

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

Monday Morning, November 7th., 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)
James W. Todd et al for the Improvement of)
a public highway by taxation.)

It appearing to the satisfaction of the Board after 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 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 Jonathan Lowe et al)
for the improvement of a public highway by taxation.)

Be it known that on this 7th day of November, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in regular session at the usual place of meeting in the Court House in the Town of Danville, Hendricks County, Indiana, and now on said day comes William H. Nichols, Auditor of said County, and produces to the said Board the affidavits and copies of notices thereto attached of Julian D. Hogate and W. A. King, editors, respectively, of The Republican and The Danville Gazette, two newspapers of general circulation throughout the County of Hendricks, in said State, said papers being printed and published at said town of Danville, in said County and State, and being weekly newspapers, which affidavits and copies of notice thereto attached are in the following words and figures, to-wit:- (Here Insert) , and from which affidavits and notices thereto attached it appears to the full satisfaction of the said Board that notice of the time and place of receiving bids or proposals for the construction of the above entitled improvement was duly given by publication in said newspapers for three consecutive weeks, the 1st of which publications was given on the 6th day of October, 1910, and the 3rd and last of which was given on the 20th day of October, 1910, and now said Auditor also produces to the said Board the affidavit and copy of notice thereto attached of J. H. Fox, Clerk for the Star Publishing Company, publishers of

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the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, printed and published in the City of Indianapolis, Indiana, which affidavit and copy thereto attached are in the following words and figures, to-wit:-(Here Insert), and from which affidavit and copy of notice thereto attached it appears to the full satisfaction of the Board that notice of the time and place of receiving bids or proposals for the construction of the said above entitled improvement was duly given by publication in said paper for one time on the 8th day of October, 1910, and more than two weeks prior to the date fixed and designated in said notice for the receiving of bids or proposals and now from all of which affidavits and copies of notices thereto attached it appears to the Board and it so finds that due notice of the time and place for the receiving of sealed proposals for the construction of said above improvement has been given by said Auditor as by law provided in such cases.

And now the hour of ten o'clock A.M. of November 7th 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 an examination of all proposals submitted, which sealed proposals were opened in the presence of the several bidders, that the following named persons, and firms did submit bids as follows:

Guinup & Guinup \$7810.00

Shahan & McCarthy 7300.00

The board further finds that each of said bids is in due form and according to law, and is accompanied by the proper affidavit and bond as provided in said notices and as by law provided.

The board further finds that the entire cost of said improvement, including the lowest of the aforesaid bids as received, and the expenses incurred and to be incurred, including the per diem of the engineer and Superintendent, is the sum of \$7940.00; that the estimated cost of said improvement is \$8500.00; that the total indebtedness of Union township, in said County and State, the same being the township in said County and State in which said improvement is located, including all the costs and expenses of this improvement, the amount of the contract price, and the expense yet to be incurred, together with all bonds heretofore issued for the construction of free gravel or macadamized roads, will not exceed four (4%) per centum of the total assessed taxable valuation of the property of said township.

The board further finds that the contract for the improvement of the road in these proceedings should be awarded to Shahan & McCarthy they being the lowest responsible bidders for said contract, and their bid being for an amount less than the estimates heretofore made; the board finds that the bid of Shahan & McCarthy should be accepted and now enters into a contract with said named firm for the construction of said improvement, which contract is reduced to writing and is as follows:-

Contract.

This agreement, made this 7th day of November 1910, between Shahan & McCarthy of Lebanon, Boone County, Indiana, the first party, and The Board of Commissioners of

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Hendricks County, Indiana, the second party, is that said first party agrees to build and construct the Jonathan Lowe road for the sum of \$7300.00. Said road is 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 Seventy-Three Hundred (\$7300.00) 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 October, 1911.

It is hereby understood and agreed that the plans, specifications and profile for said improvement is 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 upon said work as the same progresses, and as provided by law in such cases, and not otherwise.

It is further understood and agreed as a part of this contract that if the work upon said improvement is begun before the bonds are sold that the contractor will advance sufficient funds to pay the per diem of the engineer and superintendent and for all such funds so advanced the said contractor shall have a lien upon the fund for said improvement for such amounts.

Alfred S. Lineinger

Shahan & McCarthy by

Harry E. Sanders

William McCarthy

E. M. Murphy, Board of Commissioners, The second Party.

The First Party.

Endorsed on back: "Filed Nov 7" 1910. Wm. H. Nichols, Auditor Hendricks Co."

And now the bond of said Shahan & McCarthy is approved by the board and is in the following words and figures, to-wit:-

Know All Men by these Presents, That we, the undersigned Pat Shahan and William McCarthy, doing business as Shahan & McCarthy, of Lebanon, Indiana, as principals, 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 successors and assigns, firmly by these presents, this 2nd day of November, 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 Jonathan Lowe macadam road in Hendricks County, Indiana.

And Whereas, the above named, Shahan & McCarthy have filed a bid for said work with the Auditor of the County: Now therefore, if the said Board of Commissioners shall award to them the contract for said work, and the said Shahan

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& McCarthy 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.

Pat Shahan (SEAL)

William McCarthy (SEAL)

Federal Union Surety Company

by C.M. Abbott, Vice President

Attest: L.C. Breunig Asst. Secretary.

State of Indiana, County of Boone, SS:

Before me the subscriber, a Notary Public in and for said County, personally appeared Pat Shahan & William McCarthy 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 November A.D. 1910.

H.M. Coulter, Notary Public (SEAL)

My Com Ex Mch 28, 1911.

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 Assistant 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 2nd day of Nov A.D. 1910.

My commission expires Aug 4, 1913. Robert B. Bailey, Notary Public (SEAL)

Accepted and approved, November 7th 1910.

Alfred S. Lineinger

Harry E. Sanders

Board of Commissioners of Hendricks County.

E.M. Murphy

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

"Filed Nov. 7-1910. Wm.H. Nichols, Auditor Hendricks Co."

And now it is ordered by the Board that the bonds of the said Hendricks County, Indiana, be issued as provided by law in such cases, and sold to provide funds for the payment of the costs and expenses and contract price of the improvement herein; it is

ordered that bonds be issued for the total sum of \$7940.00, and in series of \$397.00 each, and that said bonds bear interest at the rate of four and one half (4-1/2) per centum per annum, and payable over a period of ten years as prayed for in the petition filed herein, and it is ordered that said bonds bear date of November 7th, 1910. And now the Treasurer of said County is charged with the sale of said bonds upon their issuance.

And now the Board appoints Emmett Kennedy, a resident of Union Township, Hendricks County, Indiana, Superintendent of Construction, and he is ordered and directed to Qualify as by law provided.

And now the Board appoints John O. Kain, as engineer of Construction, and orders and directs that he qualify as by law provided.

And further proceedings herein are continued.

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In the matter of the petition of Henry Rutledge et al)
for the Improvement of a public highway by taxation.)

Be it known that on this the 7th day of November, 1910, the board of Commissioners of Hendricks County, Indiana, are met in regular session at its 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, respectively of The Republican and The Danville Gazette, two newspapers of general circulation printed and published in the town of Danville, Hendricks County, Indiana. Said affidavits read as follows, 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 publications was on the 6th day of October, 1910, and the last on the 20th day of October, 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 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. Said affidavit being in the words and figures following, 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 8th day of October, 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 and being in the words and figures following, 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.

And the hour of ten o'clock A.M. of November 7th 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 an examination of all proposals submitted, which said proposals were all opened in the presence of the several bidders, that the following named person, and firms, did submit bids as follows, to-wit:-

Walter G. Hadley, in the sum of	\$8945.00
Guinup & Guinup, in the sum of	9382.80
Shahan & McCarthy, in the sum of	9200.00
McMahan & Company, in the sum of	8858.00

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The board further finds that each of said bids is in due form and accompanied by bond and affidavit as provided by the notice, and law, 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 to be incurred in the per diem of the engineer and superintendent, is the sum of \$9500.00; that the estimated cost of said improvement is the sum of \$9863.00; that the total indebtedness of Center Township, the township in which said road 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 (4%) 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 McMahan & Company in the sum of \$858.00, said firm being the lowest responsible bidder and their 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 McMahan & Company be, and the same is now duly accepted by this board, and that the contract for said improvement be, and the same is now awarded to said firm of McMahan & Company.

And the bond of said firm of McMahan & Company, with good and sufficient sureties 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, and in the sum of Nineteen Thousand (1900.00) Dollars, which is a sum double the bid of the said McMahan & Company, is now duly approved by the board. Said bond and the approval written thereon is in words and figures following, to-wit:-

Know all Men by these Presents, That we the undersigned, Everett McMahan, S.J. McCreery and A.W. Evans, doing business under the firm name of McMahan & Company and American Bonding Company of Baltimore, of the State of Maryland are firmly bound unto the State of Indiana, in the penal sum of Nineteen Thousand Dollars \$19,000.00, 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 fifth day of November, 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 a gravel road, known as the Henry Rutledge Road, in Center Township, said County.

And whereas the above named McMahan & Company 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 & Company 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,

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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.

McMahan & Co. (SEAL)

By Everett McMahan

American Bonding Company of Baltimore (SEAL)

(SEAL) By William E. Barker, Attorney in fact.

State of Indiana, Marion County, SS:

Before me, Charles E. Cherry, a Notary Public, in and for said County, personally appeared Everett McMahan 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 November A. D. 1910.

Charles E. Cherry, Notary Public. (SEAL)

My Commission expires Nov 2nd 1914.

State of Indiana, Marion County, SS:

Before me, Charles E. Cherry, a Notary Public in and for said County, this 5th day of November, 1910, personally came William E. Barker 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 November, 1910.

My commission expires Nov 2nd 1914. Charles E. Cherry, Notary Public.

Accepted and Approved November 7", 1910.

Alfred S. Lineinger

Harry E. Sanders

Board of Commissioners of

E. M. Murphy

Hendricks County.

Attest: Wm. H. Nichols, Auditor Hendricks County.

"Filed Nov 7" 1910. Wm. H. Nichols, Auditor Hendricks Co."

The bid of the said McMahan & Company having been accepted and his bond duly approved by the board, said board does now enter into a contract with the said McMahan & Company for said improvement, and which contract, duly reduced to writing and signed by the said McMahan & Company and by 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 7th day of November, 1910, between McMahan & Company, partners, of Fortville, Hancock County, Indiana, the first party, and The Board

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of Commissioners of Hendricks County, Indiana, the second party, is that said first party agrees to build and construct the Henry Rutledge road in Center Township, Hendricks County, Indiana, for the sum of \$8858.00, all according to the plans and specifications. Said highway being situate in Center Township, in said Hendricks County and State of Indiana, complete according to the 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 Eight Hundred, Fifty-eight 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 October, 1911.

It is hereby understood and agreed that the plans, specifications and profile for said improvement is 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 upon said work as the same progresses, and as provided by law in such cases, and not otherwise.

It is further understood and agreed as a part of this contract that if the work upon said improvement is begun ^{before} the bonds are sold that the contractor will advance sufficient funds to pay the per diem of the engineer and superintendent and for all such funds so advanced the said contractor shall have a lien upon the fund for said improvement for such amounts.

McMahan & Co.

Alfred S. Lineinger

by Everett McMahan a member of said firm.

Harry E. Sanders

The first Party

E. M. Murphy, Board of Commissioners of Hendricks County, The second Party.

"Filed Nov. 7-1910. Wm. H. Nichols, Auditor Hendricks County"

And now it is ordered by the board that the bonds of Hendricks County, Indiana, be issued, as provided by law in such cases, 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 \$9500.00, and in series of \$475.00 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 said petition, from the 7th day of November, 1910.

And the treasurer of this County is charged with the sale of said bonds upon their issue.

And now the board appoints George L. Whyte a resident of said Center Township superintendent to supervise the construction of said road 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 John O. Kain, the duly appointed and acting engineer for said improvement is hereby ordered and directed to execute his bond in the penal sum of \$6000.00, conditioned for the faithful discharge of his duties as such engineer.

And further proceedings herein are continued.

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

Be It known that on this 7th day of November, 1910, the Board of Commissioners of Hendricks County, Indiana, are met in regular session at its usual place of meeting in the Court House in the town of Danville, Hendricks County, Indiana. And comes William H. Nichols, Auditor of said County and produces the affidavits of Julian D. Hogate and William A. King, editors, respectively, of The Republican and The Danville Gazette, two newspapers of general circulation printed and published in the Town of Danville, Hendricks County, Indiana. Said affidavits read as follows, 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 publications was on the 6th day of October, 1910, and the last on the 20th day of October, 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 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. Said affidavit being in the words and figures following, to-wit:-(Here Insert)

And from which affidavits 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 8th day of October, 1910, and for 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 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.

And the hour of ten o'clock A.M. of November 7th 1910 having arrived, the hour of said day up to which it was provided in said notices that said sealed bids would be received by this board for said work, 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 person and firms, did submit bids as follows, to-wit:-

Walter G. Hadley, in the sum of	\$9930.00
Guinup & Guinup, in the sum of	9995.45
Shahan & McCarthy, in the sum of	9100.00

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The Board further finds that each of said bids is in due form and accompanied by bond and affidavit as provided by the notice, and law.

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 to be incurred in the per diem of the engineer and superintendent, is the sum of \$9760.00, that the estimated cost of said improvement is in the sum of \$10693.95; that the total indebtedness of Center Township in which said road 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 roads or macadamized roads, will not exceed four per cent (4%) of the total assessed taxable valuation of the property of said township.

The Board further finds that the contract for said improvement be awarded; and that the bid of Shahan & McCarthy in the sum of \$9100.00, said firm being the lowest responsible bidder and their 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 Shahan & McCarthy be, and the same is now duly accepted by this Board, and that the contract for said improvement be, and the same is now awarded to said firm Shahan & McCarthy.

And the bond of said firm of Shahan & McCarthy, with good and sufficient sureties 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, and in the sum of \$18,200.00 which is a sum double the bid of the Shahan & McCarthy, is now duly approved by the Board, said bond and the approval written thereon is in the words and figures following, to-wit:-

Know All Men by These Presents, That we, the undersigned Pat Shahan and William McCarthy, doing business as Shahan & McCarthy, of Lebanon, Indiana, as principals 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-one Thousand, Two Hundred (21,200) 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 2nd day of November, 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 Oliver Harris gravel road in Hendricks County, Indiana.

And whereas, the above named Shahan & McCarthy have filed a bid for said work with the Auditor of the County: Now, therefore, if the said Board of Commissioners shall award to them the contract for said work, and the said Shahan & McCarthy 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

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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.

Pat Shahan (SEAL)

William McCarthy (SEAL)

Federal Union Surety Company (SEAL)

by C.M. Abbott, Vice President

Attest: L.C. Breunig, Assistant Secretary.

State of Indiana, County of Boone, SS:

Before me, the Subscriber, a Notary Public in and for said County, personally appeared Pat Shahan and William McCarthy 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 November, A.D. 1910.

My Com Ex Mch 28-1911.

H.M. Co ulter, Notary Public.

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 Assistant 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 2nd day of Nov A.D. 1910.

My commission expires Aug. 4. 1913.

Robert B. Bailey, Notary Public.

Accepted and Approved, November 7th., 1910.

Alfred S. Lineinger

Harry E. Sanders.

Board of Commissioners of

E.M. Murphy

Hendricks County.

Attest:- Wm. H. Nichols, Auditor Hendricks County, Indiana.

"Filed Nov 7-1910. Wm. H. Nichols, Auditor Hendricks Co"

The bid of the said Shahan & McCarthy having been accepted and his bond duly approved by the Board, said Board does now enter into a contract with the said Shahan & McCarthy for said improvement, and which contract, duly reduced to writing and signed by the said Shahan & McCarthy and by 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 7th day of November, A.D. 1910, between Shahan & McCarthy of Lebanon, Boone County, Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana, the second party agrees to build and construct the Oliver Harris road for the sum of \$9100.00. Said road is situate in Center Township in said Hendricks County and State of Indiana, complete according to plans and specifications on file in the office of the

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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 Ninety one hundred (\$9100.00) 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 October, 1911

It is hereby understood and agreed that the plans, specifications and profile for said improvement is 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 upon said work as the same progresses, and as provided by law in such cases, and not otherwise.

It is further understood and agreed as a part of this contract that if the work upon said improvement is begun before the bonds are sold that the contractor will advance sufficient funds to pay the per diem of the engineer and superintendent and for all such funds so advanced the said contractor shall have a lien upon the fund for said improvement for such amounts.

Shahan & McCarthy by

Alfred S. Lineinger,

William McCarthy, The First Party.

Harry E. Sanders

E. M. Murphy, Board of Commissioners, the Second Party.

"Filed Nov 7", 1910. Wm. H. Nichols, Auditor Hendricks Co."

And now it is ordered by the board that the bonds of Hendricks County, Indiana, be issued, as provided by law in such cases, 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 \$9760.00 and in series of \$488.00 each 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 said petition, from the 7th day of November, 1910.

And the Treasurer of this county is charged with the sale of said bonds upon their issue.

And now the board appoints Richard Campbell, a freeholder and householder resident of center Township, superintendent to supervise the construction of said road 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 John O. Kain, the duly appointed and acting engineer for said improvement is hereby ordered and directed to execute his bond in the penal sum of \$6,000.00, conditioned for the faithful discharge of his duties as such engineer.

And further proceedings herein are continued.

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

Come now the petitioners and on motion this cause is continued to
the December Session, 1910, of this Board.

In the matter of the petition of John G. Ridpath et al)
for the improvement of a highway by taxation.)

Come the petitioners and on motion this cause is continued to the
December Session, 1910, of this Board.

In the matter of the petition of John W. Ader et al)
for the improvement of a highway by taxation.)

Come the petitioners and on motion this cause is continued to the
December Session, 1910, of this Board.

In the matter of the petition of Willis A. Dobson et al)
for the improvement of a highway by taxation.)

Come the petitioners and on motion this cause is continued to the
December Term, 1910, of this Board.

In the matter of the petition of)
David Foster et al for the improvement)
of a 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.

Alfred S. Lininger)

Harry E. Sanders)

Edw. Murphy)

) Board Commissioners Hendricks Co.

Joint Session, November 14th., 1910.

State of Indiana,

)SS.

Hendricks County.

In the Matter of the Petition of

William C. Frazee, and others, for the Improvement of a

Improvement of a public Highway o

County Line between the Counties of

Hendricks and Marion, State of Indiana.

Be it remembered that on this, the 14th day of November, 1910, the boards of commissioners of Hendricks and Marion Counties are met in joint session for the purpose of apportioning between the two counties the sum each should pay for the expenses preliminary to said improvement, and the per diem of the engineer and superintendent, for the highway improvement known as the William C. Frazee Free Gravel Road.

