10 o'clock A.M. on the 2nd day of May, 1910, 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, plans and specifications, and report of said engineer and viewers herein.

It is further ordered by the Board that said report of the viewers and engineer herein and said supplemental report of said viewers and engineer be spread of record in the office of the Auditor of said Hendricks County on the record book kept for that purpose which is now done and which report and supplemental report are in words and figures as

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

follows, to-wit:-

Order to View Road.

The State of Indiana,

SS: Commissioners Court, February Term, 1909.

Hendricks County,

To John T. Leak, John E. Vestal, and John O. Kain, Engineer:

You are hereby notified that you were appointed by the Board of Commissioners of said County at their February Term, 1909, to view a public highway proposed to be improved as follows, to-wit:- Said public highway being a public highway in Center Township in Hendricks County, Indiana, known as Lawton Avenue, and beginning at the intersection of said Lawton Avenue with the Danville and Pittsboro Free Gravel Road and running from thence in a westerly direction on and along the line of said Lawton Avenue to a point where the same intersects with the Danville and Lebanon Free Gravel Road.

You will meet at the Office of the Auditor of said County at Danville, Indiana, on the 13th day of Feb., 1909, at 9 o'clock A.M., and after being duly qualified, proceed to make said view, and determine,

1st. Whether it will be of public utility to grade, drain and pave said highway with stone, gravel or other road paving material, and build the necessary bridges, culverts and sewers thereon.

2nd. If you find said proposed improvement to be of public utility, you will then determine and fix the kind and character and the width of said proposed improvement, including the grading, draining and paving to be done, with complete plans and specifications of such improvement, and of all bridges, culverts and water ways required therein, together with the estimated cost of said proposed improvement, and make report of your determination in said matter in respect to said highway, including an accurate description of said highway to be graded, drained and paved, together with your recommendations in respect to the paving materials to be used and complete plans and specifications of such improvement, and the estimated cost of such improvement, and accompany said report with an accurate profile of said highway to be improved, showing by proper lines and figures the elevation thereof at each one hundred feet of its length and the changes to be made therein by excavations and fills. And make a complete report of your doings herein, as provided by statute, to said Board of Commissioners at their regular March Term, 1909.

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 3rd day of February, 1909.

Wm. H. Nichols, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, John T. Leak, John E. Vestal and John O. Kain do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

on the within described highway to the best of our skill and ability, so help us God.

James T. Leak

John E. Vestal

John O. Kain.

Subscribed and sworn to before me, this 13th day of February, 1909.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, December Term, 1909.

In the matter of the petition of James A. Downard et al,
to improve a public highway in Center Township,
Hendricks County, Indiana.

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

We, the undersigned Viewers and Engineer, appointed by your Honorable Body, under the provisions of an act of the General Assembly of Indiana, approved March 8th. 1905, and all amendments thereto, to view, examine, make all needful surveys of the road described in the petition of James A. Downard et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grading, sewerage, ditching, draining, and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 13th day of February, 1909, at the office of the Auditor of Hendricks County, in the Town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such Viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the materials for the roadway should be hard crushed, screened limestone with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed."

We find the proposed improvement in accordance with the profile drawings and specifications and plans, herewith filed, will be of public utility and convenience and that the costs of constructing the same shall be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and the width of forty (40) feet specified in the specifications herewith filed. That the aforesaid profile shows the elevation of the center line of said proposed road, at the end of each hundred (100) feet and certain plus stations, together with certain tabulated elevations and that said profile, drawings, plans and specifications provide for all details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed,

Wednesday, April 6th., 1910, and 3rd. day of May Term, 1910.

sewers, ditches, drains and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all necessary things to make a complete macadam road; that all drawings, plans, blue prints and specifications, together with the profile are made by us and herewith 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:- Commencing at the intersection of the highway, known as Lawton Avenue, with the Danville and Pittsboro Free Gravel Road and running thence West 1020.5 feet; thence deflecting to the left 10 degrees 10 minutes and running 141 feet; thence deflecting to the right 11 degrees 40 minutes and running 838 feet to a point where said highway, known as Lawton Avenue, intersects with the Danville and Lebanon Free Gravel Road all in Center Township, Hendricks County, Indiana. We find the total length of the proposed improved highway to be 1999.5 lineal feet which is less than three (3) miles. We, however, recommend that no improvement be made on the 293 feet lying West of the point where said highway is intersected by a highway, known as Indiana Street, Danville, Indiana. All bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to any one.

We estimate the total cost of the proposed improvement to be
\$2443.55

John D. Kain, Engineer.

John E. Vestal, Viewer.

James T. Leak, Viewer.

Subscribed and sworn to before me this 19th day of February, 1910.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, December Term, 1909.

In the matter of the petition of James A. Downard et al, to improve a public highway, in Center Township, Hendricks County, Indiana.

Specifications for the construction of the James A. Downard et al Road in Center Township, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th 1905, and all amendments thereto by cleaning, grubbing, grading, culverting, sewerage, ditching, drawing, bridging and macadamizing with crushed limestone, the above named Road as described in our report.

GENERAL SPECIFICATIONS.

1. Intention. It is intended that these specifications, drawings, plans, blue prints and profile, with all figures and writings thereon, and herewith filed, shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints and specifications shall not release the

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

Contractor from constructing a road complete in all its details, any work done or materials furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.

2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.

Engineer. 3. Whenever the word "Engineer" is used in these specifications it shall be understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.

4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not related to the Contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor, for any services or labor performed on the work herein contemplated, and who is under the directions of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representative of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints, and specifications, or concerning the quantity or quality of the materials furnished, or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The Engineer shall have the right to make any change or alterations in the plans and specifications that the Engineer and Superintendent may deem advisable, any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

needed.

10. Subcontractors. No part of the work shall be assigned or sublet to any person, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the condition and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the material furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all notes, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in event of any discrepancy between the drawings, and specifications, the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In event of any error existing in the amount of the cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County Free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorney fees, or any sum of money whatsoever by reason of any action, claim, demands or proceedings, arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding dangerous places, or in any improper

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The Contractor will be required to guard the public effectually from liability to damage in consequence of operations during the whole progress of the work.

The Contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall at any early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage of material in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of Work Relative to Weather and Conditions of Other Highways.

Whenever the weather conditions are such, or the conditions of other highways, over which materials has to be transported, that in the opinion of the Engineer, the best interests of the work contemplated, or the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

Specific Specifications.

Profile.

The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. The grade line established represents the elevations of the center line, at the same points of the elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before material is put on. As the profile only shows the elevations along the center line of the roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line.

Route.

The route, length and width of this road are as heretofore set forth in the report of the viewers and according to the plans herewith submitted.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

Road- Way.

The right of way of said road shall be forty (40) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade twenty-eight (28) feet wide and to allow the banks or sides of cuts and fills to be on the slope as the same is herein specified. Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the road from the location described herein will avoid an abrupt hollow or other natural obstacles, and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further 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 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 in the report, except as above provided for in case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the directions of the Engineer.

Road-Bed.

The roadbed shall be twenty-eight (28) feet wide, measured at right angles to the center line of right of way. The road shall be made to conform to the profile and drawings entitled "Cross Section of Roadbed", and said roadbed shall be made smooth and compact before the macadam is placed thereon, by rolling with a twelve (12) ton road roller until the same is compact and solid to the acceptance of the engineer.

Ditches.

Ditches shall be excavated along both sides of the entire line of road where there are no curbs on both sides unless otherwise directed by the Engineer at certain points. The depth in no case to be less than twelve (12) inches, measured from the shoulder of the grade, and eighteen (18) inches at the bottom with side slopes of one and one-half ($1\frac{1}{2}$) to one and one-half ($1\frac{1}{2}$). 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 off the water from the road to the nearest out-let, unless otherwise provided by the profile and directed by the Engineer.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

Ford.

From Station 2 to Station 2 plus 50 feet there shall be constructed a boulder and concrete ford across the stream crossing said highway between said stations. Said boulder and concrete ford shall be 50 feet long and 15 feet on either side of the center line of said road. Said boulders and concrete to be not less than 15 inches thick. The concrete shall be composed of one part of Portland Cement of approved brand to 2 parts of clean, good, first class sand and gravel thoroughly mixed as required for first class concrete work. On the upstreams side there shall be placed an extra foundation wall of like boulders and concrete 12 inches thick and extending 3 feet 3 inches below the extreme top of the boulders and concrete ford, and on the down-stream side an apron 3 feet wide and on an angle of 75 degrees shall be placed of like boulders and concrete. The proportion of boulders and concrete shall be such that each boulder will be entirely covered with concrete excepting that the top surface of the boulders may be exposed. The entire surface to be made level and as smooth as consistent with safety to travel thereover. All boulders before being placed in the concrete shall be thoroughly wet.

Grade.

The grade line (the red line) of the profile shows the grade of the sub-grade of the roadbed, and the top or surface of the roadbed must be made to conform to said grade line and to the curb grade line, making cuts and fills of the depth shown on said profile. However, in case of discrepancy between the cuts and fills as shown on the profile, and the cuts and fills necessary to bring the sub-grade to the grade line established by making the required cuts and fills, or whatever may be required, if anything, at both ends of a continuous grade, such continuous grade to be maintained between the breaks. After the grading is completed the roadbed shall be rolled with a twelve (12) ton road roller until the same is solid and compact, to the acceptance of the Engineer. The roller shall be either propelled by its own power or by horse power, the use of a roller pulled by a traction engine will not be allowed.

The contractor shall complete his grade and the same shall be rolled and accepted by the Engineer before material is placed on, or any part thereof and the Contractor shall keep the roadbed smooth and compact in advance of the stone.

Excavations.

All cuts shall be excavated to a width of thirty-three (33) feet at the sub-grade. The slopes of all cuts shall be one (1) to one (1).

Embankments.

All embankments or fills shall be twenty-eight (28) feet at the subgrade and the sides shall have a slope of one and one-half ($1\frac{1}{2}$) to one and one-half ($1\frac{1}{2}$). The Contractor shall make easy approaches to all intersecting highways.

An allowance of ten per cent (10 %) must be made for shrinkage on all fills of more than twelve (12) inches.

Inspection.

All materials shall be subject to the inspection and approval of the Engineer and

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations.

Macadam.

For a width of seven (7) feet on each side of the center line of the road the roadbed shall be covered with good, first class, hard, crushed, screened limestone suitable for first class road building purposes and acceptable to the Engineer. Said stone to be free from dirt and all other foreign and deleterious material and range in size from one (1) inch to one and one-half ($1\frac{1}{2}$) inches in diameter. Such stone to be placed ten (10) inches in the center and four and one-half ($4\frac{1}{2}$) inches at the outer edges, between boards properly lined. The embankments indicated on the "Cross Section of Roadbed" are to be placed before said boards are removed. Said boards shall remain in place until the Engineer of the Superintendent is satisfied that the required amount of stone has been placed on the road. After the acceptance of this work by either the Engineer or Superintendent, said boards shall be removed and such stone shall be thoroughly wet and rolled. First the Contractor shall run the roller along on each embankment as close to the shoulder of the grade as may be done without unnecessarily injuring the shoulders of the ditches, then the stone is to be thoroughly wet and immediately the stone is to be thoroughly rolled to the satisfaction of the Engineer. All rolling of subgrade, at once and finished surface to be done with a twelve (12) ton road roller as hereinbefore provided. After the satisfactory rolling of said stone there shall be placed on such rolled stone hard clean limestone screenings to a thickness of three (3) inches at the center and two and one-half ($2\frac{1}{2}$) inches at the outer edge, the same to be leveled and smoothed to the satisfaction of the Engineer, this having been done the same shall be thoroughly wet and immediately rolled to the satisfaction of the engineer. The placing of material shall be commenced and carried out ^{so} as to hauling over the stone will not be necessary, except the screenings to be placed at the direction of the engineer.

Estimates.

The Contractor shall be entitled to estimates as provided by the statute, and payment will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent (80%) of the Engineer's Estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all its details.

John O. Kain, Engineer.

John E. Vestal, Viewer.

James T. Leak, Viewer.

Subscribed and sworn to before me this 19th day of February, 1910.

Wm. H. Nichols, Auditor.

Wednesday, April 6th., 1910, and 3rd day of April Term, 1910.

Said report is indorsed on back as follows:-

"Filed Feb. 7th., 1910. Wm. H. Nichols, Auditor Hendricks Co."

"Apr 6", 1910, Report Approved. Auditor ordered to give notice to bidders for 1st day of May Term, 1910. Alfred S. Lineinger, President Board."

SUPPLEMENTAL REPORT OF VIEWERS.

To the Honorable Board of Commissioners:

In the matter of the petition of Jas. A. Downard et al. for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 7th day of March, 1910, 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 O. Kain

John E. Vestal

James T. Oak, Viewers.

Subscribed and sworn to before me this the 18th day of March, 1910.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back as follows:-

"Filed Mar. 18 1910. Wm. H. Nichols, Auditor Hendricks Co."

"Apr 6, 1910, Report examined and approved. Alfred S. Lineinger,
President Board "

And further proceedings herein are continued.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

In the matter of the petition of)
John P. Street et al for the improvement)
of a public highway by taxation.)

Come now 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.

In the matter of the petition of)
W. S. Jones 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.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

In the matter of the petition of)
David Foster et al for Public Highway.)

Come now David Foster, and fifty-nine others, resident freeholders and voters of Union Township, of Hendricks County, Indiana, and present their petition heretofore filed in this cause, on the 15th day of February, 1910, and show to the Court, by the affidavit of William H. Nichols, Auditor of Hendricks County, Indiana, that a notice of said petition was posted by said Auditor at the Court House Door, in Danville, Hendricks County, Indiana, on the 28th day of February, 1910, the same being more than fifteen days before the same would be presented to the board upon the date fixed for the hearing thereof, and attached to said affidavit is a true copy of the petition so posted, and which affidavit and proof of posting and the exhibit thereto attached are in words and figures as follows, to-wit:-(here Insert)

And come also the petitioners and file the proof of posting made by David Foster, showing that the said David Foster posted up three notices, a copy of which is attached to the affidavit of said David Foster, in three public places within the township of Union, said County and State, on the 28th day of February, 1910, the same being more than fifteen days before the same would be presented to the Board, and which proof of posting and the exhibit thereto attached, are in words and figures as follows, to-wit:-(here Insert)

And come now also said petitioners and show by the affidavit of William A. King, publisher of the Danville Gazette, a weekly newspaper of general circulation, printed and published in Danville, in the County of Hendricks and State of Indiana, showing that notices of said petition, which are attached to said proof of publication, were duly published in said newspaper two weeks successively, the first of which publications was on the 17th day of February, 1910, and the last on the 24th day of February, 1910, and which proof of publication with the exhibit thereto attached, are in words and figures as follows, to-wit:-(Here Insert)

And come also the petitioners and show, by the affidavit of Julian D. Hogate, editor of the Hendricks County Republican, a public weekly newspaper, of general circulation, printed and published in Danville, as aforesaid, that like copies of said petition were published in the Hendricks County Republican for two weeks successively, the first of which publications was on the 17th day of February, 1910, and the last on the 24th day of February, 1910, and which proof of publication and the exhibit thereto attached are in words and figures as follows, to-wit:-(here Insert)

And now the matter of said petition being presented to the Board, and the Board having duly considered the same, finds the petition to be in proper form and that due and proper notices of said petition have been given, and the statutes relating thereto having been fully complied with.

And this cause is continued for further action of the Board.

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

In the matter of the petition of)
Joe J. Dungan et al, for the)
improvement of a certain highway.)

Come now Joe J. Dungan, and others, petitioners for the improvement of a certain highway located in Union Township, Hendricks County, and State of Indiana, and their said petition coming on for hearing before the board, said petitioners now produce and file the affidavits of Julian D. Hogate and W. A. King, editors respectively of The Republican and the Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, printed and published in the town of Danville, Hendricks County, Indiana, the county in which said highway proposed to be improved by these proceedings is located. Said affidavits being in the words and figures following, 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 consecutive weekly publications, which said publications contained a duly certified copy of the petition, the first of which said publications was on the 10th day of March, 1910, and the last thereof on the 17th day of March, 1910, in each of said newspapers respectively.

Said petitioners also produce and file the affidavit of A. E. Deatley, as follows, to-wit:—(Here Insert), and from which said affidavit it appears to the satisfaction of the Board that due notice of the filing of said petition, and the time and place of the hearing of the same, was duly given by the posting of duly certified copies of said petition, which said copies had endorsed thereupon the time and place of the hearing of said petition, in three of the most public places in said Union Township, Hendricks County, Indiana; that said notices were posted by the direction of the Auditor of Hendricks County, Indiana, and for more than fifteen (15) days before the 4th day of April, 1910, the day upon which the auditor designated as the time for presenting said petition to this board.

Said petitioners now also produce the affidavit of William H. Nichols, the auditor of said Hendricks County, Indiana, as follows, to-wit:—(Here Insert) and from which affidavit it appears to the satisfaction of the board that a duly certified copy of said petition was posted at the door of the Court House in the town of Danville, Hendricks County, Indiana, on the 10th day of March, 1910, and more than fifteen days before the 4th day of April, 1910, the day fixed by an endorsement upon said petition by said auditor as the day for the hearing of said petition by the board.

And now it appearing that no taxpayer of said Union Township, Hendricks County, Indiana, or any person or corporation whose lands or property will be affected by the proposed improvement prayed for in said petition, have filed any objections to the form or sufficiency of said petition, and the board having

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

examined said petition does now find that the same is in due form and sufficient; that the same was filed in the office of the auditor of Hendricks County, Indiana, on the 7th day of March, 1910, and by an endorsement in writing upon said petition the said county auditor did fix as the date for the hearing of said petition the 4th day of April, 1910, the same being the 1st day of the regular April Term, 1910, of the Commissioners' Court of Hendricks County, Indiana, and not more than thirty days from the date of the filing of said petition in said office.

The Board further finds that said petition is signed by more than fifty of the freeholders and legal voters of Union Township, Hendricks County, Indiana, and that said highway asked to be improved in said petition connects at one end with the Danville and Lebanon improved free gravel road and at the other end with the township boundary line of said Union Township, Hendricks County, Indiana.

And now it is hereby ordered that this proceeding be continued until the first day of the next regular May Term, 1910, of this Board.

In the matter of the petition of)
Jonathan Lowe, and others, for the improvement)
of a certain highway.)

Come now Jonathan Lowe, and others, petitioners for the improvement of a certain highway located in Union Township, Hendricks County, Indiana, and their petition heretofore filed coming on for hearing before the Board, said petitions now produce and file the affidavits of Julian D. Hogate and W. A. King, editors respectively of The Republican and The Danville Gazette, two weekly newspapers, of general circulation throughout the county of Hendricks, printed and published in the town of Danville, Hendricks County, Indiana, the county in which said highway proposed to be improved by these proceedings is located, said affidavits being in the words and figures following, to-wit:—(Here Insert)

And from which affidavits it appears to the satisfaction of the Board that due notice of the filing and the time and place of hearing of said petition was given in said newspapers by two consecutive weekly publications, which said publications contained a copy of the petition filed herein, the first of which publications was on the 10th day of March, 1910, and the second and last thereof on the 17th day of March, 1910, in each of said newspapers respectively.

Said petitioners also produce and file the affidavit of Jonathan Lowe, as follows, to-wit:—(Here Insert), and from which said affidavit it appears to the satisfaction of the Board that due notice of the filing of said petition, and the time and place of the hearing of the same, was duly given by the posting of like notices as were published in said newspapers in three of the most public places in said Union Township, Hendricks County, Indiana; that said notices were posted by direction of the Auditor of said County and over his signature and for more than 15 days before the 4th day of April, 1910, the day which the Auditor designated as the time for the presenting of said petition to the Board.

Said petitioners now also produce and file the affidavit of William H. Nichols,

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

the auditor of said County, which is as follows, to-wit:—(here Insert) and from which affidavit it appears to the satisfaction of the board that said auditor posted notice of the presentation, and of the time and place, of the petition herein at the Court House door more than 15 days before the 4th day of April, 1910.

And now at this time the petitioners ask leave of the Board to amend their petition by omitting from the description of the highway sought to be improved the following part thereof, to-wit: Beginning at a point in the William A. McDaniel et al Free Gravel Road at the South East corner of the Northwest quarter of the Southeast quarter of Section 22, Township 17 North, range one west in said County and State, thence West three fourths of one mile; thence South one fourth of one mile; thence West one fourth of one mile, and by amending said petition to show the description of the highway sought to be improved as follows:

Beginning at a point in the Indianapolis and Crawfordsville or State Road at the point in said Road where the same is intersected by the line dividing the East and West halves of the Northeast quarter of Section 33, Township 17 North, Range one West, Hendricks County, Indiana, thence North to the North West corner of the Northeast quarter of the Northeast quarter of Section 28, Township 17 North, Range one West, in said County and State, thence West about three eighths of a mile and ending at a point in the Danville and Lebanon Free Gravel Road., and also by amending said petition so as to allege therein that the termini of the highway is sought to be improved herein are in improved free gravel roads.

And the Board being duly advised gives leave to the petitioners to amend their petition which they accordingly do and present their amended petition to the Board, and it appearing to the Board that no taxpayer of Union Township, Hendricks County, Indiana, or any person or corporation whose lands will be affected by the proposed improvement prayed for in the amended petition have filed any objections to the form of sufficiency of the said amended petition, and the Board having examined said amended petition does now find that the same is in due form and sufficient; that the Auditor of Hendricks County, Indiana, indorsed on the original petition filed herein the day fixed by him for the hearing of the same, either as filed or amended, and now all the above and foregoing appearing to the full satisfaction of the Board it assumes jurisdiction herein.

The board further finds that the petition filed herein was filed in the Auditor's office not more than thirty days before the 1st day of the regular April Term, 1910, of the Commissioners' Court of Hendricks County, Indiana, and that said petition, as amended, is signed by more than fifty of the freeholders and legal voters of Union Township, Hendricks County, Indiana, and that said highway asked to be improved in said petition as amended, connects at its termini with

Wednesday, April 6th., 1910, and 3rd. day of April Term, 1910.

improved Free Gravel Roads within said Union Township, Hendricks County, Indiana.

It is therefore now ordered by the Board that this proceedings be continued until the first day of the next regular May Term, 1910, of this board.

Ordered that the Board do now adjourn.

Alfred S. Linsinger
Harry E. Sanders
O. M. Murphy

)
) Board Commissioners Hendricks County.
)

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

Monday Morning, May 2nd., 1910.

The Board of Commissioners of Hendricks County, Indiana, met in regular session, at the Commissioners' Court Room in the town of Danville, Indiana, it being the first Monday in said Month.

Present: Alfred S. Lineinger, Elbert M. Murphy and Harry E. Sanders, all members of said Board.

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

In the matter of the petition of)
Joe J. Dungan, and others, for the)
Improvement of a public highway.)

Come now again the petitioners herein, and more than twenty days having elapsed since the day set for the hearing of this petition herein, and no remonstrance having been filed by any of the freeholders and legal voters of Union Township, it is now ordered by the Board that the petition in this proceeding be spread of record upon the records in the Auditor's office kept for such purpose, which is now done and is in the following words and figures, to wit:-

State of Indiana
Hendricks County SS:

To the Honorable Board of Commissioners of Hendricks County, State of Indiana:

Gentlemen:- We, the undersigned freeholders and legal voters of Union Township Hendricks County, Indiana, do hereby respectfully petition your honorable board to take the necessary steps for the improvement of the following described highway in Union Township, Hendricks County, and State of Indiana, to wit:-

Beginning at a point in the center of the Danville and Lebanon Free Gravel Road at the center west of the North East Quarter of Section 21, Township 17 North, Range 1 West; thence running East for a distance of one and one fourth miles ($1\frac{1}{4}$) to the center of the North East Quarter of Section 22, Township 17 North, Range 1 West; thence extending North for a distance of one half mile ($\frac{1}{2}$) to the center of the South East Quarter of Section 15, Township 17 North, Range 1 WEST; thence West one fourth mile to the center West of said South East Quarter of said Section 15, Township 17 North, Range 1 West; thence North for a distance of three fourths of a mile on the line dividing said section 15 into East and West halves and terminating at the north boundary line of said Union Township, Hendricks County, and State of Indiana, as the said highway 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 and three fourths miles in length, and has one of its termini in the Danville and Lebanon Free Gravel Road and the

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

other in the township boundary line of said Union Township and lies wholly within said Union Township, Hendricks County, Indiana.

Your petitioners would recommend that said highway be improved by grading, draining, bridging and culverting, and that the same be payed with stone, gravel or other road paving material; that said improvement be not less than thirty feet in width.

Your petitioners would further ask that upon a hearing of this petition that the same, if found sufficient by your honorable board, be referred to a competent engineer, and viewers, for their report setting forth their determination in respect to said proposed improvement herein; 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 62 thereof, and following, and all of the amendments thereto to said Act, and in all other respects as provided by law for the improvement of highways by taxation without submitting the matter of improvement of the same to a vote of the legal voters of the Township.

Your petitioners further ask that the bonds be sold to pay the costs and expenses incident to said improvement and that they be issued in series payable in ten years from the date of their issue, all as provided by law in such cases.

Joe J. Dungan, Henry Odom, Simmie Odom, Frank Wilson, Joe Hale, J. G. Walter, J. A. Wilson, Wm. A. McDaniel, Thos. J. Sandusky, Joseph C. Lowe, David Foster, Sidney Phillips, Georgs A. Blessing, John P. Street, W. T. Johnson, W. H. Stevenson, J. W. Hamilton, M. F. West, John C. Hill, Milton Armstrong, William Odom, Leonard E. Montgomery, Lewis B. Leathers, M. F. Thompson, A. E. Deatley, R. E. Kennedy, J. E. Vorhies, B. W. Hamilton, A. E. Shockley, J. T. Leak, Earnest D. Wheat, Noah Wright, E. A. Pennington, H. C. Spangler, J. W. Fowler, E. A. Leak, H. S. Montgomery, J. D. Hendricks, D. R. Smith, A. M. Baker, Jonathan Lowe, Wm. D. Wilson, M. E. Leak, Wm. Hovermale, W. S. Jones, Dennis Eggers, P. N. Bailey, George Bailey, Luie Elder, Edgar Bailey, T. N. Kennedy, John L. Rutledge, J. C. Burgan, E. E. Brammell, Curtis D. Batman, Oscar Arnold, John T. Lambert, Walter Schamahorn, Otto Kirtley, Joe Jones, Grant Reeves, R. S. Goodwin, John A. Woodard, Lawson Montgomery, John S. Tharp, Geo. Montgomery, Samuel M. Scott, Chas. H. English, Obe Higgins, Edgar T. Foster, P. F. Watkins, Harry Foster, J. J. Scott, J. M. Leach, J. O. Leach, J. M. Leak, E. A. Landreth, John A. Leak, I. J. Mendenhall, C. E. Biggs. Petition is endorsed on back as follows:- Filed March 7th 1910, Wm. H. Nichols, A. H. C. Set for hearing on the 4th day of April, 1910, the same being the regular April term, 1910, of said Board of Commissioners of Hendricks County, Indiana. Wm. H. Nichols, Auditor Hendricks County.

Proof of posting notices and also of publications filed. Petition found sufficient continued to next regular session of Board.

Alfred S. Lineinger, President Board.

And now the board appoints as viewers Oscar Kurtz and Hicks Curry, two responsible freeholders and legal voters of Hendricks County, Indiana, neither of whom is a resident of said Union Township or the owner of any taxable property therein in said township in which said highway proposed to be improved in these proceedings is located.

Monday, May 2nd, 1910. and 1st day of May Term, 1910.

Said board does now also 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 said Union Township or the owner of any taxable property therein.

It is further ordered by the board that said engineer and viewers shall meet at the Auditor's office in the town of Danville, Hendricks County, Indiana, on the 10th day of May, 1910, at the hour of ten o'clock a.m. of said day and there take and subscribe an oath to faithfully and impartially discharge such duties as the law imposes in such cases.

And it is further ordered by the board that 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.

It is further ordered by the board that said engineer and viewers file in the auditor's office of this county a report of their determination in regard to said improvement on the 6th day of June, 1910.

And further proceedings herein are continued.

In the Matter of the petition of
Henry Rutledge and others, for the
Improvement of a public highway.

Come now Henry Rutledge, and others, petitioners for the improvement of a certain highway located in Center Township, Hendricks County, Indiana, and their said petition coming on for hearing before the board said petitioners now produce and file the affidavits of Julian D. Hogate and W.A. King, editors respectively of the Republican and the Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, printed and published in the town of Danville, Hendricks County, Indiana, the county in which said highway proposed to be improved by these proceedings is located. Said affidavits being in the words and figures following to wit:- (Here Insert).

And from which said several affidavits it appears to the satisfaction of the board that due notice of the filing, and the time and the place of the hearing of said petition was given in each of said newspapers by two consecutive weekly publications, the first of which said publication was on the 7th day of April, 1910, and the last thereof on the 14th day of April, 1910, respectively.

Said petitioners also produce and file the affidavit of J.W. Williams, as follows, to wit:- (Here Insert), and from which said affidavit it appears to the satisfaction of the board that due notice of the filing of said petition, and the time and the place of the hearing of the same, was duly given by the posting of duly certified copies of said petition, which said copies had endorsed thereupon each of them the time and place of the hearing of said petition, in three of the most public places in said Center Township,

Monday, May 2nd, 1910, and 1st day of May Term, 1910.

Hendricks County, Indiana, that said notices were posted by the direction of the auditor of Hendricks County, Indiana, and for more than fifteen days before the 2nd day of May, 1910, and the day upon which the auditor designated as the time for presenting said petition to this board.

Said petitioners now also produce the certified statement of Wm. H. Nichols, the auditor of said Hendricks County, Indiana, as follows, to wit:- (Here Insert), and from which certified statement it appears to the satisfaction of the board that a duly certified copy of said petition was by him posted at the door of the Court House in the town of Danville, Hendricks County, Indiana, on the 7th day of April, 1910, and more than fifteen days before the 2nd day of May, 1910, the day fixed by an endorsement upon said petition by said auditor as the day for the hearing of said petition by this board.

And now it appearing that no taxpayer of said Center Township, Hendricks County, Indiana, or any person or corporation whose lands or property will be affected by the proposed improvement prayed for in said petition have filed any objections to the form or sufficiency of said petition, and the board having duly examined the said petition does now find that the same is in due form and sufficient- that the same was filed in the office of the auditor of Hendricks County, Indiana, on the 2nd day of April, 1910, and by an endorsement in writing upon said petition the said county auditor did fix as the date for the hearing of said petition the 2nd day of May, 1910, the same being the first day of the regular May Term, 1910, of the Commissioner's Court of Hendricks County, Indiana, and not more than thirty days from the date of the filing of said petition in said office.

The board further finds that said petition is signed by more than fifty freeholders and legal voters of said Center Township, Hendricks County, Indiana, the township in which said highway proposed by these proceedings to be improved is located; and that said highway asked to be improved by the said petitioners in their said petition connects at one end with an improved free gravel road and at the other end with the township boundary line of said Center Township and that said highway lies wholly within said Center Township.

And now it is hereby ordered that this proceeding be continued until the first day of the next regular June Term, 1910, of this Board.

Monday, May 2nd, 1910, and 1st day of May Term, 1910.

In the Matter of the Petition of
Orren A. Stout, and others, for the
Improvement of a public Highway

Be it remembered that on this, the 2nd day of May, 1910, the board of Commissioners of Hendricks County, Indiana, are met in regular session at their usual meeting place in the Court House in the town of Danville, said county and state aforesaid. And now comes William H. Nichols, the auditor of said county, and produces the several affidavits of Julian D. Hogate and W.A. King, editors respectively of the Danville Republican and the Danville Gazette, as follows, to wit:- (Here Insert). And from which several affidavits it appears to the satisfaction of the board that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in each of said newspapers for three consecutive weeks, the first of which publications in each of said newspapers was on the 7th day of April, 1910, and the last on the 21st day of April, 1910, a copy of which said notice being attached to each of said several affidavits and reading as follows, to wit:- (Here Insert).

Said auditor also produces the affidavit of E.C. Woempuer, clerk of the Star Publishing Company, publisher of the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the city of Indianapolis, and reading as follows, to wit- (Here Insert).

And from which said affidavit it appears to the satisfaction of the board that notice of the time and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause was duly published in said newspaper on the 9th day of April, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids. A copy of which notice so published as aforesaid being attached to said affidavit and reading as follows, to wit:- (Here Insert.)

And from all of which affidavits and copies of notice it appears and the board so finds, that due notice of the time, place, terms and conditions of receiving sealed proposals for the making of said improvement was given by said auditor as provided by the order of this board, and as provided by law.

And the hour of ten o'clock A.M. of said 2nd day of May, 1910, having arrived, the hour of said day up to which it was provided in said notices that sealed bids would be received by this board for said work, the board finds, upon examination of all proposals submitted- which proposals were all opened in the presence of all the several bidders, that the following named persons, with his said amount so bid, did submit sealed proposals for the construction of said work:-Shahan & McCarthy did bid the sum of \$4847.00, Stout & Clark did bid the sum of \$5398.00, L.R. Hiatt did bid the sum of \$4695.00

Monday, May 2nd, and 1st day of May Term, 1910.

The board also finds that each of said several bids is in due form and accompanied by bond, and affidavit, as provided by law, and in the notices of the receiving of bids for said improvement.

And the board further finds that the entire cost of said improvement, including the lowest of the bids aforesaid received, and the expenses incurred, and those to be incurred in the per diem of the engineer and superintendent, is the sum of \$ 5640.00 that the total indebtedness of Liberty Township, the township in which said highway proposed to be improved by these proceedings is located, including all the costs and expenses of this improvement and all bonds heretofore issued for the building of free gravel or macadamized roads in said township will not exceed four per centum of the total assessed taxable valuation of the property of said township.

The board further finds that the contract for improvement should be awarded and that the bid of L.R. Hiatt, he being the lowest responsible bidder and his bid being less than the estimated cost of said improvement, should be accepted; and that the bonds of the county should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

It is therefore ordered by the board that the bid of the said L.R. Hiatt be, and the same is now duly accepted by this board, and the contract for said improvement be, and the same is now hereby awarded to the said L.R. Hiatt.

And the bond of the said L.R. Hiatt, with good and sufficient surety and conditioned for the faithful performance of the work in accordance with the profile and report and the plans and specifications therein set forth and in the contract hereafter set out, and in the sum of \$9500.00, which sum is double the amount of his said bid, is now duly approved by this board. Said bond and the approval written thereon being in the words and figures following, to wit:-

Know all men by these presents, That we, the undersigned L.R. Hiatt, as Principal and American Surety Company of New York, as Surety are held and firmly bound unto the State of Indiana in the penal sum of Nine Thousand (\$9500.00) 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 2nd day of May, 1910.

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 construction of the Orren A. Stout Free Gravel Road located in Liberty Township, Hendricks County, Indiana.

