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Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

Monday Morning, July 3rd., 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 petition of )

Orren A. Stout et al and )

Jonathan Lowe et al, for the )

Improvement of free gravel roads. )

The matter of the Claim of Cofer & Dougan, on the Orren A. Stout et al Road, and also the claim of Hume & Gaston on the Jonathan Lowe et al Road, for an allowance out of said funds for legal advise to the Board of County Commissioners in said causes 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 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, in each case.

It is therefore ordered by this board that said claims of said Cofer & Dougan and Hume & Gaston for such legal services be allowed in the sum of \$150.00; that the County Auditor be, and he is hereby ordered and directed by this board to draw his certain warrant upon the County Treasurer of Hendricks County, for the sum of \$150.00, payable to Cofer & Dougan out of the funds derived by the sale of bonds in the Orren A. Stout Road, and to Hume & Gaston likewise draw his warrant for the sum of \$150.00 payable out of the funds derived by the sale of bonds out of the Jonathan Lowe et al Road.

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

for the Improvement of a public highway. )

And now the matter of the claim of John C. Taylor for his claim filed for making transcripts upon the order of the County Treasurer for the sale of the bonds in the foregoing entitled improvement coming on for hearing and the board having heard the evidence and otherwise being fully advised in the premises finds that said transcript was 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 the proceedings had in said improvement is the sum of \$40.00

It is therefore ordered by the Board that said claim of the said John C. Taylor be allowed in the sum of \$40.00; that the County Auditor be and is



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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 claim in the sum of \$40.00, 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.

In the matter of the petition of )

Morton Foster, and others, for the )

Improvement of a public highway. )

Come now again the petitioners in the foregoing entitled cause of action and produce the report and profile of the Engineer and Viewers, together with the original Order, with their several oaths duly endorsed upon said Order and thereto subscribed by each of them, issued to said engineer and viewers by the Auditor of this County notifying them, and each of them severally of their appointment as such engineer and viewers and requiring them to meet at the office of said Auditor on the 12th day of November, 1907, and there qualify as provided by law for the faithful discharge of their duties.

Said petitioners also produce the bond of the said Engineer upon which is endorsed the Auditor's approval, and which said bond and approval are as follows, to-wit: (Here Insert)

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

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

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

The Board further finds that the Report of the Engineer and Viewers was duly filed in the office of the Auditor of Hendricks County, Indiana, on the 2nd day of December A.D. 1907, and that it has remained on file in said office, open to the inspection of any person since said date and for more than ten days before the 3rd day of July, 1911; that the highway proposed to be improved under these proceedings is less than three miles in length as shown by said Report; that the improvement prayed for in said petition, and as reported in said report, is of public utility.

The Board further finds that said improvement should be allowed and established as provided in said report without submitting the matter of said improvement to the legal voters of the said township of Franklin. The Board further finds that said report



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is in due form and sufficient and should, in all things, be approved, and said improvement as in said report provided, be ordered.

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

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

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

Supplemental Report of Viewers and Engineer.

State of Indiana, Hendricks County, SS:

In the matter of the petition of Morton )

Foster and others for the Improvement of a public highway. )

Supplemental Report of Viewers and Engineer:

To the Honorable Board of Commissioners of Hendricks County:-

Pursuant to Section 69, Acts of the General Assembly of the State of Indiana, 1905, on Page 553, we submit to your Honorable Board the following as a Supplemental Report to our Report heretofore submitted in the foregoing entitled cause, to-wit:-

We respectfully represent and show that no property of any description whatever of any infant, idiot or person of unsound mind will be damaged by the proposed improvement herein prayed for, and that no sums have been allowed by us to any such persons.

We further report to your Honorable Board that no person or corporation has made any written claim, or claims of any kind whatsoever, for damages because of said proposed improvement and that no sums have been allowed by us to any person or corporation by reason of such proposed improvement.

All of which is very respectfully submitted,

J. E. O'Neal )  
C. H. Downard ) Viewers

John W. Figg, Civil Engineer,

Subscribed and sworn to before me this the 21st day of December,

A. D. 1907.

W. D. D. Mills, Auditor Hendricks County.

By Wm. H. Nichols, Deputy.