And the joint boards, having duly examined all bills filed in said highway improvement, and duly audited the same, find that Hendricks County has paid for such purposes, to-wit: For the preliminary expenses, and for the per diem of the engineer and superintendent, out of the fund raised for such purpose and in the hands of the treasurer of Hendricks County, Indiana, the total sum of \$610.38; that according to the estimates heretofore made of the amount each county was to bear of the costs and expenses of said improvement said sum should be apportioned between the two counties as follows:-

To Marion County, the sum of \$482.20;

To Hendricks County, the sum of \$128.18.

The boards further find that there is due and owing from Marion County, Indiana, from the fund raised for said improvement, to Hendricks County Indiana, the sum of \$482.20, Hendricks County having paid all of said preliminary expenses and the per diem of the engineer and superintendent out of the fund raised in Hendricks County for said improvement.

It is therefore ordered by the joint boards that Hendricks County, Indiana, make out and file with the Auditor of Marion County, Indiana, a bill in favor of said Hendricks County, Indiana, against said Marion County, in the sum of \$482.20 for allowance out of the fund raised for said improvement, in Marion County, Indiana.

All of which is now duly ordered by said joint boards.

Joint Session, November 14th., 1910.

In the matter of the petition of)
 William C. Frazee, and others, for the improvement of)
 a public highway on the County Line between the)
 Counties of Hendricks and Marion, State of Indiana.)

Come now the Boards of Commissioners of the Counties of Hendricks and Marion, in said State, on this the 14th day of November, 1910, in joint session, pursuant to the call of the Auditor of Hendricks County, Indiana, by summons to the members of the Board of Commissioners of Hendricks County, Indiana, which summons and the endorsement of service and return thereon by the Sheriff of said Hendricks County, Indiana, are in the following words and figures, to-wit:- (Here Insert), and by written notice to the Auditor of Marion County, Indiana, to serve and notify the members of the Board of Commissioners of said County that a joint meeting of the two boards of said counties would be held on said above named date to inspect and go over the above named and entitled improvement, an acknowledgement of which written notice by the Auditor of said Marion County, Indiana, being in the words and figures following, to-wit:- (Here Insert), and now it appearing to the Boards of Commissioners of said Counties, while in joint session at the time and place designated by the Auditor for said joint meeting, that the engineer of construction, and the superintendent of construction both filed their separate reports of completion of the improvement herein in the Auditor's Office of Hendricks County, Indiana, respectively, on the 7th and 4th day of November, 1910, which reports are in the following words and figures, to-wit: (Here Insert), and it further appearing to the said Boards while in joint session that the engineer in charge of said above improvement notified the auditors of each of said above named counties that said above entitled improvement had been completed according to the contract, plans and specifications and that the Auditor of Hendricks County, Indiana, the same being the County in which the petition herein was filed, named and designated the above named day as the date for said joint meeting, and now all the above appearing to the satisfaction of the said Boards of Commissioners, in joint session, they proceed as a joint body to go over and inspect the above entitled improvement, the engineer in charge, John O. Kain, accompanying them.

And it further appears to the said Boards in joint session that the date named by the Auditor for said joint meeting is not more than ten days from the date of the receipt of the notice of the engineer in charge that said improvement has been completed.

And now said Boards, in joint session, after making a full inspection of said road and being fully satisfied in the premises, doth say and make the following findings:

That the William C. Frazee, and others, County Line Road, between the Counties of Hendricks and Marion, in said State, has been completed according to

Joint Session, November 14th., 1910.

the plans and specifications, plats, profile, and contract and that the same should be accepted and received, and that the balance of the contract price should be allowed and paid.

It is therefore ordered by the Boards of Commissioners of the Counties of Hendricks and Marion, in said State, on this 14th day of November, 1910, while in joint session, that the improvement designated as the William C. Frazee, and others, County Line Road, and described as follows, to-wit:

Commencing at a point where an improved free gravel road now known as and called the Danville and Avon Free Gravel Road, the same being what has heretofore been known as the Rockville Road, crosses the County Line dividing said Hendricks and Marion Counties, the said point of beginning also being at the Southeast corner of Section 5, township 15 North, range 2 East in Washington Township, Hendricks County and State of Indiana, and running thence North on said County Line for the distance of two miles, and terminating in an improved free gravel road that is now known as and called the Wall Street Free Gravel Road, said point of terminus also being at the North East corner of Section 32, township 16 North, range 2 East, in said township, County and State, be and the same is hereby accepted as completed in accordance with the plans, specifications, profile, plats and contract.

It is further ordered by said Boards, while in joint session, that said above described road be and the same is hereby constituted a County Line Free Gravel Road between said Counties, and it is ordered that the County of Hendricks shall maintain and keep in repair the North one half of said above described road, and that the County of Marion shall maintain and keep in repair the south one half of said above described road.

It is further ordered by the said Boards, while in joint session, that the balance of the contract price, and the balance of the per diem of the engineer and superintendent of construction on said road be allowed and paid.

And said matter is at an end.

Board of Commissioners of
Hendricks County, Ind.

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

Board of Commissioners of Marion
County, Indiana.

Monday, December 5th., 1910, and 1st. day of December Term, 1910.

Monday Morning, December 5th., 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)
Simon Hadley et al, for the improvement of)
a public highway by taxation.)

Come again the petitioners and on motion this cause is continued to the January Session, 1911, 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 again the petitioners and on motion this cause is continued to the January Session, 1911, 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 again the petitioners and on motion this cause is continued to the January Session, 1911, of this Board.

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

Come again the petitioners and on motion this cause is continued to the January Session, 1911, of this Board.

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

Comes now the Auditor and presents to the Board the report of the Viewers and Engineer heretofore appointed herein, which said report has been duly filed in the office of said Auditor on this the 5th. day of December, 1910.

Monday, December 5th., 1910, and 1st. day of December Term, 1910.

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

Comes now the Auditor and presents to the Board the reports of the Engineer and Superintendant of Construction heretofore appointed herein, which said reports show that they have been on file in the Office of said Auditor for more than ten days prior to this date; said reports also show that said road has been completed in all things according to the plans, plats, contract, specifications etc. on file, and are in all things in compliance with law in such cases made and provided. The Board also finds that no taxpayer has filed any exceptions to said reports.

It is therefore ordered and adjudged by the Board that said improvement be and the same is hereby accepted as completed, and the reports of the engineer and superintendent are hereby approved, and are as follows, to-wit:—(Here Insert) And now it is further ordered by the Board that said road be accepted as a Free Gravel Road and be henceforth under the supervision of the Free Gravel Road Directors of Hendricks County.

Ordered that the Board do now adjourn.

Alfred S. Linsinger
Harry E. Sanders
E. M. Murphy

)
) Board Commissioners Hendricks County.
)

Tuesday, January 3rd., 1911, and 2nd. day of January Term, 1911.

Tuesday Morning, January 3rd., 1911.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment, at the Commissioners' Court Room in the town of Danville, Indiana, it being the 2nd. day of the regular January Term, 1911.

Present: Harry E. Sanders, E. M. Murphy and James A. Downard, all members of said Board.

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

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

Comes now the Auditor and presents to the Board the reports of the engineer and superintendent of construction heretofore appointed herein, which said reports show that they have been on file in the office of said Auditor for more than ten days prior to this date; said reports also show that said road has been completed in all things according to the plans, plats, contract, specifications etc. on file, and are in all things in compliance with the law in such cases made and provided. The Board also finds that no taxpayer has filed any exceptions to said reports.

It is therefore ordered and adjudged by the Board that said improvement be and the same is hereby accepted as completed, and the reports of the engineer and superintendent are hereby approved, and are as follows:-(Here Insert)

And now it is further ordered by the Board that said road be accepted as a Free Gravel Road, and be henceforth under the supervision of the Free Gravel Road Directors of Hendricks County, Indiana.

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

Come now the petitioners and on motion this cause is continued to the regular February, 1911 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 and on motion this cause is continued to the regular February, 1911 session of this Board.

Tuesday, January 3rd., 1911, and 2nd. day of January Term, 1911.

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 and on motion this cause is continued to the regular February, 1911 session of this Board.

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

Come now the petitioners and it is shown to the Board that the viewers have not yet filed their supplemental report herein. It is therefore ordered by the Board that further proceedings herein be continued to the regular February, 1911, session of this Board.

In the matter of the petition of)
Willia A. Dobson Et al, for the improvement)
of a public highway by taxation.)

Come now the petitioners and on motion this cause is continued to the regular February, 1911, session of this Board.

Ordered that the Board do now adjourn.

Harry E. Sanders)

Elbert Murphy)

James A. Dornard)

Board Commissioners Hendricks County.

Tuesday, February 7th., 1911, and 2nd. day of February Term, 1911.

Tuesday Morning, February 7th., 1911.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment, it being the 2nd. day of the regular February Session, 1911.

Present: Harry E. Sanders, Elbert M. Murphy and James A. Downard, all members of said Board.

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

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

Petition for improvement of Public Highway.)

Comes now Walter G. Hadley, by Enloe & Pattison, and Thad S. Adams, his attorneys, and presents to the court, the verified petition filed herein by the said Walter G. Hadley, on the 25th day of January, 1911, which petition is in words and figures as follows, to-wit:- (Here Insert) asking that said highway as improved be accepted and received by the said Board of Commissioners, as fully and finally completed and finished according to the plans, specifications, profiles and contract for the construction thereof, and that an order be issued to him for the sum of Two Thousand Three hundred and forty five (\$2345.00) Dollars, the unpaid residue of the contract price for the construction thereof. And more than ten days having elapsed since the filing of said petition, and no person or corporation or tax payer of said Center Township, interested in said improvement, or whose property will be affected by the construction of said improvement, having appeared and filed written objections or exceptions to the acceptance of said improved highway as fully finished and completed according to the plans, specifications, profiles and contract of construction thereof, and the Board being fully advised and informed in the premises, now hereby finds that the improvement of said public highway by the said Walter G. Hadley, contractor for the construction thereof, has been fully constructed, finished and completed according to the plans, specifications, profiles and contract for the construction thereof, and that the same ought to be received and accepted by this Board, and that said Hadley is entitled to a warrant for the payment of said sum of \$2345.00 the unpaid residue of the contract price for the making and construction of said improvement.

Wherefore it is now hereby ordered, considered, adjudged and decreed by the said Board, sitting as a court, herein, that prior to the 1st day of January, 1911, the improvement of a certain public highway in Center Township, in Hendricks County, and State of Indiana, known as the Charles F. McClelland et al improvement of a certain public highway, constructed under a contract between the said Walter G. Hadley, and the Board of Commissioners of Hendricks County, Indiana, under the provisions of an Act of the General Assembly of the State of Indiana, approved March 8th 1905, and amendments thereto, was fully finished and completed in all things according to, and in full compliance with the terms of the plans,

Tuesday, February 7th., 1911, and 2nd. day of February Term, 1911.

specifications, profiles and contract under which the same was let for said improvement, by the Board of Commissioners of Hendricks County, Indiana, and that the quantity and quality of the material used in the making and construction of said improvement was the kind of material, and the quantity used was as required in the plans, specifications, profiles and contract under which said improvement was made. And it is further ordered, considered, adjudged and decreed by the Court that the improvement of the said Charles F. McClelland et al; public highway in said Center Township, Hendricks County, Indiana, as improved and constructed by the said Walter G. Hadley, under a contract with the Board of Commissioners of Hendricks County, Indiana, be and the same is hereby received and accepted as fully finished and completed by the said Walter G. Hadley, in all things according to the plans, specifications, profiles and contract under which said improvement was let. And it is further ordered, considered, adjudged and decreed that there is now due the said Walter G. Hadley the sum of \$2345. the unpaid residue of the contract price for the making of said improvements, and the Auditor is hereby ordered and directed to draw his warrant, in favor of the said Walter G. Hadley, for the said sum of \$2345.00 payable out of the proper funds, in payment of the aforesaid sum due said Walter G. Hadley, for the making and construction of said improvement.

All of which is now finally ordered, considered, adjudged and decreed by the Court.

Tuesday, February 7th., 1911, and 2nd. day of February Term, 1911.

In the matter of the petition of Simon Hadley et al)
for Improvement of Public Highway.)

And now comes again the petitioners in the above entitled cause, and ask leave of the court to amend their said petition herein, in this respect, they ask that the bonds issued for the payment of said proposed improvement, be made in ten year series, instead of twenty year series, which leave is granted by the Court, and said emendment is made accordingly.

And said petitioners now ask the Court to approve, and order spread of record the Resolution of the Board of Trustees of the incorporated Town of Danville, Indiana, filed herein on the 22nd day of April, 1910, wherein said highway sought to be improved is situated, giving the consent of said Board of Trustees for the making of said improvement. And said Board of Commissioners now accept and approve said resolution, and order the same spread of record, as a part of the proceedings in this cause, which is now done, and the same is in words and figures as follows, to-wit:-

In the matter of the petition of
Simon Hadley et al for the improvement
of a certain public highways in the Town
of Danville, Indiana.

To the Honorable Board of Trustees of the Town of Danville, Hendricks County, in the State of Indiana.

Comes now the undersigned, and for himself and in behalf of more than fifty other freeholders and legal voters of center Township, in Hendricks County, and State of Indiana, and respectfully show to your Honorable Board that on the 4th day of April, 1910, that they filed in the office of the Auditor of Hendricks County, Indiana, their certain petition addressed to the Board of Commissioners of Hendricks County, Indiana, for the improvement of certain public highways in said petition described, which petition was in words as follows:-
(Here Insert) (See petition hereinafter set out in this entry)

We would further show that practically all of said public highways in said petition described are within the corporate limits of the Town of Danville, Hendricks County, Indiana.

Wherefore, we ask that your Honorable Body give your consent by resolution duly adopted, for the improvement of so much of said highways described in said petition, as is within the corporate limits of the said town of Danville, Indiana, as is provided by the Statutes of the State of Indiana, for Boards of Trustees of incorporated towns so to do, and we ask that you order the Clerk of said Town to duly certify a copy of said resolution to the Auditor of Hendricks County, Indiana.

Simon Hadley

J. A. Cox

Tuesday, February 7th., 1911, and 2nd. day of February Term, 1911.

Wherefore, Be It Resolved by the Board of Trustees of the Town of Danville, Indiana, in special session called for the purposes of considering the above petition, that should the Honorable Board of Commissioners of Hendricks County, Indiana, after due examination and consideration of the matters presented to them by said petition, deem said improvement asked for in said petition to be of public utility, then and in that event said Board of Commissioners are by these resolutions, authorized and empowered to order and make such improvements, on so much of said public highways as are located in corporate limits of the Town of Danville, Indiana, and to enter into all necessary contracts for the making of the same over, upon and along the said public streets of said town, as prayed for in said petition, and full and complete consent is hereby given to said Board of Commissioners to construct said improvement in such manner and upon such terms and conditions as said Board of Commissioners may determine. Provided however, that in the making of the said improvements as determined upon by said Board of Commissioners, the right of all property owners situated upon and along said public streets to be improved, shall at all times be protected, as well as the rights of the general public to the use of said streets, and such rights and use of the public shall be interfered with as little as possible in making said improvement. And provided further; that said Board of Commissioners shall require of the contractor for such improvement, before entering upon the making of said improvement, to give a good and sufficient bond, to be approved by said Board of Commissioners to protect and save the town of Danville from any loss or damage of every kind and character growing out of any injury or damage to person or property on account of the fault or negligence of said contractor or any employee in the execution of said work of improvement, or that in any manner whatsoever grows out of the making of said improvement, and that said contractor will pay any judgment and costs that may be obtained against said Town of Danville, in any manner growing out of said injury or damage. And provided further that the material to be used in the making of said improvement is hereby left to the judgment and discretion of said Board of Commissioners, provided that the costs and expenses of the same shall not be greater than the benefits to be derived from said improvement. And provided further that if the expense per mile of said improvement as determined upon by said Board of Commissioners, shall be greater within the corporate limits of said Town of Danville, than the expense per mile outside of said corporate limits of said Town, then the Board of Trustees of said Town of Danville, Indiana, hereby agree to provide for the payment of such excess cost and expense per mile of said improvement within the corporate limits of said Town of Danville, either by direct levy of tax upon the property within said corporation of Danville, or by assessing such excessive amount as benefits against the property abutting said improvement, as provided by law for said extra expense per mile, if any there be, to be hereafter determined upon by the Board of Trustees of said Town of Danville, Indiana. And be it further resolved, that a duly certified copy of these resolutions, under the hand of the Clerk of said Town of Danville, and the seal of said Town, shall be forthwith transmitted by said Clerk to the Auditor of Hendricks County, Indiana.

Alfred L. Walters
J. A. Clay
John T. Hume

Tuesday, February 7th., 1911, and 2nd. day of February Term, 1911.

Attest: Chas. V. Sears, Clerk of Town of Danville, Indiana.

Endorsed on Back: "Filed Apr 22, 1910. Wm. H. Nichols, Auditor Hendricks Co."

And said Board of Commissioners having duly examined said petition, and the proofs adduced as to the giving of notice by publication and posting, as heretofore set forth, now finds that due and legal notice was given both by publication of said petition, and notice of the time and place of the filing of the same, and by posting copies of said notice, all as the statute provides in such cases, and the court now orders and directs that the petition filed herein, on the 4th day of April, 1910, which is in words and figures as follows, to-wit:-

State of Indiana

SS:

Hendricks County

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

We, the undersigned freeholders and legal voters of Center Township, Hendricks County, and State of Indiana, hereby respectfully ask and petition your Honorable Board to take the necessary steps for the improvement by grading, ditching, draining, culverting and bridging, and gravelling or paving with stone or other road paving material, the following described public highway in Center Township, Hendricks County, and State of Indiana, to-wit: Commencing at the northern terminus of the Danville and Cartersburg Free Gravel Road, the same being on the South Line of the Corporation of the Town of Danville, Indiana, at, or near the center of the overhead bridge over and across the tracks of the Cleveland, Cincinnati, Chicago and St. Louis Railway Co., where the same crosses what is generally known as the Danville and Cartersburg Road, the same being in Sec. 10, Tp. 15 N., R. 1 W., thence Northwest on the center line of said Danville and Cartersburg Road about 566 feet to where said road intersects and crosses a public highway known as Tennessee Street in said Town of Danville, thence North on said Tennessee Street about 880 feet to a point where said Tennessee Street is intersected by what is known as Walnut Avenue, a public highway in said Town of Danville, thence East on said Walnut Avenue about 250 feet to where the same intersects what is known as Wayne Street, a public highway in said town, thence North on said Wayne Street about 3000 feet to where the same intersects what is known as Columbia Street, a public highway in said town, thence East and Northeast on and along the center of said Columbia Street about 400 feet to the East Line of the Corporation of said Town of Danville, at which point said Columbia Street intersects and terminates in the Danville and Pittsboro Free Gravel Road.