And whereas the above named L.R. Hiatt has filed a bid for said work with the Auditor of the County: Now, therefore, if the Board of Commissioners shall award him the contract for said work and the said L.R. Hiatt 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

Monday, May 2nd, 1910, and 1st day of May Term, 1910.

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.

L.R. Hiatt (Seal)

American Surety Company of New York

by Roscoe O. Hawkins, Resident Vice-Pres. (Seal)

Attest: E.V. Clark, Resident Assistant Secretary (Seal)

Before me, the subscriber, a Notary Public in and for said County personally appeared L.R. Hiatt and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness my hand and Notarial seal, this 2nd day of May, A.D. 1910.

John S. Hunt, Notary Public, Marion County, Indiana

My Commission expires Mar. 19, 1911.

Accepted and approved, May 2nd, 1910,

Alfred S. Lineinger

Harry E. Sanders Board of Commissioners of Hendricks County.

E.M. Murphy

Attest: Wm. H. Nichols, Auditor Hendricks County.

State of Indiana

SS:

County of Marion

Before me, the undersigned, a Notary Public, in and for said County this 2nd day of May, 1910, Roscoe O. Hawkins, Resident Vice-President and E.V. Clark, Resident Assistant Secretary of American Surety Company of New York, acknowledged the execution of the foregoing bond.

Witness my hand and Notarial seal this 2nd day of May A.D. 1910.

D.M. Larsen, Notary Public.

My Commission Expires May 21, 1912.

Filed May 2nd, 1910, Wm. H. Nichols, Auditor Hendricks County.

The bid of the said L.R. Hiatt having been accepted and his bond duly approved by this board, said board does now enter into a contract with the said L.R. Hiatt for said improvement, and which contract reduced to writing and duly signed by the said L.R. Hiatt and the members of this board as the Board of Commissioners of Hendricks County, Indiana, is in the words and figures following, to wit:-

This agreement, made this 2nd day of May, 1910, between L.R. Hiatt of Hendricks County, Indiana, the first party, and the Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to construct the Orren A. Stout Free Gravel Road, located in Liberty Township, in said Hendricks County, and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County,

Monday, May 2nd, 1910, and 1st day of May Term, 1910.

which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Forty Six Hundred, Ninety-five 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---- day of -----, 190-----

It is hereby understood and agreed that the plans and profile and specifications are made a part hereof as fully and completely as if copied herein.

It is further understood and agreed that payments are to be made upon estimates furnished from time to time during the progress of said work, as provided by law.

L.R. Hiatt, The First Party.

Alfred S. Lineinger

Harry E. Sanders

E.M. Murphy

Board of Commissioners, The Second Party.

Filed, May 2nd, 1910. Wm. H. Nichols, Auditor Hendricks County.

And now it is further ordered by the board that the bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs, and expenses of said improvement, and all damages allowed; that said bonds be issued in a total sum of \$5640.00, and in series of \$141.00 each and bearing interest at the rate of four and one half per centum per annum, and payable over a period of twenty years from the 2nd day of May, 1910, *and that said Bonds bear date of May 2nd 1910, the first bond to be made payable May 15th 1911.* And the Treasurer of this County is charged with the sale of said bonds upon their issue.

And now the board appoints William T. Boyd, a resident of said Liberty Township, superintendent to supervise the construction of said work according to the plans, profile and specifications filed by the engineer and viewers, and he is ordered and directed by this board to file his bond as such superintendent in the sum of \$5000.00, conditioned for the faithful discharge of his duties as such superintendent. And now comes the said William T. Boyd and accepts said appointment and files his bond as heretofore ordered as follows, to wit:- (Here Insert.)

And the duly appointed and acting engineer heretofore appointed in these proceedings is now hereby ordered by this board to execute his bond in the penal sum of \$6000.00, conditioned for the faithful discharge of his duties as such engineer-whereupon said engineer does now file his bond herein ordered, as follows, to wit:- (Here Insert.)

And further proceedings herein are continued.

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

In the matter of the petition of)
John W. Nickerson, and others, for the)
opening of a township highway.)

Come now the petitioners in the above entitled matter and present to the Board of Commissioners of Hendricks County, Indiana, their petition for the location and opening up of a public highway in Center Township, in said County and State, which petition is in the following words and figures, to-wit:-(Here Insert).

Also said petitioners show by the affidavit of John W. Nickerson, one of the petitioners herein, that notices, signed by the Auditor of said County, giving notice of the time and place when said petition would be presented and heard by the Board, were posted in three of the most public places in the neighborhood of the road herein prayed for more than twenty days before the day named in said notices as the time for the hearing of the petition herein. And also it is shown by said affidavit of John W. Nickerson that at least twelve of the signers of said petition are freeholders of the County, and that not less than six of the same reside in the immediate neighborhood of the road proposed to be opened and located which affidavit is in the following words and figures, to-wit:-(Here Insert).

It is also shown by the certificate of the Auditor of Hendricks County, Indiana, that notices, signed by him as Auditor, were mailed by him to all the persons named in said petition whose lands would be affected by the opening of said highway, which certificate is in the following words and figures, to-wit:-(Here Insert).

And now all the above appearing to the satisfaction of the Board it assumes jurisdiction of the matter of the petition herein, and doth say and find that the prayer of the petitioners should be granted and that three viewers should be appointed to view said proposed highway and report to the board as to the public utility of opening and locating the highway asked for in this petition.

It is therefore ordered by the Board that three viewers be and they are hereby appointed as follows: William Duncan, Charles Johnson and George Reitzel, all of whom are resident freeholders of the County and are disinterested in the matter of this petition.

It is ordered that said viewers meet at the office of the Auditor of Hendricks County, Indiana, on the 16th day of May, 1910, and qualify for their appointment herein; that they then proceed to view said proposed location of highway and make their report to this Board at the next regular term thereof.

And this matter is continued.

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

In the matter of the petition of)

James A. Downard et al, for the)

Improvement of a public highway.)

Be It Remembered, that on this 2nd. day of May, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in session, pursuant to notice and order of said Board, for the purpose of receiving sealed proposals and awarding the contract for the improvement of a highway petitioned for improvement by James A. Downard, et al, located in Center Township, Hendricks County, Indiana; for the appointment of a superintendent to superintend the construction of said improvement and to order the issue of bonds to pay the costs and expenses of said improvement.

And now comes William H. Nichols, Auditor of said County, and produces 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, said affidavit being in words and figures as follows, to-wit:-(Here Insert) from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause, was duly published in said newspaper for three consecutive weeks, the first of which publications was on the 7th day of April, 1910, and the last on the 21st day of April, 1910, a copy of which notice so published being attached to said affidavit and being in words and figures as follows, to-wit:-(Here Insert)

Said Auditor also produces 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, said affidavit being in words and figures as follows, to-wit:-(Here Insert) and from which affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper for three consecutive weeks, the first of which publication was on the 7th day of April, 1910, and the last on the 21st day of April, 1910, a copy of which notice so published being attached to said affidavit and reading as follows, to-wit:-(Here Insert).

And said Auditor also produces the affidavit of E.C. Woempner, Clerk for the Star Publishing Company, publishers of the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis, and which said affidavit is in words and figures as follows, to-wit:-(Here Insert) and from which affidavit it appears that notice of the time and place for receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper on the 9th day of April, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids, a copy of which notice so published as aforesaid being attached to said affidavit, and being in words and figures as follows, to-wit:-(here Insert)

And from all of which affidavits and copies of notices it appears, and the Board so finds, that due notice of the time and place for receiving sealed proposals for

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

the making of said improvement had been given by said Auditor as provided by law in such cases.

And the hour of 10 o'clock A.M. having arrived, the hour of said 2nd. day of May, 1910, up to which it was provided in said notices that sealed bids would be received by said Board for said work, the Board finds upon examination of all proposals submitted, which several proposals were each and all opened in the presence of the several bidders, that the following named persons, with the amount of his said bid, did submit sealed proposals, to-wit:-

Shahan & McCarthy \$2346.00, Walter G. Hadley \$1995.00.

And the Board finds that each of said bids so submitted is in due form and sufficient; that each is accompanied by affidavit, as required by the notices given, and also as provided by law, and that each of said bids is accompanied by bond, as required by law.

And the Board further finds that the entire cost of said improvement including the lowest valid bid aforesaid received, and the expenses incurred and to be incurred in the making of said improvement, including the per diem of the engineer and superintendent is the sum of \$2680.00, and the total indebtedness of Center Township, Hendricks County, Indiana, the township in which said highway proposed to be improved by this proceeding is located, including all the costs and expenses of this improvement, and all bonds heretofore issued for the building of free gravel or macademized roads in said Township will not exceed four per centum of the total assessed valuation of the property of said Township.

The Board further finds that the contract for said improvement should be awarded, and that the bid of Walter G. Hadley, he being the lowest responsible bidder, his bid being accompanied by a good and sufficient bond, as required by law, and his bid being less than the estimated cost of said improvement, should be accepted, and that the bonds of the County should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

It is therefore ordered by the Board that the bid of the said Walter G. Hadley be, and the same is now hereby duly accepted by this Board, and that the contract for said improvement be, and the same is now awarded to the said Walter G. Hadley.

And the said bond of the said Walter G. Hadley, with good and sufficient surety, and conditioned for the faithful performance of the work in accordance with the profile and report and the plans and specifications therein set forth, and the contract hereinafter set out, in the sum of \$4000.00, which is double the sum of his said bid, is now duly approved by this board, said bond and the approval of said Board written thereon is in words and figures as follows, to-wit:-

Know all men by these presents, That we, the undersigned Walter G. Hadley, as principal and American Surety Company of New York, as Surety, are held and

Monday, May

firmly bound unto
Dollars, for the p
severally, and our
by these presents

The
Commissioners of
tion of the Jame
Indiana.

And w
with the Auditor
award him the co
into a contract
faithfully do an
adopted by the B
specified in sai
incurred by him
for boarding the
remain in full f

State of Indiana

Before

appeared Walter

uses and purposes

Witness

My commission e

State of Indiana

County of Marion

Before

May, 1910, Roscoe

Secretary of An

foregoing bond

Witness

My commission

Acco

Attest:- Wm. H.

Endorsed

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

firmly bound unto the State of Indiana in the penal sum of Four Thousand (\$4,000.00) 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 2nd day of May, 1910.

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 construction of the James A. Downard Gravel Road, located in Center Township, Hendricks County, Indiana.

And whereas the above named Walter G. Hadley 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 Walter G. Hadley 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.

Walter G. Hadley (SEAL)

American Surety Company of New York (SEAL)

By Roscoe O. Hawkins, Resident Vice President.

Attest: E. V. Clark, Resident Assistant Secretary. (SEAL)

State of Indiana, Hendricks County, SS:

Before me, the subscriber, a Notary Public in and for said County personally appeared Walter G. Hadley and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and Notarial seal, this 2nd. day of May, 1910.

John S. Hunt, Notary Public, Marion County, Ind. (SEAL)

My commission expires Mar 19th 1911.

State of Indiana

SS:

County of Marion

Before me, the undersigned, a Notary Public in and for said County, this 2nd. day of May, 1910, Roscoe O. Hawkins, Resident Vice President, and E. V. Clark, Resident Assistant Secretary of American Surety Company of New York, acknowledged the execution of the foregoing bond.

Witness my hand and notarial seal this 2nd. day of May, A. D. 1911.

My commission expires May 21, 1912. D. M. Larsen, Notary Public.

Accepted and approved, May 2nd. 1910.

Alfred S. Lineinger)

Harry E. Sanders)

Board Commissioners Hendricks County.

E. M. Murphy)

Attest:- Wm. H. Nichols, Auditor, Hendricks County.

Endorsed on Back:- "Filed May 2-1910. Wm. H. Nichols, Auditor Hendricks Co."

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

Add the bid of the said Walter G. Hadley having been accepted by this Board, and his bond duly approved, said Board does now enter into a contract with the said Walter G. Hadley for said improvement, and which said contract, duly signed by the said Walter G. Hadley and the members of this Board, as the Board of Commissioners of Hendricks County, Indiana, is in words and figures as follows, to-wit:-

CONTRACT.

This Agreement, made this 2nd. day of May, 1910, between Walter G. Hadley the first Party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to construct the James A. Downard and others, Free Gravel Road located in Center Township, in said Hendricks County, and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Nineteen Hundred and Ninety five 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 _____ day of _____ 190__.

It is hereby understood and agreed that the plans, profile and specifications are made a part hereof as fully and completely as if copied herein.

It is further understood and agreed that payments are to be made upon estimates furnished from time to time during the progress of said work, as provided by law.

Walter G. Hadley, The First Party.

Alfred S. Lineinger

Harry E. Sanders

E. M. Murphy, Board of Commissioners, the Second Party.

Endorsed on Back:-

"Filed May 2-1910. Wm. H. Nichols, Auditor Hendricks Co."

And it is now hereby ordered by this Board that the bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs and expenses of said improvement; that said bonds be issued in a total sum of \$2680.00, and in series of \$134.00 each, and bearing interest at the rate of four and one half per cent (4-1/2 %) per annum, and payable over a period of ten years from the 15th day of May, 1911, and that said bonds bear date of May 2, 1910, and the Treasurer of said County is hereby charged with the sale of said bonds.

Whereupon the Board does now appoint O. B. Hesler, a resident of said Center Township, Hendricks County, Indiana, Superintendent to supervise the construction of said improvement according to the plans and profile and

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

specifications filed by the engineer and viewers herein, and he is ordered and directed by this Board to file his bond as such Superintendent in the sum of \$5000.00 conditioned for the faithful discharge of his duties as such Superintendent. And now comes the said O.B. Hesler and accepts the said appointment, and files his bond as heretofore ordered, which bond is in words and figures as follows, to-wit:-(Here Insert)

And the duly appointed and acting engineer, heretofore appointed in this proceeding, is now hereby ordered by this Board to execute his bond in the penal sum of \$6000.00 conditioned for the faithful discharge of his duties as such engineer, whereupon the said engineer does now file his bond, as heretofore ordered, and which bond is as follows, to-wit:-(Here Insert)

And further proceedings herein are continued.

In the matter of the petition of)
W.S. Jones 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.

In the matter of the petition of)
John P. Street, 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 May 25th., 1910, to 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, May 2nd., 1910, and 1st. day of May Term, 1910.

In the matter of the petition of)
David Foster et al, for the improvement)
of a public highway by taxation.)

Come now again the petitioners herein and ask leave to dismiss their petition. The Board being duly advised in the premises now grants the petitioners leave to dismiss their said petition all at costs of said petitioners.

It is therefore considered and adjudged by the Board that the petition herein be and the same is hereby dismissed and stricken from the docket, and it is further considered, adjudged and decreed by the Board of Commissioners that the petitioners herein pay all costs occasioned by the filing of said petition, laid out and expended and taxed at _____ dollars and _____ cents.

All of which is finally ordered, adjudged and decreed by the Board.

In the matter of the petition of)
Jonathan Lowe et al for the)
improvement of a public highway.)

Come now again the petitioners herein and more than twenty days having elapsed since the day set for the hearing of this petition herein and no remonstrance having been filed by any of the freeholders and legal voters of Union Township, it is now ordered by the Board that the petition in this proceeding spread of record upon the records in the Auditor's Office kept for such purpose, which is accordingly done and is in the following words and figures, to-wit:-

State of Indiana
Hendricks County

SS: In The Commissioners Court, April Term, 1910.

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

Come now the undersigned and allege and show to the above Board of Commissioners of Hendricks County, Indiana, that they are freeholders and legal voters of Union Township, in said County and State, and by this their petition ask that said Board improve by grading, ditching, draining, bridging and covering with stone or gravel or other road paving material the following described highway in said Union Township, in said County and State, to-wit:

Beginning at a point in the Indianapolis and Crawfordsville or State Road at the point in said road where the same is intersected by the line dividing the East and West halves of the Northeast quarter of Section 33, Township 17 North, Range one West, Hendricks County, Indiana, thence North to the Northwest corner of the Northeast quarter of the Northeast quarter of Section 28, Township 17 North, Range one West, in said County and State, thence West about three eights ($\frac{3}{8}$) of a mile and ending at a point in the Danville and Lebanon Free Gravel Road.

Petitioners allege that the termini of the above described highway

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

which is herein sought to be improved are in improved Free Gravel Roads, and that the whole improvement herein sought to be made is less than three miles in length and petitioners herein say and recommend that said improvement be made not less than thirty feet in width.

Petitioners further say that the highway above described is now an established highway which is unimproved and that it would be to the best interests of the public to improve the same that said highway lies wholly within Union Township, in said County and State, and that a United States Mail Route of Rural Delivery passes over practically the whole of said highway as described.

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

Your petitioners further ask and pray 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, and pray for the improvement of said highway as above described in manner and form as above requested and asked in accordance with an Act 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 hereto and now in force and that no election be held in said matter and your petitioners will ever pray.

Jonathan Lowe, Ernest D. Wheat, James M. Leak, Enos L. Leak, A. M. Baker, D. R. Smith, Noah Wright, J. W. Fowler, J. M. Dowden, James T. Leak, Joseph C. Lowe, Homer Higgins, B. W. Hamilton, H. S. Montgomery, H. C. Spangler, E. A. Pennington, Amos Bramell, A. E. Deatley, John S. Tharp, Samuel M. Scott, T. N. Kennedy, G. P. Sherrard, M. F. West, J. W. Hamilton, John L. Rutledge, Obe Higgins, Isaac W. Foster, A. L. Strader, Peter G. McCoun, John P. Street, W. T. Johnson, George A. Blessing, Sidney Phillips, Joe Dungan, Lars Ellis, Larkin Leak, M. E. Leak, Edgar Bailey, Luis Elder, George W. Bailey, P. N. Bailey, W. S. Jones, Dennis Eggers, Simmie Odom, E. A. Landreth, Frank Wilson, J. G. Walters, J. A. Wilson, Joe Hale, W. A. McDaniel, Wm. D. Wilson, Milton Armstrong, Thos. J. Sandusky, R. E. Kennedy, Dr. J. D. Hendricks, I. E. Vorhies, Fred Helton, J. O. Burgan, James L. Ross, Otto Kirtley, Harry Foster, David Foster, J. M. Gentry, Wm. Leach, P. F. Watkins, Edgar T. Foster, W. H. Stevenson, Geo. Davis, H. G. Moore, J. J. Scott, Henry Odom, A. E. Shockley, Wm. Hovermale, J. Q. Vorhies, William Odom, Geo. Montgomery, Grant Reeves, Leonard E. Montgomery, J. O. Leach, Lawson Montgomery, I. J. Mendenhall, John A. Leak, J. A. Woodard, Curtis D. Batman, Lewis Leathers, Chas. H. English.

Endorsed on back as Follows:- "Filed Mar-5 1910. Wm. H. Nichols, Auditor Hendricks Co." "Set for hearing April 4th 1910. Wm. H. Nichols, A. H. C." "Apr 6 1910. Petitioners given leave to amend their petition. Amended petition found to be in due form and the matter is continued. Alfred S. Lineinger, President Board." "May 2-1910. The board appoints the following viewers. 1. E. E. Blair, 2. Barney Gossett, 3. John O. Kain, Engineer, ordered to meet May 10 1910, ordered to report June 6 1910. Alfred S. Lineinger P. B."

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

And now the Board appoints as viewers Eddie E. Blair and Barney Gossett, two responsible freeholders and legal voters of Hendricks County, Indiana, neither of whom is a resident of or the owner of any taxable property of Union township, the same being the township in which the improvement herein asked for is located.

Said board does now 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 Union township, nor the owner of any taxable property therein. And said John O. Kain is ordered to file his bond as by law provided.

It is further ordered by the Board that said viewers and engineer shall meet at the Auditor's Office in the town of Danville, Hendricks County, Indiana, on the 10th day of May, 1910, at the hour of 10 o'clock A.M. of said day and there take and subscribe an oath to faithfully and impartially discharge such duties as the law imposes in such cases.

And it is further ordered by the Board that said engineer and viewers file in the Auditor's Office of this County a report of their determination in regard to said proposed improvement on the 6th day of June, 1910.

And further proceedings herein are continued.

In the matter of the petition of)
Simon Hadley et al, for Improvement)
of Public Highway by taxation. .)

Comes now Simon Hadley and eighty (80) other freehold legal voters of Center Township, in the aforesaid County and State, petitioners herein, by Thad S. Adams, their attorney, and produce the petition filed by them in the office of the Auditor of Hendricks County, in the State of Indiana, on the 4th day of April, 1910, asking for the improvement of certain public highways therein described, by taxation, without submitting the question of said proposed improvement to a vote of the legal voters of said Township, which petition is in words and figures as follows, to-wit:-(here Insert). And said petitioners now file herein the affidavit of Julian D. Hogate editor of the Hendricks County Republican, a public weekly newspaper of general circulation in said County, and printed and published therein, in proof of the publication of the certified notice of the filing of said petition, made by the Auditor of said County, whereby it appears that said notice was published in said paper for two successive weeks, to-wit, on the 7th and 14th days of April, 1910, which affidavit, with a copy of said notice, published as aforesaid, attached thereto, is in words and figures as follows:-(Here Insert) And said petitioners now also file herein the affidavit of W. A. King, editor of The Danville Gazette, a weekly newspaper of general circulation in said County, and published therein, in proof of the publication of the certified notice of the filing of said petition, as made by the Auditor of said County, whereby it appears

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

that said notice was published in said paper for two successive weeks, to-wit: on the 7th, and 14th, days of April, 1910, which affidavit, with a copy of said notice, published as aforesaid, attached thereto, is in words and figures as follows:-(Here Insert) the said newspapers being of different politics, and representing the political parties that cast the highest vote in the last general election in the aforesaid Township and County. And said petitioners now file the affidavit of William H. Nichols, Auditor of said County of Hendricks, whereby it appears that a copy of the notices published in the aforesaid newspapers, was by him posted at the Court House door in Danville, in said County and State, on the 9th day of April, 1910, which affidavit with a copy of said notice posted, attached thereto, is in words as follows:-(Here Insert) And said petitioners now file herein the affidavit of W.S. Christy, whereby it appears that at least three (3) copies of said notices published in said newspapers as aforesaid, were posted in public and conspicuous places in said Township, on the 9th day of April, 1910, which affidavit with a copy of said notices posted, attached thereto, is in words as follows:-(Here Insert) And said petitioners now file a resolution of the Board of Trustees of the incorporated Town of Danville, in said County and State, and wherein said public highways, to be improved are situated, giving the consent of said Board of Trustees for said improvement to be made as prayed for, which resolution of consent is in words as follows:-(Here Insert) And now upon motion, it is ordered by said Board of Commissioners, that further proceedings herein be continued until the regular June Term of this Court.

All of which is ordered and directed.

In the matter of the petition)

of Oliver Harris et al for Public Highway.)

Comes now Oliver Harris, and one hundred and seventeen others, resident freeholders and voters of Center Township, of Hendricks County, Indiana, and present their petition heretofore filed in this cause, on the 4th day of April, 1910, and show to the Court, by the affidavit of William H. Nichols, Auditor of Hendricks County, Indiana, that a notice of said petition was posted by said Auditor at the Court House door, in Danville, Hendricks County, Indiana, on the 16th day of April, 1910, the same being more than fifteen days before the same would be presented to the Board upon the date fixed for the hearing thereof, and attached to said affidavit is a true copy of the petition so posted, and which affidavit and proof of posting and the exhibit thereto attached are in words and figures as follows, to-wit:-(Here Insert)

And come also the petitioners and file the proof of posting made by George C. Harvey, showing that the said George C. Harvey posted up three notices, a copy of which is attached to the affidavit of said George C. Harvey, in three public places within the township of Center, said County and State, on the 16th day of April, 1910, the same being more than fifteen days before the same would be presented to the Board, and which proof of posting and the exhibit thereto attached, are in words and figures as follows, to-wit:-(Here Insert)

And come also said petitioners and show by the affidavit of William A. King, publisher of the Danville Gazette, a weekly newspaper of general circulation, printed and

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

published in Danville, in the County of Hendricks and State of Indiana, showing that notices of said petition, which are attached to said proof of publication, were duly published in said newspaper two weeks successively, the first of which publications was on the 7th day of April, 1910, and the last on the 14th day of April, 1910, and which proof of publication, with the exhibit thereto attached, are in words and figures as follows, to-wit:-(Here Insert)

And come also the petitioners and show, by the affidavit of Julian D. Hogate, editor and publisher of the Hendricks County Republican, a public weekly newspaper, of general circulation, printed and published in Danville, as aforesaid, that like copies of said petition were published in the Hendricks County Republican for two weeks successively, the first of which publications was on the 7th day of April, 1910, and the last on the 14th day of April, 1910, and which proof of publication and the exhibit thereto attached are in words and figures as follows, to-wit:-(Here Insert)

And now the matter of said petition being presented to the Board, and the Board having duly considered the same, finds the petition to be in proper form and that due and proper notices of said petition have been given, and the statutes relating thereto have been fully complied with.

And this cause is continued for further action, of the Board.

In the matter of the petition of)
John G. Ridpath et al for Improvement)
of a public highway by taxation.)

Comes now John G. Ridpath and one hundred and twenty (120) other freehold legal voters of Center Township, in the aforesaid County and State, petitioners herein, by Thad S. Adams, their attorney, and produce the petition filed by them in the office of the Auditor of Hendricks County, in the State of Indiana, on the 5th day of April, 1910, asking for the improvement of a certain public highways therein described, by taxation, without submitting the question of said proposed improvement to a vote of the legal voters or said township, which petition is in words and figures as follows, to-wit:-(here Insert) And said petitioners now file herein the affidavit of Julian D. Hogate editor of the Hendricks County Republican, a public weekly newspaper of general circulation in said County, and printed and published therein, in proof of the publication of the certified notice of the filing of said petition, made by the Auditor of said County, whereby it appears that said notice was published in said paper for two successive weeks, to-wit, on the 7th and 14th days of April, 1910, which affidavit, with a copy of said notice, published as aforesaid, attached thereto, is in words and figures as follows:-(Here Insert) And said petitioners now also file herein the affidavit of W. A. King, editor of The Danville Gazette a weekly newspaper of general circulation in said County, and published therein, in proof of the publication of the certified notice of the filing of said petition, as made by the

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

Auditor of said County, whereby it appears that said notice was published in said paper for two successive weeks, to-wit: on the 7th and 14th days of April, 1910, which affidavit, with a copy of said notice, published as aforesaid, attached thereto, is in words and figures as follows; (Here Insert) the said newspapers being of different politics, and representing the political parties that cast the highest vote in the last general election in the aforesaid Township and County. And said petitioners now file the affidavit of William H. Nichols, Auditor of said County of Hendricks, whereby it appears that a copy of the notices published in the aforesaid newspapers, was by him posted at the Court House door in Danville, in said County and State, on the 9th day of April, 1910, which affidavit with a copy of said notice posted, attached thereto, is in words as follows:-(Here Insert) And said petitioners now file herein the affidavit of John G. Ridpath whereby it appears that at least three (3) copies of said notices published in said newspapers as aforesaid, were posted in public and conspicuous places in said Township, on the 9th day of April, 1910, which affidavit with a copy of said notices posted, attached thereto, is in words as follows:-(Here Insert) And said petitioners now file a resolution of the Board of Trustees of the incorporated Town of Danville, in said County and State, and wherein said public highways, to be improved are situated, giving the consent of said Board of Trustees for said improvement to be made as prayed for, which resolution of consent is in words as follows:-(Here Insert) And upon motion it is ordered by said Board of Commissioners, that further proceedings herein be continued until the regular June Term of this Court.

All of which is ordered and directed.

In the matter of the petition of)
John W. Ader et al for Improvement of)
a highway by taxation.)

Come now the petitioners and present and file the proof of posting together with the affidavit thereon of Wm. H. Nichols, Auditor of Hendricks County, Indiana, which proof and affidavit are in words and figures as follows, to-wit:-(Here Insert) from which it appears that a copy of said petition and notice of the time of hearing of the same was posted at the East door of the Court House at Danville, Indiana, on the 14th day of April, 1910, and petitioners also produce and file the proof of posting together with the affidavit of C. C. Walls, which proof of posting and affidavit are in words and figures following, to-wit:-(Here Insert) from which it appears that a copy of said petition and notice of the time and place of hearing the same was posted in three public places in Center Township, Hendricks County, Indiana, on the 15th day of April, 1910. Petitioners also produce and file the proof of publication together with the affidavit of Julian D. Hogate, printer and publisher of the Hendricks County Republican, a weekly newspaper of general circulation, printed and published in Danville, Hendricks County, Indiana, the first of which publications of notice was on the 14th day of April, 1910, and the last on the 21st day of April, 1910, which proof of publication and affidavit thereon are in words and figures as follows, to-wit:-(Here Insert) from which it appears that a notice, containing a copy of said petition,

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

of the time of hearing of said petition was published as above set out. Petitioners also present and files the proof of publication together with the affidavit of Wm. A. King, printer and publisher of the Danville Gazette, a weekly newspaper printed and published in Hendricks County, Indiana, a copy of which proof of publication and affidavit thereon are in words and figures as follows, to-wit:- (Here Insert) from which affidavit it appears that a notice, containing a copy of petition, of the time of the hearing of said petition was published in said newspaper, the first of which publication was on the 14th day of April, 1910, and the last of which was on the 21st day of April, 1910.

And now the petition, together with the proofs of posting of notices and publication, are presented to the Board of Commissioners and on motion duly action on said petition was continued to the June Term, 1910, of said Board of Commissioners.

In the matter of the petition of)
C. E. Barker, and others, for the)
improvement of a highway by taxation.)

Come now C. E. Barker, and others, petitioners for the improvement of a certain highway located in Guilford Township, Hendricks County, Indiana, and their said petition coming on for hearing before the board, said petitioners now produce and file the affidavits of Julian D. Hogate and W. A. King, editors respectively of The Republican and Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, printed and published in the town of Danville, in said County and State, the same being the County in which said highway proposed to be improved by these proceedings is located. Said affidavits being in the words and figures following, to-wit:- (Here Insert)

And from which 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 consecutive weekly publications which publications contained a copy of the petition filed herein, the first of which said publications was on the 14th day of April, 1910, and the second and last thereof on the 21st day of April, 1910, in each of said newspapers respectively.

Said petitioners also produce and file the affidavit of John A. Baldwin, one of the petitioners herein, which is as follows, to-wit:- (Here Insert) and from which said affidavit it appears to the board to its satisfaction that due notice of the filing of said petition, and the time and place of hearing the same, was duly given by the posting notices in three of the most public places in Guilford township, Hendricks County, Indiana; that said notices were posted by the direction of the Auditor of said County and for more than fifteen days before the 2nd day of May, 1910, that being the day designated by the Auditor for the hearing of the petition herein before the board.

Monday, May 2nd., 1910, and 1st. day of May Term, 1910.

Said petitioners now also produce the affidavit of William H. Nichols, Auditor of Hendricks County, Indiana, which is as follows, to-wit:-(Here Insert) and from which affidavit it appears to the satisfaction of the board that notice of the presentation of this petition, and the time and place thereof, was posted by him at the East door of the Court House at Danville, Hendricks County, Indiana, on the 12th day of April, 1910, and more than fifteen days before the 2nd day of May, 1910, which was the day fixed by the said Auditor for the hearing of the petition herein.

And now all the above appearing to the satisfaction of the board this matter is continued for further consideration to the regular June Term, 1910, of this Board.

Ordered that the Board do now adjourn.

Alfred S. Lineinger
Harry E. Sanders
O. M. Murphy

)
)
) Board Commissioners Hendricks County.

Monday, June 6th., 1910, and 1st. day of June Term, 1910.

Monday Morning, June 6th., 1910.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners' Court Room in the town of Danville, Indiana, it being the first Monday in said month.

Present: Alfred S. Lineinger, Harry E. Sanders and Elbert M. Murphy, all members of said Board.

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

In the Matter of the Petition of)
Henry Rutledge, and others, for the)
Improvement of a public Highway.)

Come now again the petitioners herein, and more than twenty days having elapsed since the day set for the hearing of the petition heretofore filed in this proceedings, and no remonstrance having been filed by any of the freeholders and legal voters of Center Township, it is now ordered by the board that the petition in this proceeding be spread of record in the auditor's office kept for such purpose, which is now done and is in the following words and figures, to wit:- (Here Insert).

And now the Board appoints as viewers John Reeves and Morris Gilbert two responsible freeholders and legal voters of said Hendricks County, Indiana, neither of whom is a resident of said Center Township or the owner of any taxable property in said township in which said highway proposed to be improved is located. Said board does also now hereby appoint John O. Kain, the Surveyor of Hendricks county, Indiana, engineer to act with said viewers.

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 June, 1910, at the hour of ten o'clock A.M. of said day and there take and subscribe an oath to faithfully and impartially discharge such duties as the law imposes in such cases.

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.

It is further ordered by the board that said engineer and viewers file in the auditor's office of this county a report of their determination in regard to said improvement on the 5th day of July, 1910, the same being the second day of the regular July term, 1910, of the Board of Commissioners of Hendricks County, Indiana.

And further proceedings herein are continued.

Order issued to Viewers.

Monday, June 6th, 1910, and first day of June Term, 1910.

In the Matter of the Petition of)
J.F. Canary, and others, for the)
Vacation of a township highway)
in Liberty Township.)

Come now the petitioners in the above entitled matter and present to the Board of Commissioners of Hendricks County, Indiana, their petition for the vacation of a public highway in Liberty Township, Hendricks County, Indiana, which petition is in the following words and figures, to wit: (H.I.).

Also said petitioners show to the Board by the affidavit of J.F. Canary, one of the petitioners herein, that notices, signed by the Auditor of said County, in said State, giving notice of the time and place when said petition would be presented and heard by the board, were posted in three of the most public places in said township and in the neighborhood of the highway sought to be vacated herein, for more than twenty days before the time named in said notices for the hearing of the petition herein.

And it is also shown in said affidavit of J.F. Canary that at least twelve of the signers on said petition are freeholders of the county, and that not less than six of the same reside in the immediate neighborhood of the road sought to be vacated, which affidavit and copy of notice are in the following words and figures, to wit, (H.I.).

And now the board finds from an inspection of the petition herein that all the persons whose lands will be affected by the vacation of the highway therein described are signers of the petition.

And now all the above appearing to the satisfaction of the board it assumes jurisdiction of the matter of the petition herein, and doth say and find that the prayer of the petitioners should be granted and that three viewers should be appointed to view said proposed vacation of highway.

It is therefore ordered that the following named viewers be and they are hereby appointed, to wit: James E. McCormick, William A. Smith, & W.C. Swank and the board doth find that they are all three freeholders of Hendricks County, Indiana.

It is ordered by the Board that said viewers meet at the Auditor's office on the 15th day of June, 1910, and qualify for their appointment herein.

It is ordered that said viewers file their report with the Auditor of said county on or before the 5th day of July, 1910, and said matter is continued.