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Endorsed on back as follows:

"Filed Mch 28" 1908. Wm. H. Nichols, A. H. C. "

"July 3rd., 1911. Report Approved, ordered spread of record.

Harry E. Sanders, President Board."

Order to View Road.

The State of Indiana,

SS: Commissioners' Court, November Term, 1907.

Hendricks County,

To John W. Figg, Jacob O'Neal and C. H. Downard:

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their November Term, 1907, to view a proposed improvement of highway as follows, to-wit: Commencing at a point on the John Leitzman free macadam road, in said Franklin Township, at the North West corner of the West half of the North East quarter of section thirty-one (31), Township Fourteen (14) North, Range one (1) West and running thence South over and upon a certain highway, as the same is now established and used by the public for a distance of about one mile and terminating at the boundary line of the said Franklin Township dividing said Township from Morgan County, Indiana, all of said highway asked to be improved being located in said Franklin Township, Hendricks County, Indiana., and if said proposed improvement of highway will be of public utility, mark and lay out the same, in the manner prescribed by law, to the width of \_\_\_\_\_ feet.

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

I certify the foregoing to be a true copy of the order of the Board in relation to said proposed highway.

(SEAL) Witness my hand and official seal, this 5th day of November, 1907.

D. D. Mills, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, John W. Figg, Jacob O'Neal, C. H. Downard do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described proposed highway to the best of our skill and ability, so help us God.

John W. Figg

J. E. O'Neal

C. H. Downard.

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

David D. Mills, Auditor Hendricks Co., Ind.

Road Viewers' Report.

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

We, the underSigned Viewers, who were appointed by your honorable body at your regular November Term, 1907, to view a proposed highway, as petitioned for by Morton Foster et al, have discharged the duty assigned us, and submit to you the following



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report to-wit:-

We met as directed in the order hereunto attached and made a part hereof, and after being duly qualified as appears therein, proceeded to view such proposed highway in the manner as by law provided, which by metes and bounds and course and distance is as follows, to-wit: The said proposed highway to be 30 feet in width and commences at a point in the John Leitzman free macadamized road at the north west corner of the north east quarter of section 31 township 14, north range 1 west and running thence South over the line of the present highway 5331 feet and terminating at the boundary line of Franklin Township, dividing said Township from Morgan County, all of said road being situated in said Franklin Township.

Width of Roadway.

The right of way shall be thirty feet wide or wider if necessary for cuts or fills. The right of way shall be grubbed its entire width of all obstructions and the same entirely removed except as to landmarks which shall be carefully protected.

Road Bed. The road bed shall be 18 feet wide measured at right angles to center line of right of way.

The road bed shall be made to conform to the profile and drawing entitled "Cross Section" of Road bed", which is made a part of this report. Said road bed shall be made smooth and compact before placing macadam thereon.

Ditches. Ditches shall be excavated along both sides of the entire line of road unless ordered otherwise by the Superintendent or engineer in charge. The depth in no case to be less than 12 inches measured from the shoulder of road bed; 12 inches wide at bottom with side slopes of not less than 1 to 1. All ditches must present a regular and uniform appearance, The fall of the ditches shall conform to the general slope of the Country, and be so constructed as to lead all water from the road at the nearest natural outlet. Tile drain on east side of road from Bridge at 21 plus 30 to 33 must be left in as good repair as when found.

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

Embankments. All embankments shall be 18 feet wide at top and side slopes of not less than one to one.

Sewer Culverts. Sewer culverts of such size, material, and at such places as shown on profile, shall be constructed.

Bridges. At such places as shown on profile shall be constructed bridges of the length of span and kind of material as shown on profile. All concrete shall be composed of one part of a good brand of American Portland Cement to 5 parts of an approved quality of gravel.



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Macadam. For a width of 9 feet (4 1/2 feet on each side of Center of road) the road shall be covered with macadam to a depth of 9 inches. Said macadam to consist of broken and screened stone any piece of which shall pass through a 2 inch ring. Said macadam to be covered over its entire surface with sand and gravel to a depth of 3 inches. Said macadam and gravel to be of an approved quality. Said macadam to be held in place by earthen embankments as shown on "Cross Section of Road Bed".