Said highway herein described and asked to be improved is less than three miles in length, to-wit, about three fourths of one mile in length, and has its termini in Free Gravel Roads in said Center Township, Hendricks County, Indiana, and is located wholly in said Center Township.

Your petitioners would further ask that said public

Tuesday, February 7th., 1911, and 2nd. day of February Term, 1911.

highway be improved, in width, from curb to curb where cement sidewalks and curbs have been put in and established along said highway, and not to exceed thirty feet at any point; that upon a hearing of their petition, if the same be found sufficient by your Honorable Board, that the same be referred to viewers and a competent engineer, for their report upon said proposed improvement herein prayed for as provided by statute; that said improvement be made without an election by the voters of said Center Township; and that bonds in Twenty years series, be issued and sold to pay the cost of said improvement and all expenses connected therewith.

Simon Hadley, Geo. E. Easley, Jas. W. Nichols, Joel T. Barker, F. B. Prather, E. D. Crawley, E. H. Conn, A. C. Cox, Cyrus Osborne, W. S. Christy, J. A. C. ay, F. M. Harrison, C. F. Bowen, J. A. Cox, J. L. Keeter, W. M. Sears, A. R. Shirley, D. A. Higgins, F. K. Tinder, C. L. Thompson, Henry Howell, H. S. Curtis, B. F. Howell, Alva Snyder, R. D. Snyder, Jas. Buchanan, Thomas Underwood, I. N. Ester, A. L. Symons, R. T. Hollowell, W. H. Walls, H. J. Helton, J. W. Williams, C. C. Walls, E. P. Thompson, J. D. Brickert, J. M. Dawson, A. W. Strickler, A. J. Gibbs, J. L. Darnell, F. J. Christie, Chas. Z. Cook, Virney R. Rudd, W. C. Osborne, J. D. Hogate, J. W. T ompson, F. P. Reichard, E. L. Christie, J. A. Kirkham, J. G. Ridpath, C. E. Edwards, James McCoun, Wm. T. Brill, H. M. Gentry, L. M. Christie, Lloyd C. Holtsclaw, John T. Hume, Geo. T. Pattison, James M. Adams, Covington Kesler, Chas. M. Parker, Henry C. Coffin, B. F. Noble, F. M. White, C. F. Hall, Geo. Doughty, John E. Call, A. L. Walters, H. L. Parker, S. L. McCurdy, R. P. Jackson, W. T. Lawson, J. N. Hadley, Chas. Hollowell, Ed E. Tinder, T. Worrell, S. M. Tinder, J. H. Wilson, J. S. Dunbar, H. C. Sears, W. L. Tharp,

Endorsed on back: - "Filed Apr 4-1910. Wm. H. Nichols, Auditor Hendricks Co."

"Set for hearing May 2nd. 1910. Wm. H. Nichols, A. H. C."

be spread of record as a part of this cause, and as shown by indorsement on said petition the same was set for hearing on the 2nd day of May, 1910, and more than twenty days having elapsed, since the day set for the hearing of this cause, and none of the tax payers of said Center Township, wherein said highway is situated, nor any person or corporation or taxpayer whose lands or property will be affected by the work prayed for in said petition, having filed any written objections to the form and sufficiency of said petition, said Board upon motion of the petitioners herein, now proceeds to examine said petition as to the form and sufficiency thereof, and having examined said petition, and being fully advised and informed in the premises, now finds that said petition is sufficient in form and substance, and that the same was signed by more than fifty free holders and legal voters of said Center Township Hendricks County, Indiana, and that said highway described therein is less than three miles in length, and connects at both ends with an improved free gravel road, and that said petition properly shows the beginning, course, width, general description of said highway to be improved, also the character of the improvement to be made, and the termination of said highway, and that the incorporated town of Danville in said Center Township by the Trustees thereof have by proper resolution given their consent for the making of said improvement, and that there are no towns or cities in said township of Center, having a greater population than thirty thousand inhabitants.

Tuesday, February ^{7th} ~~2nd~~, 1911, and 2nd. day of February Term, 1911.

It is now therefore ordered and adjudged by the Board that said petition is sufficient in form and substance, and it is further ordered that the prayer of the petitioners herein be, and the same is hereby granted.

It is further ordered by the Board that said petition be and the same is hereby referred to John O. Kain a competent civil engineer, and John Snipes and Charles M. Havens, viewers, and the Board now hereby appoints the said John O. Kain, engineer, and the said John Snipes and Charles M. Havens, viewers, which viewers are responsible free holders and voters of Hendricks County, Indiana, and are not residents, or the owners of taxable property in said Center Township.

It is further ordered by the Board that said John O. Kain, engineer, and John Snipes and Charles M. Havens, viewers, meet at the Auditor Office of Hendricks County, Indiana, on the 14th day of February, 1911, at which time and place they shall each take and subscribe an oath to faithfully and impartially discharge their several duties herein. It is further ordered that the said John O. Kain, engineer shall execute and file with the Auditor of Hendricks County, Indiana, his bond with good and sufficient surety to be approved by the said Auditor, payable to the State of Indiana, in the penal sum of Five Thousand Dollars, conditioned for the faithful performance of his duty as such engineer, and that said engineer and viewers shall then proceed without delay to make all necessary and needful surveys of the highway named and described in the petition herein, and to determine and report as to whether the proposed improvement of said highway described in said petition will be of public utility to grade, pave, ditch and drain and improve the same as prayed for in said petition, and that said engineer and viewers shall also determine the width of said highway to be improved, the character of the improvement to be made, including the grading, paving, ditching and draining of the same, together with full and complete plans and specifications of such improvements including plans and specifications for all culverts and bridges necessary and required for said improvement, and they also estimate the costs of all such improvement to be made as prayed for in the petition, and as determined upon by them to be necessary, and to make report of all matters necessary in the improvement of said highway as provided by the statutes of the State of Indiana, to this Board, and they shall accompany their said report with an accurate and correct profile of said highway showing by lines and figures the elevations thereof, at each one hundred feet of its length, and the changes to be made therein by excavation or filling, which profile shall be made by said engineer, and said engineer and viewers are hereby ordered and directed to make their report herein on the 1st day of the March Term, 1911, of this court, and this cause is now continued.

Tuesday, February 7th., 1911, and 2nd. day of February Term, 1911.

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

Come now the Viewers heretofore appointed herein and file their supplemental report herein as follows, to-wit:-(Here Insert)

And now this cause is continued to the regular March Term, 1911, of this Board.

In the matter of the petition of)
John G. Ridpath et al for the improvement)
of a public highway by taxation.)

And now comes again the petitioners in the above entitled cause, and ask leave of the court to amend their said petition herein, in this respect, they ask that the bonds issued for the payment of said proposed improvement, be made in ten year series, instead of twenty year series, which leave is granted by the court, and said amendment is made accordingly.

And said petitioners now ask the court to approve, and order spread of record the Resolution of the Board of Trustees of the incorporated Town of Danville, Indiana, filed herein on the 22nd day of April, 1910, wherein said highway sought to be improved is situated, and giving the consent of said Board of Trustees for the making of said improvement. And said Board of Commissioners now accept and approve said Resolution, and order the same spread of record, as a part of the proceedings in this cause, which is now done, and the same is in words and figures as follows, to-wit:-

In the matter of the petition of)
John G. Ridpath et al, for the improvement)
of certain public highways in the Town)
of Danville, Indiana.)

To the Honorable Board of Trustees of the Town of Danville, Hendricks County, in the State of Indiana:

Comes now the undersigned, and for himself and in the behalf of more than fifty other freeholders and legal voters of Center Township, in Hendricks County, and State of Indiana, and respectfully show to your Honorable Board that on the 5 day of April, 1910, that they filed in the office of the Auditor of Hendricks County, Indiana, their certain petition addressed to the Board of Commissioners of Hendricks County, Indiana, for the improvement of certain public highways in said petition described, which petition was in words as follows, (Here Insert) (See petition hereinafter set out in this Entry)

We would further show that practically all of said public highways in said petition described are within the corporate limits of the Town of Danville, Hendricks County, Indiana.

Wherefore, we ask that your Honorable Body give your consent by resolution duly adopted, for the improvement of so much of said highways described in said petition, as is within the corporate limits of the said Town of Danville, Indiana, as is provided by the

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Statutes of the State of Indiana, for Boards of Trustees of incorporated towns so to do, and we ask that you order the Clerk of said Town to duly certify a copy of said resolution to the Auditor of Hendricks County, Indiana,

John G. Ridpath

F. K. Tinder

Wherefore, Be It Resolved by the Board of Trustees of the Town of Danville, Indiana, in special session called for the purpose of considering the above petition, that should the Honorable Board of Commissioners of Hendricks County, Indiana, after due examination and consideration of the matters presented to them by said petition, deem said improvement asked for in said petition to be of public utility, then and in that event said Board of Commissioners are by these resolutions, authorized and empowered to order and make such improvements, on so much of said public highways as are located in the corporate limits of the Town of Danville, Indiana, and to enter into all necessary contracts for the making of the same over, upon and along the said public streets of said town, as prayed for in said petition, and full and complete consent is hereby given to said Board of Commissioners to construct said improvement in such manner and upon such terms and conditions as said Board of Commissioners may determine. Provided however, that in the making of the said improvements as determined upon by said Board of Commissioners, the right of all property owners situated upon and along said public streets to be improved, shall at all times be protected, as well as the rights of the general public to the use of said streets, and such rights and use of the public shall be interfered with as little as possible in making said improvement. And provided further; that said Board of Commissioners shall require of the contractor for such improvement, before entering upon the making of said improvement, to give a good and sufficient bond, to be approved by said Board of Commissioners to protect and save the Town of Danville from any loss or damage of every kind or character growing out of any injury or damage to person or property on account of the fault or negligence of said contractor or any employee in the execution of said work of improvement, or that in any manner whatsoever grows out of the making of said improvement, and that said contractor will pay any judgment and costs that may be obtained against said Town of Danville, in any manner growing out of said injury or damage. And provided further that the material to be used in the making of said improvement is hereby left to the judgment and discretion of said Board of Commissioners, provided that the costs and expenses of the same shall not be greater than the benefits to be derived from said improvement. And provided further that if the expense per mile of said improvement as determined upon by said Board of Commissioners, shall be greater within the corporate limits of said Town of Danville, than the expense per mile outside of said corporate limits of said Town, then the Board of Trustees of said Town of Danville, Indiana, hereby agree to provide for the

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payment of such excess cost and expense per mile of said improvement within the corporate limits of said Town of Danville, either by direct levy of tax upon the property within said corporation of Danville, or by assessing such excessive amount as benefits against the property abutting said improvement, as provided by law for said extra expense per mile, if any there be, to be hereafter determined upon by the Board of Trustees of the said Town of Danville, Indiana. And be it further resolved, that a duly certified copy of these resolutions, under the hand of the Clerk of said Town of Danville, and the seal of said Town, shall be forthwith transmitted by said Clerk to the Auditor of Hendricks County, Indiana.

Alfred L. Walters

J. A. Clay

John T. Hume

Attest: Chas V. Sears, Clerk of Town of Danville, Indiana.

Endorsed on Back: "Filed Apr 22 1910. Wm. H. Nichols, Auditor Hendricks Co."

And said Board of Commissioners having duly examined said petition and the proofs adduced as to the giving of notice by publication and posting, as heretofore set forth now finds that due and legal notice was given both by publication of said petition, and notice of the time and place of the filing of the same, and by posting copies of said notice, all as the statute provides in such cases, and the court now orders and directs that the petition filed herein, on the 5th day of April, 1910, which is in words and figures as follows, to-wit:

State of Indiana,

ss:

Hendricks County,

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

We, the undersigned freeholders and legal voters of Center Township, in said Hendricks County and State of Indiana, hereby respectfully petition your Honorable Board to take the necessary steps for the improvement by grading, ditching, draining, bridging and culverting, and graveling or paving with stone or other road paving material, the following described public highway in Center Township, Hendricks County, and State of Indiana, to-wit: Beginning at and in the Danville and Lebanon Free Gravel Road near the Southern Terminus of said Road, at a point where the same is interested by a public highway in the town of Danville generally known as East Jefferson Street, thence running in a westerly direction along and in the center of said East Jefferson Street about 300 feet to where the same intersects and terminates in a public highway in said town of Danville known as Jefferson Street, thence South along and in said Jefferson Street about 2500 feet to where the same intersects a public highway in said town known as the Danville and Cartersburg Road, thence in a south-easterly direction along and in said road about 2150 feet to where the same intersects and terminates in the Danville and Cartersburg Free Gravel Road, the same being near the center of the Overhead Bridge over and across the Cleveland, Cincinnati, Chicago & St. Louis Railway tracks on said Road.

Four petitioners would show that the public highway herein described and asked to be improved is less than three (3) miles in length, to-wit: About three fourths (3/4)

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of a mile in length, and that the same both begins and ends in an already constructed Free Gravel Roads in said Center Township, Hendricks County, in the State of Indiana, and is located wholly in said Township. Your petitioners would further ask that said improvement be made of not less than thirty (30) feet in width, except at such points where cement walks and curbs are already constructed along said street, at which points your petitioners ask that said improvement extend from curb to curb. And your petitioners ask your Honorable Board to grant unto them a hearing of their petition, and if the same be found sufficient, they ask that the same be referred to viewers, and a competent engineer, for examination, and their report upon said proposed improvement as herein prayed for, as provided by an Act of the General Assembly of the State of Indiana, approved March 8th, 1905, and the Amendments subsequently made to said Act, by said General Assembly, and in all other respects as provided by law for the improvement of public highways by taxation without submitting the matter of said improvement to a vote of the legal voters of the Township. Your petitioners would further ask that bonds be issued and sold to pay the costs and expenses incurred by said improvement, and that they be issued in series payable in ten years from the date of their issue. And your petitioners will ever pray.

John G. Ridpath, F. K. Tinder, W. S. Christy, Dan Miles, E. M. Wilhite, Simon Hadley, F. M. Hawley, W. F. Tharp, A. R. Shirley, Lloyd C. Holtsclaw, James McCoun, J. L. Keeter, J. L. Darnell, L. M. Holman, F. P. Reichard, A. G. Kelleher, C. L. Thompson, L. A. Barnett, E. V. Ragland, R. T. Holowell, W. C. Osborne, F. J. Christie, Chas. Z. Cook, J. A. Clay, J. W. Williams, J. W. Trotter, D. A. Higgins, Raigh McCoun, J. N. Hadley, Chas. E. Williams, Geo. Doughty, Terry O'Donnel, T. C. Gatson, W. J. Thompson, C. F. Hall, J. W. Thompson, B. F. Noble, J. M. Trotter, Jas. Buchanan, C. M. Parker, B. F. Howell, J. Trarp, C. E. Edwards, Charlie Nichols, Basil Prather, C. W. Howell, R. D. Snyder, E. M. Mitchell, I. N. Estep, F. L. Tinder, J. E. English, Chas. E. Baker, W. C. Minor, W. H. Walls, John E. Call, J. T. Barker, S. M. Tinder, J. T. Hays, James M. Adams, W. L. Wilson, A. L. Walters, L. N. Dooley, F. M. White, R. T. Clark, Harry E. Curtis, J. W. Pritchett, Ed E. Tinder, J. D. Brickert, John Ader, G. W. Shelton, L. H. Brown, W. M. Sears, W. C. Stevens, B. F. Thomas, A. M. Garshwiler, J. H. Wilson, R. S. Pearson, J. S. Dunbar, Willis A. Dobson, J. F. Neiger, C. F. Bowen, C. C. Walls, F. M. Harrison, James M. Gentry, A. L. Symons, J. D. Pratt, J. A. Dungan

Endorsed on back: "Filed Apr 5-1910. Wm. H. Nichols, Auditor Hendricks Co."

"Set for hearing May 2nd., 1910. Wm. H. Nichols, Auditor"

be spread of record as a part of this cause, and as shown by indorsement on said petition the same was set for hearing on the 2nd day of May 1910, and more than twenty (20) days having elapsed since the day set for the hearing of this cause, and none of the tax payers of said Center Township, wherein said highway is situated, nor any person or corporation or tax payer whose lands or property will be affected by the work prayed for in said petition, having filed any written objections to the form and sufficiency of said petition, said Board upon motion of

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the petitioners herein, now proceeds to examine said petition as to the form and sufficiency thereof, and having examined said petition, and being fully advised and informed in the premises, now finds that said petition is sufficient in form and substance, and that the same was signed by more than fifty free holders and legal voters of said Center Township Hendricks County, Indiana, and that said highway described therein is less than three miles in length, and connects at both ends with an improved free gravel road, and that said petition properly shows the beginning, course, width, general description of said highway to be improved, also the character of the improvement to be made, and the termination of said highway, and that the incorporated town of Danville in said Center Township by the Trustees thereof have by proper resolution given their consent for the making of said improvement, and that there are no towns or cities in said township of Center, having a greater population than thirty thousand inhabitants.

It is now therefore ordered and adjudged by the Board that said petition is sufficient in form and substance, and it is further ordered that the prayer of the petitioners herein be, and the same is hereby granted.

It is further ordered by the Board that said petition be and the same is hereby referred to John O. Kain a competent civil engineer, and M. T. Hunter and W. D. Corrie, viewers, and the Board now hereby appoints the said John O. Kain, engineer, and the said M. T. Hunter and W. D. Corrie, viewers, which viewers are responsible free holders and voters of Hendricks County, Indiana, and are not residents, or the owners of taxable property in said Center Township.

It is further ordered by the Board that said John O. Kain, engineer, and M. T. Hunter and W. D. Corrie, viewers, meet at the Auditor Office of Hendricks County, Indiana, on the 14th day of February, 1911, at which time and place they shall each take and subscribe an oath to faithfully and impartially discharge their several duties herein.

It is further ordered that the said John O. Kain, engineer, shall execute and file with the Auditor of Hendricks County, Indiana, his bond with good and sufficient surety to be approved by the said Auditor, payable to the State of Indiana, in the penal sum of Five Thousand Dollars, conditioned for the faithful performance of his duty as such engineer, and that said engineer and viewers shall then proceed without delay to make all necessary and needful surveys of the highway named and described in the petition herein, and to determine and report as to whether the proposed improvement of said highway described in said petition will be of public utility to grade, pave, ditch and drain and improve the same as prayed for in said petition, and that said engineer and viewers shall also determine the width of said highway to be improved, the character of the improvement to be made, including the grading, paving, ditching and draining of the same, together with full and complete plans and specifications of such improvements including plans and specifications for all culverts and bridges necessary and required for said improvement, and they shall also estimate the costs of all such improvement to be made as prayed for in the petition, and as determined upon by them to be necessary, and to make report of all matters necessary in the improvement of said highway as provided by the statutes of the State of Indiana, to this Board, and they

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shall accompany their said report with an accurate and correct profile of said highway showing by lines and figures the elevations thereof, at each one hundred feet of its length, and the changes to be made therein by excavation or filling, which profile shall be made by said engineer, and said engineer and viewers are hereby ordered and directed to make their report herein on the 1st day of the March Term, 1911, of this Court, and this cause is now continued.