Order issued to Viewers

Monday, June 6th, 1910, and 1st. day of June Term, 1910.

In the Matter of the Petition of

W.S. Jones 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
engineer and viewers to file a report of their doings in the foregoing
entitled improvement.

Therefore, it is ordered by this board that said engineer and viewers
be given time until the 23rd day of June, 1910, 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.

In the matter of the petition of

Joe J. Dungan, 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 ordered by this board that said engineer and viewers
be given time until the 23rd day of June, 1910, 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.

In the matter of the petition of

Jonathan Lowe, et al, for the improvement
of a public highway, by taxatio,

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

Therefore, it is hereby ordered by this board that said engineer and
viewers be given time until the 23rd day of June, 1910, 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.

In the mat
John W. M
opening

vi
an
qu
of
p
p
t

Order issued to Reviewers

Monday, June 6th, 1910, and 1st. day of June Term, 1910.

In the matter of the petition of

John W. Nickerson, and others, for the
opening of a township highway

Come now again the petitioners herein and present to the Board the report of the viewers, heretofore appointed by the Board to view the highway described in the petition in the above entitled matter and the board, having inspected said report, their oath of qualification and the order heretofore made by the board, doth say and find that a majority of the viewers so appointed report in favor of the public utility of the highway herein petitioned for, and that one of the viewers, to wit, Charles Johnson, reports against the public utility thereof, which report, oath of qualification and order to the viewers are in the following words and figures, to wit, (H.I.).

And now come Julius J. Hubble, and others, and file their verified remonstrance against the majority report of the viewers on the grounds that said highway will not be of public utility, and also they remonstrate and ask for damages in amounts named in said remonstrance, which remonstrance is in the following words and figures, to wit, (H.I.).

And now the Board orders that the following reviewers be and they are hereby appointed, to wit, Ora Martin, J.C. Walker and George Short, and said reviewers are ordered to meet at the Auditor's office at Danville, Indiana, on the 15th day of June, 1910, at 10 o'clock A.M. and qualify for their appointment and are ordered to proceed to consider the public utility of said proposed highway and to consider the damages asked for in the remonstrance and are ordered to report on the 5th day of July, 1910, and said matter is continued.

In the matter of the petition of
Simon Hadley, et al, for the improvement of
a public highway by taxation

Ordered by the board that this cause be continued to the regular July Term, 1910.

In the matter of the petition of
John G. Ridpath et al, for the improvement
of a public highway by taxation

Ordered by the Board that this cause be continued to the regular July Term, 1910.

In the matter of the petition of
John W. Ader et al, for the improvement
of a public highway by taxation

Ordered by the Board that this cause be continued to the regular July Term, 1910

Monday, June 6th, 1910, and 1st day of June Term, 1910.

In the matter of the petition of
C.E. Barker et al, for the improvement
of a public highway by taxation.

Ordered by the Board that this cause be continued to the regular July
Term, 1910.

In the matter of the petition of)
John P. Street et al, for the improvement)
of a public highway by taxation)

Come now again the petitioners in the above entitled cause and
respectfully show to the Board of Commissioners of Hendricks County, Indiana, that
pursuant to an order heretofore made by said Board and a notice issued by the
Auditor of said County, which notice is in words and figures as follows, to wit:
(H.I.)., the viewers and engineer, appointed in said cause, met on the 17th day
of Feb., 1910, which date was within ten days after the appointment of said
viewers and engineer, and took an oath, as provided by law, for the faithful
discharge of their duties as viewers and engineer in this cause, and that the
engineer on said date filed his bond in the sum of \$5000.00, with the approval
of said Auditor endorsed thereon, which bond and approval are in words and
figures as follows, to wit: (H. I.).

And now said petitioners show to the Board that the time for filing
the report of said viewers and engineer was fixed in said notice for the first
day of the regular March Term, 1910, of said Board, and that said Board
continued and extended the time for the filing of said report of said viewers
and engineer from term to term, and from time to time, to the 25th day of May, 1910
and now come the viewers and engineer herein and produce and file their report
on the said 25th day of May, 1910, which said report is in words and figures as
follows, to wit: (H.I.).

And now come the viewers and engineer herein, after the expiration
of ten days from the filing of their said report on the said 25th day of May, 1910,
and on the 6th day of June, 1910, the same being the first day of the regular
June Term, 1910, of said Board of Commissioners of Hendricks County, Indiana,
which said term was the next regular session of said Board after the filing of
their first report, they file with said Board their supplemental report, which
supplemental report is in words and figures as follows, to wit: (H.I.)

And now said Board being fully advised in the premises finds that the
viewers and engineer appointed herein met on the 17th day of Feb., 1910, and
qualified, as provided by law, and that said engineer filed his bond in the
sum of \$5000.00, and that the same was approved by the auditor of Hendricks
County, Indiana, and the Board further finds that pursuant to an order heretofore
made by them, and pursuant to orders made by them continuing and extending the

Monday, June 6th, 1910 and 1st day of June Term, 1910.

time for filing the report of the viewers and engineer herein, the report of the viewers and engineer herein was filed in the office of the Auditor of said County on the 25th day of May, 1910, and that it has remained on file in said office open to the inspection of any and all persons since said date and for more than ten days before the 6th day of June, 1910, on which date the supplemental report herein was filed, and the Board having examined said report finds that it conforms to the law in all respects and should be approved; that the public highway described therein is less than three miles in length, and the improvement as reported in said report will be of public utility, and that said improvement should be allowed and established in all respects as provided in said report, without submitting the matter of said improvement to the legal voters of Union Township, Hendricks County, Ind., the township in which said highway is located.

And the board further finds that the viewers and engineer herein filed their supplemental report with said Board of Commissioners on the 6th day of June, 1910, which was more than ten days after the filing of the first report of said engineer and viewers with the Auditor of said County, said 6th day of June, 1910, being the first day of the regular June Term, 1910, of said Board, which said June Term was the next regular session of said Board after the expiration of ten days from the filing of said viewers and engineer's first report, and having fully examined said supplemental report the Board finds that no injury will result to the property of any idiot or person of unsound mind nor will any 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 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 ought to be approved in all things.

It is therefore ordered by the board that the report of the viewers and engineer be, and the same is, hereby in all things fully approved.

It is also ordered by the Board that the supplemental report of the viewers and engineer be and the same is hereby fully approved.

It is also ordered by the Board that said improvement, as prayed for, be made and that the same be made in all respects as provided for in said report of said viewers and engineer, and that the same be made without an election by the voters of said Union Township.

It is further ordered by the Board that the Auditor of said County give notice by one publication in the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published at the city of Indianapolis, Indiana, and by three weekly publications in The Republican, and in the Danville Gazette, two weekly newspapers of general circulation throughout the said County of Hendricks, in which said highway proposed to be improved is located, that until 10 o'clock A.M. on the 5th day of July, 1910, 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, plans and specifications, and report of said viewers and engineer herein.

Monday, June 6th, 1910, and 1st day of June Term, 1910.

It is further ordered by the Board that said report of the viewers and engineer herein and said supplemental report of said viewers and engineer be spread of record in the office of the Auditor of said Hendricks County on the record book kept for that purpose, which is now done and which said report and supplemental report are in the words and figures as follows, to wit:

Order to View Road.

State of Indiana)

Hendricks County) SS

Commissioners' Court, February Term, 1910.

TO John A. Miles, Thomas H. Little, and John O. Kain---

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their February Term, 1910, to view a public highway proposed to be improved as follows, to wit: Commencing at the center of the Danville and Lebanon Improved Free Gravel Road at or near the southwest corner of the south east quarter of section four (4) township sixteen (16) north, range one(1) west, in said county and state, and running thence east on and along the south line of said quarter section and on and along the south line of section three (3) in said township and range, for a distance of about one and one-half miles, to the township line between Union Township and Middle Township, in said County and State, said public highway being wholly within said Union Township.

You will meet at the Office of the Auditor of said County, at Danville Indiana, on the 17th day of February, 1910, at 10 o'clock, A.M., and qualify, and after being duly qualified, proceed to make said view, and determine,

1st. Whether it will be of public utility to grade, drain, and pave said highway with stone, gravel or other road paving material, and build the necessary bridges, culverts and sewers thereon;

2nd. If you find said proposed highway improvement to be of public utility you will then determine and fix the kind and character and the width of said proposed improvement, including the grading, draining and paving to be done, with complete plans and specifications of such improvement, and of all bridges, culverts and waterways required thereon, together with the estimated cost of said improvement, and make report of your determination in said matter in respect to said highway, including an accurate description of said highway to be graded, drained and paved; together with your recommendations in respect to the paving material to be used and complete plans and specifications of such improvement, and the estimated cost of such improvement, and accompany said report with an accurate profile of said highway, showing by proper lines and figures the elevation thereof at each 100 feet of its length and the changes to be made therein by excavations and fills. And make a complete report of your doings herein, as provided by statute, to said Board of Commissioners on the first day of their regular March Term 1910.

Monday, June 6th, 1910, and 1st day of June Term, 1910.

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 4th day of February, 1910.

Wm. H. Nichols, (seal)

Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS

We, John A. miles, Thomas H. Little, and John O. Kain do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described highway to the best of our skill and ability, so help us God.

John O. Kain

T. H. Little

John A. Miles

Subscribed and sworn to before me, this 17th day of February, 1910.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS

In The Commissioners' Court,

June Term, 1910.

In the matter of the petition of)
John P. Street et al, for the improvement)
of a public highway in Union Tp.,)
Hendricks County, Indiana.)

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

We, the undersigned viewers and engineer, appointed by your Honorable body, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto" to view, examine, make all needful surveys of the road described in the petition of John P. Street at al, and herein after described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare the profile, drawings and specifications, preparatory to cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and surfacing said improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the day of , 1910, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

Tha we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications and found that the material for the roadway should be hard crushed, screened first limestone

Monday, June 6th, 1910, and 1st day of June Term, 1910.

with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawing entitled " Cross Section of Road-bed."

We find that the proposed improvement, in accordance with the profile, drawings, plans and specifications, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty(30) feet and specified in the specifications herewith filed. That the aforesaid profile shows the elevations of the center line of said proposed road, at the end of each 100 feet, and that said profile, drawings, plans and specifications provide for all the details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the methods of construction of the road bed, bridges, culverts, sewers, ditches, drains and macadam required therein and likewise the quality and quantity of each and every kind of material, and all things necessary to make a complete macadam road; that all drawings, plans, blue prints, and specifications, together with the profile are made by us and herewith 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;-

Commencing at the half mile stone between Sections 4&9, Township 16, North Range 1 West, Union Township, Hendricks County, Indiana, the same being a point in the Lebanon Free Gravel Road and running thence East on the line between said Section 4&9 and on the line between sections 3&10 in said township and range, to a stone corner common to sections 2,3,10,&11, Township 16, North Range 1 West at a point in the Pittsboro Free Gravel Road.

We find the total length of the proposed improved highway to be 7893 lineal feet, which is less than three miles. All of said bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed highway will accrue to any one.

We estimate the total cost of the proposed improvement to be \$6033.00.

John O. Kain, Engineer.

John A. Miles

T.H. Little, Viewers.

Subscribed and sworn to before me this 25th day of May, 1910.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS

In the Commissioners' Court, June Term 1910.

In the matter of the petition of John P. Street et al,
to improve a public highway, in Union Township,
Hendricks County, Indiana.

Monday, June 6th, 1910, and 1st day of June Term, 1910.

Specifications for the construction of the John P. Street et al Road in Union Township, Hendricks County, Indiana, under the "Provisions or an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto", by cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and macadamizing with crushed limestone, the above named road as described in our report.

General Specifications.

1. Intention. It is intended that these specifications, drawings, plans, blue prints and profile, with all figures and writings thereon, and herewith filed, shall provide for a road complete in every respect and any error or omission in the profile, plans, drawings, blue prints and specifications shall not release the contractor from constructing a road complete in all its details, any work done or material furnished on account of any error or omission as aforesaid shall be done and furnished by the contractor under his contract, without any additional compensation.
2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.
3. Engineer. Whenever the word "Engineer" is used, in these specifications it shall be understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.
4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not to be related to the contractor, or interested with the Contractor or the work herein contemplated, or interested in any other business affairs with the contractor and who is to receive no compensation from the Contractor for any services performed on the work herein contemplated, and who is under the directions of the Engineer.
5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representative of said party or parties.
6. Disagreement. Should there be any difference of opinion or disagreement between the Contractor and Superintendent concerning the interpretation of the profile, plans, drawings, blue prints and specifications, or concerning the quantity or quality of the materials furnished, or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the contractor shall proceed with the work in accordance therewith.
7. Change of Plans. The Engineer shall have the right to make any change or alteration in the plans and specifications that the Engineer and Superintendent may deem advisable any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred and no claim whatever will be allowed for extra labor

Monday, June 6th and 1st day of June Term, 1910.

or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any materials or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work, authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person or persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the conditions and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the materials furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connections herewith, with all notes, dimensions, figures, writings thereon, or thereto attached, etc., shall be considered a part of the specifications, and in the event of any discrepancy between the drawings and specifications, the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings including the profile, figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All the materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions whether particularly specified or not, but which may be inferred from the specifications.

Monday, June 6th, 1910, and 1st day of June Term, 1910.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorney fees, or any sum of money whatever, by reason of any action, claim, demands or proceedings, arising out of any infringement, or use of any patent device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendrick County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17- Protection. The Contractor will be required to guard the public effectually from liability to damage or accident in consequence of his operations during the whole progress of the work.

The Contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall, at any early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such contractors being arbitrated wholly by the Engineer.

19. Risks. All risks as to floods, storms, damage of materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at the Contractor's risks.

20. Time of Work Relative to Weather and Conditions of Other Highways. Whenever the weather conditions are such, or the conditions of other highways, over which material has to be transported, that in the opinion of the Engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily until such conditions have improved satisfactory to the Engineer.

Specific Specifications.

Profile. The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. The grade line established represents

(see page 356)

Monday, June 6th, 1910, and 1st day of June Term, 1910.

the elevations of the center line, at the same points of elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before material is put on. As the profile only shows the elevations along the center line of the roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line. Route. The route, length and width of this road are as heretofore set forth in the report of the viewers and according to the plans herewith submitted.

Roadway. The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade twenty (20) feet wide, exclusive of the side ditches and also to allow the banks of sides of cuts and fills to be on the slope as the same is hereby specified, Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the road from the location described herein will avoid an abrupt hollow or other natural obstacles, and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further that such change shall not increase the cost of construction of said road.

The right of way shall be grubbed its entire length 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 as 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 in the report, except as above provided for in case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the directions of the Engineer.

Road-bed. The road-bed shall be twenty (20) feet wide, measured at right angles to the center line of right of way and shall conform as nearly as practical to said center line. The road shall be made to conform to the profile and drawings entitled "Cross Section of Road-Bed", and said road-bed shall be made smooth and compact before the macadam is placed thereon, by rolling with an eight ton roller until the same is compact and solid to the acceptance of the Engineer.

Ditches. Ditches shall be excavated along both sides of the entire line of road. The depth in no case to be less than eighteen inches, measured from the shoulders of the grade, and eighteen inches at the bottom with side slopes of two (2) to one and one-half ($1\frac{1}{2}$) on inside and one (1) to one and one-half ($1\frac{1}{2}$) on outside. All ditches must present a regular and uniform appearance.

Monday, June 6th, 1910 and 1st day of June Term, 1910.

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, unless otherwise provided by this profile.

All ditches now in said road between the the ditches as specified and required to be constructed for the drainage of said road, shall be filled up, and made so compact that the water will not follow or wash them.

Grade. The grade line (the red line) of the profile shows the grade of the sub-grade of the road bed, and the top or surface of the roadbed 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 profile, and the cuts and fills necessary to bring the sub-grade to the grade line established by making the required cut or fill, or whatever may be required, if anything, at both ends of a continuous grade, such continuous grade to be maintained between the breaks. After the grading is completed the road bed shall be rolled with an eight ton road roller until the same is solid and compact to the acceptance of the Engineer. The roller shall be either propelled by its own power or by horse power, the use of a roller pulled by a traction engine will not be allowed.

The Contractor shall complete his grade for a distance of at least 1200 feet, and the same shall be rolled and accepted by the Engineer before material is placed on such 1200 feet of road, or any part thereof and the Contractor shall keep the roadbed perfectly smooth and compact in advance of the stone.

Excavations. All cuts shall be excavated to a width of twenty-nine (29) feet at the sub-grade. The slopes of all cuts shall be one (1) to one (1).

Embankments. All embankments or fills shall be twenty (20) feet at the sub-grade and the sides shall have a slope of two (2) to one and one-half (1, 1/2). The Contractor shall in addition to making a roadbed for the extra material as exemplified in the drawing on the profile, and the placing of extra material therein provided for, make easy approach to all intersecting roads.

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

Sewer Culverts. Sewer culverts shall be constructed along the line of the road at such places and of such sizes and materials as shown on the profile. The concrete to be used of the same quality, proportion and mixture as hereinafter provided. The headers or walls at the ends shall be reinforced with two lines of one-half inch twisted or corrugated bars above the sewer openings and by two like bars below such openings and the bars to come to within two inches of each end of the headers or walls. The headers shall be twelve inches thick at the bottom and battered to ten inches at the top and shall extend twelve inches above the openings for the sewer pipes and shall extend eighteen inches below such openings, the headers for 24 inch pipes or sewers seven feet long, 18 inch pipes or sewers six and one half feet long. All outlets and inlets shall be constructed that no water shall stand in or about the sewers.

Monday, June 6th, 1910, and 1st day of June Term, 1910.

Concrete. The concrete shall be composed of one part American Portland cement, the brand to be named by the Engineer, to two parts of approved clean sharp sand and three parts clean hard limestone, the largest pieces which will pass through a one inch ring.

Stone. The stone shall be a good quality of hard, crushed, screened, first class limestone, free from dirt and other fine material, except stone dust, and shall be of sizes that the largest pieces shall pass through a one inch ring.

Cement. The cement shall be a good quality of American Portland Cement, the brand to be designated by the Engineer, and shall pass the customary standard tests.

Mixing. The cement and sand shall be mixed dry by turning at least twice, if hand mixed, in the proportions of one part cement to two parts sand, the the mixed sand and cement shall be mixed with the stone dry by turning at least twice combined as aforesaid, measured by volume loose, sufficient water to be then added to make a mixture as wet as consistent with satisfactory place and results, which shall be turned at least twice. The whole mass to be placed immediately, tamped and spaded.

Placing. The concrete shall be placed in layers not exceeding six inches in thickness.

Facing. The concrete next to the forms shall be spaded with a spade or manipulated with some other tool so that the stone will be prevented from touching the forms, a smooth face to be secured without plastering. Forms on exposed faces shall be removed in time so that the face of the concrete may be rubbed and brushed to remove the timber markings and the surface to be covered with wet canvas, the canvass to be wet daily for at least five days.

Steel Bars. The steel bars used shall be twisted or corrugated iron bars sizes as indicated on the plans, and shall be free from rust scales, or paint and shall be embedded to a depth of at least two inches at the end and otherwise as indicated on the plans.

Forms. Rigid forms shall be provided to receive the concrete and hold it in place until firmly set. The timber forms in contact with exposed faces of concrete shall be finished to a perfectly smooth surface, so that no mark of imperfection shall be on the work. Forms shall extend to the bottom of the concrete in all foundations.

Inspection. All materials shall be subject to the inspection and approval of the Engineer and Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations.

Monday, June 6th, 1910, and 1st day of June Term, 1910.

Macadam. For a width of nine feet, four and one-half feet on each side of the center line of road, the road shall be covered with good, hard, crushed, screened first limestone, suitable for first class road building purposes and acceptable to the Engineer. Said stone to be free from dirt and all other foreign and deleterious material and range in size from one-half inch to one inch in diameter. Such stone to be placed eight inches thick and between boards properly lined. The embankment indicated on the "Cross Section of Roadbed." is to be placed before said boards are removed. Then the stone shall be rolled to the satisfaction of the Engineer. All rolling of sub-grade, stone and finished surface to be done with an eight ton road roller as hereinbefore provided. After the satisfactory rolling of said stone there shall be placed on such rolled stone hard, clean, first class limestone screenings to a thickness of three inches, the same to be leveled and smoothed to the satisfaction of the Engineer.; this having been done the same shall be thoroughly rolled to the satisfaction of the Engineer. Then boards are to be removed and the embankment as near to the shoulders as practical, shall be rolled. The placing of material shall be commenced and carried out so as hauling over the stone will not be necessary, except the screenings to be placed at the directions of the Engineer.

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 shall be blocked no longer than possible, at no event shall the roadway be blocked during the night time.

Estimates. The Contractor shall be entitled to estimates as provided by the statute and payment will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent of the Engineer's estimate of the whole work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all it's details.

John O. Kain, Engineer.

T.H. Little

John A. Miles, Viewers.

Subscribed and sworn to before me this 25th day of May, 1910.

Wm. H. Nichols, Auditor.

Said report endorsed on back as follows: Filed May 25th, 1910, Wm. H. Nichols, Auditor.

June 6, 1910, report approved; ordered spread of record; Auditor ordered to give notice for bids on the 5th day of July, 1910. Cause continued.

Alfred S. Lineinger, President Board.

Supplemental Report of Viewers.

To the Honorable Board of Commissioners:

In the matter of the petition of John P. Street et al. for the improvement of highway.

We, the undersigned viewers, heretofore appointed in the above cause, and who as such viewers, on the 25th day of May, 1910, filed our report in the above cause 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

Monday, June 6th, 1910, and 1st day of June Term, 1910.

infant, idiot or person of unsound mind, and that no person, firm or corporation has made written claims for damages on account of said proposed improvement.

Respectfully Submitted,

John O. Kain,

T.H. Little,

John A. Miles, Viewers.

Subscribed and sworn to before me this 6th day of June, 1910.

Wm. H. Nichols, Auditor.

Report endorsed on back as follows:

Filed June 6th, 1910, Wm. H. Nichols, Auditor Hendricks Co.

June 6th, 1910, Report approved, Alfred S. Lineinger, President Board.

And further proceedings herein are continued.

In the Matter of the Petition of
Jas. W. Todd et al, for the Improvement
of Highway by Taxation.

It now appearing to the satisfaction of the Board that the original contractor herein has abandoned his contract, it is now hereby ordered that the Auditor give notice as required by law; that the Board will, on the 5th day of July, 1910, receive bids for the completion of said contract.

In the matter of the petition of)
David Foster et al, for a public highway.)

Come now David Foster, and ninety others, resident freeholders and voters of Union Township, Hendricks County, Indiana, and present their petition heretofore filed in this cause, on the 9th day of May, 1910, and show to the Court, by the affidavit of William H. Nichols, Auditor of Hendricks County, Indiana, that a notice of said petition was posted by said Auditor at the Court House door, in Danville, Hendricks County, Indiana, on the 19th day of May, 1910, the same being more than fifteen days before the same would be presented to the board upon the date fixed for the hearing thereof, and attached to said affidavit is a true copy of the petition so posted, and which affidavit and proof of posting and the exhibit thereto attached are in words and figures as follows, to wit: (H.I.).

And come also the petitioners and file the proof of posting made by David Foster, showing that the said David Foster posted up three notices, a copy of which is attached to the affidavit of said David Foster, in three public places within the township of Union, said County and State, on

Monday, June 6th, 1910, and 1st day of June Term, 1910.

the 20th day of May, 1910, the same being more than fifteen days before the same would be presented to the board, and which proof of posting and the exhibit thereto attached are in words and figures as follows, to wit: (H.I.).

And come now also said petitioners and show by the affidavit of William A. King, publisher of the Danville Gazette, a weekly newspaper of general circulation, printed and published in Danville, in the county of Hendricks and State of Indiana, showing that notices of said petition, which are attached to said proof of publication, were duly published in said newspaper two weeks successively, the first of which publications was on the 12th day of May, 1910, and the last on the 19th day of May, 1910, and which proof of publication, with the exhibit thereto attached, are in words and figures as follows, to wit: (H.I.).

And come also the petitioners and show, by the affidavit of Julian D. Hogate, editor of the Hendricks County Republican, a public weekly newspaper, of general circulation, printed and published in Danville, as aforesaid, that like copies of said petition were published in the Hendricks County Republican for two weeks successively, the first of which publications was on the 12th day of May, 1910, and the last on the 19th day of May, 1910, and which proof of publication and the exhibit thereto attached are in words and figures as follows, to wit: (H.I.).

And now the matter of said petition being presented to the Board, and the Board having duly considered the same, finds the petition to be in proper form and that due and proper notices of said petition have been given, and the statutes relating thereto have been fully complied with. And this cause is continued for further action of the Board to come on for hearing at the first day of the July Term, 1910. of this Court.

State of Indiana)
(SS
Hendricks County)

In the Commissioners Court, June Term, 1910.

In the matter of the petition of
Oliver Harris et al, for the
Improvement of highway by taxation.

Comes now again the petitioners by Brill & Harvey, their attorneys, and it now appearing to the board that no tax-payer of Center Township, or any other person or corporation has filed objections to the said petition herein, and it appearing that no remonstrance signed by any of the freeholders and voters of said Center Township was filed with the Board of Commissioners within twenty days after the day set for the hearing of said petition, and that no such remonstrance was at any time filed with said board, and said Board having examined said petition and considered the evidence and being fully advised in the premises now finds that said petition is in due form sufficient and according to law, that the same was signed by more than fifty of the legal voters and freeholders of said Center Township and was duly filed in the office of the Auditor of

Monday, June 6th, 1910 and 1st day of June Term, 1910.

Hendricks County, Indiana, on the 4th day of April, 1910, and by indorsement thereon said Auditor fixed the day for the hearing of the same, the 2nd day of May, 1910, same being the first day of the regular May Term, 1910m of the Commissioners Court of Hendricks County, Indiana, and that said day, as designated by said Auditor for the presentations of said petition of said to said Board, was less than thirty days after the filing of said petition. And said Board further finds that more than twenty days has elapsed since the day set by said Auditor for the hearing of said petition, and that no remonstrance signed by any of the freeholders and voters of said Center Township has been filed with said Board of Commissioners. And said Board further finds that due and legal notice, as required by law, was given of the filing and pendency of said petition and the time and place of the hearing of the same, by publication and posting of notices setting forth a copy of said petition, the filing and pendency of the same and the time and place of the hearing of the same by the Board. And said Board also finds that Engineer and Viewers should be appointed to view said highway proposed to be improved and make report of their determination to this Board.

It is now therefore ordered by the Board of Commissioners of Hendricks County, Indiana, that a copy of said petition and all the proceedings herein be spread of record in the Auditor's Office of this County, which is now accordingly done and are in words and figures as follows, to wit:

State of Indiana)
 Hendricks County) SS

In the Commissioners Court, May Term, 1910.

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

Come now the undersigned petitioners, and represent to the Board that they constitute more than fifty freehold voters of Center Township in said county and state, and that they do respectfully petition your Honorable Board for the construction of a free gravel road in said Center Township, by improving, grading, ditching, draining, building culverts thereon and constructing of gravel, stone or other macadamized material a certain public highway in said Center Township, beginning at the township line, between Union and Center Townships in said County, at the north west corner of Section 17, Township 16 North Range 1 West, and running thence south, dividing sections 17, 20, 29 on the east from sections 18, 19, and 30 on the west, all of said sections being in said township 16 North, Range 1 west, and said road ending and terminating and intersecting with the Danville and North Salem free gravel road near the southwest corner of said section 29, township and range aforesaid.

Said highway to be improved is thirty feet in width and is a public highway in said township and is less than three miles in length. That the same has one terminus in the township line, abd said townships of Center and Union

Monday, June 6th, 1910, and 1st day of June Term, 1910.

in said county and state, and that the other terminus of the highway that is sought to be improved at the south is a free gravel road within said Center Township in said county and state.

That a United States Rural Mail Route passes over said highway sought to be improved.

Wherefore, your petitioners pray that the above described highway be improved by grading, ditching, draining, gravelling with stone or other macadamized material and by building culverts thereon, pursuant to the acts of the General Assembly of the State of Indiana, and as provided by law.

Your petitioners further ask and pray that said improvement be made without an election of the voters of said Center Township, and they ask that bonds be sold to pay for the costs of said improvement, and that they be issued in series payable in twenty years from the issuance thereof, and that the Board of Commissioners take all necessary steps to provide for the improvement herein sought to be provided for, and for the payment of the costs of the same.

Oliver Harris, James McCoun, Wm. T. Brill, James A. Downard, John A. Showalter, D.A. Higgins, E.C. Pennington, John W. Trotter, J.L. Keeter, Bert Dooley, W. Wheeler, A.G. Kelleher, L.A. Barnett, L.M. Holman, Joel T. Barker, John F. Neiger, George C. Harvey, Joe Hess, C.C. Walls, Chas. P. Hornady, S.A. McCurdy, Charles A. White, C.E. Edwards, B.F. Howell, Wilbur U. Masten, Edgar Stevenson, David Denny, S.F. Hardwick, Harry E. Curtis, C.C. Higgins, Chas. W. Harris, Howard Pritchett, W.C. Storm, Henry Rutledge, Wm. J. Tharp, J.W. Williams, W.S. Hays, O.W. Wilhoit, J.D. Pratt, F.M. Harrison, Loyd C. Holtsclaw, S.C. McCoun, J.W. Ayers, William H. Wade, G.W. Shelton, Willis A. Dobson, Basil Prather, James Sims, W.C. Stevens, W.L. Tharp, F.H. Huron, H.H. Thompson, S.A. Enloe, Toliver Worrell, E.E. Tinder, J.N. Shirley, R.M. Phillips, M.F. Brady, H.G. Miles, F.P. Reichard, C.M. Parker, C.L. Thompson, Alf. Walters, R.H. Harrison, Chas. E. Williams, J.L. Darnell, J.E. Marsh, Wm. Moon, Andrew Viles, E.C. Wills, Chas. Ayers, L.M. Christie, Chas. F. Bowen, J.A. Kirkham, Arthur Pierson, Martin Christie, Alve R. Shirley, Ira H. Martin, J.E. Pinnell, F.K. Tinder, F.B. Prather, H.A. Record, R.T. Hollowell, Henry C. Coffin, Marshall Gorrell, E.L. Christie, B.F. Noble, W.A. King, Geo. W. Brill, J.N. Hadley, Wm. A. Alexander, Covington Kesler, H.S. Curtis, C.L. McCoun, A.M. Garshwiler, G.P. Merritt, Terry O'Donnell, J.A. Kennedy, J.M. Towles, W.J. Thompson, D.A. Hadley, Wm. Sanders, Geo. E. Easley, W.L. Wilson, E.D. Crawley, J.L. Higgins, David Hadley, J.M. Dawson, W.C. Minor, J.E. Sherrill, S.B. Ensminger, J.D. Hogate, Chas. E. Baker, J.E. Newman, W.S. Christy, J.A. Newman, J.G. Ridpath, Cyrus Osborn, Chas. Sanders, H.J. Cravens, Simon Hadley, A.L. Symons, H.H. Howell, Eugene Maden, Ben F. Kesler, John Shelly, J.K. Little, Ora E. Leak, H.C. Henry, S.W. Williams, Wm. Stillwell, E.W. Shirley, J.W. Whyte, John T. Hume, R.D. Snyder, Wesley Brady, John W. Ader, John Hunt, Geo. Doughty, John E. Call, H.T. Kirk, J.A. Cox, W.H. Cassity, Chas. Gorrell, O.N. Tinder, O.M. Stanley, E. Lamb, B.F. Thomas, H.H. Worrell, Alf. Welshans, Chas. Pierson, J.M. Stevenson, W.J. Hoadley, E.A. Crawford, S.R. Martin, Joshua Blanton, O.E. Gulley, J.W. Shoffner, Robert McCoun, Geo. L. Whyte, J.H. Wilson, Abel Stanley, J.F. Underwood, John McCoy, T.C. Gatson, E.H. Conn, W.H. Walls, R.T. Arnold, F.M. Cummings, Raleigh McCoun, R.J. Campbell, E.W. Thomas,

Monday, June 6th, 1910, and 1st day of June Term, 1910.

James Davidson, P.E. Daugherty, Luther S. Hawkins, J.W. Haynes, H. Bailey Gentry, J.A. Hayworth, W.E. Daugherty, E. M. McCoun, Geo. W. Searce, Jacob Tharp, Geo. A. Miles, Fred B. Soper, James W. Beck, Chas. Z. Cook, Enoch Jenkins, L.T. Mills, W.C. Osborne, F.J. Christie, Mell C. Masten, Edward F. Simmons, J.W. Thompson, Francis M. White, Charlie Nichols, C.M. Robbins, L.N. Dooley, John T. Underwood, Perry Hunt, J.J. Hubble, J.T. Hays, John W. Nickerson, E.M. Wilhite, H.E. Nelson, Henry Howell.

Petition endorsed on back as follows:

Filed Apr. 4th, 1910. Set for hearing May 2nd, 1910.

Wm. H. Nichols, Auditor Hendricks County.

Proof of notices filed, found sufficient. Petition presented to Board and found sufficient. Continued to June Term, 1910.

Alfred S. Lineinger, President Board.

June 6th, 1910, Smith R. Davis and William Vannice appointed viewers, John O. Kain appointed Engineer. Ordered to meet at Auditor's office June 14th, 1910, and qualify.

Alfred S. Lineinger, President Board.

It is further ordered, and said Board does hereby appoint, as Engineer, John O. Kain, who is a competent civil engineer, and, as viewers, Smith R. Davis and William Vannice, each of whom are responsible freeholders and voters of said Hendricks County, Indiana, and neither of whom is a resident or owner of taxable property in said Center Township. And said Engineer and Viewers are ordered to meet at the Office of the Auditor of Hendricks County, Indiana, at Danville, Indiana, on the 14th day of June, 1910, at 10 o'clock A.M., and each take and subscribe an oath faithfully and impartially to discharge his duties, as required by law, and said Engineer is ordered to execute and file with the Auditor of said County his bond with good and sufficient sureties, payable to the State of Indiana, in the penal sum of \$5000.00, conditioned for the faithful discharge of his duties as such Engineer, and said Engineer and viewers are ordered, after being duly qualified as aforesaid, to proceed to view said highway proposed to be improved and determine whether it will be of public utility to grade, drain, and pave said highway with stone, gravel or other road paving material, and building the necessary bridges, culverts and sewers thereon, and if they find said proposed improvement to be of public utility, then to determine the width and character of said proposed improvement, including the grading, draining and paving to be done, with complete plans and specifications of such improvement, and of all bridges, culverts and waterways required therein, together with the estimated cost of said improvement, and said engineer and viewers are ordered to make report to said Board of Commissioners on the first day of the regular July Term, 1910, of their determination as to the width of said improvement, and the character of the same, including the grading,

Order entered & returned

Monday, June 6th, 1910, and 1st day of June Term, 1910.

draining and paving to be done, with complete plans and specifications of such improvement and of all bridges, culverts and waterways required therein, and including as accurate description of the highway to be graded, drained and paved, together with their recommendations in respect to the paving material to be used, and the estimated cost of such improvement, and accompany said report with an accurate profile of said highway to be improved, showing by proper lines and figures the elevation thereof at each one hundred feet of its length and the changes to be made therein by excavations and fills, all of which is ordered and directed by the Board, and proceedings herein are continued.

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

Alfred S. Livingston

Harry E. Sanders

Edmund Murphy

Board of Commissioners.

Tuesday, June 7th., 1910, and 2nd. day of June Term, 1910.

Tuesday Morning, June 7th., 1910.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment, at the Commissioners' Court Room in the town of Danville, Indiana.

Present, Alfred S. Lineinger, Harry E. Sanders and Elbert M. Murphy, all members of said Board.

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

In the matter of the petition of)
David D. Mills, and others for the) Tuesday Morning, June 7th,
improvement of a highway on the County) 1910.

line between the Counties of Marion and Hendricks.)
at the Commissioners' Court Room in the town of Danville, Indiana,
The joint boards having met, pursuant to notice given by the Auditors
of Marion and Hendricks Counties for the purpose of taking action upon the
report of the viewers, it now appears to the satisfaction of the joint board
that due notice of the filing of said report by the viewers and the time and
place of the meeting of this joint board was duly given, as required by law, by
the Auditors of Marion and Hendricks Counties.

Members of Boards present at said meeting:- Alfred S. Lineinger, Harry
E. Sanders and Elbert M. Murphy, all members of the Board of Commissioners of
Hendricks County, Indiana, and Wm. H. Roberts and James Kervin, members of the Board
of Commissioners of Marion County, Indiana.

On motion Alfred S. Lineinger, was duly elected President of the Joint
Board.

And now on motion further proceedings are continued on said matter
until tomorrow, June 8th., 1910, at 2:00 O'Clock P.M.

Ordered by the Joint Boards that they do now adjourn to meet in
the Commissioners' Court Room at Danville, Indiana, tomorrow at 2:00 o'clock P.M.

)

)

) Board Commissioners Hendricks & Marion
) Counties.

)

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

Alfred S. Lineinger)

H. E. Sanders)

E. M. Murphy)

) Board Commissioners Hendricks County.

Certified copy given to Auditor Marion Co.

Wednesday, June 8th., 1910, and 3rd. day of June Term, 1910.

Wednesday Morning, June 8th., 1910.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment, at the Commissioners' Court Room in the town of Danville, Indiana.

Present, Alfred S. Lineinger, Harry E. Sanders and Elbert M. Murphy, all members of said Board.

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

In the matter of the petition of)
David D. Mills, and others for the improvement)
of a highway on the County line between the)
Counties of Marion and Hendricks.)

Wednesday, June 8th., 1910, 2:00 o'clock P.M.

Pursuant to the order of the joint Board made June 7th., 1910, the Boards of Commissioners of the Counties of Marion and Hendricks are again convened in Joint session, at the Commissioners' Court Room in the town of Danville, Indiana: Present, Alfred S. Lineinger, Harry E. Sanders and Elbert M. Murphy, all members of the Board of Commissioners of Hendricks County, and James Kervan, a member of the Board of Commissioners of Marion County, Indiana.

And now said report coming on for consideration and action, the joint board finds that the two viewers made report of their determination in the matter as follows, to-wit:- (Here Insert); that the said report was duly filed in the office of the Auditor of Hendricks County, Indiana, on the ___ day of March, 1910, and that the same has remained on file in said office open to the inspection of all persons, their agents and attorneys, since said date. The Board further finds that the report is such as to deprive it of further jurisdiction in the matter and upon motion the petition is dismissed.

It is therefore ordered by the board that the petitioners herein pay all costs and expenses occasioned by the proceedings in this matter.

All of which is now finally ordered by the joint board of Commissioners of the Counties of Hendricks and Marion, this the 8th day of June, 1910.

)

)

Board Commissioners Hendricks & Marion Counties.

)

)

Ordered that the Board do now adjourn.

Alfred S. Lineinger
Harry E. Sanders
Elbert M. Murphy

)

)

Board Commissioners Hendricks County.

)

Certified Copy issued to Auditor Marion Co.

Thursday, June 23rd., 1910. Joint Session Boards Morgan & Hendricks Counties.

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

Come now the Boards of Commissioners of the Counties of Hendricks and Morgan, in the State of Indiana, and organize by electing H.K. Lee, one of the Commissioners of Morgan County, Indiana, as President, in joint session on this the 23rd day of June, 1910, in compliance with a notice given by the Auditor of Hendricks County, Indiana, and it appearing to the joint boards that notice of said meeting was given more than twenty days before the said 23rd day of June, 1910, of said meeting as the same is shown by the proof of notice thus given, which notice and proof thereof are filed herein and are in the following words and figures, to-wit:-(Here Insert) ; it also appearing to the boards that the Superintendent of Construction and the engineer of construction have filed with the Auditor of Hendricks County, Indiana, their reports showing that said above named improvement has been completed in accordance with the terms of the plans and specifications and profile and contract, which reports are in the following words and figures, to-wit:-(Here Insert), and that said reports were filed on the 14th day of June, 1910, and now all the above appearing to the said boards while in joint session, they go over and inspect said road, with the said engineer being present with them, and jointly find that the said above named road has been completed in accordance with the plans, specifications, profile and contract and should be accepted.

It is therefore ordered by the Boards of Commissioners of the Counties of Hendricks and Morgan, while in joint session, that the above entitled improvement as the same is fully described in the report of the Engineer and Viewers, heretofore filed, be accepted as completed in accordance with the plans, specifications, profile and contract, and the same is hereby so accepted..

It is also ordered that the balance of the contract price, and the balance of the per diem of the Engineer and Superintendent of Construction be paid, and also all other legal claims in connection with said improvement.

It is further ordered that said described highway, as the same is fully described in the report of the engineer and viewers, be and the same is hereby constituted a County Free Gravel Road.

It is ordered that Hendricks County keep in repair the East half of said road, and that Morgan County keep in repair the West half of said road, and that both Counties shall equally keep in repair the bridge across White Lick Creek, on said road, and said matter is completed and at an end.

It is now ordered by the Joint Board that the following claims be and the same are now hereby allowed and ordered paid out of the Fund known as the John A. Baldwin Road fund, and now in the Hendricks County Depositories, in the following sums, to-wit:-
 Charles H. Marley, Notice to Comrs. Morgan Co. \$7.40

Copy of Proceedings sent to Auditor Morgan Co. 6/23-1910.
 Attest: J. H. Nichols, Auditor

Thursday, June 23rd., 1910. Joint Session Boards. Morgan & Hendricks County.

Earl O. Gilbert, Engineer	\$8.10
A. S. Lineinger, Comr. Expenses,	2.10
J. A. Baldwin, Supt. Construction	39.00
A. A. Figg, Livery	5.00
John W. Ader, Sheriff, Not. to Board.	3.60
Earl O. Gilbert, Engineer,	16.65
L. H. Rinker, Comr, expenses	5.75
F. L. Singleton, Legal Notice	21.00
C. M. Hadley, Bal Cont. Price	1820.72

Ordered that the Board do now adjourn.

Alfred S. Lineinger
Harry E. Sanders
O. H. Murphy

Board Commissioners Hendricks County, Ind.

H. K. Lee
James M. Blair
L. H. Rinker

Board Commissioners Morgan County, Ind.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

Tuesday Morning, July 5th., 1910.

Monday, July 4th., 1910, the first Monday in July, 1910, being a legal holiday, the Board of Commissioners of Hendricks County, Indiana, are convened in regular session, at the Commissioners' Court Room in the town of Danville, Indiana, this the 5th. day of July, 1910.

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

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

In the matter of the petition)
of John P. Street et al, for the)
Improvement of a Public Highway)
in Union Township, Hendricks County, Indiana.)

Be It Remembered that on this, the 5th day of July, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in session, pursuant to notice and order of said Board, for the purpose of receiving sealed proposals and awarding the contract for the improvement of a public highway petitioned for improvement by John P. Street, et al, located in Union Township, Hendricks County, Indiana; for the appointment of a superintendent to superintend the construction of said improvement and to order the issue of bonds to pay the costs and expenses of said improvement.

And now comes William H. Nichols, Auditor of said County, and produces the affidavit of Julian D. Hogate, editor and publisher of The Republican, a weekly newspaper of general circulation, printed and published in the town of Danville, Hendricks County, Indiana, said affidavit being in words and figures as follows, to-wit:- (Here Insert), from which said affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause, was duly published in said newspaper for three consecutive weeks, the first of which publications was on the 9th day of June, 1910, and the last on the 23rd day of June, 1910, a copy of which notice so published being attached to said affidavit and being in words and figures as follows, to-wit:- (Here Insert).

Said Auditor also produces 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, said affidavit being in words and figures, as follows, to-wit:- (Here Insert) and from which affidavit it appears that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper for three consecutive weeks, the first of which publication was on the 9th day of June, 1910, and the last on the 23rd day of June, 1910, a copy of which notice so published being attached to said affidavit and reading as follows, to-wit:- (Here Insert)

And said Auditor also produces the affidavit of E. C. Woempner, Clerk for the Star Publishing Company, publishers of the Indianapolis Star, a daily newspaper of general

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

circulation throughout the State of Indiana, printed and published in the City of Indianapolis, Indiana, and which said affidavit is in words and figures as follows, to-wit:-(Here Insert). and from which affidavit it appears that notice of the time and place for receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspaper on the 11th day of June, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids, a copy of which notice so published as aforesaid being attached to said affidavit and being in words and figures as follows, to-wit:-(Here Insert).

And from all of which affidavits and copies of notices it appears, and the Board so finds, that due notice of the time and place for receiving sealed proposals for the making of said improvement had been given by said Auditor as provided by law in such cases.

And the hour of 10 o'clock A.M. having arrived, the hour of said 5th day of June, 1910, up to which it was provided in said notices that sealed bids would be received by said Board for said work, the Board finds, upon an examination of all proposals submitted, which several proposals were each and all opened in the presence of the several bidders, that the following named persons, with the amount of his said bid, did submit sealed proposals, to-wit:-

Walter G. Hadley	\$5495.00
L.R. Hiatt	\$5200.00

And the Board finds that each of said bids so submitted is in due form and sufficient; that each is accompanied by affidavit, as required by law, and that each of said bids is accompanied by bond as required by law.

And the Board further finds that the entire cost of said improvement, including the lowest valid bid aforesaid received, and the expenses incurred and to be incurred, including the per diem of the engineer and superintendent, in the making of said improvement, is the sum of \$5800.00, and the total indebtedness of Union Township, Hendricks County, Indiana, the township in which said highway proposed to be improved by this proceeding is located, including all the costs and expenses of this improvement, and all bonds heretofore issued for the building of free gravel or macadamized roads in said township will not exceed four per centum of the total assessed taxable valuation of the property of said township.

The Board further finds that the contract for said improvement should be awarded, and that the bid of L.R. Hiatt, he being the lowest responsible bidder, his bid being accompanied by a good and sufficient bond as required by law, and his bid being less than the estimated cost of said improvement, should be accepted, and that the bonds of the county should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

It is therefore ordered by the Board that the bid of the said L.R.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

Hiatt be, and the same is hereby duly accepted by this Board, and that the contract for said improvement be and the same is now awarded to the said L.R. Hiatt.

And the said bond of the said L.R. Hiatt, with good and sufficient surety, and conditioned for the faithful performance of the work in accordance with the profile and report and the plans and specifications therein set forth, and the contract hereinafter set out, in the sum of \$12,066.00, which is double the sum of his said bid, is now duly approved by this board, said bond and the approval of said Board written thereon being in words and figures as follows, to-wit:-

Contractor's Bond for Construction.

Know all Men by these Presents, That we, the undersigned Le Roy Hiatt, principal, and the United States Fidelity & Guaranty Company, Surety, of Hendricks County, Indiana, and Baltimore Md. and firmly bound unto the State of Indiana in the penal sum of Twelve Thousand Sixty six and no/100 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 5th day of July, 1910.

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 John P. Street, and others, Road in Union Township, Hendricks County, Indiana,

And whereas, the above named Le Roy Hiatt 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 Le Roy Hiatt 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.

Le Roy Hiatt (SEAL)

The United States Fidelity and

Guaranty Company of Baltimore

Maryland, By John E. Messick

Atty-in-fact (SEAL)

State of Indiana, Marion County, SS:

Before me, a Notary Public in and for said County and State, personally appeared John E. Messick who being by me duly sworn upon his oath did depose and say that he is the Attorney-in-fact of the said United States Fidelity and Guaranty Company, of Baltimore Maryland; that he knows the corporate seal thereof; and that the seal affixed to the within bond is such seal; That the said John E. Messick signed the bond as Attorney-in-fact of said Company in accordance with a resolution passed at a meeting called and held by the Board of Directors of the said The United States Fidelity and Guaranty

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

Company, at its Home Office in Baltimore, Maryland, under date of February the 29th, 1904. Witness my hand and Notarial Seal this 1st day of July, 1910.

My Commission expires January 1st, Mary Gray, Notary Public. (SEAL)

1912.

State of Indiana, County of Hendricks, SS:

Before me, the Subscriber, a Notary Public in and for said County, personally appeared Le Roy Hiatt and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and notarial seal, this 5th day of July, 1910.

Carey W. Gaston, Notary Public (SEAL)

My com. expires Sept 24th., 1911.

Accepted and approved, July 5th 1910.

Alfred S. Lineinger

Board of Commissioners

Harry E. Sanders

Hendricks County.

E. M. Murphy

Attest: Wm. H. Nichols,

Auditor Hendricks County.

Endorsed on back:-

"Filed July 5" 1910. Wm. H. Nichols, Auditor Hendricks Co."

And the bid of the said L. R. Hiatt having been accepted by this Board, and his bond duly approved, said Board does now enter into a contract with said L. R. Hiatt for said improvement, and which said contract, duly signed by the said L. R. Hiatt and the members of this Board as the Board of Commissioners of Hendricks County, Indiana, is in words and figures as follows, to-wit:-

Contract.

This Agreement, made this 5th day of July, 1910, between L. R. Hiatt, of Hendricks County, Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to build and construct the John P. Street Free Gravel Road in Union Township, Hendricks County, Indiana, for the sum of Five Thousand, Two Hundred (\$5200.00) Dollars, in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Fifty-two Hundred (\$5200.00) 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 15th day of November, 1910.

It is hereby expressly understood, and agreed, that the plans and specifications for said improvement are made a part hereof as effectually as if copied herein at full length.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910..

Alfred S. Lineinger

Harry E. Sanders

E. M. Murphy

L. R. Hiatt,

The First Party.

Board of Commissioners, the Second Party.

Endorsed on back:-

"Filed Jul-5"1910. Wm. H. Nichols, Auditor Hendricks Co."

And it is now hereby ordered by this Board that the Bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs and expenses of said improvement; that said bonds be issued in a total sum of \$5800.00, and in series of \$290.00 each, and bearing interest at the rate of four and one half per cent (4-1/2%) per annum, and payable over a period of ten years from the 15th day of May, 1911, and that said bonds bear date of July 5th., 1910, and the Treasurer of said County is hereby charged with the sale of said bonds.

Whereupon the Board does now appoint Wilson T. Johnson a resident of said Union Township, Hendricks County, Indiana, Superintendent to supervise the construction of said improvement according to the plans and profile and specifications filed by the engineer and viewers herein, and he is ordered and directed by this Board to file his bond as such superintendent in the sum of \$5000.00 conditioned for the faithful discharge of his duties as such superintendent. And now comes the said Wilson T. Johnson and accepts the said appointment and files his bond as heretofore ordered, which bond is in words and figures as follows, to-wit:-(Here Insert)

And the duly appointed and acting engineer, heretofore appointed in this proceeding, is now hereby ordered by this Board to execute his bond in the penal sum of \$6000.00 conditioned for the faithful discharge of his duties as such engineer, whereupon the said engineer does now file his bond, as heretofore ordered, which bond is in words and figures as follows, to-wit:-(Here Insert)

And proceedings herein are continued.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

In the matter of the petition of Joe J.)
Dungan, and others, for the Improvement)
of a public highway.)

Come now H. Curry and Oscar Kurtz, the duly appointed, qualified and acting viewers in the foregoing entitled cause; and comes also John O. Kain, the duly appointed and acting engineer in said cause, and all being present in Court, they produce the original order issued to them by the Auditor of this County notifying them severally of their appointments as such viewers and such engineer respectively in said proceedings and requiring them to appear at the Auditor's Office of this County on a day fixed in said order for the purpose of qualifying as the law provides in such cases. Said order being in the words and figures following, to-wit:-(Here Insert) And the board, having duly examined said order so produced by the viewers and engineer, find that said viewers and said engineer did appear at the Auditor's Office of this County on the 10th day of May, 1910, and there subscribed an oath, as follows, to-wit:-(here Insert), for the faithful discharge of their duties as such viewers and engineer.

And now John O. Kain as such engineer exhibits his bond duly approved by the Auditor of this County, and which said bond with said approval endorsed thereon is as follows, to-wit:-(Here Insert)

And now the Auditor of this County produces the duly verified report of the said engineer and viewers. And the board having duly examined the same finds that it was filed in the office of the Auditor of this County on the 23rd day of June, 1910, as heretofore ordered by this board, and that the same has been on file therein in said office open to the inspection of all persons, for more than ten days before the 5th day of July, 1910, the day on which these proceedings are now being conducted.

And now said viewers make and file their duly verified Supplemental Report herein. And the board, having examined said Supplemental Report, and heard all matters connected therewith, finds:

That no injury will result to the property of any idiot or person of unsound mind; or will any such persons sustain any damages 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 should, in all things, be approved and spread of record upon the records in the auditor's office kept for that purpose.

And now, all matters in respect to damages sustained by any person or corporation having been fully determined by this board, the report and profile made by the engineer and viewers are now taken up and fully considered by this board. And the board having examined the same and been duly advised in the

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

premises, finds:

That the highway proposed to be improved under, and pursuant to these proceedings is less than three miles in length and that the same connects at one end with an improved free gravel road and at the other end with the township boundary line of said Union Township; that the improvement prayed for in said petition, and as reported in said report, is of public utility.

The board further finds that said improvement should be allowed and established as provided in said report and without submitting the matter thereof to a vote of the legal voters of said Union Township.

The board further finds that said report and profile are in due form and sufficient and should, in all things be approved, and that said improvement, as in said report provided, be ordered.

It is therefore ordered by the board that the Supplemental Report of the 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 the 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 some 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, and Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, the county in which said road to be improved is located, that on Monday the 1st day of August, 1910, at the hour of ten 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 said 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 accordingly done and are in the words and figures following, to-wit:-

Order to View Road.

The State of Indiana,
Hendricks County, SS: Commissioners' Court, May Term, 1910.

To John O. Kain, Oscar Kurtz, Hicks Curry.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their May Term, 1910, to view a proposed highway as follows, to-wit:-

Commencing at the center of the Danville and Lebanon Free Gravel Road at the center west of the north east quarter of Section 21, Township 17 North, Range 1 West, thence running east for a distance of one and one fourth miles to the center of the North East quarter of Section 22, Township 17 North, Range 1 West; thence extending north for a distance of one-half mile to the center of the South East Quarter of Section 15,

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

Township 17 North, Range 1 West; thence West one fourth mile to the Center West of said South East quarter of said Section 15, Township 17 North, Range 1 West, thence North for a distance of three fourths of a mile on the line dividing said section 15 into east and west halves and terminating at the North boundary line of said Union Township, Hendricks County, Indiana.

And if it will be of public utility to grade, drain and pave the same, then establish the width of said improvement, not less than thirty feet, and characterize the improvement to be made, including the grading, draining and paving. Also that you make out complete plans and specifications of the improvement, and of all bridges, culverts and waterways required. Also that you estimate the costs of such improvement as you provide for.

You will meet at the office of The Auditor of Hendricks County in the town of Danville on Tuesday the 10th day of May, 1910, at 10 o'clock A.M. and after being duly qualified, proceed to make said view, and report at the first day of 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 2nd day of May, 1910.

Wm. H. Nichols, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, John O. Kain, Oscar Kurtz, Hicks Curry, 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

Oscar Kurtz

H. Curry

Subscribed and sworn to before me, this 10th day of May, 1910.

Wm. H. Nichols, Auditor Hendricks County.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, July Term, 1910.

In the Matter of the petition of Joe J. Dungan et al to improve a public highway, in Union Township, Hendricks County, Indiana.

TO THE HONORABLE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA.

We, the undersigned Viewers and Engineer, appointed by your Honorable Body, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto", to view, examine, make all needful surveys of the road described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grubbing, grading, culverting, sewerage, ditching, draining,

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

bridging and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 10th. day of May, 1910, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard, crushed, screened limestone with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed". We find that the proposed improvement, in accordance with the profile, drawings, plans and specifications, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty-four (34) feet and specified in the specifications herewith filed. The the aforesaid profile shows the elevations of the center line of said proposed road, at the end of each one hundred (100) feet, and that said profile, drawings, plans and specifications provide for all the details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed, bridges, culverts, sewers, ditches, drains and macadam required therein and likewise provide the quality and quantity of each and every kind of materials, and all things necessary to make a complete macadam road; that all drawings, plans, blue prints and specifications, together with the profile are made by us and herewith 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:- Commencing at the center of the Danville and Lebanon Free Gravel Road at the center West of the Northwest quarter of Section 21, Township 17 North, Range 1 West, thence running East for a distance of 6627 feet to the center of the Northeast quarter of section 22, Township 17 North, Range 1 West; thence extending North for a distance of 2649.5 feet to the center of the Southeast quarter of section 15, Township 17 North, Range 1 West; thence West 1329.75 feet to the center West of said South East quarter of said Section 15, Township 17 North, Range 1 West; thence North on the line running North & South through the center of Section 15, Township 17 North, Range 1 West, 1067.75 feet; thence North 8 degrees 51 minutes East, 137 feet; thence North 21' East, 763.5 feet; thence North 10 degrees 58' west, 139.5 feet; thence North on the line running North and South through the center of said Section 15, Township 17 North, Range 1 West, 1846.5 feet and terminating at the North boundary line of said Union Township, Hendricks County, Indiana.

We find the total length of the proposed improved highway to be 14560.5 lineal feet, which is less than three miles. All of said bearings and distances being the

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to anyone.

We estimate the total cost of the proposed improvement to be
\$13500.00

John O. Kain, Engineer.

Hicks Curry, Viewer.

Oscar Kurtz, Viewer.

Subscribed and sworn to before me this 23rd day of June, 1910.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, July Term, 1910.

In the matter of the petition of Joe J. Dungan
et al, to improve a public highway, in Union
Township, Indiana.

Specifications for the construction of the Joe J. Dungan et al Road in Union Township, Hendricks County, Indiana, under the "Provisions of an act of the general assembly of Indiana, approved March 8th, 1908, and all amendments thereto" by cleaning, grubbing, grading, culverting, sewerage, ditching, bridging and macadamizing with crushed limestone, the above named Road as described in our report.

GENERAL SPECIFICATIONS.

1. Intention. It is intended that these specifications, drawings, plans, blue print and profile, with all figures and writings thereon, and herewith filed, shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints, and specifications shall not release the Contractor from constructing a road complete in all its details, and any work done or material furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.
2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.
3. Engineer. Whenever the word "Engineer" is used in these specifications it shall be understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.
4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not related to the Contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor, for any services or labor performed on the work herein contemplated, and who is under the directions of the Engineer.
5. Contractor. Whenever the word "Contractor" is used, it shall be understood as

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representative of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints, and specifications, or concerning the quantity or quality of the material furnished or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The Engineer shall have the right to make any change or alterations in plans and specifications that the Engineer and Superintendent may deem advisable, any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The Contractor shall give his personal attention to the work all the time, or have some competent person all the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person or persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the condition and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the material furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all notes, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

of the specifications, and in event of any discrepancy between the drawings, and specifications, the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the break in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorney fees, or any sum of money whatsoever by reason of any action, claim, demands or proceeding, arising out of any infringement or alleged infringement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The Contractor will be required to guard the public effectually from liability to damage or accident in consequence of operations during the whole progress of the work.

The Contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall, at an early date, put himself in communication with other contractors, if there be such,

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

so as to promote harmony of actions; any difference of opinion between such contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage of materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of work relative to weather conditions of other highways.

Whenever the weather conditions are such, or the conditions of other highways, over which material has to be transported, that in the opinion of the Engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

Specific Specifications.

Profile.

The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. The grade line established represents the elevations of the center line, at the same points of the elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before material is put on. As the profile only shows the elevations along the center line of the roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line.

Route. The route, length and width of this road are as heretofore set forth in the report of the Viewers and according to the plans herewith submitted.

Roadway. The right of way of said road shall be thirty four (34) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade twenty three (23) feet wide, exclusive of the side ditches and also to allow the banks or sides of the cuts and fills to be on the slopes as the same is herein specified. Whenever, in the opinion of the superintendent and Engineer in charge, a change in the location of the road from the location described herein will avoid an abrupt hollow or other natural obstacles and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further 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 in the report, except as above provided for in

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the direction of the Engineer.

Roadbed. The roadbed shall be twenty-four (24) feet wide, measured at right angles to the center line of the right of way and shall conform as nearly as practical to said center line. The Road shall be made to conform to the profile and drawings entitled "Cross Section of roadbed", and said roadbed shall be made to agree with the sub-grade as indicated on the profile, at least four (4) weeks before the macadam is placed thereon. After the elapse of such period of time the surface shall be made perfectly smooth and rolled with a twelve (12) ton road roller. Said rolling to be done to the satisfaction of the Superintendent and Engineer. Any and all dirt loosened and thrown up in hauling stone shall be removed from between the boards and any and all wagon tracks or ruts are to be filled with stone.

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 shoulders of the grade, and eighteen (18) inches at the bottom with side slopes of one (1) to one (1). 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, unless otherwise provided by the profile.

All ditches now in said road between the ditches as specified and required to be constructed for the drainage of said road, shall be filled up and made so compact that the water will not follow or wash them.

Grade. The grade line (the red line) of the profile shows the grade of the sub-grade of the roadbed, and the top or surface of the roadbed 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 bring the sub-grade to the grade line established by making the required cut or fill, or whatever be required, if anything, at both ends of a continuous grade, such continuous grade to be maintained and the grade line maintained between the breaks. After the grading is completed the roadbed shall be rolled with a twelve (12) ton road roller until the same is solid and compact to the acceptance of the Engineer.

Excavations. All cuts shall be excavated to a width of twenty-nine (29) feet at the sub-grade. The slope of all cuts shall be one (1) to one (1).

Embankments. All embankments or fills shall be twenty (20) feet at the sub-grade and the sides shall have a slope of one and one half ($1\frac{1}{2}$) to one (1).

The Contractor shall in addition to making a roadbed for the extra material as exemplified in the drawing on the profile, and the placing of extra material thereon provided for, make easy approaches to all intersecting

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

roads. An allowance of ten per cent (10%) must be made for shrinkage on all fills of more than twelve (12) inches.

Sewer Culverts. Sewer culverts shall be constructed along the line of the road at such places and of such sizes and materials as shown on the profile. The concrete to be of the same quality, proportion and mixture as hereinafter provided. The headers or walls at the ends of the sewers shall be reinforced with two lines of one-half inch twisted or corrugated bars above the sewer openings and by two like bars below such openings and the bars to come within two inches of each end of the headers or walls. The headers shall be twelve (12) inches thick at the bottom and battered to ten (10) inches at the top and shall extend eighteen (18) inches above the openings for the sewer pipes and shall extend eighteen (18) inches below such openings, the headers for eighteen (18) inch pipes or sewers shall be eight (8) feet long.

All outlets and inlets shall be so constructed that no water shall stand on or about the sewers.

Concrete. The concrete shall be composed of one part American Portland Cement, the brand to be named by the Engineer, to two parts of approved clean, sharp sand and three parts clean hard limestone, the largest pieces which will pass through a one inch ring.

Stone. The stone shall be a good quality of hard, crushed, screened, first class limestone, free from dirt and other fine material, except stone dust and shall be of sizes that the largest pieces shall pass through a one inch ring.

Cement. The cement shall be a good quality of American Portland cement, the brand to be designated by the Engineer, and shall pass the customary standard tests.

Mixing. The cement and sand shall be mixed dry by turning at least twice, if hand mixed, in the proportions of one part cement to two parts sand, then the mixed sand and cement shall be mixed with the stone dry by turning at least twice combined as aforesaid, measured by volume loose, sufficient water to be then added to make a mixture as wet as consistent with satisfactory place and results, which shall be turned at least twice. The whole mass to be placed immediately, tamped and spaded.

Placing. The concrete shall be placed in layers not exceeding six inches in thickness.

Facing. The concrete next to the forms shall be spaded with a spade or manipulated with some other tool so that the stone will be prevented from touching the forms, a smooth face to be secured without plastering. Forms on exposed faces shall be removed in time so that the face of the concrete may be rubbed and brushed to remove timber markings and the surface to be covered with set canvass, the canvass to be wet daily for at least five days.

Steel Bars. The steel bars used shall be twisted or corrugated iron bars, sizes as indicated on the plans, and shall be free from rust, scales, or paint and shall be embedded to a depth of at least two inches at the end and otherwise as indicated on the plans.

Inspection. All materials shall be subject to the inspection and approval of the Engineer and Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations.

Tuesday, July 5th, 1910, and 1st. day of July Term, 1910.

Macadam. For a width of nine (9) Feet, for and one-half ($4\frac{1}{2}$) feet on each side of the center line of road, the road shall be covered with good, hard, crushed, screened, first class limestone, suitable for first class road building purposes and acceptable to the Superintendent and Engineer. Said stone to be free from dirt and all other foreign deleterious material and range in size as hereinafter provided. After the roadbed has been prepared, settled and rolled as hereinbefore provided, nine (9) inch boards are to be placed, properly lined, then stone, the largest pieces of which will pass through a two (2) inch ring, shall be placed between such boards, sufficient in quantity, that after the same has been properly leveled, thoroughly sprinkled and rolled with a twelve ton roller to the satisfaction of the Superintendent and Engineer, there will be three (3) inches of such stone at the outer edge and five (5) inches at the center, symmetrically rounded from the center to the edges. Then a sufficient amount of stone, the largest pieces of which will pass through a one (1) inch ring, that after sprinkling and rolling as required for the first layer or course that there will be a uniform layer of four (4) inches said second layer to be also thoroughly sprinkled and rolled as provided for the first layer; then there shall be placed on such rolled stone hard, clean, first class screened limestone screenings sufficient in quantity that after sprinkling and rolling as provided for the coarse stone that there will be two (2) inches of Screenings. The quantity of stone and screenings after being placed in the three (3) layers, each layer being sprinkled and rolled as aforesaid shall be eleven (11) inches at the center and nine (9) inches at the edge symmetrically rounded as aforesaid. Then the boards are to be removed and the Contractor shall run the roller along on each embankment as close to the shoulders of the ditch as may be done without unnecessarily injuring the same. Estimates. The contractor shall be entitled to estimate as provided by the statute, and payment will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent (80%) of the Engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all its details.

John O. Kain, Engineer.

Hicks Curry, Viewer.

Oscar Kurtz, Viewer.

Subscribed and sworn to before me this 23rd day of June, 1910.

Wm. H. Nichols, Auditor.

Endorsed on file as follows:-

"Filed June 23", 1910. Wm. H. Nichols, A. H. C."

"July 5", 1910. Report found sufficient ordered spread of record improvement ordered without an election, Auditor ordered to give notice to

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

to bidders for Aug. 1" 1910. Alfred S. Lineinger P. B."

SUPPLEMENTAL REPORT OF VIEWERS.

To The Honorable Board of Commissioners:

In the matter of the Petition of Joe J. Dungan et al. for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 23rd day of June, 1910, 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 O. Kain

H. Curry

Oscar Kurtk,

Viewers.

Subscribed and sworn to before me this the 5th day of July, 1910.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back as follows:-

"Filed Jul-5-1910. Wm. H. Nichols, Auditor Hendricks Co."

"July 5, 1910. Approved and ordered spread of Record.

Alfred S. Lineinger, President Board."

And further proceedings herein are continued.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

In the matter of the petition of)
James W. Todd et al for the Improvement of)
a highway by taxation.)

Be It Remembered that in pursuance of an order dated June 6", 1910, by the Non. Board of Commissioners of Hendricks County, Indiana, William H. Nichols, Auditor of said Hendricks County, Indiana, gave notice to Contractors for the completion of the said James W. Todd Road for three (3) weeks successively, the first of which publication, was on the 9" day of June, 1910, and the last on the 23" day of June, 1910, said notices are in words and figures as follows, to-wit:- (here Insert), published in the Hendricks County Republican a weekly newspaper of general circulation, printed and published in Danville in the County aforesaid and also a like notice in the Danville Gazette, a weekly newspaper of general circulation, printed and published in Danville in the County aforesaid, and one publication in the Indianapolis Star, a daily newspaper of general circulation, printed and published in the City of Indianapolis, Marion County, Indiana, on the 11" day of June, 1910, said notice is in words and figures as follows, to-wit:- (Here Insert).

And the said Auditor also files proofs of said publication whereby it appears from the affidavits of Julian D. Hogate editor of the Hendricks County Republican, and W. A. King, editor of the Danville Gazette and by E. C. Woempner, Clerk for the Star Publishing Company and George C. Hitt, receiver, that said notices were duly published as aforesaid. Said proofs of publications are in words and figures as follows, to-wit:- (Here Insert)

And in pursuance of said notices the Board of County Commissioners of said County on the 5" day of July, 1910, at 10 o'clock on said day proceeded to open said bids submitted for the completion of said road. And upon the opening of said bids for the completion of said road, the said Board found that Walter G. Hadley had submitted a bid for said work in the sum of \$4895.00 and that Masten & Bowen had submitted a bid in the sum of \$5490.00 and that Evan Bray had submitted a bid in the sum of \$5775.75. That all of said bids were regular and in due form and accompanied by a proper bond and affidavit as required by law.

And said Board of Commissioners of said County finding that the said Walter G. Hadley being the lowest responsible bidder accepted the bid of Walter G. Hadley for the completion of said road. Said bid of the said Walter G. Hadley being less than the estimated cost for said improvement. Said bid being in words and figures as follows, to-wit:- (Here Insert)

Whereupon the said Walter G. Hadley executed a contract as party of the first part with the Board of Commissioners of said County as party of the second part for the completion of said road for said sum of money. Said contract being in words and figures as follows, to-wit:-

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

Contract.