In the matter of the petition of)
Frank E. Cooper, 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 Franklin township, in said County and State, which petition is in the following words and figures, to-wit:-

Road Petition.

The State of Indiana, Hendricks County, SS

Commissioners Court, January Term, 1911.

To The Honorable Board of Commissioners of Hendricks County:

Gentlemen: The undersigned petitioners to your Honorable Board represent as follows: That they are resident freeholders of the County aforesaid, and that six of them reside in the immediate neighborhood of, and are interested in the opening of a public highway on the following described route, to-wit:-

Commencing at the South West corner of Section 18 Township 14 North Range One (1) West and running thence East on the Section line between Sections eighteen (18) and Nineteen (19) Township 14 North Range 1 West to the South East corner of said section 18 Township and Range aforesaid all in Franklin Township, Hendricks County, Ind. and your petitioners further say that the only persons, whose lands will be affected by the proposed highway, as above described, or which interest will be affected by thereby are as follows:- Oliver M. West, Enos Hutchans, Frank Cooper, Martha Cooper.

Your petitioners allege that not less than twelve of the undersigned petitioners are resident freeholders of the County and that not less than six of said undersigned freeholders reside in the immediate neighborhood of the proposed highway. Wherefore your petitioners pray and ask that three viewers be appointed to view said above described proposed highway and make their report to your honorable body.

Signed Frank Cooper and others.

Also said petitioners show by the affidavit of Frank E. Cooper, 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

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named in said notices as the time for the hearing of the petition herein. And also it is shown by said affidavit of Frank E. Cooper 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 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 land 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: J.C. Walker, George A. Short and David B. Wills, 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 15th day of Feb 1911, and qualify for their appointment herein; that they 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.

In the matter of the petition of)

John W. Ader et al for the)

Improvement of Public Highway.)

Come now the petitioners and move the Court to amend their petition heretofore filed herein as follows, to-wit: By striking out of the same the following words and phrases beginning with the word "not" in line 2 on page 2 and ending with the word "feet" in line 5 on said page 2 the part stricken out reading as follows, to-wit: "not less than 24 feet, except that part of Columbia Street from the intersection of said Columbia Street with North Jefferson Street to the intersection of said Columbia Street with North Cross Street where the width may be not less than 20 feet" and inserting therefor the following words and phrases as follows, to-wit:-"from curb to curb where sidewalks are laid and not less than 30 feet where no walks are laid" And the Board being fully advised and informed in the premises now sustains said motion and now directs that said petition be amended accordingly.

And now come again the petitioners and ask the Court to approve and spread of record the resolution of the board of Trustees of the incorporated Town of Danville, Indiana, heretofore filed herein on the 12th day of April, 1910, wherein said highway sought to be improved is in part situated, giving the consent of said Board of Trustees of said Town

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for the making of said improvement, and said Board of Commissioners now accept and approve said Resolution, and hereby order the same spread of record, as a part of the proceedings of this cause, which is now done, and the same is in words and figures following, to-wit:-

A resolution providing for the improvement of Columbia Street in the town of Danville, Indiana.

Whereas, J.S. Marshall & C.C. Walls resident free-holders and legal voters of Center Township, Hendricks County, State of Indiana, have presented to this Board the following notice and petition, to-wit:-

In the matter of the petition of John W. Ader et al,

for the Improvement of a Public Highway, a Portion of

which is within the Corporate Limits of the Town of Danville.

To the Board of Trustees of the Town of Danville, Indiana, Gentlemen:-

The undersigned would respectfully show to your honorable Board

that he and seventy five others, all free holders and legal voters of the township of Center, Hendricks County, Indiana, will on the 1st day of April, 1910,

file in the office of the Auditor of Hendricks County, Indiana, their certain

petition addressed to the Board of Commissioners of Hendricks County, Indiana,

for the improvement of the following described highway in said Center Township,

Hendricks County, Indiana, to-wit:-

"Beginning at a point at or near the South end of the Danville and Pittsboro Free Gravel Road, the same being in the East half of the South West quarter of Section Three in Township 15 North of Range 1 West, and extending thence South West to where the same intersects Columbia Street in said town of Danville, Indiana, thence West on Columbia Street in said town to the intersection of said Columbia Street with North Cross Street in the Town of Danville, Indiana, and the Danville and North Salem Free Gravel Road, thence North West to the South end of said Danville and North Salem Free Gravel Road as the same is now established and used by the public."

We would further show to your honorable board that a portion of the foregoing described highway is within the corporate limits of the town of Danville, Hendricks County, Indiana; that the same enters the corporate limits at the Eastern terminus of said Columbia Street in said town and extends to the Western terminus of said Columbia Street as now laid out and established.

We would further show that said petitioners will ask in their said petition that said improvement be by grading, draining and paving with stone, gravel, brick or other paving material; also, that said highway is less than three miles in length; that said improvement be made in all respects as provided by law for improving public highways by selling bonds of the County to pay the costs and expenses of said improvements and the levying of tax upon the taxable

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property of the entire township to meet the same,

Wherefore, We ask that your Honorable Board give your consent by resolution duly adopted for the improvement of so much of said described highway as is within the corporate limits of the said town of Danville, Indiana, and that you order the town Clerk, by resolution duly entered of record, to transmit a duly certified copy of such resolution to the Auditor of Hendricks County, Indiana.

Respectfully Submitted,

J.S. Marshall

C.C. Walls.

Therefore, Be it resolved by the Board of Trustees of the town of Danville, Indiana, in regular session, that, should the Board of Commissioners of Hendricks County, Indiana, after a full examination and consideration of the matters presented in said petition, deem said improvement, as prayed for in said petition, of public utility, than in that event said Board of Commissioners is hereby by these resolutions, given to know that the consent of the Board of Trustees of the Town of Danville, Indiana, is given to them to order so much of said improvement in said petition prayed for as is within the corporate limits of the Town of Danville, Indiana;

And be it further resolved by this Board that the Board of Commissioners of Hendricks County, Indiana, have and are hereby, by these resolutions, authorized and empowered to order and establish such improvement, or so much thereof as is within the corporate limits of the town of Danville, Indiana, and to enter into a contract for the making of the same over, upon and along the public streets of said town in the line of improvement prayed for in said petition and full and complete power is given to construct said improvement in such manner and upon such terms and conditions as said Board of Commissioners may determine upon. Provided always however, that in the making of said improvement determined upon by said Board of Commissioners, the right of all property owners, owning property along said proposed improved street shall at all times be respected and protected and that the rights of the public to the use of said street under improvement shall be interfered with as little as possible in the making of said improvement. And provided further, that, as a precedent to the entering upon the construction of said improvement by the contractor it shall be the duty of said Board of Commissioners to require of said contractor to give a good and sufficient bond to the approval of said Board of Commissioners to save the town of Danville, Indiana, harmless from any and all liability whatsoever growing out of any injury or damage to the property or persons because of any neglect or fault of said contractor, his agents or employes in the execution of his contract or in any matter connected therewith or related thereto and to pay any judgment with costs which may be obtained against said town of Danville, growing out of said injury or damage.

And provided further that the paving material used in such improvement within the corporate limits of the town of Danville, Indiana, shall be broken stone, brick or other suitable paving material, provided that the costs and expenses of the same shall not be

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greater than the benefits to be derived therefrom. And provided further that if the expenses per mile of said improvement, as determined upon by said Board of Commissioners, be greater within the corporate limits of said town of Danville, Indiana, than the expense per mile outside of the corporate limits of the town of Danville, Indiana, then the Board of Trustees of Danville, Indiana, will provide for the payment of extra expenses per mile of said improvement within the corporate limits of said town of Danville, Indiana, either by direct levy of tax upon the whole property within the corporation of the town of Danville, Indiana, or to assess such additional amount as benefits, against the abutting property as provided by law the manner of providing for said extra expenses, per mile, if any there be, to be hereafter determined by the Board of Trustees of the Town of Danville, Indiana.

And be it further provided that a duly certified copy of these resolutions, under the hand and seal of the Clerk of said Board of the Town of Danville, Indiana, shall be transmitted by said Clerk to the Auditor of Hendricks County, Indiana.

Alfred L. Walters

C. C. Allred

John T. Hume

James A. Clay

S. L. McCurdy

Attest: Chas. V. Sears, Clerk.

"Endorsed on back: Filed Apr 12, 1910. Wm. H. Nichols, Auditor Hendricks Co

And said Board of Commissioners having duly examined said petition, and the proofs adduced as to the giving of notice by publication and posting, as heretofore set forth, now finds that due and legal notice was given both by publication of said petition, and notice of the time and place of the filing of the same, and by posting copies of said notice, all as the statute provides in such cases, and the Court now orders and directs that the petition filed herein on the 12th day of April, 1910, and as afterwards amended, on motion of petitioners, by order of court, which petition, as amended, is in words and figures as follows, to wit:-

State of Indiana,
SS:
Hendricks County

To The Honorable Board of Commissioners of Hendricks County:

Gentlemen:-

We, the undersigned free holders and legal voters of Center Township, Hendricks County, Indiana, do hereby respectfully petition your Honorable Board to take the necessary steps for the improvement by grading, draining, ditching, bridging and culverting, graveling or paving with stone or other paving materials, the following described highway in Center Township, Hendricks County, Indiana, to wit:- Beginning at a point at or near the South end of the Danville and Pittsboro Free Gravel Road, the same being in the East half of the South West quarter of Section Three in Township 15 North of Range one west, and extending thence South West to wherer the same intersects with Columbia Street in said town of Danville, Indiana,

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thence West on Columbia Street in said town to the intersection of said Columbia Street with North Cross Street in the town of Danville, Indiana, and the Danville and North Salem Free Gravel Road, thence North West to the South end of said Danville and North Salem Free Gravel road as the same is now established and used by the public.

Said highway herein described and asked to be improved is less than three miles in length, to-wit about one half mile in length and has its termini in free gravel roads in said Center Township, Hendricks County, Indiana, and is located wholly in said Center Township.

Your petitioners would further ask that said improvements be of the width of from curb to curb where sidewalks are laid and not less than 30 feet where no walks are laid.

That upon the hearing of this petition, if the same be found sufficient by your Honorable Board, the same be referred to viewers and a competent engineer, for their examination and report upon said proposed improvement of said highway herein prayed for as provided by law for the improvement of public highways by taxation without submitting the matter of improvements of the same to the legal voters of said Center Township.

Your petitioners would further represent to your Honorable Board that a United States Mail Route is located upon and over a portion of said described highway.

Your petitioners would further ask that bonds of the County be issued and sold to pay the costs and expenses incurred by said improvement, as provided by law, and that they be issued in a series payable in Ten (10) Years from the date of their issue.

John W. Ader, W. S. Christy, Lloyd C. Holtsclaw, W. T. Lawson, John T. Hume, J. T. Barker, F. B. Prather, W. U. Masten, C. E. Edwards, Willis A. Dobson, J. C. Marsh, J. A. Dungan, D. A. Hadley, E. V. Ragland, C. C. Walls, H. L. Parker, J. H. Wilson, Otis E. Gulley, Geo. T. Pattison, G. W. Doughty, Geo. E. Easley, Wesley Brady, S. M. Tinder, J. L. Darnell, Alva Snyder, John Brickert, W. H. Rutledge, L. M. Holman, J. A. Campbell, R. T. Hollowell, Arthur Hadley, W. C. Osborne, John Worrell, S. B. Ensminger, John S. Duckworth, C. L. Thompson, E. D. Crawley, James Buchanan, W. H. Flathers, E. A. Crawford, J. D. Hogate, J. G. Ridpath, C. M. Parker, J. E. Pinnell, F. K. Tinder, E. M. Wilhite, A. L. Symons, C. N. Symons, Jerry McCoun, Wm. Sanders, Alfred L. Walters, C. C. Allred, S. A. McCurdy, J. A. Clay, Simon Hadley, J. W. Ayers, O. B. Hesler, Joe Hess, J. W. Trotter, W. M. O'Brien, R. R. McDaniel, John Burgess, A. G. Barrett, Chas. Ayers, W. H. Walls, John Fitzgerald, Chas. P. Hornaday, R. M. Shirley, Chas. E. Baker, Irving J. Brown, J. E. Sherrill, Russell D. Warner, David Hadley, F. B. Prather, Austin C. Cox, J. W. Pritchett, Fred E. Warner, W. L. Wilosn, Geo. W. Brill, Louis Marsh, A. L. Marsh, J. S. Marshall, George C. Harvey, J. T. Bell, E. C. Pennington, Jesse Lee Matlock, Chas. Z. Cook, W. C. Stevens, Roy H. Nichols, Alf Welshans, John S. Dunbar, E. W. Homan, J. A. Cox, J. B. Homan, C. G. Daley, James Fulps, J. W. Dempsey, C. W. Wynant

Endorsed on back :- "Filed Apr 12 1910. Wm. H. Nichols, Auditor Hendricks Co."

"Set for hearing May 2", 1910. Wm. H. Nichols, Auditor." be spread of record as a part of this cause, and as shown by endorsement on said petition the same was set for hearing on the 2nd day of May, 1910, and more than 20 days having elapsed, since the day set for the hearing of this cause, and no taxpayer of said Center Township, wherein said highway is situated, nor any person, corporation or taxpayer, whose lands or property will be affected by the improvement prayed for in said petition, having

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filed any written objections to the form and sufficiency of said petition, said Board upon motion of the petitioners herein, now proceed to examine said petition, as amended, as to the form and sufficiency thereof, and having examined the same, and being fully advised and informed in the premises, now finds that said petition is sufficient in form and substance, and that the same was signed by more than Fifty (50) free holders and legal voters of said Center Township, Hendricks County, Indiana, and that said highway described therein is less than Three (3) miles in length, and connects, at both ends with an improved free gravel road and that said petition properly shows the beginning, course, width and general description of said highway so asked to be improved, also the character of the improvement to be made, and the termini of said highway, and that the Trustees of the Town of Danville, Indiana, an incorporated Town situated within said Center Township, have, by a proper resolution given their consent for the making of said improvement over and along Columbia Street located in said town and forming a part of the highway sought to be improved by said petition, and that there are no towns or cities in said Center Township, having a population of more than Thirty Thousand (30,000) inhabitants.

It is now therefore ordered, adjudged and decreed by the Board of Commissioners that said petition is sufficient in form and substance, and it is further ordered that the prayer of said petitioners herein be, and the same is hereby granted.

It is further ordered by the Board that said petition be and the same is hereby referred to John O. Kain, a competent civil engineer, and Ed Blair and John Wear, viewers, and the Board now hereby appoints the said John O. Kain, engineer, and the said Ed Blair and John Wear, viewers, which viewers are responsible free holders and voters of Hendricks County, Indiana, and are not residents or owners of taxable property in said Center Township.

It is further ordered by the Board that said John O. Kain, engineer, and Ed Blair and John Wear, viewers, meet at the Auditor's Office of Hendricks County, Indiana, on the 14th day of February, 1911, at which time and place they shall each take and subscribe an oath to faithfully and impartially discharge their several duties therein.

It is further ordered that the said John O. Kain, engineer, shall execute and file with the Auditor of Hendricks County, Indiana, his bond with good and sufficient surety to be approved by the said Auditor, payable to the State of Indiana, in the penal sum of Five Thousand (\$5000.00) Dollars, conditioned for the faithful performance of his duty as such engineer, and that said engineer and viewers shall then proceed without delay to make all necessary and needful surveys of the highway named and described in the petition herein, and to determine and report as to whether the proposed improvement of said highway described in said petition will be of public utility, to grade, pave, ditch, drain and improve the same as prayed for in said petition, and that said engineer and viewers shall also

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determine the width of the highway to be improved, the character of the improvement to be made, including the grading, paving, ditching and draining, the same, together with full and complete plans and specifications of such improvements including plans and specifications for all culverts and bridges necessary and required for said improvement, and they shall also estimate the costs of all such improvements to be made as prayed for in the petition, and as determined upon by them to be necessary, and to make report of all matters necessary in the improvement of said highway as provided by the Statutes of the State of Indiana, to this Board, and they shall accompany their said report with an accurate and correct profile of said highway showing lines and figures of the elevation thereof, at each one hundred (100) feet of its length and the changes to be made therein by excavation or filling, which profile shall be made by said engineer, and said engineer and viewers are hereby ordered and directed to make their report herein on the 1st day of the March Term, 1911, of this Court, and this cause is now continued.

In the matter of the petition of)
Willis A. Dobson, et al, for the)
Improvement of a Public Highway.)

And now comes again the petitioners in the above entitled cause and ask leave of the Court herein to amend their said petition herein in this respect, that they ask that said improvement be made not less than thirty feet in width at any point where cement sidewalks and curbs had not been put in and established, instead of being made so as to not exceed thirty feet in width at any point where cement sidewalks and curbs had not been put in and established along said highway, which leave is granted by the Court, and said amendment is now accordingly made by striking out of the prayer of said petition the words "not Exceed" and inserting in lieu thereof the words "be made not less than" and by inserting the word "other" immediately before the word "point" in said sentence.

And said petitioners now ask the said Board of Commissioners to approve, and order spread of record, the Resolution of the Board of Trustees of the incorporated Town of Danville, Indiana, which was filed herein on the 16th day of August, 1910, wherein said highway sought to be improved is situated, giving the consent of said Board of Trustees for the making of said improvement, and said Board of Trustees for the making of said improvement, and said Board of Commissioners now accept and approve said resolution, and order the same spread of record as a part of the proceedings in this cause, which is now done, the same being in words and figures as follows, to-wit:-
In the Matter of the petition of
Willis A. Dobson et al for the Improvement
of a Public Highway in Center Township,

Hendricks County, Indiana.
To the Honorable Board of Trustees of the Town of Danville, Hendricks County,
Indiana:

Comes now the undersigned, for themselves and in behalf of more than fifty

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other freeholders and voters of Center Township, Hendricks County, Indiana, and respectfully show to your Honorable Board that on the 15th day of August, 1910, they filed in the office of the Auditor of Hendricks County, Indiana, their certain petition addressed to the Board of Commissioners of Hendricks County, Indiana, for the improvement of certain public highways in said petition described, which said petition is in words and figures as follows, to-wit:-

State of Indiana, Hendricks County, SS:

In the Commissioners' Court, September Term, 1910.