This agreement, made this 5th day of July A.D. 1910, between Walter G. Hadley, of Hendricks County, Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to Construct the James W. Todd et al Free Gravel Road situate in Center Township, Hendricks County, Indiana, for the sum of Forty Eight Hundred and Ninety Five (\$4895.00) Dollars.

in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Forty Eight Hundred and Ninety Five 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 15th day of November, 1910.

It is hereby expressly understood, and agreed, that the plans and specifications for said improvement are made a part hereof as effectually as if copied herein at full length.

Alfred S. Lineinger

Walter G. Hadley, The First Party.

Harry E. Sanders

E. M. Murphy, Board of Commissioners, the Second Party.

Now the bond filed by the said Walter G. Hadley in the sum of \$12000.00 for the faithful performance of his duties as set forth in said contract with the American Surety Company of New York as surety thereon, being examined by the said Board of Commissioners is accepted and approved and the approval of said Board endorsed thereon. Said bond being in words and figures as follows, to-wit:-

Contractor's Bond for Construction.

Know all Men by these Presents, That we, the undersigned Walter G. Hadley, as Principal and American Surety company of New York, as Surety are held and firmly bound unto the State of Indiana in the penal sum of Twelve Thousand (\$12,000.00) 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 5th day of July 1910.

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 completion of the construction of the James Todd et al Free Gravel Road

And whereas the above named Walter G. Hadley has filed a bid for said work with the Auditor of the County. Now, therefore, if the said Board of Commissioners shall award Walter G. Hadley the contract for said work and the said Walter G. Hadley shall properly 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

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

by Walter G. Hadley 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.

Walter G. Hadley (SEAL)

American Surety Company of New York

by E. V. Clark, Resident Vice President (SEAL)

Attest: - John S. Hunt, Resident Assistant Secretary.

State of Indiana, County of Hendricks, SS:

Before me, the subscriber, Co. Auditor in and for said County personally appeared Walter G. Hadley and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and official seal, this 5th day of July, 1910.

(SEAL)

Wm. H. Nichols, Auditor.

State of Indiana

SS:

County of Marion

Before me, the undersigned, a Notary Public in and for said County this 5th day of July, 1910, E. V. Clark, Resident Vice President and John S. Hunt, Resident Assistant secretary of American Surety Company of New York, acknowledged the execution of the foregoing bond.

Witness my hand and Notarial Seal this 5th day of July, 1910.

my com. expires May 21, 1912.

D. M. Larsen, Notary Public (SEAL)

Accepted and approved, July 5 1910.

Alfred S. Lineinger

Harry E. Sanders

E. M. Murphy

Board of Commissioners of
Hendricks County.

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

Endorsed on back: "Filed Jul-5" 1910. Wm. H. Nichols, Auditor Hendricks Co"

This cause is herein continued.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

In the matter of the petition of)
W.S. Jones, and others, for the Improvement)
of a public highway.)

Come now George West and H.A. record, the duly appointed, qualified and acting viewers in the foregoing entitled cause, and comes also John O. Kain, the duly appointed, qualified and acting engineer in said cause, and all being present in court before the Board of Commissioners of Hendricks County, Indiana, they produce the original order issued to them by the Auditor of said County, notifying them severally of their appointments as such viewers and such engineer respectfully in said proceedings and requiring them to appear at the Auditor's Office of said County on a day fixed in said order for the purpose of qualifying as the law provides in such cases, said order being in the following words and figures, to-wit:-(Here Insert).

And the Board, having duly examined said order so produced by the viewers and engineer, find that said viewers and engineer did appear at the Auditor's Office of said County on the 13th day of September, 1909, and did then and there subscribe to an oath, as follows, to-wit:-(Here Insert)

And said engineer did execute and file his bond as by law provided which is as follows, to-wit:-(Here Insert).

And now the Auditor of said County produces to the Board the duly verified report of the said engineer and viewers, and the board, having duly inspected and examined the said report and being fully advised in the premises, finds that said report was filed in the office of the said Auditor on the 23rd day of June, 1910, as heretofore ordered by this board, and that the same has been on file therein in said office open to the inspection of all persons, for more than ten days before the 5th day of July, 1910, the day on which these proceedings are now being conducted.

And now said viewers and engineer make and file their duly verified Supplemental Report, on this 5th day of July, 1910, and the Board, having inspected and examined said Supplemental Report, and being duly advised in the premises and all matters therewith connected, doth say and find:

That no injury will result to the property of any idiot or person of unsound mind or to any infant by reason of these proceedings, or will any such above named persons be damages thereby; the Board further finds upon said Supplemental Report that no person or corporation, except D.R. Jones, has presented or made any written claim for damages to the viewers and engineer because of injury to property by reason of these proceedings; that said D.R. Jones presented his written claim to said viewers and engineer for damages in his own proper person, which claim in writing is as follows, to-wit:-(Here Insert); that said written claim was considered by the said viewers and engineer, the said D.R. Jones being present and in court, and was allowed for the sum of \$25.00; that said D.R. Jones was present in court and accepted said amount so allowed him as damages by reason of these proceedings; that said Supplemental report is in due form and should be approved and spread of record.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910..

And now, all matters in respect to damages having been fully determined by the board, the report and profile, made by the engineer and viewers are now taken up and fully considered by the board, and the board, having been fully advised, finds that the highway proposed to be improved under and in pursuance to these proceedings is less than three miles in length and has its termini in improved free gravel roads in said County and that said improvement, as herein prayed for, is of public utility.

The Board further finds that said improvement should be allowed and established as provided in said report with out submitting the matter thereof to a vote of the legal voters of Washington Township, in said County and State.

The Board finds that said report and profile are in due form and sufficient and should, in all things, be approved, and that said improvement, as in said report provided, be ordered.

It is therefore ordered by the Board that the Supplemental Report of the Viewers and engineer be, and the same is 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.

It is also ordered that the improvement as in said report provided be and the same is hereby fully ordered and established in accordance with the report and profile herein accepted and approved.

It is further ordered and directed by this board that the auditor give notice by one publication in some daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis Indiana, and by three weekly publications in The Republican and Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, the County in which said improvement as above ordered, is located, that on Monday the 1st day of August, 1910, at the hour of ten 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 at the Court House at Danville, Indiana, 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 said report of the Viewers and engineer, be spread of record on the records of the Auditor's Office kept for that purpose, which is accordingly done and they are in the following words and figures, to-wit:-

ORDER TO VIEW ROAD.

The State of Indiana,
Hendricks County,

SS: Commissioners' Court, September Term, 1909.

To George West, H.A. Record and John O. Kain, Engineer:

You are hereby notified that you were appointed by the Board of Commissioners of said County, at the regular September Term, 1909, to view a

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

proposed improvement of highway, as follows, to-wit: Beginning at a point in the township line between Washington and Middle townships, in said County and State, at or near the northeast corner of the northwest quarter of the southwest quarter of Sec. 29, township 16 north, range one east, in said county and State, and running thence south along the line of said quarter-quarter section, and succeeding quarter-quarter sections, in sections 29 and 32 of said township and range, following the same for a distance of about one and one-half mile and ending at a point in the A.A. Ross et al Road at the southeast corner of the southwest quarter of the southwest quarter of Section 32, township and range aforesaid, and your petitioners petition for the laying out, establishment to the width of thirty feet, and for the improvement of like character of the following described highway, which is an arm or spur to the foregoing described highway, to-wit: Beginning at a point on the township line between Washington and Center townships, in said County and State, at or near the southwest corner of the northwest quarter of the southwest quarter of Sec. 29, township 16 north, range one east, in said County and State, and running thence eastwardly along the line of said quarter-quarter section for a distance of about one quarter of a mile and ending at the southeast corner of the northwest quarter of the southwest quarter of section 29, township 16 north, range one east, in said County and State; that said highways above described constitute one system of highway and have their termini in improved Free Gravel Roads and are traversed by United States Mail Routes, and, if said proposed improvement and establishment of 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, on Monday, the 13th day of September, 1909, at 10 o'clock A.M., and after being duly qualified, proceed to make said view, and report and file the same on September 22nd., 1909.

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 September 1909.

(SEAL)

Wm. H. Nichols, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, George West, H.A. Record and John O. Kain, Engineer, do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers and engineer on the within described proposed improvement of highway to the best of our skill and ability, and we George West and H.A. Record swear that we are freeholders and householders and are not residents of nor own any taxable property in Washington Township, Hendricks County, Indiana, and I John O. Kain swear that I am a civil engineer: So help us God.

George West

H.A. Record

John O. Kain

Subscribed and sworn to before me, this 13th day of Sept, 1909.

Wm. H. Nichols,

Auditor Hendricks County.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

REPORT OF VIEWERS.

State of Indiana, Hendricks County, SS:

In the Commissioners Court July Term, 1910.

In the matter of the petition of

W.S. Jones et al, to improve a public highway

in Washington Township, Hendricks County, Indiana.

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

We, the undersigned Viewers and Engineer, appointed by your honorable Body, under the "Provisions of an act of the general assembly of Indiana, approved March 8th, 1905, and all amendments thereto", to view, examine, make all needful surveys of the road described in the petition of W.S. Jones et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 13th day of September, 1909, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard, crushed, screened limestone with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed". We find that the proposed improvement, in accordance with the profile, drawings, plans and specifications, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty (30) feet and specified in the specifications herewith filed. That the aforesaid profile shows the elevations of the center line of said proposed road, at the end of each one hundred (100) feet, and that said profile, drawings, plans and specifications provide for all the details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed, bridges, culverts, sewers, drains and macadam required therein and likewise provide the quality and quantity

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

of each and every kind of material, and all things necessary to make a complete macadam road; that all drawings, plans, blue prints and specifications, together with the profile are made by us and herewith 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:— Beginning at a point in the Township line between Washington and Middle Townships, in Hendricks County, Indiana, at the Northeast corner of the Northwest quarter of the Southwest quarter of Section 29, Township 16, North Range 1 East, and running thence South along the line of said quarter section and succeeding quarter quarter section in Sections 29 & 32 said Township and Range following the same for a distance of 5850 feet then running a right line to the A.A. Ross et al Road where the same is intersected by the present highway, a distance of 8024 feet from the point of beginning and an arm or spur to the foregoing described highway described as follows, to-wit: Beginning at a point on the Township line between Washington and Center Townships, in said County and State, at the South West corner of the north west quarter of the south west quarter of Section 29, Township 16, North Range 1 East and running thence East along the line of said quarter quarter section for a distance of 1317.5 feet and ending at the Southeast corner of the Northwest quarter of the Southwest quarter of Section 29, Township 16, North Range 1 East, and connects with the first described highway. We find that the total length of the proposed improved highway to be 9341.5 lineal feet, which is less than three miles. All of said bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to any one.

We estimate the total cost of the proposed improvement to be \$12500.00

John O. Kain, Engineer.

H.A. Record, Viewer.

Geo. West, Viewer.

Subscribed and sworn to before me this 23rd day of June, 1910.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, July Term, 1910.

In the matter of the petition of W.S. Jones et al

to improve a public highway in Washington Township, Indiana.

Specifications for the construction of the W.S. Jones et al Road in Washington Township, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto" by cleaning, grubbing, grading, culverting, sewerage, ditching, drawing, bridging and macadamizing with crushed limestone, the above named Road as described in our report.

GENERAL SPECIFICATIONS.

I. Intention. It is intended that these specifications, drawings, plans, blue prints and profile, with all figures and writing thereon, and herewith filed shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

prints, and specifications shall not release the contractor from constructing a road complete in all its details, and any work done or material furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.

2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.

3. Engineer. Whenever the word "Engineer" is used in these specifications it shall be understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.

4. Superintendent. Whenever the word superintendent is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not related to the Contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor, for any services or labor performed on the work herein contemplated, and who is under the direction of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representative of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints, and specifications, or concerning the quantity or quality of the material furnished or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The Engineer shall have the right to make any change or alterations in plans and specifications that the Engineer and Superintendent may deem advisable, any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person or persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the condition and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due the Contractor.

If, at any time previous to the final acceptance of the work, any of the material furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all notes, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in event of any discrepancy between the drawings, and specifications, the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the subgrade to agree with a grade established by making the respective cuts or fills, as the case may be, at the break in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorney fees, or any sum of money whatsoever by reason of any action, claim, demands or proceeding, arising out of any infringement or alleged infringement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The Contractor will be required to guard the public effectually from liability to damage or accident in consequence of operations during the whole progress of the work.

The Contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The contractor for any part of this work shall, at an early date, put himself in communication with other contractors, if there be such, so as to promote harmony of actions; any difference of opinion between such contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage of materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of Work Relative to Weather Conditions of other Highways.

Whenever the weather conditions are such, or the conditions of other highways, over which material has to be transported, that in the opinion of the Engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

SPECIFIC SPECIFICATIONS.

PROFILE.

The profile represents the elevations of the center line of the roadway the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. The grade line established represents the elevations of the center line, at the same points of the elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before material is put on. As the profile only shows the elevations along the center line of the roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

Route. The route, length and width of this road are as heretofore set forth in the report of the viewers and according to the plans herewith submitted.

Roadway. The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade twenty (20) feet wide, exclusive of the side ditches and also to allow the banks or sides of the cuts and fills to be on the slope as the same is herein specified. Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the location of the Road from the location described herein will avoid an abrupt hollow or other natural obstacle and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further that such change shall not increase the cost of construction of said Road.

The right of way shall be grubbed it's 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 in the report, except as above provided for in case of change of location of Road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the direction of the Engineer.

Road-Bed. The roadbed shall be twenty (20) feet wide, measured at right angles to the center line of the right of way and shall conform as nearly as practical to said center line. The Road shall be made to conform to the profile and drawing entitle "Cross Section of Roadbed", and said roadbed shall be made to agree with the sub-grade as indicated on the profile, at least four (4) weeks before the macadam is placed thereon. After the elapse of such period of time the surface shall be made perfectly smooth and rolled with a twelve (12) ton road roller. Said rolling to be done to the satisfaction of the Superintendent and Engineer. Any and all dirt loosed and thrown up in hauling stone shall be removed from between the boards and any and all wagon tracks or ruts are to be filled with stone. 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 grade, and eighteen (18) inches at the bottom with side slopes of one (1) to one (1). 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 the water from the Road to the nearest outlet, unless otherwise provided by the profile.

All ditches now in said road between the ditches as specified and required to be constructed for the drainage of said Road, shall be filled up, and made so compact that the water will not follow or wash them. The tile drain on each side of said highway from station 67 to station 71 is to be lowered to a depth of 18" below the bottom of the side ditches, all broken pieces to be replaced with new ones.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

Grade. The grade line (the red line) of the profile shows the grade of the sub-grade of the Roadbed, and the top surface of the Roadbed 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 bring the sub-grade to the grade line established by making the required cut or fill, or whatever may be required, if anything, at both ends of a continuous grade, such continuous grade to be maintained and the grade line maintained between the breaks. After the grading is completed the Roadbed shall be rolled with a twelve (12) ton road roller until the same is solid and compact to the acceptance of the Engineer.

Excavations. All cuts shall be excavated to a width of twenty-nine (29) feet at the sub-grade. The slopes of all cuts shall be one (1) to one (1).

Embankments. All embankments or fills shall be twenty (20) feet at the sub-grade and the sides shall have a slope of one and one-half ($1\frac{1}{2}$) to one (1).

The contractor shall in addition to making a roadbed for the extra material therein provided for, make easy approaches to all intersecting Roads. An allowance of ten per cent (10%) must be made for shrinkage on all fills of more than twelve (12) inches.

Sewer Culverts. Sewer culverts shall be constructed along the line of the road at such places and of such sizes and materials as shown on the profile. The concrete to be of the same quality, proportion and mixture as hereinafter provided. The header or walls at the ends of the sewers shall be reinforced with two lines of one-half inch twisted or corrugated bars above the sewer openings and by two like bars below such openings and the bars to come within two inches of each end of the header walls. The headers shall be twelve inches thick at the bottom and battered to ten inches at the top and shall extend eighteen inches above the openings for the sewer pipes and shall extend eighteen inches below such openings, the headers for twelve (12) inch pipes or sewers shall be seven (7) feet long, eighteen (18) inch pipes or sewers shall be eight (8) feet long, thirty (30) inch pipes or sewers shall be eight (8) feet and nine (9) inches long.

All outlets and inlets shall be so constructed that no water shall stand on or about the sewers.

Bridges. At points indicated on the profile for the same, shall be constructed bridges of the length of span, width of roadway and of the various dimensions as shown on the plans attached to the profile and in accordance with the specifications.

Foundations. The excavations for abutments shall be to such depths as are indicated on the drawings attached and as will be staked out by the Engineer. The Contractor shall construct suitable cofferdams, if necessary and ordered by the engineer, water shall be entirely excluded therefrom during the placing of

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

concrete.

Concrete. The concrete shall be composed of one part American Portland Cement, the brand to be named by the Engineer, to two parts of approved clean, sharp sand and three parts clean hard limestone, the largest pieces which will pass through a one inch ring. Stone. The stone shall be a good quality of hard, crushed, screened, first class limestone, free from dirt and other fine material, except stone dust, and shall be of sizes that the largest pieces shall pass through a one inch ring.

Cement. The cement shall be a good quality of American Portland Cement, the brand to be designated by the Engineer, and shall pass the customary standard tests.

Mixing. The cement and sand shall be mixed dry by turning at least twice, if hand mixed, in the proportions of one part cement to two parts sand, then the mixed sand and cement shall be mixed with the stone dry by turning at least twice combined as afore-said, measured by volume to use, sufficient water to be then added to make a mixture as wet as consistent with satisfactory place and results, which shall be turned at least twice. The whole mass to be placed immediately, tamped and spaded.

Placing. The concrete shall be placed in layers not exceeding six inches in thickness.

Facing. The concrete next to the forms shall be spaded with a spade or manipulated with some other tool so that the stone will be prevented from touching the forms, a smooth face to be secured without plastering. Forms on exposed faces shall be removed in time so that the face of the concrete may be rubbed and brushed to remove timber markings and the surface to be covered with wet canvass, the canvass to be wet daily for at least five days.

Steel Bars. The steel bars used shall be twisted or corrugated iron bars, sizes as indicated on the plans, and shall be free from dust, scales, or paint and shall be embedded to a depth of at least two inches at the end, and otherwise as indicated on the plans.

Forms. Rigid centerings and forms shall be provided to receive the concrete and hold it in place until firmly set. The timber forms in contact with exposed faces of concrete shall be finished to a perfectly smooth surface, so that no mark of imperfection shall be on the work. Forms shall extend to the bottom of the concrete in all foundations.

The forms supporting the floor shall remain until the Engineer authorizes its removal.

Cleaning Up. The Contractor shall remove all false work and all surplus materials from the bridge site, and shall remove all dirt, gravel, sand and other materials and substance down to a level with the water line from abutment to abutment, the entire length of the same.

Inspection. All materials shall be subject to the inspection and approval of the Engineer and Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations. Macadam. For a width of nine (9) feet, four and one half ($4\frac{1}{2}$) feet on each side of

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

the center line of road, the road shall be covered with good, hard, crushed, screened first class limestone, suitable for first class road building purposes and acceptable to the Superintendent and Engineer. Said stone to be free from dirt and all other foreign deleterious material and range in size as hereinafter provided. After the roadbed has been prepared, settled and rolled as hereinbefore provided, nine inch boards are to be placed, properly lined, then stone, the largest pieces of which will pass through a two (2) inch ring, shall be placed between such boards, sufficient in quantity, that after the same has been properly leveled, thoroughly sprinkled and rolled with a twelve (12) ton roller to the satisfaction of the Superintendent and Engineer, there will be three (3) inches of such stone at the outer edge and five (5) inches at the center, symmetrically rounded from the center to the edges. Then a sufficient amount of stone, the largest pieces of which will pass through a one (1) inch ring, that after sprinkling and rolling as required for the first layer of course, that there will be a uniform layer of four (4) inches. Said second layer to be also thoroughly sprinkled and rolled as provided for the first layer; then there shall be placed on such rolled stone hard, clean, first class screened limestone screenings sufficient in quantity that after sprinkling and rolling as provided for the coarse stone that there will be two (2) inches of screenings. The quantity of stone and screenings after being placed in the three (3) layers, each layer being sprinkled and rolled as aforesaid, shall be eleven (11) inches at the center and nine (9) inches at the edges symmetrically rounded as aforesaid. Then the boards are to be removed the contractor shall run the roller along on each embankment as close to the shoulder of the ditch as may be done without unnecessarily injuring the same.

Estimates. The Contractor shall be entitled to estimates as provided by the statute, and payment will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eight per cent (8%) of the Engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all its details.

John O. Kain, Engineer.

H. A. record, Viewer.

Geo. West, Viewer.

Subscribed and sworn to before me this 23rd day of June, 1910.

Wm. H. Nichols, Auditor.

Endorsed on back as follows:—"Filed June 23", 1910. Wm. H. Nichols, Auditor"

"Action of Board: July 5" 1910. Report of Viewers and Engineer approved

Notice of letting ordered for Aug 1-1910. Alfred S. Lineinger, P.B."

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

SUPPLEMENTAL REPORT OF VIEWERS.

To The Honorable Board of Commissioners:

In the matter of the petition of W.S. Jones et al for the improvement of highway.

We, the undersigned Viewers, heretofore appointed in the above cause, and who as such viewers, on the 23rd day of June, 1910, 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, other than that D.R. Jones has filed written claim for damages and that we find him to be damaged to the sum of \$25.00

Respectfully submitted,

John O. Kain

H.A. record

Geo. West

Viewers.

Subscribed and sworn to before me, this the 5th day of July, 1910.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back: "Filed July 5", 1910. Wm. H. Nichols, Auditor Hendricks Co."

"Action of Board: July 5", 1910. Supplemental report approved, Delbert R. Jones being in Court and consenting to the action of Viewers upon his claim for damages. Alfred S. Lineinger, President Board."

And further proceedings herein are continued.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

In the matter of the petition of David A. Foster)
et al for improvement of highway by taxation.)

Comes now again the petitioners by Brill & Harvey, their attorneys, and it now appearing to the Board that no taxpayer of Union Township, or any other person or corporation has filed objections to the said petition herein, and it appearing that no remonstrance signed by any of the freeholders and voters of said Center Township was filed with said Board of Commissioners within twenty days after the day set for the hearing of said petition, and that no such remonstrance was at any time filed with said Board, and said Board having examined said petition and considered the evidence and being fully advised in the premises now finds that said petition is in due form sufficient and according to law, that the same was signed by more than fifty of the legal voters and freeholders of said Union Township and was duly filed in the Office of the Auditor of Hendricks County, Indiana, on the 9th day of May, 1910, and by indorsement thereon said Auditor fixed the day for the hearing of the same, the 6th day of June, 1910, same being the 2nd day of the June Term, 1910, of the Commissioners Court of Hendricks County, Indiana, and that said day, as designated by said Auditor for the presentations of said petition to said Board, was less than thirty days after the filing of said petition. And said Board further finds that more than twenty days has elapsed since the day set by said Auditor for the hearing of said petition, and that no remonstrance signed by any of the freeholders and voters of said Union Township has been filed with said Board of Commissioners, and said Board further finds that due and legal notice, as required by law, was given of the filing and pendency of said petition and the time and place of the hearing of the same by the Board. And said Board also finds that an Engineer and Viewers should be appointed to view said highway proposed to be improved and make report of their determination to this Board.

It is now therefore ordered by the Board of commissioners of Hendricks County, Indiana, that a copy of said petition and all the proceedings herein be spread of record in the Auditor's Office of said County, which is now accordingly done and are in words and figures as follows, to-wit:-

State of Indiana

SS:

Hendricks County

Before the Honorable Board of Commissioners of said County.

To The Honorable Board of Commissioners, of Hendricks County, Indiana:

Come now the undersigned petitioners, and represent that they constitute more than fifty freeholders and voters of Union Township in said County and State, and that they would respectfully petition your Honorable Board for the construction of a free gravel or macadamized road in said Union Township, by improving, grading, ditching, draining, building culverts thereon and constructing of gravel, stone or other macadamized material, a certain highway

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

in said Union Township, Beginning at the North East corner of the South East quarter of Section 4, Township 16 North, Range 1 West, in Hendricks County, in the State of Indiana, at the point of intersection of the highway running west from the Danville and Lebanon Free Gravel Road, and running west from said point through the South half of Sections 4, 5 and 6 in said Township and Range aforesaid, along the center line of the public highway as now located, to the township line, dividing and separating the Townships of Union and Eel River, in Hendricks County, State of Indiana, the same being a distance of about two and one fourth $2 \frac{1}{4}$ miles from the point of beginning to the terminus thereof, and said road ending and terminating at the Township line between Eel River Township and Union Township in said County of Hendricks, and being less than three miles in length. That said highway to be improved is thirty feet in width, and is a public highway in said township, and has been laid out and used for a period of more than forty years.

That the same has one terminus in the Township line in said township of Eel River and Union in said County and State, and the other terminus of the highway that is sought to be improved at the east end thereof is a free gravel road within said Union Township, and known as the Danville and Lebanon free gravel road.

That a United States Mail Route passes over said highway sought to be improved.

Wherefore your petitioners pray that the above described highway be improved by grading, ditching, draining, gravelling with stone or other macadamized material, and by building culverts thereon, pursuant to the Acts of the General Assembly of the State of Indiana.

Your petitioners further ask and pray that said improvement be made without an election of the voters of said Union Township, and they ask that bonds be sold to pay for the costs of said improvement and that they be issued in series payable in twenty years from the issuance thereof, and that the Board of Commissioners take all necessary steps to provide for the improvement herein sought to be provided for, and for the payment of the costs of the same.

David Foster, Isaac W. Foster, Harry Foster, George Montgomery, W. T. Johnson, M. E. Leak, John P. Street, James Armstrong, Arthur Strader, I. E. Vorhies, M. J. Montgomery, L. E. Montgomery, John F. Armstrong, R. E. Kennedy, George Blessing, B. W. Hamilton, John T. Lambert, J. T. Leak, Joe Hale, Dr. J. D. Hendricks, W. A. McDaniel, J. O. Burgan, Joseph G. Walters, Dennis Eggers, J. A. Wilson, Wm. Hovermale, F. M. Wilson, J. M. Dowden, John A. Leak, E. D. Wheat, E. A. Landreth, J. M. Leak, Joseph E. Lowe, Curtis D. Batemen, Thos. J. Sandusky, George R. Blake, H. S. Montgomery, Walter Scamahorn, T. N. Kennedy, John S. Tharp, A. E. Deatley, Enos A. Leak, Wm. D. Wilsin, John A. Woodard, P. N. Bailey, Geo. Sherrard, Jos. J. Dungan, Obe Higgins, William Odom, Edgar Foster, Simmie Odom, P. F. Watkins, George Bailey, Henry Woodard, Edgar Bailey, Samuel W. Scott, J. W. Joseph, Lawson Montgomery, Henry Odom, Grant Reeves, A. M. Baker, Homer Higgins, J. W. Hamilton, John L. Rutledge, Wm. J. Scott, Isaac J. Mendenhall, Charles B. Dale, Thomas Day, Chas. H. English, Allen Weddle, G. E. Davis, D. W. Hendricks, J. W. M. Scott, W. P. Burgin, M. F. West, J. J. Flinn, Wm. Leach, M. F. Thompson, J. O. Leach, James Bryant, Joe Jones, G. B. Hunt, C. E. Biggs, A. E. Deatley, Oscar Arnold, Jonathan Lowe, Sidney Phillips, Noah Wright, W. H. Stevenson, J. M. Gentry, Lewis M. Leathers.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

Said petition is indorsed on back as follows:-

"Filed May 9-1910. Wm. H. Nichols, Auditor Hendricks County"

"Set for hearing June 6th., 1910. Wm. H. Nichols, Auditor."

"June 6", 1910.

Petitioners make proof of publication and posting of notices.

Petition found sufficient, cause continued to first day of July Term, 1910.

Alfred S. Lineinger, President Board"

"July 5, 1910. No remonstrance having been filed, petition ordered spread of record. Matter referred to John O. Kain, Engineer and to William L. Wilson and John Brickert as viewers; ordered to meet on July 12, 1910, and qualify. Ordered to report their determination of the matter on the first day of the regular August 1910, Term of this Board. Alfred S. Lineinger, President Board."

It is further ordered, and said board does hereby appoint, as Engineer, John O. Kain, who is a competent civil engineer, and, as viewers, William L. Wilson and John Brickert, each of whom are responsible freeholders and voters of said Hendricks County, Indiana, and neither of whom is a resident or owner of taxable property in said Union Township. And said Engineer and Viewers are ordered to meet at the Office of the Auditor of Hendricks County, Indiana, at Danville, Indiana, on the 12th day of July, 1910, at 10 o'clock A.M. and each take and subscribe an oath faithfully and impartially to discharge his duties, as required by law, and said Engineer is ordered to execute and file with the Auditor of said County his bond with good and sufficient sureties, payable to the State of Indiana, in the penal sum of \$5,000.00 conditioned for the faithful discharge of his duties as such engineer, and said engineer and viewers are ordered, after being duly qualified as aforesaid, to proceed to view said highway proposed to be improved and determine whether it will be of public utility to grade, drain and pave said highway with stone, gravel or other road paving material, and building the necessary road paving material, and building the necessary bridges, culverts and sewers thereon, and if they find said proposed improvement to be of public utility, then to determine the width and character of said proposed improvement, including the grading, draining and paving to be done with complete plans and specifications of such improvement, and of all bridges, culverts and waterways required therein, together with the estimated cost of said proposed improvement, and said engineer and viewers are ordered to make report to said Board of Commissioners on the 1st. day of the regular August Term, 1910, of their determination as to the width of said improvement, and the character of the same, including the grading, draining and paving to be done, with complete plans and specifications of such improvement and of all bridges, culverts and waterways required therein, and including an accurate description of the highway to be graded, drained and paved, together with their recommendations in respect to the paving material to be used, and the estimated cost of such improvement, and accompany said report with an accurate profile of said highway to be improved,

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

showing by proper lines and figures the elevation thereof at each one hundred feet of its length and the changes to be made therein by excavations and fills, all of which is ordered and directed by the Board, and proceedings herein are continued.

In the matter of the petition of John W. Nickerson,)
and others, for the opening of a township highway.)

Come now the reviewers, heretofore appointed by the Board in the above entitled matter, and file their report against the public utility of opening the highway prayed for in the petition herein, which report, oath of reviewers, order to reviewers are in the following words and figures, to-wit:-(Here Insert), and the Board, having inspected said report and being fully advised doth find that the proceedings herein should be dismissed.

It is therefore ordered by the Board that these proceedings be dismissed.

It is ordered that the reviewers and viewers be allowed each the sum of \$2.66, as endorsed on their reports.

And now said matter is at an end.

In the matter of the petition of J.F.)
Canary, and others, for the vacation of)
a township highway in Liberty Township.)

Come now the petitioners herein and present to the Board of Commissioners of Hendricks County, Indiana, the report of the viewers filed herein on the 15th day of June, 1910, and also the oath of said viewers, which report and oath of viewers are in the following words and figures, to-wit:-(Here Insert), and also the order of the Auditor as directed by the order of the Board at its regular June Term, 1910, which order to the viewers is in the following words and figures, to-wit:-(Here Insert), and the Board, having inspected and examined said report, oath of viewers, and order to the viewers, and being duly and sufficiently advised in the premises doth say and find as follows:

The Board finds that the order to viewers, the viewers' oath and the report of viewers are all in due form and according to law; that the viewers qualified as heretofore ordered; that the vacation of the highway as petitioned for herein would be of public utility; that no remonstrance has been filed to the report of the viewers herein.

It is therefore ordered by the Board that the following described highway be and the same is hereby vacated, to-wit:

Commencing at a point about 65 rods West of the Southeast corner of Section 13, township 14 North, range one West, in Liberty township, Hendricks County, Indiana, thence North 80 rods; thence West about 15 rods; thence North 58 rods, to within about 22 rods of the Northwest corner of the Northeast quarter of the Southeast quarter of said Section 13, township and range aforesaid and ending at said point

It is also ordered that the Auditor certify a copy of this order to the Trustee of Liberty Township, Hendricks County, Indiana, and also it is ordered the the following amounts be allowed to the following named viewers, to-wit: James E. McCormick \$2.66, W.A. Smith \$2.66 W.C. Swank \$2.66, and said matter is concluded.

7/12-10 - Order delivered to Buff. Rocks, Co. Attest: J. W. Nickerson, Secy.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

In the Matter of the William C. Frazee,)
and others, highway improvement, on the County)
Line between the Counties of Hendricks & Marion.)

Comes now the Boone County Construction Company, which was on the 7th day of August, 1905, awarded the contract for the construction of the above named improvement pursuant to the Acts of the General Assembly of 1905 by the Board of Commissioners of Hendricks County, Indiana, and asks the Board of Commissioners of said Hendricks County, Indiana, to give its consent to the assignment of the contract for the construction of the above named improvement by the said Boone County Construction to L.R. Hiatt of Hendricks County, Indiana, which assignment, acceptance thereof by L.R. Hiatt, and the consent thereto by the Board are in writing indorsed on said written contract and are in the following words and figures, to-wit:—(Here Insert).

And now the Board hereby and herein gives its consent to the said assignment of said contract by the Boone County Construction Company to the said L.R. Hiatt to furnish to the Board his Bond for the full construction of said above named improvement in accordance with the plans, specifications, contract and profile, which the said Hiatt accordingly does and the said bond is approved by the Board and said 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 Le Roy Hiatt, principal, and the United States Fidelity & Guaranty Company, surety, of Hendricks County, Indiana, and Baltimore Md. are held and firmly bound unto the State of Indiana in the penal sum of Twelve Thousand Nine Hundred Thirty four and no/100 (\$12934.00) 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 5th day of July, 1910.

The Conditions of the above Obligation are such, That whereas the Board of Commissioners of Hendricks County, Indiana, have heretofore entered into a contract with the Boone County Construction Company for the construction of the County Line Road between the Counties of Hendricks and Marion, in said State, the same being known as the William C. Frazee, and others, Road, and whereas the said Boone County Construction Company has sold the contract for the construction of said road to Le Roy Hiatt, and whereas the said Boone County Construction Company has thereby transferred to the said Le Roy Hiatt all its rights and interest in said contract, now, therefore, if the said L.R. Hiatt shall well and faithfully do and perform said contract in all respects according to the plans, specifications, profile and the terms of said contract, 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

7/12-1910 - Copy of record to Auditor Marion Co.
Attest: M. H. Orick, Clerk

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

shall be void, otherwise to remain in full force and effect.

Le Roy Hiatt

The United States Fidelity and Guaranty Company of
Baltimore Maryland.

By John E. Messick, Atty-in-fact

State of Indiana, Hendricks County, SS:

Before me the undersigned notary public personally appeared Le Roy Hiatt and acknowledged the execution of the above bond this 5th day of July, 1910.

Carey W. Gaston, Notary Public. (SEAL)

My commission expires Sept 24th., 1911.

State of Indiana
SS:
Marion County

Before me, a Notary Public in and for said County and State, personally appeared John E. Messick, who being by me duly sworn upon his oath did depose and say that he is the Attorney-in-fact of the said The United States Fidelity and Guaranty Company, of Baltimore Maryland; that he knows the corporate seal thereof; and that the seal affixed to the within bond is such seal; That the said John E. Messick signed the bond as Attorney-in-fact of said Company in accordance with a resolution passed at a meeting called and held by the Board of Directors of the said United States Fidelity and Guaranty Company, at its Home Office in Baltimore, Maryland, under date of February the 29th. 1904.

Witness my hand and Notarial Seal this 1st day of July, 1910.

(SEAL) My commission expires Jan. 1st., 1912.

Mary Gray, Notary Public.

Accepted and Approved, July 5-1910.

Alfred S. Lineinger

Harry E. Sanders

Board of Commissioners of Hendricks Co., Ind.

E. M. Murphy

Endorsed on back: -"Filed July 5", 1910. Wm. H. Nichols, Auditor"

And now all matters of said assignment of said contract and the approval of said bond are hereby ordered and confirmed by the Board.

And said matter is continued for the completion of said contract of construction and improvement.

In the matter of the petition of)
C. E. Barker et al for the improvement)
of a public highway by taxation, in Guilford)
Township.)

The Board now being duly advised in the premises dismisses this petition for want of Jurisdiction.

It is therefore considered, adjudged and decreed by the Board that this cause be and the same is hereby dismissed and stricken from the docket, and that the petitioners herein pay all costs occasioned by the filing of the same taxed at ____ dollars and ____ cents.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

In the matter of the petition of)
Jonathan Lowe 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.

In the Matter of the Petition of)
Henry Rutledge 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.

In the matter of the Petition of)
Oliver Harris et al, for the Improvement)
of a Public Highway, by taxation.)

Come now 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.

Tuesday, July 5th., 1910, and 1st. day of July Term, 1910.

In the matter of the petition of Simon Hadley et for)
the improvement of a public highway by taxation.)

Ordered by the Board that the petition herein be continued to the next regular session of this Board.

In the Matter of the petition of John G. Ridpath et al for)
the improvement of a public highway by taxation.)

Ordered by the Board that the petition herein be and the same is hereby continued to the next regular session of this Board.

In the matter of the petition of John W. Ader et al)
for the Improvement of a public highway by taxation.)

Ordered by the Board that the petition herein be and the same is hereby continued to the next regular session of this Board.

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

Alfred S. Loring

Harry E. Sanders

O. M. Murphy

) Board Commissioners Hendricks County.

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

Monday Morning, August 1st., 1910.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners' Court Room in the town of Danville, Indiana, it is being the first Monday in said Month.

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

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

In the matter of the petition of)
W. S. Jones, and others, for the)
improvement of a public highway in)
Washington Township, Hendricks County.)

Be it known that on the 1st day of August, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in regular session at their usual place of meeting in the Court House in the town of Danville, Hendricks County, Indiana.

And now comes William H. Nichols, Auditor of said County, and produces the affidavits of Julian D. Hogate and W. A. King, editors and publishers respectively of The Republican, and the Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, printed and published in the town of Danville, Hendricks County, Indiana, which said affidavits are in the following words and figures, to-wit:- (Here Insert), and from which affidavits it appears to the satisfaction of the board that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspapers for three consecutive weeks, the 1st of which said publication was on the 7th day of July, 1910, and the third and last on the 21st day of July, 1910, a copy of which notice so published being attached to each of the affidavits and reading as follows, to-wit:- (Here Insert).

Said Auditor also produces the affidavit of E. C. Woempner, Clerk of the Star Publishing Company, publisher of the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis, said affidavit and notice so published being in the following words and figures, to-wit:- (Here Insert), and from which affidavit and notice thereto attached as a part thereof it appears to the full satisfaction of the Board that notice of the time and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause was duly published in said newspaper on the 9th day of July, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids.

And from all of which said affidavits and copies of notices it appears, and the board so finds, that due notice of the time and place for receiving

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

sealed proposals for the making of said improvement had been given by the Auditor as provided by law in such cases.

And now the hour of ten o'clock A.M. of the 1st. day of August, 1910, having arrived, the hour of said day up to which it was provided in said notices that this board would receive sealed bids, the board finds, upon an examination of all proposals submitted, which proposals were all opened in the presence of the several bidders, that the following named persons, together with the amount of his bid, did submit sealed proposals for said work, to-wit:

Walter G. Hadley in the sum of \$11450.00

Evan Bray, in the sum of \$10400.00

The board finds that each bid is in due form and accompanied by bond and non-collusion affidavit, as provided in said notice and as required by law in such cases.

The Board further finds that the entire cost of said improvement including the lowest of the bids aforesaid received, and the expenses incurred and to be incurred in the per diem of the engineer and superintendent, is the sum of \$11,100.00; that the total indebtedness of Washington township, the township in which the highway to be improved in these proceedings is located, including all the costs and expenses of this improvement and all bonds heretofore issued for the building of free gravel or macadamized roads, will not exceed four per centum of the total assessed taxable valuation of the property of said township.

The board further finds that the contract for said improvement should be awarded to Evan Bray; that his bid is the lowest bid received; that the said Evan Bray is a responsible bidder; that the bid of said Evan Bray is for an amount less than the estimate of cost as made by the viewers and engineer; that the bid of said Evan Bray should be and the same is hereby accepted at the sum of \$10400.00; that the bond of said Evan Bray should be and the same is hereby accepted and approved, which bond and all endorsements thereon are in the following words and figures, to-wit:-

Contractor's Bond for Construction.

Know all Men by These Presents, That we, the undersigned Evan Bray, Hugh Johnson, J.W. Beals, T.T. Bray, M.C. Beals, E.N. Beals and T.E. Beals of Hamilton County State of Indiana, are firmly bound unto the State of Indiana in the penal sum of Twenty thousand eight hundred (\$20,800) 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 29th day of July, 1910.

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 W.S. Jones Road.

And whereas the above named Evan Bray has filed a bid for said work with the Auditor of the Count: Now, therefore, if the said Board of Commissioners shall award Evan Bray the contract for said work and the said Evan Bray shall properly 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

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

said contract to be entered into 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 void, otherwise to remain in full force, virtue and effect.

Evan Bray (SEAL)

T.T. Bray (SEAL)

M.C. Beals (SEAL)

Hugh Johnson (SEAL)

J.W. Beals (SEAL)

E.N. Beals (SEAL)

T.E. Beals (SEAL)

State of Indiana, County of Hamilton, SS:

Before me, the subscriber, Clerk of the Circuit Court in and for said County personally appeared Evan Bray, Hugh Johnson, J.W. Beals, T.T. Bray, M.C. Beals, E.N. Beals and T.E. Beals and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness, my hand and official seal, this 29th day of July A.D. 1910.

Le Roy J. Patty, Clerk Hamilton Circuit Court.

Accepted and Approved, August 1st 1911.

Alfred S. Lineinger

Harry E. Sanders

Board of Commissioners of Hendricks
County.

E.M. Murphy

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

Endorsed on back: "Filed August 1st., 1910. Wm. H. Nichols, Auditor" and which bid is as follows to wit: (Here Insert).

And now the board enters into a contract with said Evan Bray for the construction of the improvement herein, which contract is in the following words and figures, to-wit:-

CONTRACT.

This agreement, made this 1st day of August A.D. 1910, between Evan Bray of Hamilton County, Indiana, the first party, and the Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to build and construct the W.S. Jones, and others, Free Gravel Road, for the sum of Ten Thousand, Four Hundred (\$10,400.00) Dollars, said highway being situate in Washington Township, in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Ten Thousand Four Hundred (\$10,400.00) 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

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

1st day of September, 1911.

It is understood and agreed that the plans, specifications and profile for said improvement are made a part of this contract as fully and as affectually as if copied herein at full length.

It is further understood and agreed that payments are to be made by the party of the second part upon said work as the same progresses, and as provided by law in such cases, and not otherwise.

Alfred S. Lineinger

Evan Bray, The First Party.

Harry E. Sanders

E. M. Murphy, Board of Commissioners, the Second Party.

And now it is ordered by this board that bonds be issued in the name of Hendricks County, Indiana, and sold for the purpose of raising money to pay the costs and expenses of said improvement; that said bonds be issued for a total sum of Eleven Thousand One Hundred Dollars, and in series of Five Hundred Fifty-five Dollars each and bearing interest at the rate of four and one half per cent per annum, and payable over a period of ten years, as prayed for in the petition herein, and it is ordered that said bonds bear date of August 1st., 1910.

And the Treasurer of this County is charged with the sale of said bonds upon their issue.

And now the board does appoint George Cassity, a resident of Washington Township, Hendricks County, Indiana, as Superintendent of Construction of said Road and orders that he file his bond as by law provided.

And the Board also appoints John O. Kain, Engineer of Construction of said road, and orders him to file his bond as by law provided.

And said matters herein are continued.

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

In the Matter of the Petition of)
 Joe J. Dungan, and others, for the)
 Improvement of a public Highway in)
 Union Township, Hendricks County.)

Be it known that on this the 1st day of August, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in regular session at their usual place of meeting in the Court House in the town of Danville, Hendricks County Indiana.

And now comes William H. Nichols, the Auditor of said County, and produces the affidavits of Julian D. Hogate and W.A. King, editors and publishers respectively of The Republican and the Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, printed and published in the town of Danville, Hendricks County, Indiana. Said affidavits being in the words and figures following, to-wit:-(Here Insert). And from which said affidavits it appears to the satisfaction of the board that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspapers for three consecutive weeks, the first of which said publications being on the 7th day of July, 1910, and the last on the 21st day of July, 1910, a copy of which notice so published being attached to each of said affidavits and reading as follows, to-wit:-(Here Insert).

Said auditor also produces the affidavit of E.C. Woempner, Clerk of the Star Publishing Company, publisher of The Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis. Said affidavit being in the following words and figures to-wit:-(Here Insert) And from which said affidavit it appears to the satisfaction of the Board that notice of the time and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause was duly published in said newspaper on the 9th day of July, 1910, and more than two weeks prior to the date fixed in said notice for receiving said bids, a copy of which notice so published as aforesaid being attached to said affidavit and being in the words and figures following, to-wit:-(Here Insert).

And from all of which said affidavits and copies of notices it appears, and the Board so finds, that due notice of the time and place for receiving sealed proposals for the making of said improvement had been given by the Auditor as provided by law in such cases.

And the hour of ten o'clock A.M. of the 1st day of August, 1910, having arrived, the hour of said day up to which it was provided in said notices that this board would receive sealed bids, the board finds, upon an examination of all proposals submitted, which said proposals were all opened in the presence of the several bidders, that the following named persons, together with the amount of

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

his bid, did submit sealed proposals for said work:

Walter G. Hadley, in the sum of \$12,295.00

Evan Bray, in the sum of \$11,000.00

The board finds that each bid is in due form and accompanied by bond and non-collusion affidavit, as provided in said notice, and as required by law in such cases.

The board further finds that the entire cost of said improvement including the lowest of the bids aforesaid received, and the expenses incurred, and to be incurred in the per diem of the engineer and superintendent, is the sum of \$11,680.00; that the total indebtedness of Union Township, the township in which said highway to be improved by these proceedings is located, including all the costs and expenses of this improvement and all bonds heretofore issued for the building of free gravel or macadamized roads, will not exceed four per centum of the total assessed taxable valuation of the property of said township.

The board further finds that the contract for said improvement should be awarded, and that the bid of Evan Bray, his being the lowest bid received, and he being a responsible bidder, and his bid being less than the estimated cost of said improvement, should be accepted, and that the bonds of the county should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

And the bond of the said Evan Bray, with good and sufficient sureties thereon and conditioned for the faithful performance of the work in accordance with the profile and report and the plans and specifications therein, in said report, set forth and the contract hereinafter set out, and in the sum of \$22,000.00, which is a sum double the amount of his bid, is now duly approved by this board, and the said approval duly written thereon said bond. Said bond, with the approval thereon, being as follows, to-wit:-

Contractor's Bond For Construction.

Know all Men by these Presents, That we, the undersigned Evan Bray, Hugh Johnson, J. W. Beals, T. T. Bray, M. C. Beals, E. N. Beals and T. E. Beals of Hamilton County, State of Indiana, are firmly bound unto the State of Indiana in the penal sum of Twenty-two Thousand (\$22,000.00) 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 29th day of July 1910.

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 Construction of the Joe J. Dungan Road.

And whereas the above named Evan Bray has filed a bid for said work with the Auditor of the County: Now therefore, if the said Board of Commissioners shall award the contract for said work and the said Evan Bray shall properly 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,

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

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.

Evan Bray

T.T. Bray

M.C. Beals

Hugh Johnson

J.W. Beals

E.N. Beals

T.E. Beals

State of Indiana, County of Hamilton, SS:

Before me, the subscriber, a Clerk of the Circuit Court, in and for said County personally appeared Evan Bray, Hugh Johnson, J.W. Beals, T.T. Bray, M.C. Beals, E.N. Beals and T.E. Beals, and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness, my hand and official seal, this 29th day of July, A.D. 1910.

Le Roy Patty, Clerk Hamilton Circuit Court.

Accepted and Approved, August 1st 1911. ✓

Alfred S. Lineinger)

Harry E. Sanders) Board of Commissioners of
Hendricks County.

E.M. Murphy)

Attest: Wm.H. Nichols, Auditor Hendricks County.

Endorsed on back: "Filed August 1", 1910. Wm.H. Nichols, Auditor."

The bid of the said Evan Bray having been accepted and his bond duly approved by this Board, said board does now enter into written contract with the said Evan Bray for said work and improvement, and which said contract duly signed by the said Evan Bray, as the first party, and the board of Commissioners of Hendricks County, Indiana, as the second party, is in the words and figures following, to-wit:-

Contract.

This Agreement, made this 1st day of August, A.D. 1910, between Evan Bray, of Hamilton County, Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to build and construct the Joe J. Dungan, and others, Free Gravel Road, for the sum of Eleven Thousand (\$11,000.00) Dollars, said highway being situate in Union Township, in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Eleven Thousand (\$11,000.00) 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 September, 1911.

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

It is hereby understood and agreed that the plans, specifications and profile for said improvement are made a part of this contract as fully as if copied herein at full length.

It is further understood and agreed that payments are to be made from time to time by the party of the second part upon said work as the same progresses, and as provided by law in such cases, and not otherwise.

Alfred S. Lineinger

Evan Bray, The First Party.

Harry E. Sanders

E. M. Murphy, Board of Commissioners, The Second Party.

And now it is ordered by this board that the bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs and expenses of said improvement; that said bonds be issued in a total sum of \$11,680.00 dollars, and in series of \$584.00 dollars each and bearing interest at the rate of four and one half per centum per annum, and payable over a period of ten years, as prayed for in the petition, from the 1st day of August, A. D. 1910.

And the treasurer of this county is charged with the sale of said bonds upon their issue.

And now the board does appoint A. E. Deatley, a resident of said Union Township, Superintendent to supervise the construction of said improvement according to the plans, profile and specifications filed by the engineer and viewers, and he is ordered and directed by the board to execute and file his bond as such superintendent in the sum of \$5,000.00, conditioned for the faithful discharge of his duties as such Superintendent. And now comes the said A. E. Deatley and accepts said appointment and files his bond as heretofore ordered, as follows, to-wit:—(Here Insert)

And the duly appointed and acting engineer heretofore appointed in these proceedings is now ordered by this board to execute his bond in the penal sum of \$6,000.00, conditioned for the faithful discharge of his duties as such engineer. Whereupon said engineer does now produce and file bond, conditioned as aforesaid, which is as follows, to-wit:—(Here Insert)

And further proceedings herein are continued.

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

In the matter of the petition of)
Jonathan Lowe et al. for the improvement)
of a public highway by taxation.)

Come now the Engineer and Viewers and produce their report heretofore
filed on July 30th., 1910, as heretofore ordered by the Board.

And now further proceedings herein are continued.

In the matter of the petition of)
Henry Rutledge 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 25th day of August, 1910, 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.

In the Matter of the Petition of)
Simon Hadley et al, for the improvement of)
a public highway by taxation.)

Come now the petitioners by counsel, and on motion the Board continues
this cause to the regular September Session, 1910, of this Board.

In the matter of the petition of John G. Ridpath)
et al for the improvement of a public highway)
by taxation.)

Come now the petitioners herein by counsel, and on motion the Board
continues this cause to the regular September Session, 1910, of this Board.

Monday, August 1st., 1910, and 1st. day of August Term, 1910.

In the matter of the petition of John W. Ader et al .)
for the improvement of a public highway by taxation.)

Come now the petitioners herein and ask the Board that they be allowed to amend their petition herein so that the bonds shall be payable in ten years instead of twenty years.

The Board now being duly advised in the premises now grants said permission and directs that the petition be amended so that the bonds will be payable over a period of ten instead of twenty years, which said petition is now accordingly amended.

In the matter of the petition of)
Oliver Harris 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.

In the matter of the petition of)
David Foster 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 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.

Alfred S. Lineinger)
Harry E. Sanders)
B. Murphy)

Board Commissioners Hendricks County.

Tuesday, August 2nd., 1910, and 2nd. day of August Term, 1910.

Tuesday Morning, August 2nd., 1910.

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

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

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

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

Alfred S. Lineinger
Harry E. Sanders
E. M. Murphy

)
)
) Board Commissioners Hendricks County.

Wednesday, August 3rd., 1910, 3rd. day of August Term, 1910.

Wednesday Morning, August 3rd., 1910.

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

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

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

In the matter of the William A. McDaniel)
and others Road. - : -)

Come now A. Emmett Bly and Emmett Davis, administrators of the estate of Le Roy Hiatt, deceased, and show to the Board that the Judge of the Hendricks Circuit Court, in vacation, has granted to them an order to sell at private sale, without notice, the contract of Le Roy Hiatt with the board for the construction of the above named road.

That said administrators have sold the contract for the construction of the above named road to Walter G. Hadley.

That they have indorsed on said contract their written assignment thereof, which is in the following words and figures, to-wit:-

Danville, Ind. Aug. 3rd. 1910.

We, the undersigned, who are the administrators of the estate of Le Roy Hiatt, deceased, hereby assign, sell, transfer and give over to Walter G. Hadley, for value received, all the right, title and interest of the said estate in and to this contract, and it is hereby shown that it is the intention by this assignment to transfer all the interest of the said estate in and to this contract.

A. Emmett Bly and

Emmett Davis, Administrators of the estate
of Le Roy Hiatt, deceased.

Danville, Ind. Aug. 3d. 1910.

The undersigned Walter G. Hadley hereby accepts and agrees to fulfil all the obligations of this contract as fully as if the original contract had been entered into by him.

Said Walter G. Hadley also accepts the transfer and assignment of this contract by the administrators of the estate of Le Roy Hiatt, deceased, and to carry out the said contract in full, to be completed on or before December, 1910. Walter G. Hadley.

Danville, Ind. Aug. 3d. 1910.

The undersigned Board of Commissioners of Hendricks County, Indiana, hereby gives its consent to the transfer and assignment of this contract and accepts the above agreement of Walter G. Hadley to carry out the provisions and obligations thereof.

Alfred S. Lineinger

Harry E. Sanders

E. M. Murphy

Board of Commissioners of Hendricks
County, Indiana.

That said Walter G. Hadley has indorsed his written acceptance of said assignment

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

of said contract and agrees to fulfill said contract in full, which acceptance and agreement is as follows, to-wit:-(See above set out)

And now the Board gives its consent to the assignment and transfer of said contract to the said Walter G. Hadley and indorses said consent on said contract, which is in the following words and figures, to-wit:-(See above set Out)

And now the said Walter G. Hadley presents his bond to the board for their approval in the sum of \$18000.00, which bond is accepted and approved by the board and is in the following words and figures, to-wit:-

Know all men by these presents, That we, the undersigned, Walter G. Hadley, of Danville, Indiana, as principal, and the Federal Union Surety Company, of Indianapolis, Indiana, as surety, are held and firmly bound unto the State of Indiana in the penal sum of Eleven Thousand (11,000) 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 successors and assigns, firmly by these presents, this 3d day of August, 1910.

The conditions of the above obligation are such, that whereas, the Board of Commissioners of Hendricks County, Indiana, did on the 5th day of July, 1910, let a contract to Leroy R. Hiatt for the construction of the John P. Street et al free gravel road at and for the price of \$5200.00, and whereas said Leroy Hiatt is now dead, and said contract has been sold and assigned to Walter G. Hadley by the Administrators of the estate of Leroy R. Hiatt, deceased, pursuant to an order of the Judge of the Hendricks Circuit Court.

And Whereas, the above named Board of Commissioners has approved and consented to said sale and assignment of said contract.

Now, therefore, if the said Walter G. Hadley shall well and faithfully do and perform the work according to the said contract so assigned, 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 entered into and shall promptly pay all debts incurred by Walter G. Hadley in the prosecution of said work including labor, material furnished, and for boarding the laborers thereon, then this obligation shall be void, otherwise to remain in full force, virtue and effect.

Walter G. Hadley (SEAL)

Federal Union Surety Company

By C. M. Abbott, Vice President (SEAL)

Attest: L. C. Breunig, Asst. Secretary. (SEAL)

State of Indiana, County of Hendricks, SS:

Before me, the subscriber County Auditor in and for said County, personally appeared Walter G. Hadley and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and official seal, this 3rd. day of August A. D. 1910.

(SEAL)

Wm. H. Nichols, Auditor.

This Bond belongs on page 429 this Book on John P. Street Road

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

State of Indiana

SS:

County of Marion

Before me, the undersigned, a Notary Public, personally appeared C.M. Abbott, Vice President, and L.C. Breunig, Ass't Secretary, of the Federal Union Surety Company, 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. 1910.

My commission expires Aug 4. 1913.

Robert B. Failey, Notary Public.

Endorsed on back :- "Filed Aug. 3", 1910. Wm. H. Nichols, Auditor Hendricks Co."

And now the Board releases the said estate of Le Roy Hiatt and the administrators of said estate from the obligations of said contract and from the obligations of the bond heretofore given by the said Le Roy Hiatt, deceased, and accepts and holds the said Walter G. Hadley to all obligations thereof of said contract.

And now all the above things are hereby ordered by the Board, and said matter is continued.

In the matter of the Orren A.)

Stout and others, highway improvement.)

Come now A. Emmett Bly and Emmett Davis, administrators of the estate of Le Roy Hiatt, deceased, and show to the Board of Commissioners of Hendricks County, Indiana, that the Judge of the Hendricks Circuit Court, in vacation, has granted to them an order to sell at private sale, without notice, the contract of Le Roy Hiatt with the Board of Commissioners of Hendricks County, Indiana, for the construction of the above named road, and to assign the same.

Said administrators further show to the Board that they have sold the contract for the construction of the above named road, and have agreed to assign the same to McMahan & Company.

Said administrators show that they have made their written indorsement of assignment of said contract to the said named McMahan & Company, which is in the following words and figures, to-wit:-

Danville, Ind. Aug. 3d., 1910.

We, the undersigned, who are administrators of the estate of Le Roy Hiatt, deceased, hereby assign, sell transfer and give over to McMahan & Company for value received, all the right, title and interest of the said estate in and to this contract, and it is hereby shown that it is the intention by this assignment to transfer all the interest of the said estate in and to this contract.

A. Emmett Bly and

Emmett Davis, Administrators of the estate
of Le Roy Hiatt, deceased.

It is further shown to the Board that said McMahan & Company have indorsed their written acceptance of said assignment of said contract and agree to fulfil said contract in full, which acceptance and agreement is in the following words and figures, to-wit:-

Wednesday, August 3rd, 1910, and 3rd day of August Term, 1910.

Danville, Ind. Aug. 3d, 1910.

The undersigned, McMahan & Company, hereby accepts and agrees to fulfil all the obligations of this contract as fully as if the original contract had been entered into by them. Said McMahan & Company also accepts the transfer and assignment of this contract by the administrators of the estate of Le Roy Hiatt, deceased, and agree to carry out the provisions of said contract in full.

McMahan & Co.

by Everett McMahan, a member of said firm.

And now the Board of Commissioners of Hendricks County, Indiana, gives its consent to the assignment and transfer of said contract to the said McMahan & Company and indorses its consent on said written contract, which consent of the said Board is in the following words and figures, to-wit:-

Danville, Ind. Aug. 3d, 1910.

The undersigned Board of Commissioners of Hendricks County, Indiana, hereby gives its consent to the transfer and assignment of this contract by the administrators of the estate of Le Roy Hiatt, deceased, and accepts the agreement of the said McMahan & Company to carry out the provisions and obligations thereof.

Alfred S. Lineinger

Harry E. Sanders

Board of Commissioners of Hendricks County,
Indiana.

And now the said McMahan & Company present to the Board their bond for the faithful performance of the said contract and to fulfil all the obligations thereof with the American Bonding Company as surety thereon in the sum of \$_____, which bond is found to be sufficient and is approved by the Board, which bond and the board's approval thereof are in the following words and figures, to-wit:-

Know All Men by these Presents, That we the undersigned Everett McMahan, Samuel J. McCreary, and Albert W. Evans, doing business in the firm name of McMahan & Co. principal and American Bonding Company of Baltimore surety are firmly bound unto the State of Indiana, in the penal sum of Nine Thousand Three Hundred Ninety (\$9390) 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, 1910.

The Conditions of the above obligation are such, that, whereas, the Board of Commissioners of Hendricks County, Indiana, is about to let a contract for the construction of the A.O. Stout Road, in Hendricks County, Indiana,

And whereas the above named McMahan & Co. 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 McMahan & Co. shall

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

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

Everett McMahan (SEAL)

S.J. McCreary (SEAL)

Elbert W. Evans (SEAL)

American Bonding Company of Baltimore

by Wm. E. Barton, Attorney in fact. (SEAL)

State of Indiana, Marion County, SS:

Before me, a Notary Public in and for said County, personally appeared Everett McMahan and Albert W. Evans and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness my hand and notarial seal, this 5th day of August A.D. 1910.

My commission expires Sept 10-1913. Isabelle Pickhardt

State of Indiana, Delaware County, SS:

Before me Notary Public in and for said County, personally appeared S.J. McCreary and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness my hand and official seal, this 6 day of August A.D. 1910.

Washington Maynard, Notary Public.

(SEAL)

My Commission expires 8 25 1912.

State of Indiana, Marion County, SS:

Before me, Isabelle Pickhardt a Notary Public, in and for said County, this 5th day of August, 1910, personally came William E. Barton of Indianapolis, Indiana, and known to me to be the Attorney in Fact of American Bonding Company of Baltimore, Maryland, and acknowledged the execution of the within bond for the said Company as surety thereon, and certified that said Company has complied with the provisions of the Statutes of Indiana governing Surety Companies, and has filed with the Clerk of Hendricks County, Indiana, the certificate of the Auditor of State of Indiana to that effect.

Witness my hand and Notarial Seal, this 5 day of August, 1910.

(SEAL)

Isabelle Pickhardt, Notary Public.

My commission expires Sept 10-1913.

Endorsed on back: -"Filed Aug 3" 1910. Wm. H. Nichols, Auditor Hendricks Co."

And now the Board releases the estate of Le Roy Hiatt and the administrators of said estate from the obligations of said contract and from the obligations of the bond heretofore given to the Board by the said Le Roy Hiatt, deceased, and accepts and holds the said McMahan & Company to all the obligations thereof of said contract.

And now all the above things are hereby ordered by the Board, and said matter is continued.

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

In the matter of the John P. Street)
and others Road.)

Come now A. Emmett Bly and Emmett Davis, administrators of the estate of Le Roy Hiatt, deceased, and show to the Board that the Judge of the Hendricks Circuit Court, in vacation, has granted to them an order to sell at private sale, without notice, the contract of Le Roy Hiatt with the board for the construction of the above named road.

That said administrators have sold the contract for the construction of the above named road to Walter G. Hadley.

That they have indorsed on said contract their written assignment thereof, which is in the following words and figures, to-wit:-

Danville, Ind. Aug. 3, 1910.

We, the undersigned, who are the administrators of the estate of Le Roy Hiatt, deceased, hereby assign, sell, transfer and give over to Walter G. Hadley for value received, all the right, title and interest of the said estate in and to this contract, and it is hereby shown that it is the intention by this assignment to transfer all the interest of the said estate in and to this contract.

A. Emmett Bly and

Emmett Davis,

Administrators of the estate of Le Roy
Hiatt, deceased.

That said Walter G. Hadley has indorsed his written acceptance of said assignment of said contract and agrees to fulfil said contract in full, which acceptance and agreement is as follows, to-wit:-

Danville, Ind. Aug. 3, 1910.

The undersigned Walter G. Hadley hereby accepts and agrees to fulfil all the obligations of this contract as fully as if the original contract had been entered into by him.

Said Walter G. Hadley also accepts the transfer and assignment of this contract by the administrators of the estate of Le Roy Hiatt, deceased, and to carry out the said contract in full.

Walter G. Hadley.

And now the Board gives its consent to the assignment and transfer of said contract to the said Walter G. Hadley and indorses said consent on said contract, which is in the following words and figures, to-wit:-

Danville, Ind. Aug 3d. 1910.

The undersigned Board of Commissioners of Hendricks County, Indiana, hereby gives its consent to the transfer and assignment of this contract and accepts the above agreement of Walter G. Hadley to carry out the provisions and obligations thereof.

Alfred S. Lineinger

Harry E. Sanders

E. M. Murphy

Board of Commissioners of Hendricks Co. Indiana.

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

And now the said Walter G. Hadley presents his bond to the Board for their approval in the sum of \$11,000.00, which bond is accepted and approved by the Board and is in the following words and figures, to-wit:-

Know All Men by These Presents, That we, the undersigned, Walter G. Hadley of Danville, Indiana, as principal, and the Federal Union Surety Company, of Indianapolis, Indiana, as surety, are held 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 successors and assigns, firmly by these presents, this 3rd day of August, 1910

The Conditions of the above Obligation are such, That, whereas, the Board of Commissioners of Hendricks County, Indiana, did on the first day of March, 1909, let a contract to Leroy R. Hiatt for the construction of the William A. McDaniel et al free gravel road at and for the price of \$8619.00, and whereas said Leroy R. Hiatt is now dead, and said contract has been sold and assigned to Walter G. Hadley, by the Administrators of the estate of Leroy R. Hiatt, deceased, pursuant to an order of the Judge of the Hendricks Circuit Court.

And Whereas, the above named Board of Commissioners has approved and consented to said sale and assignment of said contract.

Now, therefore, if the said Walter G. Hadley shall well and faithfully do and perform the work according to the said contract so assigned and 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 entered into and shall promptly pay all debts incurred by Walter G. Hadley 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.

Walter G. Hadley (SEAL)

Federal Union Surety Company

By C. M. Abbott, Vice President (SEAL)

Attest: L. C. Breunig, Ass't Secretary (SEAL)

State of Indiana, County of Hendricks, SS:

Before me, the Subscriber County Auditor in and for said County, personally appeared Walter G. Hadley and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness, my hand and official seal, this 3rd day of August, A. D. 1910.

Wm. H. Nichols, Auditor.

State of Indiana, County of Marion, SS:

Before me, the undersigned, a Notary Public, personally appeared C. M. Abbott, Vice President, and L. C. Breunig, Ass't Secretary, of the Federal Union Surety Company and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned. Witness my hand and Notarial seal, this 3rd day of August A. D. 1910.

Robert B. Failey, Notary Public. (SEAL)

My commission expires Aug 4-1913.

This Bond belongs on page 424 this Book on Mrs. A. M. & Daniel Road.

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

Endorsed on back:—"Filed August 3", 1910. Wm. H. Nichols, Auditor Hendricks Co."
"Accepted and Approved Aug 3" 1910.

Alfred S. Lineinger

Harry E. Sanders

E. M. Murphy, Board of Commissioners of Hendricks County.

Attest: Wm. H. Nichols, Auditor Hendricks County, Indiana."

And now the Board releases the said estate of Le Roy Hiatt and the administrators of said estate from the obligations of said contract and from the obligations of the bond heretofore given by the said Le Roy Hiatt, deceased, and accepts and holds the said Walter G. Hadley to all the obligations thereof of said contract.

And now all the above things are hereby ordered by the Board, and said matter is continued.

In the matter of the Wm. C. Frazee and others)
highway improvement, on the County line between)
Hendricks and Marion Counties.)

Come now A. Emmett Bly and Emmitt Davis, administrators of the estate of Le Roy Hiatt, deceased, and show to the Board of Commissioners of Hendricks County, Indiana, that the Judge of the Hendricks Circuit Court, in vacation, has granted to them an order to sell at private sale, without notice, the contract of Le Roy Hiatt with the Board of Commissioners of Hendricks County, Indiana, for the construction of the above named road, and to assign the same.

Said administrators further show to the Board that they have sold the contract for the construction of the above named road, and have agreed to assign the same to McMahan & Company.

Said administrators show that they have made their written indorsement of assignment of said contract to the said named McMahan & Company, which is in the following words and figures, to-wit:-

Danville, Ind. Aug. 3d, 1910.

We, the undersigned, administrators of the estate of Le Roy Hiatt, deceased, hereby assign, sell, transfer and give over to McMahan & Company, for value received, all the right, title and interest of the said estate in and to this contract, and it is hereby shown that it is the intention by this assignment to transfer all the interest of the said estate in and to this contract.

A. Emmett Bly and

Emmett Davis,

Administrators of the estate of

Le Roy Hiatt, deceased.

It is further shown to the Board that said McMahan & Company have indorsed their written acceptance of said assignment of said contract and agree

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

to fulfil said contract in full, which acceptance and agreement is in the following words and figures, to-wit:-

Danville, Indiana, Aug. 3d., 1910.

The undersigned, McMahan & Company, hereby accepts and agrees to fulfil all the obligations of this contract as fully as if the original contract had been entered by said company. Said McMahan and Company also accepts the transfer and assignment of this contract by the administrators of the estate of Le Roy Hiatt, deceased, and agrees to carry out the provisions of said contract in full.

McMahan & Co.

By Everett McMahan, A member of said firm.

And now the Board of Commissioners of Hendricks County, Indiana, gives its consent to the assignment and transfer of said contract to the said McMahan & Company and indorses its consent on said written contract, which consent of the said Board is in the following words and figures, to-wit:-

Danville, Ind. Aug 3d, 1910.

The undersigned Board of Commissioners of Hendricks County, Indiana, hereby gives its consent to the transfer and assignment of this contract by the administrators of the estate of Leroy Hiatt, deceased, and accepts the agreement of the said McMahan & Company to carry out the provisions and obligations thereof.

Alfred S. Lineinger

Harry E. Sanders

Board of Commissioners of Hendricks
County, Indiana.