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

The undersigned petitioners represent to your Honorable Board that they constitute more than fifty freeholders and voters of Center Township, Hendricks County, State of Indiana, and said petitioners respectfully petition your Honorable Board that the following established public highway, situated wholly within said Center Township, and described as follows, to-wit: Beginning in the center of the Danville and Cartersburg Improved Free Gravel Road, on the South Line of the Corporation of the Town of Danville, Indiana, at, or near the center of the overhead bridge, on said Danville and Cartersburg Road, over and across the tracks of the Cleveland, Cincinnati, Chicago and St. Louis Railway Company, the same being in Sec. 10, Tp. 15 N. R. 1 W., thence North West on the Center line of what is known as the Danville and Cartersburg Road about 566 feet to where said Road intersects and crosses a public highway known as Tennessee Street in the Town of Danville, Indiana, thence North on said Tennessee Street about 1985 feet to where the same intersects South Street, a public highway in said Town, thence East on said South Street about 280 feet to where the same intersects Wayne Street, a public highway in said Town, thence North on said Wayne Street about 1750 feet to where the same intersects what is known as Columbia Street, a public highway in said Town, thence West on said Columbia Street about 280 feet to where the same intersects Tennessee Street, a public highway in said Town, thence North on said Tennessee Street about 775 feet to where the same intersects and terminates in a public highway known as Lawton Avenue, thence West on said Lawton Avenue about 640 feet to where the same intersects and terminates in the Danville and Lebanon Free Gravel Road, be improved by grading, draining, ditching and paving with stone, gravel or other paving material, and by building the necessary bridges culverts and sewers thereon.

Said public highway herein described and asked 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 Cartersburg Improved Free Gravel Road and the other terminus is in the Danville and Lebanon Improved Free Gravel Road.

And your petitioners ask and pray that said above described public highway be improved by paving with stone, gravel or other road paving material, from curb to curb where cement sidewalks and curbs have been put in and established along said highway, and that said improvement not exceed thirty feet in width at any

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point; that upon a hearing of their petition, if the same be found sufficient by your Honorable Board, that the same be referred to viewers and a competent engineer for their report upon said proposed improvement herein prayed for, as provided by statute; that said improvement be made without an election by the voters of said Center Township; and that bonds, in Ten Years Series, be issued and sold to pay the costs of said improvement and all expenses connected therewith.

Said petitioners would further show to the Board that practically all of said highways in said petition described are within the corporate limits of said Town of Danville, Indiana.

Wherefore we ask that your Honorable Board give your consent by resolution duly adopted for the improvement of so much of said highways described in said petition as is within the corporate limits of said Town of Danville, Indiana, as is provided by statutes of the State of Indiana for Boards of Trustees of incorporated towns so to do, and we ask that you order the Clerk of said Town of Danville to duly certify a copy of said resolution to the Auditor of Hendricks County, Indiana.

Ora E. Leak

E. L. Christie

Wherefore, Be it resolved by the Board of Trustees of the Town of Danville, Indiana, in special session, that should the Honorable Board of Commissioners of Hendricks County, Indiana, after due examination and consideration of the matters presented to them by said petition as set out in the petition filed with this Board of Trustees deem said petition to be sufficient and the improvement asked for in said petition to be of public utility, then and in that event said Board of Commissioners are by these resolutions authorized and empowered to order and make such improvement, on so much of said public highways as are located in the corporate limits of the town of Danville, Indiana, and to enter into all necessary contracts for the making of the same over, upon and along the said public streets of said Town, as prayed for in said petition, and full and complete consent is hereby given to said Board of Commissioners to construct said improvement in such manner and upon such terms and conditions as said Board of Commissioners may determine. Provided, however, that in the making of said improvements as determined upon by said Board of Commissioners, the rights of all property owners situated upon and along said public streets to be improved, shall at all times be respected, as well as the rights of the general public to the use of said streets and such rights and use of the public shall be interfered with as little as possible in the making of said improvement. And Provided further, that said Board of Commissioners shall require of the contractor for such improvement before entering upon the making of said improvement, to give a good and sufficient bond, to be approved by said Board of Commissioners, to protect and save the Town of Danville from any loss or damage of every kind or character growing out of any injury or damage to person or property on account of the fault or negligence of said contractor or any employee in the execution of said work of improvement, or that in any manner whatsoever grows out of the making of said improvement, and that said contractor will pay any judgment and costs that may be obtained against said Town of Danville, in any

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manner growing out of said injury or damage. And provided further, that the mat to be used in the making of said improvement is hereby left to the judgment and discretion of said Board of Commissioners, provided that the costs and expenses the same shall be greater than the benefits to be derived from said improvement. And provided further, that if the expenses per mile of said improvement as determined upon by said Board of Commissioners shall be greater within the corporate limits of said Town of Danville than the expense per mile outside of said corporate limits of said Town then the Board of Trustees of said Town of Danville hereby agree to provide for the payment of such excess cost and expense per mile of said improvement within the corporate limits of said Town of Danville, either by direct levy of tax upon the property within the said corporation of Danville, or by assessing such excessive amount as benefits against the property abutting said improvement, as provided by law for said extra expenses per mile, if any there be to be hereafter determined upon by the Board of Trustees of said Town of Danville. And be it further resolved, that a duly certified copy of these resolutions, under the hand of the Clerk of said Town of Danville, and the seal of said Town, shall be forthwith transmitted by said Clerk to the Auditor of Hendricks County, Indiana.

Alfred L. Walters

J. A. Clay

C. C. Allred

S. L. McCurdy

John T. Hume

And said Board of Commissioners having duly examined said petition, and the proofs adduced as to the giving of notice by publication, and the proofs adduced as to the giving of notice by publication and posting, as heretofore set forth, now find that due and legal notice was given both by publication and by said petition and notice of the time and place of the filing of the same, and by posting copies of said notice, all as provided by statute in such cases, and on the 15th day of August, 1910, be spread of record as a part of the cause, said petition being in words and figures as follows, to-wit:-

State of Indiana,

Hendricks County, SS:

In the Commissioners' Court, September Term, 1910.

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

The undersigned petitioners represent to your Honorable Board that they constitute more than fifty freeholders and voters of Center Township, Hendricks County, State of Indiana, and said petitioners respectfully petition your Honorable Board that the following established public highway, situated wholly within said Center Township, and described as follows, to-wit:- Beginning in the center of the Danville and Cartersburg Improved Free Gravel Road, on the South Line of the Corporation of the Town of Danville, Indiana, at, or near the center of

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the overhead bridge, on said Danville and Cartersburg Road, over and across the tracks of the Cleveland, Cincinnati, Chicago and St. Louis Railway Company, the same being in Sec. 10, Tp. 15 N. R. 1 W., thence North West on the center line of what is known as the Danville and Cartersburg Road about 566 feet to where said Road intersects and crosses a public highway known as Tennessee Street in the Town of Danville, Indiana, thence North on said Tennessee Street about 1985 feet to where the same intersects South Street, a public highway in said Town, thence East on said South Street about 280 feet to where the same intersects Wayne Street, a public highway in said Town, thence North on said Wayne Street about 1750 feet to where the same intersects what is known as Columbia Street a public highway in said Town, thence West on said Columbia Street about 280 feet to where the same intersects Tennessee Street, a public highway in said Town, thence North on said Tennessee Street about 775 feet to where the same intersects and terminates in a public highway known as Lawton Avenue, thence West on said Lawton Avenue about 640 feet to where the same intersects and terminates in the Danville and Lebanon Free Gravel Road, 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.

Said public highway herein described and asked 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 Cartersburg Improved Free Gravel Road and the other terminus is in the Danville and Lebanon Improved Free Gravel Road.

And you petitioners ask and pray that said above described public highway be improved by paving with stone, gravel or other road paving material, from curb to curb where cement sidewalks and curbs have been put in and established along said highway, and that said improvement be not less than thirty feet in width at any other point; that upon a hearing of their petition, if the same be found sufficient by your Honorable Board, that the same be referred to viewers and a competent engineer for their report upon said proposed improvement herein prayed for, as provided by statute; that said improvement be made without an election by the voters of said Center Township; and that bonds, in ten years series, be issued and sold to pay the costs of said improvement and all expenses connected therewith.

Willis A. Dobson, Chas. Z. Cook, J. C. Marsh, J. L. Darnell, F. J. Christie, W. C. Osborne, R. T. Hollowell, Jas. W. Nichols, W. S. Christy, W. S. Mahan, A. G. Kelleher, J. H. Wilson, E. L. Christie, J. A. Kirkham, Alf Walters, Geo. T. Pattison, W. J. Thompson, J. S. Marshall, J. D. Hogate, Cyrus Osborne, John W. Ader, W. C. Minor, S. L. McCurdy, J. W. Pritchett, J. T. Barker, Chas. P. Hornaday, J. E. Raugh, Simon Hadley, Ora E. Leak, W. H. Cassity, R. H. Harrison, H. C. Sears, John Fitzgerald, Joe Hess, E. D. Crawley, J. D. Brickert, J. N. Hadley, Charles Sanders, Charley Pierson, Willis Wood, John Ridpath, James McCoun, F. K. Tinder, James M. Adams, J. L. Keeter, W. V. Bowen, W. H. Walls, E. V. Ragland, Chas. Ayers, C. C. Walls, R. D. Snyder, J. F. Neiger, C. E. Edwads, Dan Miles, W. H. Wheeler, Otis E. Merritt, John Shelley, J. E. Pinnell, Raleigh McCoun, E. M. Wilhite, C. L. McCoun, R. M. Shirley, J. W. Williams, C. F. Hall, J. S. Harrison, Charles A. White, E. E. Tinder, Smith Trotter, J. M. George, J. H. Stevens, Jerry McCoun, W. B. Bryant, D. A. Higgins, L. T. Mills, J. D. Pratt, Charles Barton, S. B. Ensminger, C. W. Howell, J. H. Bunton, E. P. Huron, A. M. Garshwiler, E. M. Blessing, A. A. Figg, John T. Hume,

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Walt S. Hadley, A. J. Roark, J. M. Towles, J. W. Ayers, I. N. E. tep, Eugene Maden, Geo. W. Searce, O. E. Gulley, B. F. Howell, John E. Call, O. W. Wilhoite, W. O. Moon, Jesse Mitchell, J. F. Underwood, F. P. Reichard, H. F. Millikin, Otis E. Gentry, J. R. Sears.

"Filed Aug 15 1910. Wm. H. Nichols, Auditor Hendricks Co."

"Set for hearing Aept 6" 1910. Wm. H. Nichols, Auditor"

And as shown by indorsement on said petition the same was set for hearing on the 6th day of Sept 1910, and more than twenty days having elapsed since the day set for the hearing of said petition, and none of the taxpayers of said Center Township, wherein said highway is situated, nor any person or corporation or taxpayer whose lands or property will be affected by the work prayed for in said petition having filed any written objections to the form and sufficiency of said petition, and said Board now proceeds to examine said petition, and having examined the same and being fully advised and informed in the premises now finds that said petition is sufficient in form and substance and that the same was signed by more than fifty freeholders and legal voters of said Center Township, Hendricks County, Indiana, and that said highway described therein is less than three miles in length and connects at both ends with an improved free gravel road and that said petition properly shows the beginning course, width and general description of said highway to be improved, also the character of the improvement to be made and the termination of said highway, that the incorporated town of Danville, Indiana, in said Center Township by the Board of Trustees thereof has by proper Resolution given its consent for the making of said improvement, and that there are no towns or cities in said Center Township having a greater population than thirty thousand inhabitants.

It is therefore ordered and adjudged by the Board that said petition is sufficient in form and substance, and it is further ordered that the prayer of the petitioners herein be and the same is hereby granted.

It is further ordered by the Board that said petition be and the same is hereby referred to John O. Kain, a competent Civil Engineer, and ^{Wm. C. Vannice} ~~John J. C. Clay~~ and Smith R. Davis, 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 the Board now hereby appoints the said John O. Kain, engineer, herein, and the said John J. C. Clay and Smith R. Davis as Viewers herein.

It is further ordered by the Board that said John O. Kain, engineer, ^{Wm. C. Vannice} ~~John J. C. Clay~~ and Smith R. Davis, Viewers, meet at the Office of the Auditor of Hendricks County, Indiana, on the 14th. day of Feb., 1911, at 9. o'clock A.M. at which time and place they shall each take and subscribe an oath faithfully and impartially to discharge their several duties herein. It is further ordered that the said John O. Kain, engineer, shall execute and file with the Auditor of Hendricks County, Indiana, his bond, with good and sufficient surety to be approved by the said

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Auditor, payable to the State of Indiana, in the penal sum of Five Thousand Dollars, conditioned for the faithful performance of his duty as such engineer, and said engineer and viewers are ordered, after having been 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 the same with stone, gravel or other road paving material, and build the necessary bridges, culverts and bridges 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 on such improvement, and of all bridges, culverts and waterways required therein, together with the estimated cost 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 their regular March Term, 1911, 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.

Ordered that the Board do now adjourn.

Harry E. Sanders
 Albert M. Murphy
 James A. Downard

)
)
) Board Commissioners Hendricks County.
)

Wednesday, March 8th., 1911, and 3rd. day of Mch Term, 1911.

Wednesday Morning, March 8th., 1911

The Board of Commissioners of Hendricks County, Indiana, met in ^{pursuant to adjournment} regular session, at the Commissioners' Court Room in the town of Danville, Indiana, it being the 3rd. day of the Regular March term, 1911.

Present: Harry E. Sanders, Elbert M. Murphy and James A. Downard, all members of said Board.

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

In the matter of the petition of)
Simon Hadley 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 G. Ridpath, 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, March 8th., 1911, and 3rd. day of March Term, 1911.

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 come also the engineer and viewers, and it appearing to the satisfaction of the Board that it is impossible for the said engineer and viewer 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)
Willis A. Dobson 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)
Frank E. Cooper et al for the)
opening of a Township Highway.)

Come now the petitioners herein and present to the Board of Commissioners, 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 thereof, their oath of qualification and the order heretofore made by the Board, doth say and find that all the viewers so appointed report in favor of the public utility of the highway petitioned for.

It is therefore ordered, adjudged and decreed by the Board of Commissioners of Hendricks County, State of Indiana, that said highway as petitioned for by Frank E. Cooper et al, be located as follows, to-wit: Commencing at the South West Corner of Section 18, Township 14 North Range One (1) West and running thence East on the Section line between Sections Eighteen (18) and Nineteen (19) Township 14 North Range one west to the South East corner of said Section 18 Township and Range aforesaid, all in Franklin Township, Hendricks County, Indiana.

(Order issued to Trustee Franklin Tp. March 16", 1911.)

Wednesday, March 8th., 1911, and 3rd. day of March Term, 1911.

In the matter of the Petition of)
David Foster et al, for the improvement)
of a public highway.)

Come now the petitioners and come also William L. Wilson and John D. Brickert, 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 appointment 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, the said order being in words and figures following, to-wit:-(Here Insert) And the board having duly examined said order so produced by the viewers and said engineer, find that said engineer and said viewers did appear at the auditor's Office of this County on the 12th day of July, 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 approved endorsement thereon is as follows, to-wit:-(here insert)

And now the Auditor of this County produces the duly verified report of said viewers and engineer and the board having duly examined the same finds it was filed in the office of the Auditor of this County on the fifth day of December, 1910, as heretofore ordered by this board and that the same has been filed therein in said office open to the inspection of all persons, their agents and attorneys, ever since said date. And now said viewers make and file their supplemental report herein and the board having examined said supplemental report and heard all matters connected herewith 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 damage 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 proceedings is less than three miles in length, that it connects at one

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end with an improved 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 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 Danville Gazette, two public 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 situated, that on Monday the 4th day of April, 1911, 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 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 record 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 Foster et al for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 5th day of December, 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.

Wednesday, March 8th., 1911, and 3rd. day of March Term, 1911.

Respectfully submitted,

John O. Kain

W. L. Wilson

J. D. Brickert

Viewers.

Subscribed and sworn to before me this the 31st day of January, 1911.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back: "Filed Jan. 31" 1911. Wm. H. Nichols, Auditor Hendricks Co."

Report of Viewers and Engineer.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, December Term, 1910.

In the matter of the petition of David Foster 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 in the petition of David Foster et al, and herein-
after 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 12th. day of
July, 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

Wednesday, March 8th., 1911, and 3rd. day of March Term, 1911.

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, culverts, sewers, ditches, drains, 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 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 & Lizton Free Gravel Road, which point is 10.25 feet South of a corner stone at the Northeast corner of the South half of the Southwest quarter of Section 4, Township 16, North, Range 1 West, in Union Township, Hendricks County, Indiana, and running thence West 2642.5 feet to a point on the west line of said Section 4, which is 15 feet South of the Northwest corner of the South half of the Southwest quarter of said Section 4; thence West parallel with the North line of the South half of the Southeast quarter of Section 5, in said township and Range 2653.5 feet to a point 15 feet South of the Northwest corner of the South half of the Southeast quarter of said Section 5; thence West parallel with the North line of the South half of the Southwest quarter of said Section 5, 1104 feet; thence deflecting to the right 3 degrees, 51 minutes 223 feet to a corner stone at the center of the Southwest quarter of Section 5; thence West 1333.5 feet to the center on the West of the Southwest quarter of Section 5; thence West on the North line of the Southeast quarter of Section 6, said Township and Range 1334.50 feet to the center of the Southeast quarter of said Section 6; thence West 1346.5 feet to the center on the West of the Southeast quarter of said Section 6; thence deflecting to the left 10 degrees, 49 minutes, 1268.8 feet to a point on the West line of said Section 6, the same being the line between Union and Eel River Townships, Hendricks County, Indiana. We find the total length of the proposed improved highway to be 11,906.3 lineal feet, which is less than three miles. All said bearings and distances being the center line of said 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 \$3000.00.

John O. Kain, Engineer.

W. L. Wilson, Viewer.

John D. Brickert, Viewer.

Subscribed and sworn to before me this 29th day of November, 1910.

Wm. H. Nichols, Auditor.

Wednesday, March 8th., 1911, and 3rd. day of March Term, 1911.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, December Term, 1910.

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

Specifications for the construction of the David Foster 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, 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 compensa-
tion.

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
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.

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7. Changes in Plans, Extra Work. The Board reserves the right to alter or change any detail in the materials or method of construction, which will not materially increase or decrease the cost of the work, without any additional compensation to the Contractor. More important changes or alterations may be made by the Board, should the exigency arise and become apparent during the progress of the work, through faulty design as provided by the plans and specifications, or by reason of obstruction met with which could not reasonably have been foreseen before the work begun, notwithstanding such changes or alterations may materially increase or decrease the cost of the work; but the Contractor shall not proceed with such changes or alterations without a written order from the Board, the price agreed upon to be added to, or deducted from, the contract price, being stated in order. In case the Board and Contractor can not agree as to the price, it shall be taken as the estimated actual cost plus fifteen per cent, as determined by the Engineer. No claim whatever shall be allowed for extra materials or labor furnished unless the same shall have been ordered in writing. It is expressly agreed and understood that any alterations, or changes made, shall not in any way violate or annul the contract. Any claim for damages or for any other matter or cause must be made in writing to the Board at the time the alleged damages occurs, or the cause for the claim arises; and unless such claim is so presented, it shall be held that the Contractor has waived such claim and he shall not be entitled to receive pay for the same.
8. Inspection. All the materials and workmanship or whatever description shall be subject to the inspection of the Engineer. The Contractor shall recognize any assistant or inspector that the Board may appoint, under the direction of the Engineer, to inspect the materials furnished, the labor to be performed and the execution of the work.
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-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. 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

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to break.