And now the said McMahan & Company present to the Board their bond for the faithful performance of the said contract and to fulfil all the obligations thereof with the American Bonding Company as surety thereon in the sum of \$_____, which bond is found to be sufficient and is approved by the Board, which bond and the Board's Approval thereof are in the following words and figures, to-wit:-

Know All Men by these Presents, That we the undersigned, Everett McMahan, Samuel J. McCreary and Albert W. Evans, doing business in the firm name of McMahan & Co. principal and American Bonding Company of Baltimore surety are firmly bound unto the State of Indiana, in the penal sum of Twelve Thousand Nine Hundred Fifty-four (\$12934) 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, 1910.

The Conditions of the Above Obligation are such, that, whereas, the Board of Commissioners of Hendricks County, Indiana, is about to let a contract for the construction of the Wm. C. Frazee Road on line between Hendricks and Marion Counties, Indiana,

And Whereas the above named McMahan & Co. have filed a bid for said work with the Auditor of the County: Now therefore, if the said Board of Commissioners shall

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

award them the contract for said work, and the said McMahan & Co. 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 void; otherwise to remain in full force, virtue and effect.

Everett McMahan (SEAL)

S. J. McCreary (SEAL)

Albert W. Evans (SEAL)

American Bonding Company of Baltimore

by William E. Barton, Attorney in fact (SEAL)

Stat. of Indiana, Marion County, SS:

Before me, a Notary Public in and for said County, personally appeared Everett McMahan and Albert W. Evans and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness my hand and notarial seal, this 5th day of August, A.D. 1910.

Isabelle Pickhardt

My commission expires Sept 10-1913.

State of Indiana Delaware County, SS:

Before me, a Notary Public, in and for said County, personally appeared S. J. McCreary and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness my hand and official seal, this 6th day of August A.D. 1910.

Washington Maynard (Notary Public)

My commission expires 8 25 1913.

State of Indiana, Marion County, SS:

Before me, Isabelle Pickhardt, a Notary Public, in and for said County, this 5th day of August, 1910, personally came William E. Barton, of Indianapolis, Indiana, and known to me to be the Attorney In Fact of American Bonding Company of Baltimore, Maryland, and acknowledged the execution of the within bond for the said Company as surety thereon, and certified that said Company has complied with the provisions of the Statutes of Indiana governing Surety Companies, and has filed with the Clerk of Hendricks County, Indiana, the certificate of the Auditor of State of Indiana to that effect.

(SEAL) Witness my hand and Notarial seal, this 5th day of August, 1910.

My commission expires Sept 10-1913.

Isabelle Pickhardt, Notary Public.

Accepted and Approved Aug 3rd 1910.

Alfred S. Lineinger

Harry E. Sanders

Board of Commissioners of Hendricks Co.

Attest: Wm. H. Nichols, Auditor. "Filed Aug 3rd", 1910. Wm. H. Nichols, Auditor Hendricks Co.

Wednesday, August 3rd., 1910, and 3rd. day of August Term, 1910.

And now the Board releases the estate of Le Roy Hiatt and the administrators of said estate from the obligations of said contract and from the obligations of the bond heretofore given to the Board by the said Le Roy Hiatt, deceased, and accepts and holds the said McMahan & Company to all the obligations thereof of said contract.

And now all the above things are hereby ordered by the Board, and said matter is continued.

In the matter of the Wm. C. Frazee et al)

highway improvement, on the County Line)

between Hendricks and Marion Counties.)

The Board of Commissioners of Hendricks County, Indiana, now appoints John O. Kain, as Engineer on said Road, in the place of John W. Figg, resigned, and orders that the said John O. Kain, before he proceeds with the execution of his said trust, give bond to the approval of the Board in the sum of \$6,000.00.

Ordered that the Board do now adjourn.

Alfred S. Linsinger)

Harry E. Sanders)

Ch. Murphy)

) Board Commissioners Hendricks County.

Vacation Entry.

Be It Remembered that on the 27th day of August, 1910, the following certified copy of a resolution of the town Board of the Town of Danville, Indiana, was filed in the office of the Auditor of Hendricks County, Indiana, to-wit:-

A resolution providing for the improvement of Tennessee Street, Mill Street, Plainfield Road, East South Street, Columbus Street, and Indiana Street, in the town of Danville, Indiana, by the Board of Commissioners of Danville, Indiana.

Whereas Charles F. McClelland and fifty six other resident free holders and legal voters of Center Township in Hendricks County, State of Indiana, have presented to the Board of Commissioners of Hendricks County, Indiana, their notice and petition for the improvement of a part of Tennessee Street, Mill Street, Plainfield Road, East South Street, Columbus Street, and Indiana Street, in the town of Danville, Indiana, and, as follows, to-wit:

Beginning at a point in the Danville and Cartersburg improved free gravel road at the South line of the right of way of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company and extending thence Northwest about 900 feet, thence North about 1200 feet, thence East about 1500 feet, thence North about 600 feet, thence West about 225 feet, thence North about 75 feet, thence West about 750 feet, thence North about 1775 feet, thence West about 325 feet, to the intersection of the Danville and Lebanon gravel road.

Whereas the Board of Trustees of the town of Danville have heretofore given their consent to the improvement of the said streets in accordance with said petition, and,

Whereas all the preliminary certified estimate, plans and specifications have been made and adopted by the Board of County Commissioners for said improvement, and

Whereas a contract has been let for said improvement and said improvement is now under way, and,

Whereas said Streets are to be improved by constructing the same with macadam made out of crushed stone as provided for in the plans and specifications submitted by the Viewers and Engineer, which plans and specifications were approved by the Board of Commissioners of Hendricks County, Indiana,

It is therefore resolved by the Board of Trustees of the town of Danville, Indiana, that said improvement be and the same is hereby accepted for and by the said town of Danville, to be constructed with macadam made out of crushed stone.

And be it further resolved that a duly certified copy of these resolutions under the hand and seal of the Clerk of said town Board, town of Danville, Indiana, shall be transmitted by said Clerk to the Auditor of Hendricks County, Indiana.

Alfred L. Walters

Scott L. McCurdy

John T. Hume,

Board of Trustees of the town of
Danville, Ind.

Vacation Entry.

Attest: Chas.V.Sears, Clerk of the town of Danville.

I, Chas.V.Sears, Clerk of the Town of Danville, Indiana, do hereby certify that above and foregoing resolution is a true and correct copy of the resolution passed by the Board of Trustees of the Town of Danville, Indiana, at an adjourned meeting held on the 26th day of August, 1910.

(SEAL)

Chas.V.Sears,

Clerk of the town of Danville, Ind.

Attest:-

Wm H. Nichols
Auditor.

Thursday, September 8th., 1910, and 4th. day of September Term, 1910.

Thursday Morning, September 8th., 1910.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners' Court Room in the town of Danville, Indiana, it being the 4th day of the regular September Term, 1910.

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

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

In the matter of the petition of)
Charles F. McClelland et al for the)
improvement of a public highway by taxation.)

Comes now Henry C. Rodney, heretofore appointed as Superintendent of Construction of said highway, and tenders to the Board his written resignation as such Superintendent as follows:-(Here Insert) And the Board having examined the same and being duly advised in the premises accepts said resignation.

And now the Board appoints Charles F. McClelland as such Superintendent of Construction of said Road, and the said Charles F. McClelland now accepts said appointment and tenders to said Board his Bond as such, which is examined by the Board, found sufficient and is now approved, and is in words and figures as follows, to-wit:-(Here Insert)

And now the said Charles F. McClelland is duly sworn to faithfully in all things perform his duties as such Superintendent, said oath being endorsed on said bond and being in words and figures as follows, to-wit:-(Here Insert)

In the matter of the petition of)
Henry Rutledge 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 22nd. day of September, 1910, to 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.

Thursday, September 8th., 1910, and 4th. day of September Term, 1910.

In the matter of the petition of)
Oliver Harris 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 22nd. day of September, 1910, to 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.

In the matter of the petition of)
David Foster 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 1st. 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.

In the matter of the petition of)
Simon Hadley et al for the improvement)
of a Public Highway by taxation.)

Come now the petitioners herein by counsel, and on motion the Board continues this cause to the next regular session of this Board.

In the matter of the petition of)
John G. Ridpath et al for the improvement)
of a public highway by taxation.)

Come now the petitioners herein by counsel, and on motion the Board continues this cause to the next regular session of this Board.

In the matter of the petition of)
John W. Ader et al for the improvement)
of a public highway by taxation.)

Come now the petitioners herein by counsel, and on motion the Board continues this cause to the next regular session of this Board.

Thursday, September 8th., 1910, and 4th. day of September Term, 1910.

In the matter of the petition of Willis A. Dobson)
 et al, for the Improvement of a public highway)
 in Center Township, by taxation.)

Comes now Willis A. Dobson and One hundred two others, petitioners in the above entitled cause, by Chas. V. Sears, their attorney and present to the Board of Commissioners of Hendricks County, Indiana, their petition for the improvement of a certain public highway therein described, in Center Township in said County and State, which petition is in words and figures as follows, to-wit:- (Here Insert). Which said petition was heretofore, to-wit, on the 15th day of August, 1910, duly filed in the Auditors Office of Hendricks County, Indiana, and the Auditor of said County by indorsement thereon set the 6th day of September, 1910, the same being the 2nd day of the Regular September Term, 1910, of the Board of Commissioners of Hendricks County, Indiana, as the day for the hearing of said petition by said Board of Commissioners. And said Auditor issued and signed notices, setting forth a copy of said petition, the filing and pendency of the same and the day and place of the presentation of said petition to said Board for hearing, said notice being in words and figures as follows, to-wit:- (Here Insert)

And it appears to the satisfaction of said Board from the affidavit of Julian D. Hogate, editor and publisher of The Republican, said affidavit being in words and figures as follows, to-wit:- (Here Insert) and from the affidavit of W. A. King, editor and publisher of The Danville Gazette, said affidavit being in words and figures as follows, to-wit:- (Here Insert), both of said newspapers being weekly newspapers of general circulation in said County and State, and printed and published in said County, that said notice, as issued and signed by said Auditor, was published in each of said newspapers for two consecutive weeks before the said day, designated by said Auditor, when said petition would be presented to said Board for hearing.

And it further appears from the affidavit of Chas. V. Sears, said affidavit being in words and figures as follows, to-wit:- (Here Insert), that said notice, as issued and signed by said Auditor, were posted in three public places in said Center Township, wherein said highway proposed to be improved is located, for more than fifteen days before the said day set by said Auditor for the hearing of said petition.

And it further appears from the affidavit of Wm. H. Nichols, Auditor of said County, said affidavit being in words and figures as follows, to-wit:- (Here Insert), that said notice, as issued and signed by said Auditor, was posted at the door of the Court House in said County for more than fifteen days before the said day set by said Auditor for the hearing of said petition.

And it further appears from a duly certified copy of a resolution passed by the Board of Trustees of the Town of Danville, Indiana, wherein said public highway above described is situated, filed in said above entitled cause,

Thursday, September 8th., 1910, and 4th day of September Term, 1910.

said resolution being in words and figures as follows, to-wit:-(Here Insert), that said Board of Trustees of the Town of Danville, Indiana, gave their consent, by said resolution, for the improvement of said public highway as prayed for in said petition for improvement.

And now, upon motion, it is ordered by said Board of Commissioners that further proceedings herein be continued until and to the Regular October Term, 1910, of said Board of Commissioners.

In the matter of the petition of Jonathan Lowe et al)

for the improvement of a public highway by taxation.)

Come now the petitioners herein by counsel and the Board on its own motion now continues this cause to the next term of this Board.

Ordered that the Board do now adjourn.

Alfred B. Linsinger

Harry E. Sanders

W. Murphy

) Board Commissioners Hendricks County.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

Tuesday Morning, October 4th., 1910.

The Board of Commissioners of Hendricks County, Indiana, met at the Commissioners' Court Room in the town of Danville, Indiana, pursuant to adjournment

Present: Alfred S. Lineinger, Harry E. Sanders and Elbert M. Murphy, all members of said Board.

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

In the matter of the petition of)
Jonathan Lowe et al for the improvement)
of a public highway.)

Come now E. E. Blair and Barney Gossett, the duly appointed, qualified and acting viewers in the foregoing entitled cause, and comes also John O. Kain, the duly appointed, qualified and acting engineer in said cause, and all being present in court before the board of Commissioners of Hendricks County, Indiana, they produce the original order issued to them by the Auditor of said County, notifying them severall of their appointants as such viewers and such engineer respectively in said proceedings and requiring them to appear at the Auditor's Office of said County on a day fixed in said order for the purpose of qualifying as the law provides in such cases, which order and oath of qualification are in the following words and figures, to-wit:- (Here Insert).

And the Board finds that the said engineer filed his bond as by law provided and that the same was approved by the Auditor of said County, which bond and the Auditor's approval thereof are in the following words and figures, to-wit:-

Know all men by these Presents, That we, John O. Kain, of Hendricks County, Indiana as Principal and American Surety Company of New York, as Surety, are held and firmly bound unto the State of Indiana in the penal sum of Five Thousand (\$5000.00) Dollars, for the payment of which we bind ourselves, our heirs, executors, administrators and assigns, jointly and severally firmly by these presents.

Sealed and dated this 10th day of May A. D. 1910.

The Condition of the Above obligation is such, that whereas, the above named and bounden John O. Kain was on May 2nd, 1910, duly appointed by the Board of Commissioners of Hendricks County, Indiana, Engineer in location of the Jonathan A. Lowe et al Free Gravel Road.

Now, Therefore, If the said John O. Kain shall well and faithfully discharge the duties of his said office according to law, then and in that event this bond shall be null and void; otherwise to remain in full force and effect in law.

John O. Kain

American Surety Company of New York

By E. V. Clark, Resident Vice President

Attest:- John S. Hunt, Resident Assistant

Secretary-

(SEAL)

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

Accepted & Approved by me May 10", 1910.

Wm. H. Nichols, Auditor.

Endorsed on back: -"Filed May 10", 1910. Wm. H. Nichols, Auditor."

And now the Auditor of said County produces to the Board the duly verified report of the said engineer and viewers, and the board, having duly inspected and examined the said report and being fully advised in the premises, finds that said report was filed in the office of the Auditor of said County on the 30" day of July, 1910, as heretofore ordered by this board, and that the said report has remained on file at said office, open to the inspection of all persons affected thereby, for more than ten days before the 4th day of October, 1910, the day on which these proceedings are being conducted.

And now said viewers and engineer make and file their duly verified supplemental report on the 8th day of August, 1910, from which it appears to the Board and it doth find that no injury will result to the property of any idiot or person of unsound mind or to the property of any infant by reason of these proceedings; that no damages will result therefrom to any person of unsound mind, to any infant or to any idiot; that no written claim for any damages or injuries occasioned by the proceedings herein has been presented or filed by any corporation or natural person, and the board finds that the report and supplemental report of the viewers and engineer should be accepted and approved; that said highway so proposed to be improved by these proceedings is less than three miles in length; that said highway so asked herein to be improved has both termini in improved free gravel roads of the county and that the said highway should be improved without submitting the question of improvement to the legal voters of the said township of Union, the same being the township in which said highway is located in said County and State; the board finds that the improvement of said highway, as in these proceedings proposed, will be of public utility; the board finds that said improvement should be established and allowed as provided in said report.

It is therefore ordered by the board that the report and profile and supplemental report of the viewers and engineer be and they are hereby approved, and that said improvement, as in said report provided, is ordered established.

It is further ordered and directed by this board that the auditor give notice by one publication in The Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis, Indiana, and by three successive weekly publications in the Republican and Danville Gazette, two weekly newspapers of general circulation throughout Hendricks County, Indiana, the same being the County in which said improvement is located, that on Monday the 7th day of November, 1910, at the hour of ten 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 at the Court House at Danville, Indiana, for the construction of said above named improvement in accordance with the report, plans, specifications and profile, accepted and approved herein, said notices all to be in accordance with this order and the law applicable to these proceedings.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

It is further ordered that the report and supplemental report of the viewers and engineer be spread of record by the Auditor, which is accordingly done and is as follows, to-wit:-

State of Indiana, Hendricks County, SS:

In the Commissioners Court, August Term, 1910.

In the matter of the petition of
Jonathan Lowe et al, to improve a public highway,
in Union Township, Hendricks County, Indiana.

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

We, the undersigned Viewers and Engineer, appointed by your honorable Body, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th. 1905, and all amendments thereto", to view, examine, make all needful surveys of the road described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 10th day of May, 1910, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard, crushed, screened limestone with a top dressing of limestone screenings as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed". We find that the proposed improvement, in accordance with the profile, drawings, plans and specifications, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty-four (34) feet and specified in the specifications herewith filed. That the aforesaid profile shows the elevations of the center line of said proposed road, at the end of each one hundred (100) feet, and that said profile, drawings, plans and specifications provide for all the details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed, bridges, culverts, sewers, ditches, drains and macadam required therein and likewise provide the quality and

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

quantity of each and every kind of materials, and all things necessary to make a complete macadam road; that all drawings, plans, blue prints and specifications, together with the profile are made by us and herewith 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:- Commencing in the Crawfordsville Free Gravel Road where the same intersects the line running North and South through the center of the Northeast quarter of Section 33, Township 17, North Range 1 West, and running thence North on the line running North and South through said Northeast quarter of said Section 33 and then continuing thence North on the line running North and South through the center of the East half of Section 28, Township 17, North Range 1 West 6582.5 feet to the North line of said Section 28; thence West 2219.5 feet on the North line of said Section 28 and terminating in the Lebanon Free Gravel Road.

We find the total length of the proposed improved highway to be 8802 lineal feet, which is less than three miles. All of said bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to anyone.

We estimate the total cost of the proposed improvement to be \$8500.00

John O. Kain, Engineer.

E. E. Blair, Viewer

Barney Gossett, Viewer.

Subscribed and sworn to before me this 30th day of July, 1910.

Wm. H. Nichols, Auditor.

In the matter of the petition of Jonathan Lowe et al, to improve a public highway in Union Township Hendricks County, Indiana.

Specifications for the construction of the Jonathan Lowe et al road, In Union Township, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto", by cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and macadamizing with crushed limestone, the above named Road as described in our report.

GENERAL SPECIFICATIONS.

1. Intention. It is intended that these specifications, drawings, plans, blue prints, and profile, will all figures and writings thereon, and herewith filed, shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints, and specifications shall not release the Contractor from constructing a road complete in all its details, any work done or material furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.

2. Board. Whenever the word "Board" is used, it shall be understood as referring to the

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

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

3. Engineer. Whenever the word "Engineer" is used, in these specifications, it shall be understood as referring to the engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.

4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not related to the Contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor for any service or labor performed on the work herein contemplated, and who is under the direction of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representative of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints and specifications, or concerning the quantity or quality of the materials furnished, or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The engineer shall have the right to make any change or alteration in the plans and specifications that the Engineer and Superintendent may deem advisable, any such change not increasing the cost of labor or material; but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any materials or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

10. Sub-Contractor. No part of the work shall be assigned or sub-let to any person or persons, without the consent of the Board, and if any part is so assigned or sub-let, it shall not in any wise affect the conditions and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the materials furnished, or labor performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the engineer to order such parts reconstructed, the engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the engineer in connection herewith, with all notes, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in the event of any discrepancy between the drawings and specifications the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanlike manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorney fees, or any sum of money whatsoever, by reason of any action, claim, demands or proceedings, arising out of any infringement, or alleged infringement, or use of any patent or patented device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

And the contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damage received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The Contractor will be required to guard the public effectually from liability to damage or accident in consequence of his operations during the whole progress of the work.

The contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall, at an early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage to materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risk.

20. Time of Work relative to weather conditions of other highways.

Whenever the weather conditions are such, or the conditions of other highways, over which material has to be transported, that in the opinion of the engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

SPECIFIC SPECIFICATIONS.

PROFILE.

The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. The grade line established represents the elevations of the center line, at the same points of the elevations, that the roadway shall be raised or lowered to, being referred to as the subgrade and before material is put on. As the profile only shows the elevations along the center line of the roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line.

Route. The route, length and width of this road are as heretofore set forth in the report of the Viewers and according to the plans herewith submitted.

Roadway. The right of way of said road shall be thirty-four (34) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade twenty-four (24) feet

wide, exclusive of the side ditches and also to allow the banks or sides of the cuts and fills to be on the slopes as the same is herein specified. Whenever, in the opinion of the Superintendent and engineer in charge, a change in the location of the road from the location described herein will avoid an abrupt hollow or other natural obstacles and be, in the opinion of the engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order: Provided, always, that the damages and costs of such change shall not exceed the benefits thereof, and provided further 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 in the report, except as above provided for in case of change of location of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the direction of the Engineer.

Roadbed. The roadbed shall be twenty-four (24) feet wide, measured at right angles to the center line of the right of way and shall conform as nearly as practical to said center line. The road shall be made to conform to the profile and drawings entitled "Cross Section of Roadbed", and said roadbed shall be made to agree with the sub-grade as indicated on the profile, at least four (4) weeks before the macadam is placed thereon. After the elapse of such period of time the surface shall be made perfectly smooth and rolled with a twelve (12) ton road roller. Said rolling to be done to the satisfaction of the Superintendent and engineer. Any and all dirt loosened and thrown up in hauling stone shall be removed from between the boards and any wagon tracks or ruts are to be filled with stone.

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 shoulders of the grade, and eighteen (18) inches at the bottom with side slopes of one (1) to one (1). 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, unless otherwise provided by the profile.

All ditches now in said road between the ditches as specified and required to be constructed for the drainage of said road, shall be filled up and made so compact that the water will not follow or wash them.

Grade. The grade line (the red line) of the profile shows the grade of the sub-grade of the roadbed, and the top or surface of the roadbed 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 bring the sub-grade to the grade line established by making the required cut or fill, or whatever may be required, if anything, at both ends of a continuous grade, such continuous grade to be maintained and the grade line maintained between the breaks. After

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

the grading is completed the roadbed shall be rolled with a twelve (12) ton road roller until the same is solid and compact to the acceptance of the engineer.

Excavations. All cuts shall be excavated to a width of twenty-nine (29) feet at the sub-grade. The slope of all cuts shall be one (1) to one (1).

Embankments. All embankments or fills shall be twenty four (24) feet at the subgrade and the sides shall have a slope of one and one half ($1\frac{1}{2}$) to one (1).

The Contractor shall in addition to making a roadbed for the extra material as exemplified in the drawing on the profile, and the placing of extra material thereon provided for, make easy approaches to all intersecting roads. An allowance of ten per cent (10%) must be made for shrinkage on all fills of more than twelve (12) inches.

Sewer Culverts. Sewer culverts shall be constructed along the line of the road at such places and of such sizes and materials as shown on the profile. The concrete to be of the same quality, proportion and mixture as hereinafter provided. The headers or walls at the ends of the sewers shall be reinforced with two lines of one-half inch twisted or corrugated bars above the sewer openings and by two like bars below such openings and the bars to come within two inches of each of each end of the headers or walls. The headers shall be twelve (12) inches thick at the bottom and battered to ten (10) inches at the top and shall extend eighteen (18) inches above the openings for the sewer pipes and shall extend eighteen (18) inches below such openings, the headers for twelve (12) inch pipes or sewers shall be seven (7) feet six (6) inches long, the headers for eighteen (18) inch pipes or sewers shall be eight (8) feet long, and the headers for thirty (30) inch pipes or sewers shall be nine (9) feet long.

All outlets and inlets shall be so constructed that no water shall stand on or about the sewers.

Concrete. The concrete shall be composed of one part American Portland Cement, the brand to be named by the Engineer, to two parts of approved clean sharp sand and three parts of clean hard limestone, the largest pieces which will pass through a one (1) inch ring.

Stone. The stone shall be a good quality of hard, crushed, screened, first class limestone, free from dirt and other fine material, except stone dust and shall be of sizes that the largest pieces shall pass through a one (1) inch ring.

Cement. The cement shall be a good quality of American Portland Cement, the brand to be designated by the Engineer, and shall pass the customary standard tests.

Mixing. The cement and sand shall be mixed dry by turning at least twice, if hand mixed, in the proportions of one part cement to two parts sand, then the mixed sand and cement shall be mixed with the stone dry by turning at least twice combined as aforesaid, measured by volume loose, sufficient water to be then added to make a mixture as wet as consistent with satisfactory place and results, which shall be turned at least twice. The whole mass to be placed immediately, tamped

and spaded.

placing. The concrete shall be placed in layers not exceeding six (6) inches in thickness.

Facing. The concrete next to the forms shall be spaded with a spade or manipulated with some other tool so that the stone will be prevented from touching the forms, a smooth face to be secured without plastering. Forms on exposed faces shall be removed in time so that the face of the concrete may be rubbed and brushed to remove timber markings and the surface to be covered with wet canvass, the canvass to be wet daily for at least five days.

Steel Bars. The steel bars used shall be twisted or corrugated iron bars, sizes as indicated on the plans, and shall be free from rust, scales, or paint and shall be embedded to a depth of at least two (2) inches at the end and otherwise as indicated on the plans.

Inspection. All materials shall be subject to the inspection and approval of the engineer and superintendent and any materials by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations.

Macadam. For a width of nine (9) feet, four and one-half (4, 1/2) feet on each side of the center line of road, the road shall be covered with good, hard, crushed, screened, first class limestone, suitable for first class road building purposes and acceptable to the Superintendent and Engineer. Said stone to be free from dirt and all other foreign deleterious material and range in size as hereinafter provided. After the roadbed has been prepared, settled and rolled as hereinbefore provided nine (9) inch boards are to be placed, properly lined, then stone, the largest pieces of which will pass through a two (2) inch ring, shall be placed between such boards, sufficient in quantity, that after the same has been properly leveled, thoroughly sprinkled and rolled with a twelve (12) ton roller to the satisfaction of the Superintendent and Engineer, there will be three (3) inches of such stone at the outer edge and five (5) inches at the center, symmetrically rounded from the center to the edge. Then a sufficient amount of stone, the largest pieces of which will pass through a one (1) inch ring, that after sprinkling and rolling as required for the first layer or course that there will be a uniform layer of four (4) inches. Said second layer to be also thoroughly sprinkled and rolled as provided for the first layer: then there shall be placed on such rolled stone hard, clean, first class, screened limestone screenings sufficient in quantity that after sprinkling and rolling as provided for the coarse stone that there will be two (2) inches of screenings. The quantity of stone and screenings after being placed in the three (3) layers, each layer being sprinkled and rolled as aforesaid, shall be eleven (11) inches at the center and nine (9) inches at the edges symmetrically rounded as aforesaid. Then the boards are to be removed and the Contractor shall run the roller along on each embankment as close to the shoulder of the ditch as may be done without unnecessarily injuring the same.

Estimates. The Contractor shall be entitled to estimate as provided by the statute, and payment will be made at such time as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent (80%) of the Engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

the road shall have been received as completed in all it's details.

John O. Kain, Engineer.

E. E. Blair, Viewer.

Barney Gossett, Viewer.

Subscribed and sworn to before me this 30th day of July, 1910.

Wm. H. Nichols, Auditor.

Endorsed on back as follows:-

"Filed July 30", 1910. Wm. H. Nichols, Auditor."

"Oct 4, 1910. Report approved, ordered spread of record. Improvement ordered without an election. Notice for bids for Nov 7 1910. Cause Continued.

Alfred S. Lineinger, President Board."

Supplemental Report of Viewers.

To The Honorable Board of Commissioners.

In the matter of the petition of Jonathan Lowe et al for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 30th day of July, 1910, 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 O. Kain

E. E. Blair

Barney Gossett, Viewers.

Subscribed and sworn to before me this the 8th day of Aug. 1910.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on Back:-

"Filed Aug 8" 1910. Wm. H. Nichols, A. H. C."

"Oct 4, 1910. Report approved, ordered spread of record.

Alfred S. Lineinger, President Board."

And further proceedings herein are continued.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

In the matter of the petition of)
Henry Rutledge et al for the)
improvement of a public highway.)

Come now the petitioners, and come also John J. Reeve and Morris Gilbert the duly appointed, qualified and acting viewers in the foregoing entitled improvement, and comes also John O. Kain, the duly appointed, qualified and acting engineer in said cause, and all being present in court, the said viewers and engineer now produce the original order issued to them by the auditor of this county notifying them severally of their appointments, as such viewers and engineer, respectively in said proceedings, and requiring them to appear at the auditor's office of this County on a day fixed in said order for the purpose of qualifying as the law provides in such cases. Said order being in the words and figures following, to-wit:-(Here Insert). And the board, having duly examined said order so produced by the viewers and engineer, find that said viewers and said engineer did appear at the Auditor's Office of this County on the 14th day of June, 1910, and then and there subscribed an oath, as follows, to-wit:-(Here Insert), for the faithful discharge of their duties as such viewers and engineer.

And now the said John O. Kain as such engineer exhibits to the board his bond duly approved by the auditor of this County, and which said bond with said approval endorsed thereon is as follows, to-wit:-(Here Insert).

And now the Auditor of this County produces the duly verified report of the said viewers and engineer. And the board, having duly examined the same finds that it was filed in the office of the Auditor of this County on the 22nd day of September, 1910, as heretofore ordered by this board, and that the same has been on file therein in said office open to the inspection of all persons, their agents and attorneys, for more than ten days before the 3rd day of October, 1910, the same being the first day of the regular October, 1910, term of this Board.

And now said viewers make and file their duly verified Supplemental report herein in said cause. And the Board, having examined said Supplemental Report, and heard all matters connected therewith, find:

That no injury will result to the property of any idiot or person of unsound mind; or will any such person sustain any damages 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 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 should in all things be approved, and that the same should be spread of record upon the records in the Auditor's Office kept for that purpose.

And now all matters in respect to damages sustained by any person or corporation having been fully determined by this Board, the report and profile made by the engineer and viewers are now taken up and fully considered by this board. And the Board having examined the same and been duly advised in the premises, finds:-

That the said highway proposed to be improved under and pursuant to these

Tuesday, October 4th. and 2nd. day of October Term, 1910.

proceedings is less than three miles in length; that it connects at one end with an improved free gravel road and at the other end with the township boundary line of the township in which it is located; that the improvement as prayed for in said petition and as provided for in said report is of public utility.

The board further finds that said improvement should be allowed and established as provided in said report and without submitting the matter thereof to a vote of the legal voters of said township of Center.

The board further finds that said report and profile are in due form, regular, and sufficient and should in all things be approved, and that said improvement, as in said report provided, be ordered.

It is therefore ordered by this board that the Supplemental Report of the 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 of this county give notice by one publication in some 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, and the Danville Gazette, two public weekly news-papers of general circulation throughout the County of Hendricks, printed and published in the town of Danville, Hendricks County, Indiana, the county in which said highway proposed to be improved by these proceedings is situate, that on Monday, the 7th day of November, 1910. at the hour of ten o'clock a.m. of said day, sealed proposals will be received and opened by the board of Commissioners of hendricks County, Indiana, at their usual place of meeting, and a contract let for the work of improvement in accordance with the profile and report and specifications in said report set forth. It is further ordered by the board that the Supplemental Report, and the said 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 words and figures following, to-wit:

Order to View Road.

The State of Indiana,
Hendricks county, SS: Commissioners' Court, June Term, 1910.
To John O. Kain, John Reeve, Morris Gilbert.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their June Term, 1910, to view a proposed improvement of a public highway petitioned for improvement by Henry Rutledge, and others- Petition No. 35 and described as follows, to-wit:-

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

Beginning at a point in the Danville and Lebanon improved free gravel road at the center east of Section 21, Township 16 North, Range 1 West, in said Center Township, Hendricks County, Indiana; and running from thence west on the half section line of said Section 21, Township and range aforesaid, for a distance of about one half mile, to the center of said Section 21, Township and range aforesaid; thence north on the half section line of said section 21, Township and range aforesaid, for a distance of about one eighth mile; thence west on a line parallel with half section line of said section 21, Township and range aforesaid, to section line dividing said section 21 from Section 20, Township and range aforesaid, and from thence north on section line between said sections 21 and 20, and also on section line between sections 17 and 16, all of said sections being in Township 16 north and range 1 west, and terminating at the township boundary line of said Center Township, Hendricks County, and State of Indiana.

You and each of you are hereby further notified that John O. Kain was duly appointed engineer, and John Reeves and Morris Gilbert were duly appointed viewers in said proposed highway improvement.

You are further notified that, after viewing said proposed highway, if you should find that its improvement as prayed for in the petition would be of public utility then you make and return a report of your determination in the matter, and that you make report thereof upon Tuesday, the 5th day of July, 1910, the same being the second day of the regular July, 1910, Term of the board of Commissioners of Hendricks County, Indiana, 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 not less than 30 feet.

You will meet at the office of the County Auditor of Hendricks County, Indiana, on Tuesday the 14th day of June 1910, at 10 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 6th day of June, 1910.

Wm. H. Nichols, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, John O. Kain, John J. Reeve and Morris Gilbert 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.

J. J. Reeve

Morris Gilbert

John O. Kain

Subscribed and sworn to before me, this 14th day of June, 1910.

Wm. H. Nichols, Auditor.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, October Term, 1910.

In the matter of the petition of Henry
Rutledge et al, to improve a public highway,
in Center Township, Hendricks County, Indiana.

TO THE HONORABLE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA.

We, the undersigned Viewers and Engineer, appointed by your Honorable Body, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th 1905, and all amendments thereto", to view, examine, make all needful surveys of the road described in the petition of Henry Rutledge et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings, and specifications, preparatory to cleaning, grubbing, grading, culverting, sewerage, ditching, draining, bridging and surfacing said proposed improvement of said highway, respectfully report:-

That, pursuant to the notice served on us, we met on the 14th day of June, 1910, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such Viewers and Engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make necessary surveys of the same together with profile, drawings, plans, and specifications, and found that the material for the roadway should be first class gravel suitable for first class road building purposes as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed". We find that the proposed improvement, in accordance with the profile, drawings, plans and specifications, herewith filed, will be of public utility and convenience and that the costs of construction of the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty (30) feet and specified in the specifications herewith filed. The the aforesaid profile shows the elevations of the center line of said proposed road, at the end of each one hundred (100) feet, and that said profile, drawings, plans and specifications provide for all the details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used and the methods of construction of the roadbed, bridges, culverts, sewers, ditches, drains, retaining wall and gravel required therein and likewise provide the quality and quantity of each and every kind of material, and all things necessary to make a complete gravel road; that all drawings, plans, blue prints, and specifications, together with

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

the profile are made by us and herewith file 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:- Commencing at the East half mile stone of Section 21, Township 16, North, Range 1 West, and in the Danville & Lebanon improved Free Gravel Road, in Center Township, Hendricks County, Indiana, and running thence West on the half Section line of said Section for a distance of 2650 feet to the center of said Section; thence North on the line running North and South through the center of said Section 677 feet; thence West 2674 feet to the West line of said Section 21; thence North on the line between Sections 20 and 21 and continuing North on the line between Sections 16 and 17 all in Township 16, North, Range 1 West a distance of 7335 feet to a stone common to Sections 8, 16 and 17, Township and Range aforesaid, the same being a point on the Township boundary line dividing Center and Union Townships, Hendricks County, Indiana. We find the total length of the proposed improved highway to be 13336 lineal feet, which is less than three miles. All of said bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to any one.