12. 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 plans and specifications whether particularly specified or not, but which may be inferred from the specifications.

13. Indemnity. The contractor shall keep Hendricks County free and harmless from the payment of any and all damages, costs, expenses royalties, patent fees, attorney's fees, or any sum of money whatsoever, by reason of any action, claim, demands or proceedings, arising out of any infringements or alleged infringement, or use of any patent or patented devise, 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 or employees.

14. 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. And 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. Time of work relative to weather and conditions of other Highways.

Whenever the weather conditions are such, or conditions of other

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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 highway 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 to 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 materials are 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, at all such places the right of way shall be sufficiently wide to preserve a sub-grade twenty-seven (27) 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.

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 or cause damage to the road they may be left standing at the discretion of the Engineer.

The center line of the road shall follow along and coincide with the center line of the road as described in the report. All angles shall be turned as provided for in the diagram on the profile and in accordance with the direction of the Engineer.

Sub-grade.

The roadway shall be graded to a true and smooth surface and to the subgrade, as shown by the plans and profile, and by the stakes to be set by the engineer. All soft and spongy places not affording a firm foundation shall be dug out and refilled with broken stone or gravel. The excavation for the subgrade of the gutters shall be made to the additional depth indicated by the drawings. 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 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

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satisfaction of the engineer and superintendent.

Ditches.

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.

From Station 4 plus 25 to Station 16, common drain tile shall be laid on both sides of the road, and shall be laid and properly covered conforming to the stakes and grade as will be indicated on a profile for such tile drain, such profile to be furnished and stakes set by the Engineer, when the Contractor is ready to perform the work.

Grade.

The grade line (the red line) of the profile shows the grade of the subgrade 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 subgrade 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.

Excavations.

All cuts shall be excavated to a width of twenty-seven (27) feet at the subgrade.

Bridge.

Bridge: For a bridge at Station 109 plus 75 feet, of a clear span of 6 feet, and clear roadway 18 feet.

Plans: The plans for the same on the profile contemplates a bridge complete in all its details.

Details: The dimensions of the parts of the structure, shall be in accordance with the following:- Span 6 feet; thickness of slab, 7 inches; unit trusses at 17, 1/2 inches, 5--1/2 inch rods.

These dimensions are for a moving load of a twenty (20) ton road roller or 200 pounds per square foot, in addition to the weight of the structure itself, including 6 inches of earth filling. The reinforcement is figured at 16,000 pounds of tension per square inch.

Concrete.

The concrete shall be composed of one part of American Portland Cement, the brand to be named by the engineer, to five parts of approved clean sharp gravel, the largest pieces which shall pass ^{through} a one (1) inch ring.

Gravel.

The gravel shall be hard, clean, and free from dirt and other fine material, except sand, and shall be of a quality first class for concrete purposes.

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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 part cement to five parts gravel, measured by volume loose, sufficient water to be added then 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.

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 gravel 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 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 one (1) inch 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.

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 substances down to a level with the water line from abutment to abutment, the entire length of the same.

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, proportions and mixture as heretofore provided for bridges. The headers or walls at the ends of the sewers shall be reinforced with two lines of three-quarter ($\frac{3}{4}$) inch twisted bars placed in pairs, one pair six (6) inches from the bottom, the other pair six (6) inches from top, 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

Monday, March 8th., 1911, and 3rd. day of March Term, 1911.

battered to ten (10) inches at the top, of the sizes and reinforced as shown on the profile.

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 Montezuma Gravel, or other acceptable Wabash Gravel, suitable for first class road building purposes acceptable to the engineer and board. Said gravel to be free from dirt, sticks, chunks, and all other foreign and deleterious material. The gravel to be placed between boards properly lined. Said boards shall remain in place until the engineer or Board is satisfied that the required amount of gravel has been placed on the road. 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 the dirt and leaving the edges of the gravel in a straight line and presenting a uniform slightly 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 bridges and sewers, in such cases the road shall be blocked no longer than possible.

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.

W. L. Wilson, Viewer.

John D. Brickert, Viewer.

Subscribed and sworn to before me this 29th day of November, 1910.

Wm. H. Nichols, Auditor.

Endorsed on back "Filed Dec 5th 1910. Wm. H. Nichols, Auditor Hendricks Co."

And further proceedings herein are continued.

Ordered that the Board do now adjourn.

Harry E. Sanders)
 Elbert Murphy)
 James A. Downard)

) Board Commissioners Hendricks County.

Vacation Entry.

Be It Remembered that on the 9th. day of March, 1911, the following transcript was filed in the Office of the Auditor of Hendricks County, Indiana, to-wit:-

State of Indiana, Putnam County, SS:

Commissioners' Court, March Term, 1911.

At a term of the board of commissioners of said County, begun, held and continued at the Court House in Greencastle, Ind., commencing on Monday the 6th day of March, 1911, the following proceedings were had on the 6th day of March, 1911, to-wit:-

In the matter of a petition of Otto Masten et al for the)
Improvement of a County Line Road between Putnam & Hendricks)
Counties, Indiana. And for the laying Out & Improvement of a)
County Line Road between said Counties.)

Be It known that on Monday the 6th day of March, 1911, the same being the regular session of the Board of Commissioners of Putnam County, Indiana, held in Commissioners' Room, at the Court House, in Greencastle, Indiana, the following proceedings were had in the above entitled cause, to-wit:-

Comes now D.V. Moffett, Auditor of Putnam County, Indiana, and presents to said Board of Commissioners of Putnam County, Indiana, the petition in the above entitled cause, which petition bears the file mark of said Auditor as follows, to-wit: "Filed Feb. 20, 1911, D.V. Moffitt, Auditor" and which petition is in words and figures as follows, to-wit:-

"Petition For the Laying out and the Improvement of a Highway and for the Improvement of a highway laid out, on County Line.

To the Board of Commissioners of the County of Putnam, in the State of Indiana.

We the undersigned adult resident freeholders of Floyd Township, in Putnam County, Indiana, and also of Clay and Marion Townships in Hendricks County, Indiana, each of said Townships abutting on the proposed County Line road hereinafter described and proposed to be laid out and improved, by laying out, opening, grading, bridging and graveling the same; and abutting on the County line road already laid out and proposed to be improved, by grading and graveling the same- said proposed road and highway, and said road and highway now laid out and as hereinafter described will be, and to be a continuous road and highway on said County Line when laid out, opened and improved as hereinafter described.

We would respectively petition and ask your honorable board to open, lay out and improve, by grading, bridging and graveling a highway on the County line between the counties of Putnam and Hendricks, in the State of Indiana, and described as follows:-
to-wit:- Commencing at a point in the center of the Rockville Road, and on the County line between the Counties of Putnam and Hendricks, in the State of Indiana, at the South east corner of Section One (1) in Township Fifteen (15) North of Range three (3) West, in Putnam County, Indiana, thence South on said County Line between said Counties of Putnam and Hendricks to a point in the center of a public highway at the Southeast corner of Section Twenty-five (25), in Township Fifteen (15), North of Range Three (3) West, in said Putnam County, Indiana, a distance of Four miles, and to lay out and establish said

Vacation Entry.

proposed highway at a width of Thirty-two feet.

And to improve, grade and gravel the following described highway located and being on the county line between the counties of Putnam and Hendricks in the State of Indiana, and described as follows, to-wit:- Commencing on said County line in the center of said highway, at the Southeast corner of Section Twenty five (25), in Township Fifteen (15) North of Range Three (3) West, in Putnam County, Indiana, thence South on said County line in the center of said highway to the Southeast corner of Section thirty-six (36), in Township Fifteen (15), North of Range Three (3) West, in said Putnam County, Indiana, a distance of One (1) mile, and to establish said highway at a width of Thirty-two (32) feet.

The estimated distance of said proposed highway to be laid out and established and to be improved, is five miles in length.

We recommend that said proposed highway when laid out and established, and the highway now laid out, be improved by grading, bridging and graveling the same. Respectively Submitted.

Names, Clay Township Hendricks County:-

Otto Masten, J. G. Sharp, C. A. Montgomery, W. T. Beck, D. W. Campbell, E. R. Ellis, J. B. Gambold, L. A. Stewart, W. T. Vice, D. S. Bowen, S. D. Edwards, P. E. Bourne, C. A. Campbell, B. F. Draper, G. W. Bryant, W. V. Rollings, Lon Shields, Chas. Short, W. E. Grenlee, M. F. Bennett, W. O. Pike, J. H. Stears, Loyd Knight, C. F. Phillips, J. G. Vaughan, W. E. Allee, S. P. Vaughan, S. O. Hunt, Chas. A. Stewart, Lorenze H. O'Neal, Oscar Stanley, T. H. Broadstreet, E. O. Stewart, J. N. Hodson, John Masten, Thomas Aubrey, Sylvester Ellett, John Bailey, J. Q. Leachman, Geo. Terry, Charles F. Hope, D. A. McAninch, E. E. Masten, Mrs. S. A. Johnson, Z. A. Christy, Kate McClure, John Crews, S. E. Mark, Ned Brown, J. F. Walton, H. H. Wisehart, J. H. Hope, R. L. Smith, James Davidson, Jno. G. Shelton, Chas. W. Bridges, R. L. Edwards, Henry Cornett, W. T. Davis, Names, Floyd Township, Putnam County, Indiana.

Otto Mastin, J. Polk Christie, C. M. Pickett, James J. Bugg, A. P. Robinson, S. Evans, J. L. Pickett, Joe Garrett, Joe Louis, S. Mason, Fred Todd, Millard Greenlee, J. A. Mastin, W. R. Todd, Chas. Wright, Robert C. Wilson, M. M. Miller, F. L. Ader, Harvey Ader, Ralph Pickett, Oscar Stevenson, Reuben Smith, Edward E. McVay, J. W. Lydick, I. E. Lewis, Cliffors Shinn, John Wilson, Leonard Heavin, Elijah Flint, S. D. Wilson, Emma Wright, Luther Wright, D. C. Summers, Ed Hinkle, D. D. Eggers, F. M. Wilson, W. S. Campbell, Jonathan Owen, H. W. Timmons, W. T. Freeland, E. C. Timmons, L. T. Hurst, M. O. Herod, D. E. Shoemaker, M. L. Craver, Newton Shoemaker, Frank V. Day, W. A. Craver, A. J. Smith, A. M. Lisby, J. W. Randolph, E. C. Wahn, William S. Cock, James E. Ogle, John A. McCoy, Aaron W. Cooper, Elisha A. Zeiner, C. W. Beck.

Names, Marion Township Hds Co.

Willard A. Quick, C. W. Sheets, E. E. Mason, Amos Shelton, Geo. Pritchett, M. E. Chatham, James H. Dale, R. G. Batman, L. R. Christie, Ben Haynes, S. Verdow, Chas. Pierson, G. W. Wise, M. C. Shelton, O. C. Blanton, J. W. Heavin, Jacob Kyner, Jas. A. Sharp, J. F. Stevenson.

Vacation Entry.

State of Indiana, Putnam County, SS:-

Otto Masten, being duly sworn upon his oath says that he is a resident freeholder and voter of Floyd Township, in Putnam County, Indiana. He further says that he is personally acquainted with all the persons whose names appear to the above and foregoing petition for the opening, and to lay out and improve, by grading, bridging and graveling a highway on the County line between the counties of Putnam and Hendricks. And to improve, grade and gravel the highway located and being on said County line, and as prayed for in the above and foregoing petition.

That said petition is signed by more than one hundred and thirty (130) adult resident freeholders of the Townships of Floyd, in Putnam County, Indiana, and in Cley and Marion Townships in Hendricks County, Indiana. He further says that he was present and saw all the persons whose names are signed on pages Two and Three of said petition sign the same, and he says that each and all of said persons whose names are so signed on pages 2 and 3 of said petition are resident adult freeholders of Clay Township in Hendricks County, Indiana, and that there are fifty-eight of said signers on said pages 2 and 3 of the foregoing petition that are resident adult freeholders of said Clay Township. He further says that he was present and saw all the persons whose names appear on said petition on page six (6), sign their names to said petition, and that each and all said persons whose names appear on said page 6, are adult resident freeholders of Marion Township, in Hendricks County, Indiana, and that there are Nineteen (19) of said persons and petitioners that are resident adult freeholders of said Marion Township.

Otto Masten.

Subscribed and sworn to before me this 18th day of February, 1911.

My com-exp-Sept 5th, 1912.

John H. James, Notary Public.

State of Indiana, Putnam County, SS:

Millard Greenlee, being duly sworn upon his oath, says that he is a resident freeholder and voter of Floyd Township in Putnam County, Indiana. He further says that he is personally acquainted with all the persons whose names appear to and are signed to the above and foregoing petition. That said petition is signed by more than one hundred and thirty (130) adult resident freeholders in the Townships of Floyd in Putnam County, Indiana, and in Clay and Marion Townships in Hendricks County, Indiana. He further says that he was present and saw all the persons whose names appear on said petition on pages four and five sign their names to said petition, and that each and all said persons whose names appear on said pages of said petition are adult resident freeholders of said Floyd Township, in Putnam County, Indiana, and that there are fifty-eight (58) of said persons petitioners that are resident freeholders of said Floyd Township.

Millard Greenlee.

Subscribed and sworn to before me this 18th day of February, 1911.

My com-exp-Sept 5th, 1912"

John H. James, Notary Public.

And now come said petitioners by J. H. James, their attorney, and come also J. F. Underwood, Nathan Underwood and J. L. Wilson resident taxpayers of said Township of _____ in _____, County, Indiana, by George M. Wilson, their attorney, and file their written

Vacation Entry.

objections to said petition, by way of general denial, which objections are in words and figures as follows, to-wit: "In the matter of the petition of Otto Mastin et al for the Improvement of a County Line Road between Putnam & Hendricks Counties, Indiana.

Come now J. F. Underwood, Nathan Underwood and J. L. Wilson resident taxpayers of _____ Township _____, County, Indiana, and for answer to said petition deny each and every allegation therein contained. George M. Wilson, Atty. for Objectors."

And now said Petition and the affidavits thereto attached coming on for hearing upon the sufficiency of said petition and affidavits thereto attached and upon the question of the number of adult freeholder signers thereto resident in the Township of Floyd, Putnam County, Indiana, and the Townships of Clay and Marion in Hendricks County, Indiana; evidence was heard and the affidavits thereto attached being considered by said Board, and said Board being sufficiently advised in the premises finds that said petition and the affidavits thereto attached are in due form and sufficient and in compliance with the law in such cases made and provided, and that said petition is signed by more than seventy-five (75) adult freeholders resident in said Township of Floyd, Putnam County, Indiana, and in the Townships of Clay and Marion in Hendricks County, Indiana, and that more than ten of which signers are adult freeholders and residents of the Township of Floyd, Putnam County, Indiana, which Township abuts on said County line therein proposed to be laid out and improved and which is already laid out and is asked to be improved; and that more than ten of which signers are adult freeholders and residents of the Township of Clay, Hendricks County, Indiana, which township abuts on said County line therein proposed to be laid out and improved and which is already laid out and asked to be improved; and that more than ten of which signers are adult freeholders and residents of the Township of Marion, Hendricks County, Indiana, which Township abuts on said County Line therein proposed to be laid out and improved and which is already laid out and improved; Said board further finds that said petition contains the written affidavit of two resident freehold voters of the township of Floyd, Putnam County, Indiana, which Township abuts said County line road sought to be improved, which affidavits are attached to said petition, and which affidavits state that said petition is signed by more than 75 adult freeholders of the said Townships abutting said highway sought to be improved, and that more than ten of whom are residents of each of said Townships. It is further ordered that said petition together with the affidavits thereto attached be spread of record.

It is therefore ordered by the Board of Commissioners of Putnam County, Indiana that Wednesday the 29th day of March, 1911, be fixed as the day when said Board of Commissioners of Putnam County, Indiana, shall meet with the Board of Commissioners of Hendricks County, Indiana, at the Commissioners Court.

Vacation Entry.

Room at the Court House in the City of Greencastle, Putnam County, Indiana, for the purpose of appointing viewers and a surveyor and an engineer to view and survey said proposed highway sought to be improved, and to take such other action in said cause as the law require. It is further ordered by the Board of Commissioners of Putnam County, Indiana, that the Auditor of Putnam County, Indiana, give at least fifteen days notice of the presentation of said petition and the time and place of said joint session to the Board of Commissioners of Hendricks County, Indiana, and that said Auditor transmit a certified copy of the above order of this Board, including said petition and the names and the proof thereto attached to the Auditor of Hendricks County, and this cause is continued until the 29th day of March, 1911.

Geo. Raines)

A. M. Gardner)

Board Commissioners Putnam County, Indiana.

James E. Houck)

Attest: D. V. Moffett, Auditor Putnam County.

State of Indiana, Putnam County, SS:

I, D. V. Moffett, Auditor within and for said County and State, do hereby certify that the foregoing is a true and complete transcript of all the papers, proceedings and judgment of the Board of Commissioners of said County, in the Otto Mastin et al proposed County Line Road improvement & the same appears on file and of record in my office.

(SEAL) IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the Board of Commissioners, at Greencastle, Ind. this 7th day of March, 1911.

D. V. Moffett,

Auditor Putnam County.

Vacation.

Be It Remembered, that on the 3rd. day of April, 1911, the following transcript from the Auditor of Putnam County, Indiana, was filed in the office of the Auditor of Hendricks County, Indiana, as follows, to-wit:-

Proceedings had in the Board of Commissioners Court of Putnam County, Indiana, on Wednesday the 29th day of March, 1911, before the Board of Commissioners of Putnam County, Indiana, and the Board of Commissioners of Hendricks County, Indiana, in Joint Session,

In the matter of the petition of Otto Mastan et al for improvement of a road, and the improvement laying out and establishing of a road on County Line between Putnam & Hendricks Counties:-

Present, The Hon Board of Commissioners of Hendricks County, Indiana, to-wit:- Harry E. Sanders, Elbert M. Murphy and James A. Downard, Also the Hon. Board of Commissioners of Putnam County, Indiana, to-wit:- George E. Raines, Albert M. Gardner and James E. Houck.

The said Boards were duly organized in joint session by electing the Hon. Harry E. Sanders, Commissioner of Hendricks County, Indiana, as President of said Joint Board.

Now, said Petition coming on for consideration, and evidence being heard, and the actions of the auditor of Putnam County herein, having been considered, by said Joint Board, and said Joint Board, being duly advised in the premises, finds that the above petition was filed in the office of the Auditor of Putnam County, Indiana, on the 20 day of Feb. 1911 and that the same is in all things in due form and sufficient and according to law in such cases made and provided. That said Auditor of Putnam County, has spread of record the proceedings of the Board of Commissioners heretofore made in said cause at their regular session held March 6, 1911, together with said petition, including names and proof attached and sent a certified copy thereof to the Auditor of Hendricks County, and caused more than fifteen days notice to be given to the Board of Commissioners of Hendricks County, Indiana, of the pendency of said petition, and the time when said petition would be presented to said Boards in Joint Session, which notice was served on the members of the Board of Commissioners of Hendricks County, Indiana, by the Auditor of Hendricks County, Indiana, at once upon the receipt of said certified copy, by calling said Board together and delivering such certified copy of such order and petition to said Board of Commissioners of Hendricks County. And that said Auditor of Hendricks County also made and spread said certified copy of record in his office.

And now comes James Davidson, C. A. Campbell, J. H. Stears, J. L. Vaughan, T. M. Broadstreet and S. P. Vaughan by George M. Wilson, their attorney, and files their motion herein, to withdraw their names from said petition, which motion is in words and figures as follows, to-wit:-

Vacation.

"State of Indiana, Putnam County. In Commissioners Court, Special Session, Mar 29, 1911. The undersigned and each of them request that their names affixed to the petition of Otto Masten et al for Improvement of highway on County Line between Putnam County & Hendricks County, Ind. under a misunderstanding of the location and length, beginning and termini of said improvement, be not considered and that they be permitted to withdraw their names from said petition and the action dismissed as to them. James Davidson, C.A. Campbell, J.H. Stears, J.L. Vaughan, T.M. Broadcaststreet, S.P. Vaughan, by Geo.M. Wilson, Atty."

And now comes Otto Masten by John H. James, his attorney, and objects to the withdrawal of said names, and objects to said motion for the reason that said petition was acted upon by the Board of Commissioners of Putnam County, Indiana, in regular session, March Term, 1911.

And now, said Board being considered by said Joint Board, and being duly advised in the premises, hereby orders that said motion be, and the same is hereby overruled.

And, now, said Joint Board, by concurrent order appoints Charles W. Daggy, a disinterested freeholder and resident of Putnam County, Indiana, and Smith R. Davis, a disinterested freeholder and resident of Hendricks County, Indiana, each of whom are not residents of, or owners of taxable property of any township interested in or affected by said proposed improvement, and also Alec A. Lane, of Putnam County, Indiana, a competent surveyor and engineer, as viewers.

And the Auditor of Putnam County, is hereby directed to notify said viewers of their appointment, and that they shall meet at the Auditors Office of Putnam County on Saturday the 15th day of April, 1911, and take an oath for the faithful and lawful discharge and performance of their duties. And said viewers are hereby ordered and directed to meet at said Auditor's Office on Saturday the 15th day of April, 1911, and take an oath for the lawful and faithful performance of their duties therein, after which they are hereby ordered to take such persons as assistants as are necessary to view and locate such proposed road and determine the public utility thereof, the width of the same, make a profile of the grade, determine the depth and quality of the gravel, stone or other material to be used, and make an estimate of the cost of the construction of said road, including bridges such as townships are authorized by law to build, culverts, drainage, and all other things necessary for its completion; assess all damages required by law, and due any firm person or corporation making written claim therefor, and make and file a report in duplicate and file one report with the Auditor of each County of Putnam and Hendricks, on the 15th day of May, 1911, which report shall state and specify the public utility, length, plans, plats and profiles, together with an estimate of the cost of said road, including all damages assessed.

The Auditor of Putnam County is hereby ordered to enter at length all of the proceedings of the Joint Session of this Board this day held, and at once make out true and certified copies of such records and transmit a copy thereof to the Auditor of Hendricks County, Indiana, who is hereby ordered to at once copy the same on the Commissioners record of said Hendricks County.

Vacation.

Harry E. Sanders, Pres.

George E. Raines

Elbert M. Murphy

Albert M. Gardner

James A. Downard

James E. Houck

Board Commissioners Hendricks County.

Board Commissioners Putnam

County.

State of Indiana,

SS:-

County of Putnam.

I, D. V. Moffett, Auditor of Putnam County, Indiana, do hereby certify the foregoing to be a full, true and complete copy of the proceedings of the Joint Boards of Commissioners of Putnam and Hendricks Counties, in the Matter of the petition of Otto Masten et al, for the improvement of highway on the County Line between Putnam and Hendricks Counties, as the same appears of record in my office.

Witness my hand and official seal, this 19th day of April, 1911.

(SEAL)

D. V. Moffett, Auditor Putnam County.

Tuesday, April 4th., 1911, and 2nd. day of April Term, 1911.

Tuesday Morning, April 4th., 1911.

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 2nd. day of the Regular April Session, 1911, of said Board.

Present: Harry E. Sanders, Elbert M. Murphy, and James A. Downard, 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 by taxation.)

Comes now Walter G. Hadley, and Bert Belding, and the said Walter G. Hadley files a written assignment of the road herein above named to Bert Belding. Said assignment being in the words and figures following, to-wit:-

In the matter of the John P. Street
Free Gravel Road.

Whereas, the Board of Commissioners of Hendricks County, Indiana, did on the 5th day of July, 1910, let a contract to one Leroy R. Hiatt for the construction of the John P. Street et al, free gravel road, and whereas, said contract was sold and assigned by the administrators of the estate of said Leroy F. Hiatt, deceased, to Walter G. Hadley.

Now, therefore, for a valuable consideration to me paid, and the further consideration that the assignee hereinafter named, shall execute his good and sufficient bond to the acceptance and approval of the board of commissioners of Hendricks County, Indiana, for the construction of said aforesaid road, and as provided by law in such cases made and provided, I, Walter G. Hadley, of the town of Danville, Hendricks County, Indiana, do hereby sell, assign, and set over to Bert Belding all of my right, title and interest in and to the contract for the construction of said aforesaid road, Provided, however, that this said assignment shall be approved by the board of commissioners of Hendricks County, Indiana, and this assignor be released from his said contract and bond heretofore entered into and given, respectively, by this assignor.

Walter G. Hadley, Assignor.

State of Indiana,
SS:
Hendricks County

Personally appeared before the undersigned, a Notary Public in and for the County and State aforesaid, Walter G. Hadley, to me personally well known, who acknowledged the execution of the foregoing instrument as and for his free act and will and for the purposes therein named.

Witness my hand and notarial seal this 4th day of April, 1911.

Zimri E. Dougan, Notary Public.

My. com. Exp. July 2nd. 1913.

And the board having examined said assignment and being sufficiently advised in

Tuesday, April 4th., 1911, and 2nd. day of April Term, 1911.

the premises allows said assignment to be made in all respects as prayed for therein.

And now comes the said Bert Belding and accepts said assignment and files his bond, conditioned for the faithful performance of the work as provided in the plans and specifications and profile for said improvement and also as provided in the contract heretofore entered into for said improvement, and conditioned further for the payment of the funds under said improvement and proceedings provided for. Said bond being accepted and approved by the board and is as follows, to-wit:-

Know All Men By These Presents, that we, the undersigned, Bert Belding, 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 Dollars (\$11,000.00), 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 April, 1911.

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, and whereas said contract was sold and assigned to Walter G. Hadley by the administrators of the estate of Leroy R. Hiatt, deceased, and

Whereas, said contract has now been sold and assigned to said Bert Belding, 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 Bert Belding 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 terms and conditions specified in 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 shall be void, otherwise to remain in full force virtue and effect.

It is hereby agreed that the execution of this bond renders void the bond of Walter G. Hadley, dated August 3rd, 1910, and it is further agreed that all payments on account of estimates allowed under said contract shall be paid to the said Federal Union Surety Company, of Indianapolis, Indiana, the surety herein.

Bert Belding, Principal.

Federal Union Surety Company

by C. M. Abbott, Vice President

Attest L. C. Breunig, Secretary.

Tuesday, April 4th., 1911, and 2nd. day of April Term, 1911.

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 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 23 day of March A.D. 1911.

My commission expires March 22nd 1915.

Court C. Hough, Notary Public.

State of Indiana
SS:
Hendricks County

Personally appeared before me, a Notary Public in and for Hendricks County, Indiana, Bert Belding, who acknowledged the execution of the above bond.

My commission expires Jan. 2, 1915. Edgar M. Blessing, Notary Public. (SEAL)

Approved this 4th day of April, 1911, by the Board of Commissioners, of Hendricks County, Indiana.

Harry E. Sanders

James A. Downard

Board of Commissioners.

Endorsed on back : "Filed Apr 4-1911-Wm. H. Nichols, Auditor Hendricks Co."

And it is now hereby ordered by the board that the bond heretofore executed by the said Walter G. Hadley for the faithful performance of said work be and the same is now held for naught and the Federal Union Surety Company, surety upon said bond, be and it is now allowed to withdraw said bond from the files in the Auditor's Office.

All of which is now finally ordered by the board. And further proceedings herein are continued.

In the matter of the petition of)
Simon Hadley 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.

Tuesday, April 4th., 1911, and 2nd. day of April Term, 1911.

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 come also the engineer and viewers, and 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 W. Ader et al for the improvement)
of a public highway by taxation.)

Come the petitioners, and come also the engineer and viewers, and 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)
Willis A. Dobson et al for the improvement)
of a public highway by taxation.)

Come the petitioners, and come also the engineer and viewers, and 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, April 4th., 1911, and 2nd. day of April Term, 1911.

In the matter of the Petition of)
David Foster et al, for the Improvement)
of a public highway, by taxation.)

Be It Remembered, that on this 4th day of April, 1911, the Board of Commissioners of Hendricks County, Indiana, are met in regular session, and for the purpose of receiving sealed proposals and awarding the contract for the improvement of a highway petitioned for improvement, by David Foster, et al, located in Union Township, Hendricks County, Indiana, and for the appointment of a Superintendent to superintend the construction of said improvement and to order the issuing 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 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 publication was on the 9th day of March, 1911, and the last on the 23rd 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:-(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 9th day of March, 1911, and the last on the 23rd day of March, 1911, a copy of which 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 of 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 11th day of March, 1911, 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)

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 of receiving sealed proposals for

Tuesday, April 4th., 1911, and 2nd. day of April Term, 1911.

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 4th day of April, 1911, 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:-

Shahan & McCarthy	\$7150.00,
Evan Bray	7449.00,
Masten & Bowen	7532.20,
Guinnup & Company	6999.00.

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 are each 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 and the per diem of the engineer and superintendent, is the sum of \$7720.00, 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 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 Guinnup & Company, they being the lowest responsible bidder whose bid is accompanied by bond, as provided by law, and that their 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 Guinnup and Company 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 Guinnup & Company. And the said bond of the said Guinnup & Company, with good and sufficient security 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 hereafter set out, in the sum of \$13988.00, 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:-

Tuesday, April 4th., 1911, and 2nd. day of April Term, 1911.

Know All Men by These Presents, That we, the undersigned, Milton M. Guinnup and Alpha J. Guinnup, co-partners, doing business under the firm name of Guinnup & Company, as principal, the The Bankers Surety Company, of Cleveland, Ohio, as surety, of _____ are firmly bound unto the State of Indiana in the penal sum of Fourteen Thousand (\$14,000.00) 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 1st day of April, 1911.

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 improvement of the David Foster et al road in Union Township, Hendricks County, Indiana, with gravel

And whereas, the above named Guinnup & Company 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 Guinnup & Company 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.

Guinnup and Company

Per Alpha J. Guinnup (SEAL)

The Bankers Surety Company

By Orin D. Walker, Attorney-in-fact (SEAL)

State of Indiana, Benton County, SS:

Before me, a Notary Public in and for said County, personally appeared Alpha J. Guinnup, manager of the firm of Guinnup & Company, consisting of Milton M. Guinnup and Alpha J. Guinnup, co-partners 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 April A.D. 1911.

My commission expires May 4th 1914.

Elmoss Barce, Notary Public. (SEAL)

State of Indiana

SS:

Marion County

Before me, a Notary Public in and for said County and State, personally appeared Orin D. Walker, who being by me duly sworn upon his oath did depose and say that he is the Attorney-in-fact of the said The Bankers Surety Company, of Cleveland Ohio; that he knows the corporate seal thereof; and that the seal affixed to the within bond is such seal;

That the said Orin D. Walker 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

Tuesday, April 4th., 1911, and 2nd. day of April Term, 1911.

of Directors of the said The Bankers Surety Company, at its Home Office in Cleveland, Ohio, under date of April the 24th. 1906.

Witness my hand and Notarial Seal this 1st day of April, 1911.
1913.

My commission expires Dec 1st - Mildred B. Sibel, Notary Public (SEAL)

Accepted and Approved April 4th 1911.

Harry E. Sanders

Elbert M. Murphy

James A. Downard

Board of Commissioners of Hendricks County.

Attest: Wm. H. Nichols, Auditor Hendricks County.

"Filed Apr 4-1911. Wm. H. Nichols, Auditor Hendricks Co."

The bond of said Guinnup & Company having been accepted by this Board, and their bond duly approved, said board does now enter into a contract with the said Guinnup & Company for said improvement, and which said contract duly signed by the said Guinnup & Company 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 4th. day of April, 1911, between Milton M. Guinnup and Alpha J. Guinnup, co-partners, doing business under the firm name of Guinnup and Company, of Benton 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 David Foster, and others, road for the sum of \$6999.00, 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 Six Thousand Nine Hundred Ninety Nine 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 that payments upon said work are to be made from time to time as the work progresses upon estimates furnished by the engineer, all as provided by law in such cases, and not otherwise.

It is further understood and agreed that the plans and specifications and profile on file in the Auditor's Office are all made a part of this contract as fully and effectually as if copied herein at full length.

Harry E. Sanders

Elbert M. Murphy

James A. Downard

Milton M. Guinnup & Alpha J. Guinnup composing the firm of Guinnup & Company, the First Party,

By O. M. Stuart, Attorney-in-fact

Board of Commissioners, the Second Party.

Tuesday, April 4th., 1911, and 2nd. day of April Term, 1911.

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 \$7720.00, and in series of \$193.00 each, and bearing interest at the rate of 4 1/2 % per annum, and payable over a period of twenty (20) years, as prayed for in the petition filed in this proceedings from the 15th day of May, 1912, and that said bonds bear date of April 4th., 1911, and the Treasurer of this County is charged with the sale of said bonds.

Whereupon, the Board does now appoint Allen Hiddle a resident of said Union 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 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 \$6,000.00, conditioned for the faithful discharge of his duties as such engineer.

And further proceedings herein are continued.

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

Harry E. Sanders)
 Albert M. Murphy)
 James A. Downard) Board Commissioners Hendricks County.

Tuesday, May 2nd., 1911, and 2nd. day of May Term, 1911.

Tuesday Morning, May 2nd., 1911.

The Board of Commissioners of Hendricks County, Indiana, met in regular session at the Commissioners' Court Room in the town of Danville, Indiana, pursuant to adjournment, it being the 2nd. day of the regular May Session, 1911, of said Board.

Present: Harry E. Sanders, Elbert M. Murphy and James A. Downard, all members of said Board.

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

In the matter of the petition of)
John W. Ader et al for the improvement of a)
public highway by taxation.)

Came the petitioners, and came 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)
Willis A. Dobson et al for the improvement)
of a public highway by taxation.)

Came the petitioners, and came 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, May 2nd., 1911, and 2nd. day of May Term, 1911.

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 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 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 T.C. Kendall et al)
for the vacation and location of a township highway,)
in Liberty Township, Hendricks County, Indiana.)

Come now the petitioners in the above entitled matter and present to the Board their petition for the vacation and location of a public highway in Liberty 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 T.C. Kendall, 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 T.C. Kendall 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 proposed highway which affidavit is as follows:-(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 vacation and location of said highway,

Tuesday, May 2nd., 1911, and 2nd. day of May Term, 1911.

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 vacating the highway as set out in the petition herein.

It is therefore ordered by the Board that three viewers be and are hereby appointed as follows: W.L. Wilson, C.F. Bowen and James E. Humston, 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 5th day of May, 1911, 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.

In the matter of the petition of)
Joseph J. Dingan et al for the Improvement)
of a Free Gravel Road.)

The matter of the claim of Cofer & Dougan for an allowance out of said fund for legal advice to the Board of County Commissioners in the foregoing entitled cause coming on for hearing upon their verified claim duly filed, and the board having heard the evidence adduced and being fully advised in the premises, now says and finds:

That the statement set out in said claim is true; that said claimants did render the services as therein stated; and that a reasonable fee for such services is the sum of \$150.00.

It is therefore ordered by this Board that said claim of Cofer & Dougan for such legal services be allowed in the sum of \$150.00; that the County Auditor be, and he is now hereby ordered and directed by this board to draw his certain warrant upon the County Treasurer of Hendricks County, Indiana, for said sum of \$150.00, payable out of the fund raised by the sale of bonds for said improvement. All of which is now finally ordered by the board.

Tuesday, May 2nd., 1911, and 2nd. day of May Term, 1911.

In the matter of the Petitions of)
 1. Joseph J. Dungan et al,)
 2. W. S. Jones et al, and)
 3. John P. Street et al, for Improvement)
 of 3 public highways.)

And now the matter of the claims of John C. Taylor, for his claims filed for making transcripts upon the order of the County Treasurer for the sale of the bonds in the foregoing entitled improvements coming on for hearing and the board, having heard the evidence and otherwise being fully advised in the premises finds that said transcripts were necessary in order for the County Treasurer to make sale of said bonds and that a reasonable fee for the making of said transcript of said proceedings had in said improvements is the sum of \$40.00 on each of said roads.

It is therefore ordered by the Board that said claims of the said John C. Taylor be allowed in the sum of \$40.00 each; that the County Auditor be and he is hereby ordered and directed to draw his certain warrant upon the treasurer of Hendricks County, Indiana, in favor of the said John C. Taylor, upon his claims, in the sum of \$40.00, in each of said roads, payable out of the fund raised by the sale of bonds for said above mentioned improvements.

All of which is now finally ordered by this Board.

In the matter of the petition of)
 W. S. Jones et al for the Improvement)
 of a free gravel Road.)

The matter of the claim of Hume & Gaston, for an allowance out of said fund for legal advise to the Board of County Commissioners in the foregoing entitled cause coming on for hearing upon their verified claim duly filed, and the board, having heard the evidence adduced and being fully advised in the premises, now says and finds:

That the statement set out in said claim is true; that said claimant did render the services as therein stated; and that a reasonable fee for such services is the sum of \$150.00.

It is therefore ordered by this board that said claim of Hume & Gaston for such legal services be allowed in the sum of \$150.00; that the County Auditor be, and he is now hereby ordered and directed by this board to draw his certain warrant upon the County Treasurer of Hendricks County, Indiana, for said sum of \$150.00, payable out of the fund raised by the sale of bonds for said improvement.