We estimate the total cost of the proposed improvement to be \$9863.00

John O. Kain, Engineer.

Viewer.

Morris J. Gilbert, Viewer.

Subscribed and sworn to before me this 22nd day of September, 1910.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, October Term, 1910.

In the matter of the petition of Henry Rutledge et al, to improve a public highway, in Center Township, Hendricks County, Indiana.

Specifications for the construction of the Henry Rutledge et al Road in Center Township, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto", by cleaning, grubbing, grading, culverting, sewerage, ditching, drawing, bridging and graveling with first class gravel the above named Road as described in our report.

GENERAL SPECIFICATIONS.

1. Intention. It is intended that these specifications, drawings, plans, blue prints, and profile, with all figures and writings thereon, and herewith filed, shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints, and specifications shall not release the Contractor from constructing a road complete in all its details, any work done or material furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.

2. Board. Whenever the word "Board" is used, it shall be understood as referring to the

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

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

3. Engineer. Whenever the word Engineer is used in these specifications, it shall be understood as referring to the engineer in charge of such work, duly appointed by the board, or to his deputy or assistant.

4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the board, as provided by law, and who is not to be related to the Contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor for any service or labor performed on the work herein contemplated, and who is under the direction of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representatives of said party, or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings blue prints, and specifications, or concerning the quantity or quality of the materials furnished, or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The Engineer shall have the right to make and change or alterations in the plans and specifications that the Engineer and Superintendent may deem advisable, any such change not increasing the cost of labor or material but the Contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints, and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred, and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintendence. The Contractor shall give his personal attention to the work at all times, or have some competent person all the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

Tuesday, October 4th, 1910, and 2nd day of October Term, 1910.

10. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within the time required, such may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due the Contractor.

If, at any time previous to the final acceptance of the work, any of the materials furnished, or labor performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

11. Sub-Contractors. No part of the work shall be assigned or sublet to any person, or persons, without the consent of the board, and if any part is so assigned or sublet, it shall not in any wise affect the conditions and provisions of the contract.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all notes, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in the event of any discrepancy between the drawings and specifications, the matter shall be referred to the Engineer for adjustment and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In the event of an error existing in the amount of cuts and fills as indicated on the profile, it is understood that the outside fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship-like manner, according to the designs and intentions, whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs and expenses, royalties, patent fees, attorney fees, or any sum of money whatever, by reason of any action, claim, demands or proceedings arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

And the contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damage received or sustained by any person, or persons, in the work of construction or by or in consequence of neglect in guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. Bills. Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. Protection. The contractor will be required to guard the public effectually from liability to damage or accident in consequence of his operations during the whole progress of the work. The Contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. Other Contractors. The Contractor for any part of this work shall, at an early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such contractors being arbitrated solely by the Engineer.

19. Risks. All risks as to floods, storms, damage to materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. Time of work relative to weather & Conditions of other Highways. Whenever the weather conditions are such, or the conditions of other highways, over which materials has to be transported, that in the opinion of the Engineer, the best interests of the work herein contemplated, or the damage to said other highways is unnecessarily great, the engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

SPECIFIC SPECIFICATIONS.

Profile. The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. The grade line established represents the elevations of the center line, at the same points as the elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before materials is placed thereon. As the profile only shows the elevations along the center line of the roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line.

Route. The route, length and width of this road are as heretofore set forth in the report of the Viewers and according to the plans herewith submitted.

Roadway. The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade twenty (2) feet wide, exclusive of the side ditches and also to allow the banks or sides of cuts and

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

fills to be on the slope as the same is herein specified. Whenever, in the opinion of the Superintendent and Engineer in charge, a change in the locations of the road from the locations described herein will avoid an abrupt hollow or other natural obstacle and be, in the opinion of the Engineer, of great and everlasting good to the road, then and in that case the right of way may be shifted to the right or left as he may order; Provided always, that the damages and costs of such change shall not exceed the benefits thereof and provided further that such change shall not increase the cost of construction of said road.

The right of way shall be grubbed it's entire length 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 the 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 in the report, except as above provided for in case of change of locations of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the directions of the Engineer.

Roadbed. The roadbed shall be twenty (20) feet wide, measured at right angles to the center line of right of way and shall conform as nearly as practical to said center line. The road shall be made to conform to the profile and drawings entitled, "Cross Section of Roadbed", and said roadbed shall be made smooth and compact before gravel is placed thereon. After the completion of the grading the same shall be allowed to settle four (4) weeks before placing gravel thereon, unless permission is given by the Engineer and Superintendent for placing the same earlier. At any event the roadbed shall be kept smooth and compact to the satisfaction of the Engineer and Superintendent.

Ditches. Ditches shall be excavated along both sides of the entire line of the road. The depth in no case to be less than eighteen (18) inches, measured from the shoulder of the grade, and eighteen (18) inches at the bottom with side slopes of one (1) to one (1). 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, unless otherwise provided by the profile.

All ditches now in said road between the ditches as specified and required to be constructed for the drainage of said road, shall be filled up, and made so compact that the water will not follow or wash them.

Grade. The grade line (the red line) of the profile shows the grade of the sub-grade of the road-bed, and the top or surface of the roadbed 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 bring the sub-grade to the grade line established by making the required cuts or fills, or whatever may be required, if anything, at both ends of a continuous grade, such continuous grade to be maintained between the breaks.

Tuesday, October 4th, 1910, and 2nd. day of October Term, 1910.

Excavations. All cuts shall be excavated to a width of twenty-nine (29) feet at the sub-grade. The slope of all cuts shall be one (1) to one (1).

Embankments. All embankments or fills shall be twenty (20) feet at the sub-grade and the sides shall have a slope of one (1) to one (1). The Contractor shall in addition to making a roadbed for the extra material as exemplified in the drawing on the profile, and the placing of extra material therein provided for, make easy approaches to all intersecting roads.

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

Sewers. Sewers shall be constructed along the line of the road at such places and of such sizes and materials as shown on the profile. The concrete to be of the same quality, proportion and mixture as hereinafter provided. The headers or walls at the ends of the sewers shall be re-inforced with two (2) lines of one-half ($1/2$) inch twisted or corrugated bars above the sewer openings and by two (2) like bars below such openings, and the bars to come within two (2) inches of each end of the headers or walls. The headers shall be eighteen (18) inches thick at the bottom and battered to ten (10) inches at the top, and of the size and reinforced as shown on the profile.

Concrete. The concrete shall be composed of one (1) part American Portland Cement, the brand to be named by the Engineer, to five (5) parts of approved clean sharp gravel, the largest pieces which shall pass through a one (1) inch ring.

Cement. The cement shall be of good quality of American Portland Cement, the brand to be designated by the Engineer, and shall pass the customary standard tests.

Mixing. The cement and gravel shall be mixed dry by turning at least twice, if hand mixed, in the proportion of one (1) part cement to five (5) parts gravel, combined as aforesaid, measured by volume loose, sufficient water to be added to make a mixture as wet as consistent with satisfactory placing and results, which shall be turned at least twice. The whole mass to be placed immediately, tamped and spaded.

Facing. The concrete next to the forms shall be spaded with a spade or manipulated with some other tool so that the gravel will be prevented from touching the forms, a smooth face to be secured without plastering. Forms on exposed faces shall be rubbed with emery blocks until a perfectly smooth and even surface appears.

Steel Bars. The steel bars used shall be twisted or corrugated iron bars, sizes as indicated on the plans, and shall be free from dust, scales, or paint and shall be embedded to a depth of at least two (2) inches at the end and otherwise as indicated on the plans.

Forms, Rigid centerings and forms shall be provided to receive the concrete and hold it in place until firmly set. The forms supporting the floor shall remain until the Engineer authorizes their removal. The timber forms in contact with exposed

Tuesday, October 4th, 1910, and 2nd day of October Term, 1910.

faces of concrete shall be finished to a perfectly smooth surface, so that no mark of imperfection shall be on the work. Forms shall extend to the bottom of the concrete in all foundations.

Inspection. All materials shall be subject to the inspection and approval of the Engineer and Superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations.

Gravel. For a width of eight (8) feet, four (4) feet on each side of the center line of road, the road shall be covered with first class gravel suitable for first class road building purposes acceptable to the Engineer and Superintendent. Said gravel to be free from dirt, sticks, chunks and all other foreign and deleterious material and range in size from one-eighth ($1/8$) inch to one (1) inch with not exceeding three per cent sand. The gravel to be placed fourteen (14) inches thick between boards properly lined. Said boards shall remain in place until the Engineer or Superintendent is satisfied that the required amount of gravel has been placed on the road. After the acceptance of this work by either the Engineer or Superintendent, said boards shall be removed, the placing of gravel shall be commenced and carried out so as hauling over the gravel will not be necessary.

Before the final acceptance of the road the Contractor will be required to rake in the gravel without raking in dirt and leaving the edges of the gravel in a straight line and presenting a uniform sightly appearance.

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 possible, at no event shall the roadway be blocked during the night time.

Estimates. The Contractor shall be entitled to estimates as provided by the statute, and payment will made at such times as may be ordered by the board, provided that no payment shall be made for more than eighty per cent of the Engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all it's details.

John O. Kain Engineer

Viewer

Morris J. Gilbert Viewer.

Subscribed and sworn to before ^{me} this 22nd day of September, 1910.

Wm. H. Nichols Auditor.

Endorsed on back as follows:-

"Filed Sep.22" 1910. Wm.H.Nichols,Auditor Hendricks County."

"Oct.4"1910. Report approved.Ordered spread of record.Improvement

ordered without election.Notice for bids for No.7"1910.Cause Continued.

Alfred S.Lineinger,President of Board"

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

Supplemental Report of Viewers.

To The Honorable Board of Commissioners:

In the matter of the petition of Henry Rutledge et al for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 22nd day of September, 1910, 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 damage 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 O. Kain

Morris J. Gilbert, Viewers.

Subscribed and sworn to before me this the 3rd day of Oct, 1910.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back as follows:-

"Oct 4", 1910. Report Approved Ordered Spread of Record.

Alfred S. Lineinger, President Board."

"Filed Oct 3", 1910. Wm. H. Nichols, Auditor Hendricks Co."

And further proceedings herein are continued.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

In the matter of the petition of Oliver Harris)
et al to improve a public highway in Center)
Township, Hendricks County, Indiana.)

Comes now the petitioners herein in the above entitled matter and present to the Board of Commissioners of Hendricks County, Indiana, the report and supplemental report of the viewers and engineer heretofore appointed in said above entitled matter and filed in the Auditor's Office on the 22nd day of September, 1909, and the supplemental report filed on the 3rd day of October, 1910.

And said petitioners pray the Board to accept and approve said reports together with the profile as specified therein and it fully appears to the Board that the viewers and engineer as aforesaid met at the office of the Auditor of said County in said State not later than ten days from the date of their appointment, to-wit, on the 14th day of June, 1910, and qualified under said appointment by taking the oath to faithfully and impartially discharge their duties hereunder, as the same appears from their said oath which is made a part of their report therein.

And it also appearing to the Board that the engineer John O. Kain so appointed 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 that he would faithfully discharge his duties, by reason of said appointment with good and sufficient sureties thereon and approval by said Auditor, which bond together with the Auditor's Approval endorsed thereon are in words and figures as follows, to-wit

Know all men by these presents: That we John O. Kain of Hendricks County, Indiana, as principal, and American Surety Company of New York, as Surety, are held and firmly bound unto the State of Indiana in the penal sum of Five Thousand (\$5,000.00) Dollars, for the payment of which, well and truly to be made and done, we bind ourselves, our heirs, executors, administrators and assigns, jointly and severally by these presents.

Sealed and signed this 26th day of June, 1910.

The condition of the above obligation is such, That, whereas the above named and bounden John O. Kain has been duly appointed Engineer in Location of the Oliver Harris et al Free Gravel Road, by the Board of Commissioners of the County of Hendricks, State of Indiana.

Now, Therefore, If the said John O. Kain shall well and faithfully discharge his duties as such engineer in location, according to law, then and in that event this bond shall be void; otherwise to be and remain in full force and effect.

John O. Kain

American Surety Company of New York By
E. V. Clark, Resident Vice President.

(SEAL)

Attest:- John S. Hunt, Resident Assistant

Secretary.

Approved by me this 23rd day of July, 1910. Wm. H. Nichols, Auditor.

Endorsed on back :- Filed Jul 23 1910. Wm. H. Nichols, Auditor Hendricks Co."

And it further appearing to the Board that the report of the viewers and

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

engineer has remained on file in the office of the Auditor of said County for more than ten days prior to the first day of the regular October Term, 1910, of said Board and the Board examined and inspects said report and also supplemental report and profile and the Board having duly and sufficiently been advised in the premises and having heard all the evidence produced, doth say and find that the report, supplemental report and profile the Viewers and Engineer filed herein, should be approved; that said viewers are each free holders and voters of said County and State, and are not residents of, nor owners of any taxable property in the township wherein said proposed improvements is located.

That the said John O. Kain heretofore appointed as Engineer herein is a competent civil Engineer. That the report of the viewers and engineer as filed on the said 22nd day of September, 1910, remained on file open to the inspection of every person affected or interested therein or to his agent or attorney at the office of the Auditor of said County and said State for more than ten days prior to the first day of the regular October Term, 1910, of said Board and the Board finds that no damages are justly due any infant, idiot or person of unsound mind by reason of the construction of said proposed improvement.

That no written claims for damages or any claims whatever for damages were filed or presented to the Viewers and Engineer and that the Viewers and Engineer met on the 14th day of June, 1910, and on the 3rd day of October, 1910, filed their supplemental report herein and the Board finds that said proposed improvement will be of public utility and that the same shall be constructed according to the plans, specifications, report and profile filed herein and herein approved.

The Board finds that the proposed improvement will be less than three miles in length and that no election of the voters of the township shall be held to vote on the question of the proposed improvement.

It is now therefore ordered by the Board that the report of the Viewers and Engineer, their supplemental report and the profile are hereby accepted and approved. It is ordered by the Board that said proposed improvement be constructed according to the plans, specifications and profile herein approved; that no election be held in the township to determine the question of this improvement.

It is further ordered by the Board and the Auditor of said County is hereby directed to give notice by publication one time in the Indianapolis Star, a daily newspaper of general circulation throughout the State and for three consecutive weeks in the Republican, a weekly newspaper of general circulation printed and published in Hendricks County and distributed throughout said County; That the Board will receive sealed proposals up until the hour of 10 o'clock A.M. on the 7th day of November, 1910, for the construction of the improvement here in ordered.

The Board further orders that all bids must be on file with the Auditor

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

of said County by the hour above named and that said bids be accompanied by the proper affidavits of noncollusion and by a good and sufficient bond in double the amount of the bid which it accompanies to the approval of the Board.

It is further ordered by the Board that the report of the Viewers and Engineer, Supplemental Report, the order to the Viewers and Engineer, their oath or affirmation be spread of record, which is accordingly done and which are as follows, to-wit:

ORDER TO VIEW ROAD.

The State of Indiana

SS: Commissioners' Court, June Term, 1910.

Hendricks County

To John O. Kain, Smith R. Davis & William Vannice.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their June Term, 1910, to view a proposed improvement of a highway, as follows, to-wit:- Commencing at the (a certain public highway in said Center Township, beginning at the township line, between Union and Center Townships in said County, at the Northwest corner of Section 17, Township 16 North Range 1 West, and running thence South, dividing Sections 17, 20 and 29 of the East from sections 18, 19 and 30 on the West, all of said sections being in said township 16 North, Range 1 West, and said road ending and terminating and intersecting with the Danville and North Salem free gravel road near the Southwest corner of said Section 29, Township and range aforesaid, 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 Auditor of Hendricks County, Indiana, on the 14th day of June, 1910, at 10 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 June, 1910.

Wm. H. Nichols, Auditor.

Oath Of Viewers.

State of Indiana, Hendricks County, SS:

We, John O. Kain, Smith R. Davis, Wm. E. Vannice 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

Smith R. Davis

William E. Vannice

Subscribed and sworn to before me, this 14th day of June, 1910.

Wm. H. Nichols, Auditor.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

REPORT OF VIEWERS AND ENGINEER.

In the Commissioners Court, October Term, 1910.

In the matter of the petition of
Oliver Harris et al, to improve a public
highway, in Center Township, Hendricks County,
Indiana.

TO THE HONORABLE BOARD OF COMMISSIONERS OF HENDRICKS COUNTY, INDIANA.

We, the undersigned Viewers and Engineer, appointed by your
Honorable Body, under the "Provisions of an act of the General Assembly of Indiana,
approved March 8th, 1905, and all amendments thereto", to view, examine, make all
needful surveys of the road described in the petition of Oliver Harris et al, and
hereinafter described, determine the manner of said improvement in detail, esti-
mate the costs thereof, and prepare profile, plans, drawings, and specifications,
preparatory to cleaning, grubbing, grading, culverting, sewerage, ditching, draining,
bridging and surfacing said proposed improvement of said highway, respectfully
report:-

That, pursuant to the notice served on us, we met on the 14th day of
June, 1910, at the office of the Auditor of Hendricks County, in the town of
Danville, Indiana, and after taking and subscribing an oath, faithfully and
impartially to discharge the duties under our respective appointments, and as
such viewers and engineer, we proceeded to the vicinity and neighborhood of said
road.

That we made a careful view and examination of the route of the
proposed improvement, of the locality in which said proposed improved road is
located, of the needs of the public for this proposed improvement as a facility
for travel, and did make necessary surveys of the same together with profile,
drawings, plans, and specifications, and found that the material for the roadway
should be first class gravel suitable for first class road building purposes as
detailed in the drawings entitled "Cross Section of Roadbed". We find that the
proposed improvement, in accordance with the profile, drawings, plans and
specifications, herewith filed, will be of public utility and convenience and that
the costs of construction of the same will be less than the benefits derived
therefrom; that we have laid out said proposed highway along the route hereinafter
described and to the width of thirty (30) feet and specified in the specifica-
tions herewith filed. That the aforesaid profile shows the elevations of the
center line of said proposed road, at the end of each one hundred (100) feet, and
that said profile, drawings, plans and specifications provide for all the details
of the improvement of said road. Said profile, drawings, plans and specifications
describe in detail the sizes, materials to be used and the methods of construction
of the roadbed, bridges, culverts, sewers, ditches, drains, and gravel required therein
and likewise provide the quality and quantity of each and every kind of

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

material, and all things necessary to make a complete gravel road; that all drawings, plans, blue prints, and specifications, together with the profile are made by us and herewith 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:- Commencing at a stone corner common to Sections 7, 8, 17 and 18, all in Township 16, North, Range 1 West, the same being a point on the boundary line between center and Union Townships, Hendricks County, Indiana, and running thence South on the line dividing Sections 17 and 18 aforesaid and Sections 19 and 20, and Sections 29 and 30, all in Township 16, North, Range 1 West, a distance of 14986 feet and terminating in the Danville & North Salem Free Gravel Road. We find the total length of the proposed improved highway to be 14986 lineal feet, which is less than three miles. All of said bearings and distances being the center line of said proposed improved highway.

We find that no damages on account of the construction of the foregoing described proposed improved highway will accrue to any one.

We estimate the total cost of the proposed improvement to be \$10693.95.

John O. Kain, Engineer.

Smith R. Davis, Viewer

William E. Vannice, Viewer.

Subscribed and sworn to before me this 22nd day of September, 1910.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, October Term, 1910.

In the matter of the petition of Oliver

Harris et al, to improve a public highway,

in Center Township, Hendricks County, Indiana.

Specifications for the construction of the Oliver Harris et al Road in Center Township, Hendricks County, Indiana, under the "Provisions of an Act of the General Assembly of Indiana, approved March 8th, 1905, and all amendments thereto", by cleaning, grubbing, grading, culverting, sewerage, ditching, drawing, bridging and graveling with first class gravel the above named Road as described in our report.

GENERAL SPECIFICATIONS.

1. Intention. It is intended that these specifications, drawings, plans, blue prints, and profile, with all figures and writings thereon, and herewith filed, shall provide for a road complete in every respect, and any error or omission in the profile, plans, drawings, blue prints, and specifications shall not release the Contractor from constructing a road complete in all its details, any work done or material furnished on account of any error or omission as aforesaid shall be done and furnished by the Contractor under his contract, without any additional compensation.

2. Board. Whenever the word "Board" is used, it shall be understood as referring to the Board of Commissioners of Hendricks County, in the State of Indiana.

3. Engineer. Whenever the word "Engineer" is used in these specifications, it shall be

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

understood as referring to the Engineer in charge of such work, duly appointed by the Board, or to his deputy or assistant.

4. Superintendent. Whenever the word "Superintendent" is used, it shall be understood as referring to the regular appointee of the Board, as provided by law, and who is not to be related to the contractor, or interested with the Contractor on the work herein contemplated, or interested in any other business affairs with the Contractor, and who is to receive no compensation from the Contractor for any services or labor performed on the work herein contemplated, and who is under the directions of the Engineer.

5. Contractor. Whenever the word "Contractor" is used, it shall be understood as referring to the party or parties, who shall enter into an agreement to execute and perform all or any part of the work as herein specified and contemplated, or to the authorized representatives of said party or parties.

6. Disagreement. Should there be any difference of opinion or disagreement, between the Contractor and Superintendent, concerning the interpretation of the profile, plans, drawings, blue prints and specifications, or concerning the quantity or quality of the materials furnished or as to the character of the work, the same shall be submitted to the Engineer and the decision of the Engineer shall control and the Contractor shall proceed with the work in accordance therewith.

7. Change of Plans. The Engineer shall have the right to make any change or alterations in the plans and specifications that the Engineer and Superintendent may deem advisable, any such change not increasing the cost of labor or material - but the contractor shall not proceed with such alterations without the profile, plans, drawings, blue prints, and specifications shall have been amended by the Engineer. In any event additional expense shall not be incurred and no claim whatever will be allowed for extra labor or material furnished over and above the contract price.

8. Inspection. All materials and workmanship of whatever description shall be subject to inspection and rejection by the Superintendent and Engineer in accordance with the intentions of these specifications. In case of the Superintendent accepting any material or workmanship and the Engineer afterwards rejecting the same, the decision of the Engineer shall control and be final, as the decision of the Engineer on any and all subjects is to be final.

9. Superintence. The Contractor shall give his personal attention to the work at all times, or have some competent person at the time on the work authorized to act for him. After the work is once begun, the Contractor shall at all times employ a sufficient force of men to insure the completion of the work within the time specified, and all necessary materials must be ordered in time for their delivery on the ground by the time they are needed.

10. Sub-Contractors. No part of the work shall be assigned or sub-let to any person, without the consent of the Board, and if any part is so assigned or sub-let,

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

it shall not in any wise affect the conditions and provisions of the contract.

11. Defective Work. In case of the refusal or neglect of the Contractor to remedy and make good any defect in material or workmanship promptly, when so requested, and within time required, such work may be done by the Engineer, and the cost thereof deducted from any amount due, or which may become due, the Contractor.

If, at any time previous to the final acceptance of the work, any of the materials furnished, or labor to be performed, shall have proved defective or insufficient to a certain degree, and it shall be deemed not advisable by the Engineer to order such parts reconstructed, the Engineer shall determine the equivalent reduction to be made in the contract amount.

12. Plans. All drawings prepared by the Engineer in connection herewith, with all notes, dimensions, figures, writings thereon or thereto attached, etc., shall be considered a part of the specifications, and in the event of any discrepancy between the drawings and specifications the matter shall be referred to the Engineer for adjustment, and his decision shall be final. On all drawings, including the profile, figures shall be used in preference to scale measurements.

In the event of any error existing in the amount of cuts and fills as indicated on the profile, it is understood that the cuts and fills shall be sufficient to bring the sub-grade to agree with a grade established by making the respective cuts or fills, as the case may be, at the breaks in the grade, and then by making a continuous grade from break to break.

13. Materials. All materials used throughout the work shall be the best of their respective kinds, and the work shall be done throughout in a workmanship like manner, according to the designs and intentions whether particularly specified or not, but which may be inferred from the specifications.

14. Indemnity. The Contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses, royalties, patent fees, attorneys fees, or any sum of money whatsoever, by reason of any action, claim demands or proceedings, arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system or arrangement, that may be used by the Contractor in the execution of his work.

And the Contractor will be required to indemnify and save harmless Hendricks County, Indiana, from all suits or actions of any kind or description brought against the County for or on account of any injuries or damages received or sustained by any person or persons in the work of construction or by or in consequence of any neglect in guarding dangerous places, or in any improper materials used, or by or on account of any act of omission or commission of the Contractor or his agents.

15. Acceptance. None of the work will be finally accepted until the whole is completed and ready for acceptance, and any defective materials or workmanship which may have been temporarily passed or overlooked shall be corrected at any time on the demand of the Engineer. Any inspection of the work will not relieve the Contractor of any of his

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

obligations to construct, in a first class manner, all of the work herein described and contemplated.

16. **Bills.** Before the final acceptance of the work or release of his bond, the Contractor must satisfy the Board that all bills for materials and labor have been paid.

17. **Protection.** The Contractor will be required to guard the public effectually from liability to damage or accident in consequence of his operations during the whole progress of the work. The Contractor shall also make provisions for the ordinary traffic on the highway, so as to discommode the public as little as possible.

18. **Other Contractors.** The Contractor for any part of this work shall, at an early date, put himself in communication with other contractors, if there be such, so as to promote harmony of action; any difference of opinion between such contractors being arbitrated solely by the Engineer.

19. **Risks.** All risks as to floods, damage of materials in place, or work done and the like, as well as casualties of every nature pertaining to the work until final acceptance thereof, are at Contractor's risks.

20. **Time of Work Relative to Weather and Conditions of other highways.**

Whenever the weather conditions are such, or conditions of other highways over which material has to be transported, that in the opinion of the engineer the best interests of the work herein contemplated, the damage to said other highways is unnecessarily great, the Engineer may stop operations temporarily, until such conditions have improved satisfactory to the Engineer.

SPECIFIC SPECIFICATIONS.

PROFILE.

The profile represents the elevations of the center line of the roadway, the elevations having been taken at the end of each one hundred (100) feet, with a certain number of plus stations, from the point of beginning. The grade line established represents the elevations of the center line, at the same points as the elevations, that the roadway shall be raised or lowered to, being referred to as the sub-grade and before materials is placed thereon. As the profile only shows the elevations along the center line of the roadway, bidders and contractors shall carefully examine the roadway and determine for themselves the elevations of the sides of the roadway, and the amount of cutting and filling necessary to reduce them to the grade line.

Route. The route, length and width of this road are as heretofore set forth in the report of the Viewers and according to the plans herewith submitted.

Roadway. The right of way of said road shall be thirty (30) feet wide, except where cuts and fills require a greater width, at all such places the right of way shall be sufficiently wide to preserve a sub-grade twenty (20) 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. Whenever, in the opinion of the

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

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

The right of way shall be grubbed its entire length 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 the 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 in the report, except as above provided for in case of change of locations of road. All angles shall be turned as provided for in the diagram on the profile and in accordance with the directions of the Engineer.

Road-bed. The roadbed shall be twenty (20) feet wide, measured at right angles to the center line of right of way and shall conform as nearly as practical to said center line. The road shall be made to conform to the profile and drawings entitled "Cross Section of Road-bed", and said roadbed shall be made smooth and compact before the gravel is placed thereon.

After the completion of the grading the same shall be allowed to settle four (4) weeks before placing gravel thereon, unless permission is given by the Engineer and Superintendent for placing the same earlier. At any event the road bed shall be kept smooth and compact to the satisfaction of the Engineer and Superintendent.

Ditches. Ditches shall be excavated along both sides of the entire line of the road. The depth in no case to be less than eighteen (18) inches, measured from the shoulder of the grade, and eighteen (18) inches at the bottom with side slopes of one (1) to one (1). 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, unless otherwise provided by the profile.

All ditches now in said road between the ditches as specified and required to be constructed for the drainage of said road, shall be filled up, and made so compact that the water will not follow or wash them.

Grade. The grade line (the red line) of the profile shows the grade of the sub-grade of the roadbed, and the top or surface of the roadbed 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 bring the sub-grade to the grade line established by making the required cuts or fills, or whatever may be required, if anything, at both ends of a continuous grade, such continuous grade to be maintained between the breaks.

Excavations. All cuts shall be excavated to a width of twenty-nine (29) feet at the sub-grade. The slope of all cuts shall be one (1) to one (1).

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

Embankments. All embankments or fills shall be twenty (20) feet at the subgrade and the sides shall have a slope of one (1) to one (1). The Contractor shall in addition to making a road bed for extra material as exemplified in the drawing on the profile, and the placing of extra material therein provided for, make easy approaches to all intersecting roads.

An allowance of ten per cent (10%) must be made for shrinkage on all fills of more than twelve (12) inches.

Sewers. Sewers shall be constructed along the line of the road at such places and of such sizes and materials as shown on the profile. The concrete to be of the same quality, proportion and mixture as hereinafter provided. The headers or walls at the ends of the sewers shall be reinforced with two line of one-half ($1/2$) inch twisted or corrugated bars above the sewer openings and by two line bars below such openings and the bars to come within two (2) inches of each end of the headers or walls. The headers shall be eighteen (18) inches thick at the bottom and battered to ten (10) inches at the top, of the sizes and reinforced as shown on the profile.

Concrete. The concrete shall be composed of one part American Portland Cement, the brand to be named by the engineer, to five (5) parts of approved clean sharp gravel, the largest pieces which shall pass through a one (1) inch ring.

Cement. The cement shall be a good quality of American Portland Cement, the brand to be designated by the Engineer, and shall pass the customary standard tests.

Mixing. The cement and gravel shall be mixed dry by turning at least twice, if hand mixed, in the proportion of one (1) part cement to five (5) parts gravel, combined as aforesaid, measured by volume loose, sufficient water to be then added to make a mixture as wet as consistent with satisfactory placing and results, which shall be turned at least twice. The whole mass to be placed immediately, tamped and spaded.

Facing. The concrete next to the forms shall be spaded with a spade or manipulated with some other tool so that the gravel will be prevented from touching the forms, a smooth face to be secured without plastering. Forms on exposed faces shall be rubbed with emery blocks until a perfectly smooth and even surface appears.

Steel Bars. The steel bars used shall be twisted or corrugated iron bars, sizes as indicated on the plans, and shall be free from rust, scales, or paint and shall be embedded to a depth of at least two (2) inches at the end and otherwise as indicated on the plans.

Forms. Rigid centerings and forms shall be provided to receive the concrete and hold it in place until firmly set. The forms supporting the floor shall remain until the Engineer authorizes its removal. The timber forms in contact with exposed faces of concrete shall be finished to a perfectly smooth surface, so that no marks of imperfection shall be on the work. Forms shall extend to the bottom

of the concrete in all foundations.

Inspection. All materials shall be subject to the inspection and approval of the engineer and superintendent and any material by them, or either of them, condemned shall be removed from the work by the Contractor on notice from the Engineer. The Engineer shall set all stakes and determine all grades, levels and elevations.

Gravel. For a width of eight (8) feet, four (4) feet on each side of the center line of road, the road shall be covered with first class gravel suitable for first class road building purposes acceptable to the Engineer and Superintendent. Said gravel to be free from dirt, sticks, chunks, and all other foreign and deleterious material and range in size from one-eighth ($1/8$) inch to one (1) inch and not exceeding three per cent (3%) sand. The gravel to be placed from station zero to Station 26 \pm 40 ft seven (7) inches thick and the remainder fourteen (14) inches thick between boards properly lined. Said boards shall remain in place until the Engineer or the Superintendent is satisfied that the required amount of gravel has been placed on the road. After the acceptance of this work by either the engineer or superintendent, said boards shall be removed, the placing of gravel shall be commenced and carried out so as hauling over the gravel will not be necessary.

Before the final acceptance of the road the Contractor will be required to rake in gravel without raking the dirt and leaving the edges of the gravel in a straight line and presenting a uniform sightly appearance.

Use of Highway. The public shall in no way be barred from the use of the highway except in case of removing and rebuilding culverts and bridges, in such case the road shall be blocked no longer than possible, at no event shall the roadway be blocked during the night time.

Estimates. The Contractor shall be entitled to estimates as provided by the statute, and payment will be made at such times as may be ordered by the Board, provided that no payment shall be made for more than eighty per cent (80%) of the Engineer's estimate of the work done by the Contractor, nor shall the whole amount of the contract price be paid until the road shall have been received as completed in all it's details.

John O. Kain, Engineer.

Smith R. Davis, Viewer.

William E. Vannice, Viewer.

Subscribed and sworn to before me this 22nd. day of September, 1910.

Wm. H. Nichols, Auditor.

Endorsed on back: - "Filed Sep 22-1910. Wm. H. Nichols, Auditor Hendricks Co."

"Oct. 4, 1910. Report approved, Ordered spread of record, improvement ordered without election. Notice for bids for Nov 7, 1910. Cause Continued. Alfred S. Lineinger, President Board"

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

Supplemental Report of Viewers.

To the Honorable Board of Commissioners:

In the matter of the petition of Oliver Harris et al
for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 22nd. day of September, 1910, 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 O. Kain

Smith R. Davis

William E. Vannice, Viewers.

Subscribed and sworn to before me, this 3rd day of Oct., 1910.

Wm. H. Nichols, Auditor Hendricks Co.

Endorsed on back "Filed Oct 3-1910- Wm. H. Nichols, Auditor Hendricks Co."

"Oct 4", 1910. Report approved, Ordered spread of record. Alfred S. Lineinger, President Board."

And further proceedings herein are continued.

In the matter of the petition of)
John G. Ridpath et al for the improvement)
of a public highway by taxation.)

Come the petitioners and on motion this cause is continued to the 1st day of the November Term, 1910, of this Board.

In the matter of the petition of)
John W. Ader et al for the improvement)
of a public highway by taxation.)

Come the petitioners and on motion this cause is continued to the 1st day of the November Term, 1910, of this Board.

Tuesday, October 4th., 1910, and 2nd. day of October Term, 1910.

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

Come the petitioners and on motion this cause is continued to the 1st. day of the November Term, 1910, of this Board.

In the matter of the petition of)
David Foster, 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.

In the matter of the petition of)
Simon Hadley et al for the improvement)
of a public highway by taxation.)

Come the petitioners and on motion this cause is continued to the 1st day of the November Term, 1910, of this Board.

Ordered that the Board do now adjourn.

Alfred S. Linsinger
Harry E. Sanders
O. W. Murphy

)
) Board Commissioners Hendricks County.
)