All of which is now finally ordered by the Board.

Tuesday, May 2nd., 1911, and 2nd. day of May Term, 1911.

In the matter of the petition of)
John P. Street et al for the Improvement)
of a free gravel road.)

The matter of the claim of Charles V. Sears for an allowance out of said fund for legal advise to the Board of County Commissioners in the foregoing entitled cause coming on for hearing upon his verified claim duly filed, and the board, having heard the evidence adduced and being fully advised in the premises, now says and finds:

That the statement set out in said claim is true; that said claimants did render the service as therein stated; and that a reasonable fee for such services is the sum of \$150.00.

It is therefore ordered by this board that said claim of Charles V. Sears for such legal services be allowed in the sum of \$150.00; that the County Auditor be, and he is now hereby ordered and directed by this board to draw his certain warrant upon the County Treasurer of Hendricks County, Indiana, for said sum of \$150.00, payable out of the fund raised by the sale of bonds for said improvement.

All of which is now finally ordered by the Board.

Ordered that the board do now adjourn.

Harry E. Sanders)

Albert M. Murphy)

James A. Downard)

Board Commissioners Hendricks County.

Monday, June 5th., 1911, and 1st. day of June Term, 1911.

Monday Morning, June 5th., 1911.

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: Harry E. Sanders, Elbert M. Murphy and James A. Downard, all members of said Board.

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

In the matter Of the claims of John C. Taylor,)
for making transcripts in the following roads:)
✓ Wm. H. Rutledge et al Road, Center Tp.,)
✓ Jonathan Lowe et al Road, Union Tp.,)
✓ Oliver Harris et al Roda, Center Tp.,)
✓ David Hadley et al Roda, Center Tp.,)
✓ Charles A. White et al Rd. Center Tp.,)
✓ Frank P. Reichard et al Rd. Center Tp.)

And now the matter of the claims of John C. Taylor for his claims filed for making transcripts upon the order of the County Treasurer for the sale of the bonds in the foregoing entitled improvements coming on for hearing and the board, having heard the evidence and otherwise being fully advised in the premises finds that said transcripts were necessary in order for the County Treasurer to make sale of said bonds and that a reasonable fee for the making of said transcripts of the proceedings in each case is the sum of \$40.00

It is therefore ordered by the board that said claims of the said John C. Taylor be allowed in the sum of \$40.00 each; that the County Auditor be and he is hereby ordered and directed to draw his warrants upon the Treasurer of Hendricks County, Indiana, in favor of the said John C. Taylor upon his said claims in the sum of \$40.00 each, payable out of the fund raised by the sale of bonds for said above mentioned improvement.

All of which is now finally ordered by this Board.

Monday, June 5th., 1911, and 1st. day of June Term, 1911.

In the matter of the allowance of Attorneys')
 Fees in the following named Roads:)
 Wm.H.Rutledge et al Rd.Center Tp,)
 David Hadley et al Road,Center Tp.,)
 Charles A.White,et al Road,Center Tp.,)
 Frank P.Reichard et al Road,Center Tp.)

The matter of the claims for allowances out of said funds for legal advise to the Board of County Commissioners in the foregoing entitled causes coming on for hearing upon their verified claims duly filed, and the board having heard the evidence adduced and being fully advised in the premises, now says and finds: That the statements set out in said claims are true; that said claimants did render the services as therein stated; and that a reasonable fee for such services is the sum of \$150.00.

It is therefore ordered by this Board that the Claims be allowed as follows, for legal services rendered, and that the Auditor draw warrants on the funds derived by the sale of bonds to the following named Attorneys, out of the following named funds, to-wit:-

✓ Cofer & Dougan, Wm.H.Rutledge et al Road, Center Tp.	\$150.00
✓ Cofer & Dougan, David Hadley et al Rd., Center Tp.	150.00
Brill & Harvey, Chas.A.White et al Rd. Center Tp.	150.00
✓ E.M.Blessing, Frank P.Reichard et al Rd. Center Tp.	150.00

All of which is now finally ordered by the Board.

In the matter of the petition of)
 Simon Hadley 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 the board that said engineer and viewers be given time until the 22nd day of June, 1911 to make, and file in the office of the Auditor of Hendricks County, Indiana, their certain report in writing setting forth their determination in regard to said proposed improvement.

Monday, June 5th., 1911, and 1st. day of June Term, 1911.

In the matter of the petition of)
John G. Ridpath, 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 22nd day of June, 1911, 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 W. Ader 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 June, 1911, 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 Willis A. Dobson 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 June, 1911, to make and file in the office of the Auditor of Hendricks County, Indiana, their certain report in writing setting forth their determination in regard to said proposed improvement.

Monday, June 5th., 1911, and 1st. day of June Term, 1911.

In the matter of the Petition of)
T.C. Kendall et al for Change of)
Highway in Liberty Township, Hendricks)
County, Indiana.)

Come now the petitioners herein and present to the Board the report of viewers heretofore filed herein on the 6th day of May, 1911, with their oath thereto attached. Said report and oath being as follows, to-wit:--(Here Insert And the Board having inspected and examined said report, oath and order, and being sufficiently advised in the premises doth say and find as follows:

That the order to said viewers, their oath thereon endorsed and their report are in due form and according to law. That the change of highway as petitioned for herein would be of public utility; that no remonstrance has been filed to the report of the viewers and no claim for damages filed.

It is therefore ordered by the Board that the following described highway be and the same is hereby ordered established on and along the following route, to-wit:--

1st. That said road be vacated as follows, to-wit: Commencing on the North line of said road 200 feet East of the dividing Section line, running North and South which line divides Sections 29, 30, 31 and 32 in Township 15 North, Range 1 East, where said road runs South on the East side of Cosner's Branch, running thence Southwesterly along the North and West line of said road 47 rods; thence South 30 feet to the South line of said road, thence Northeastwardly along the South line of said road 47 rods; thence North 30 feet to the place of beginning.

2nd. That said road be laid out and established and improved as follows, to-wit: Commencing on the North line of the Plainfield and Cartersburg Road 200 feet East of the dividing Section line which line divides Sections 29-30-31 and 32 and runs North and South in Liberty Township, where said road runs South on the East side of Cosner's Branch; running thence West 200 feet across said branch; thence Southwesterly 39 rods to the West line of the Cartersburg and Plainfield Road; thence East 30 feet; thence Northwestwardly 39 rods on a line parallel with the West line of the proposed new highway; thence East 200 feet to the South line of the Plainfield and Cartersburg Road; thence North 30 feet to the place of Beginning. Said proposed road and also said Plainfield and Cartersburg Road, where change is to be made, being in the Southwest quarter of the Southwest quarter of Section 29, and the Southeast quarter of the Southeast quarter of Section 30, Liberty Township, Hendricks County, Indiana.

It is also ordered that the Auditor certify a copy of this order to the Trustee of Liberty Township, Hendricks County, Indiana.

Order passed to Trustee Lib. Tp. 6/12-1911. Attest: Wm. H. Nichols, Auditor

Monday, June 5th., 1911, and 1st. day of June Term, 1911.

In the matter of the petition of)
T.R. Ruark et al. for the location of)
a public highway.)

Come now T.R. Ruark and twenty one (21) others who represent that they are resident freeholders of Franklin township, Hendricks County, Indiana, and present their petition for the location and opening of a public highway in Franklin township, in said County and State, which petition is in the following words and figures, to-wit:-
(Here Insert) , and it appearing to the satisfaction of the Board by the affidavit of T.R. Ruark that proper notices of the presentation and filing of said petition were posted by the said T.R. Ruark in three of the most public places in the neighborhood of the road prayed for in said petition more than twenty days before the first Monday of June, 1911, the same being the first day of the regular June Term, 1911, of said board and that twelve of the signers of said petition are freeholders, six of whom now live in the immediate neighborhood of the proposed highway, which affidavit and copy of notice attached are in the following words and figures, to-wit:- (Here Insert), and it further appearing to the satisfaction of the Board by the affidavit of William H. Nichols, Auditor of Hendricks County, Indiana, that he signed the notices so posted by the said T.R. Ruark in said public places and further that he as said Auditor mailed to Jennie Shields a like notice to the ones posted on the 13th day of May, 1911, and directed the same to her at her postoffice at Stilesville, Indiana, on said date, and that said Jennie Shields is the only person whose lands will be affected by said proposed highway who has not signed said petition and that all other persons whose lands will be affected thereby have signed said petition, which affidavit of said William H. Nichols, Auditor, and the copy of notice thereto attached are in the following words and figures, to-wit:- (Here Insert), and now all the above facts appearing to the satisfaction of the Board it assumes jurisdiction in the matter of said petition and doth say and find as follows:-

The Board finds that the prayer of the petition should be granted and that three viewers should be appointed to view said proposed highway and make their report to this Board as to whether the proposed highway will be of public utility.

It is therefore ordered by the Board that the following viewers be and they are hereby selected and appointed to make a view of said proposed highway, to-wit: Milton West, Oscar Benbow and C.C. Branson. It is further ordered and the said viewers are directed to meet at the office of Ralph C. Cope, Notary Public, Stilesville, on Thursday the 15th day of June, A.D. 1911, at the hour of 10 O'Clock A.M. of said day and qualify and take their oath as by law provided; that said viewers then proceed to view said proposed highway and make their report to this Board not later than the first Monday of July, 1911, the same being the first day of the regular July Term, 1911, of said Board, and further proceedings herein are continued, until said day.

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

Harry E. Sanders)

Albert M. Murphy)
James H. Downard)

) Board Commissioners Hendricks County.

Tuesday, June 6th., 1911, and 2nd. day of June Term, 1911.

Tuesday Morning, June 6th., 1911.

The Board of Commissioners of Hendricks County, Indiana, met pursuant to adjournment, at the Commissioners' Court Room in the town of Danville, Indiana, it being the second day of the regular June Session, 1911, of said Board.

Present: Harry E. Sanders, Elbert M. Murphy and James A. Downard, all members of said Board.

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

In the Matter of the Petition)
of O.A. Kennedy and others for)
the Improvement of a highway.)

Come now the petitioners in person and by G.J. Kivett and S.C. Kivett, their attorneys, and now at the regular June Session, 1911, of said Board of Commissioners of Hendricks County, Indiana, file and present their petition for the improvement of the County line road between Liberty Township, Hendricks County, Indiana, and Monroe Township, Morgan County, Indiana, which said petition together with names attached thereto and the affidavit of a resident freeholder are in words and figures as follows:

Petition For Free Gravel Road.

We, the undersigned freeholders and voters of Monroe Township, Morgan County, Indiana, and Liberty Township, Hendricks County, Indiana, would respectfully represent and show to the Board of Commissioners that the undersigned petition is signed by more than 75 adult resident freeholders of Monroe Township, Morgan County, Indiana, and Liberty Township, Hendricks County, Indiana; that more than 10 of said petitioners reside in each of said Townships and your petitioners would respectfully petition and ask for the construction of a Free Gravel Road on the County line between Hendricks and Morgan Counties by grading, draining and graveling the following described highway upon the line dividing said Townships and as follows:

Beginning at the Northwest corner of Section 4, Township 13 North, Range 1 West, in Morgan County, Indiana, and running thence East following the present highway along the County line between said Counties to the Northeast corner of Section 1, Township and Range aforesaid, a distance of 4 miles, more or less.

And your petitioners would recommend that said highway be of the width of 30 feet and that the same be graded to a width of 20 feet and as nearly to a common level as the nature of the ground over which the same passes will permit and that said grade be covered with gravel or other paving material, to a width of 9 feet and to a depth of 8 inches on the sides and 16 inches in the center and that said road be provided with culverts and side ditches sufficient to protect and drain the same.

Wherefore, your petitioners ask that said improvement be made and

Tuesday, June 6th., 1911, and 2nd. day of June Term, 1911.

that notice be given and such other steps taken as required by law for the construction of highways upon County lines. Acts 1907, page 363. Sec 7740 and following. Burns Revision, 1908. All of which your petitioners respectfully ask.

Names.

Names.

C.R. Allison, David H. Guyer, S.K. , W.C. Cook, F.O. Brewer, W.A. Chambers, E.H. Brewer, W.R. Bowman, J.C. Willard, H.F. Kellar, Wm. McClellan, Solomon Scotten, J.N. Richardson, G.W. Reitzel, Chas. Fletcher, F.A. Bray, John W. Elvin McClellan, W.W. Wilhite, J.H. Ward, H. Kenworthy, Claude H. White, J.P. Henley, Geo. Canant, Geo. Bary, C.O. Pruitt, Luther Dillen, Ed Ballard, J.W. Allison, C.M. Gentry, Geo. H. Johnson, W.H. Kivett, Jason W. Tudor, Preston Page, E.M. Hunt, F.O. Pest, J.S. Rankin, C.P. Allen, Ben Kirk, V. Allen, J.H. Johnson, Geo. M. McClellan, Chas. Bodenhamer, Chas. M. Harper, E.J. Tansey, J.H. Brooks, R.A. Edmondson, Wm. G. Duncan, E.B. Halfhill, Morton Foster, Orville Wallace, Sanders Hubbard, D.E. Hiatt, C.E. Shields, G.W. Milhon, John Mathew Bray, W.M. Craven, Smith Busby, D.B. Wills, J.L. Edmondson, L.J. Rushton, A.E. Kivett, D.A. Anderson, J.T. Busby, F.W. Horton, D.M. Cain, W.E. Rushton, Guy W. Hadley, D.M. Cain, W.E. Rushton, Guy W. Hadley, O.A. Kennedy, L.W. Cooper, Terry E. Scotten, Clark Harvey, C.L. Shuler, Charles Rushton, W.J. Tudor, Arthur Rushton, Enos Bray, Oscar Bray, Walter E. Johnson, Andie Wilson, Frank Shields, G.W. Pruitt, C.C. Cook, Brice Blunk, V.A. Johnson, W.W. Tudor, Chas. A. Shields, Emmett Tudor, Arthur Crews, Wm. H. Shields, D.E. C. Blunk, Chas. Ragland, Alva Tumey, John T. Albert on, E.S. Thompson, E.P. Thompson, S.A. Rews, J. Thos. Craven, W.D. Barnes, R.D. Mynatt, F.N. Wright, E.O. Wilson, J.G. Wilson, John S. Baldoch, Will T. Thompson, W.E. Bower, W.W. Sawyer, John Thomson, Geo. Hodge, Fred Kenworthy, James Golden, L.C. Hine, M.W. Patterson, O.P. Hadley, R.H. Bayliss, Calvin Stout.

State of Indiana

Morgan County, SS

O.A. Kennedy, being duly sworn upon his oath, says: That he is a resident freeholder and voter of Monroe Township, Morgan County, Indiana, mentioned in the foregoing petition for the improvement of the highway upon the County line dividing said Monroe Township and Liberty Township, in Hendricks County, Indiana, and affiant further says that said petition is signed by more than 75 adult freeholders of such townships abutting upon said highway to be improved under said petition and that more than 10 of the said petitioners reside in each of said Townships.

O.A. Kennedy

Subscribed and sworn to before me this the 6 day of June, 1911.

(SEAL) My commission expires Apr 9, 1911.

S.C. Kivett, Notary Public.

And the Board having seen and examined said petition and the affidavit thereto attached and being duly advised in the premises now finds for the petitioners that said petition is signed by more than 75 adult resident freeholders of said Townships of Monroe in Morgan County, Indiana, and Liberty in Hendricks County, Indiana, and the Board further finds that of said petitioners more than 10 reside in each of said townships.

It is therefore ordered, adjudged and decreed by the Board that the said Commissioners of Hendricks County, Indiana, and the Board of Commissioners of Morgan

Tuesday, June 6th., 1911, and 2nd. day of June Term, 1911.

County, Indiana, shall meet in joint session at the Commissioners Room of Hendricks County, Indiana, on the 23rd day of June, 1911, for the purpose of appointing viewers and a surveyor and engineer to perform the duties as viewers and engineer in the matter of said petition, all as provided by law.

It is therefore ordered by the Board that 15 days notice be given by the Auditor to the Board of Commissioners of Morgan County, Indiana, of the presentation of said petition and of the time and place of said joint session, all of which is ordered, adjudged and decreed by the Board.

Ordered that the Board do now adjourn.

Harry E. Sanders

Albert M. Murphy

James A. Dornard

) Board Commissioners Hendricks County.

Joint Session Boards Hendricks and Morgan Counties.

Friday Morning, June 23rd., 1911.

State of Indiana, Hendricks County, SS:

In the matter of the petition)
of O.A. Kennedy, et al for)
the Improvement of a highway on the)
County Line.)

Come now the petitioners O.A. Kennedy, et al, in the above entitled cause, by G.J. Kivett and S.C. Kivett, their attorneys, and the Board of Commissioners of Hendricks County, Indiana, present, Harry E. Sanders, Elbert M. Murphy and James A. Downard, Commissioners, and the Board of Commissioners of Morgan County, Indiana, present H.K. Lee, L.H. Rinker and R.M. Dill, Commissioners, now being in joint session pursuant to the order and notice heretofore made and given in this cause, said Commissioners now in joint session being duly advised do now appoint O.B. Hesler of Hendricks County, Indiana, and Wm. H. Wooden, of Morgan County, Indiana, two disinterested freeholders and not residents of or owners of taxable property of either of said Townships effected by said proposed improvement, and do also appoint John O. Kain, a competent surveyor, to act with said freeholders as viewers to perform the duties of such engineer and viewers under the foregoing petition as provided by law.

And it is further ordered that the Auditor of Hendricks County, Indiana, shall cause each of said viewers and said engineer to be given notice of such appointment and that said viewers and engineer, after being duly qualified, shall proceed to the performance of their duties under this order and take as assistants such persons as are necessary to properly view and locate said proposed road and that they determine the public utility thereof, the width of the same and make a profile of the grade and determine the quality and depth of gravel, stone or other material to be used in the improvement of said road and that they make an estimate of the costs of the construction of said road, including bridges such as Townships are authorized by law to build, culverts, drainage and all other necessary things for its completion and that they do and perform all other acts required of viewers and engineer in this matter, all as provided by law, which said road proposed to be improved is described as follows:

Beginning at the Northwest corner of Section 4, Township 13 North, Range 1 west, in Morgan County, Indiana, and running thence East following the present highway along the County Line between Morgan and Hendricks Counties to the Northeast corner of Section 1, Township and Range aforesaid, a distance of 4 miles, more or less.

And said Commissioners fix the 4th day of September, 1911, as the time when such viewers and engineer shall file their report herein, all of which is ordered, adjudged and decreed by said Boards of Commissioners now in joint session, and this matter is now continued for further proceedings.

And now on motion the Board adjourns.

)
) Board Commissioners
) Morgan County)
Harry E. Sanders)
Elbert M. Murphy)
James A. Downard)
Board Commissioners
Hendricks County.