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

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

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

Estimate of Cost. We, the viewers and engineer estimate the cost of said improvement at \$5272.00

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

Respectfully submitted,

John W. Figg	)	
J. E. O'Neal	)	Viewers.
C. H. Downard.	)	

Endorsed on back:

"Filed Dec-2-1907. David D. Mills, Auditor Hendricks Co."

Action of Board:

"July 3rd-1911. Report approved, ordered spread of record, Improvement ordered established. Notice for bids for Friday, July 28, 1911.

Harry E. Sanders, President Board."

And now it appearing to the satisfaction of the Board that the indebtedness of Franklin Township, the township in which said highway proposed to be improved under these proceedings is located, is such that the issue of bonds for the improvement herein prayed for will not create an indebtedness against said township in excess of the amount allowed by law in such cases, it is now ordered by this board that the Auditor give notice by one publication in the Indianapolis Star a daily newspaper of general circulation throughout the State of Indiana, printed and published at the City of Indianapolis, and by three weekly publications in The Republican and Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, the County in which said road to be improved herein is located, that on Friday, July 28th. 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



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specifications in said report set forth.

And further proceedings herein are continued.

In the matter of the petition of )  
T.R. Ruark et al, to locate and )  
establish a public highway. )

Come now the petitioners herein and come also the remonstrators and by agreement of all parties the above entitled matter is continued until the regular August Term, 1911, of the Board.

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

Comes now John R. Hull, and seventy-six (76) others, all freehold voters of Brown Township, Hendricks County, and State of Indiana, petitioners herein, by Thad S. Adams, their attorney, and shows to the Honorable Board of Commissioners of Hendricks County, and State of Indiana, the petition filed by them in the office of the Auditor of Hendricks County, in the State of Indiana, on the 12th day of June, 1911, asking for the improvement of certain public highways therein described, by taxation without submitting the question of said proposed improvement to a vote of the legal voters of said Township, which petition, is in words and figures as follows:-(Here Insert) And said petitioners now produce and file herein the affidavit of Julian D. Hogate, editor of the Hendricks County Republican, a weekly newspaper of general circulation in Hendricks County, Indiana, and printed and published in the town of Danville, in said County and State, and also the affidavit of W.A. King, editor of the Danville Gazette, a weekly newspaper of general circulation in the aforesaid County and State, and printed and published in said town of Danville, which affidavits, together with copies of the notices published attached, are in words and figures as follows, to-wit:-(Here Insert) whereby it is shown that a certified copy of the petition herein, as made by the Auditor of said County of Hendricks, was published in each of said newspapers, which are of opposite politics, and represent the political parties casting the highest vote in said County, at the last general election, for two successive weekly publications, the first of which was on the 15th, and the last on the 22nd day of June, 1911. And said petitioners now produce and file herein the affidavit of William H. Nichols, Auditor of said Hendricks County, whereby it appears that a copy of said published notice published in the aforesaid newspapers, was by him on the 15th day of June, 1911, posted at the Court House Door, in the town of Danville, in the aforesaid County, and State, which affidavit with a copy of notice posted attached thereto is in words and figures as follows, to-wit:-(Here Insert) And said petitioners now also produce, and file herein the affidavit of William H. Wilson, from which it appears that five copies of the notice published herein in the newspapers, as aforesaid,



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were posted by him on the 15th, day of June, 1911, in public and conspicuous places in said Brown Township, which affidavit, with copy of notices posted attached thereto, is in words and figures as follows, to-wit:-(Here Insert) And now upon motion it is <sup>adjudged and</sup> ordered by the Board <sup>that said petition is in due form and sufficient and</sup> that further proceedings herein be continued until the 28th day of July, 1911, on which day a special session of the Board is called, for further action herein.

All of which is now ordered and directed by the Board.

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

And now again comes the petitioners in the above entitled cause, and respectfully show to the Board of Commissioners of Hendricks County, and State of Indiana, that the viewers and engineer, heretofore appointed in this cause, met on the 14th day of February, 1911, which date was within ten (10) days after their appointment as such viewers and engineer herein, and having taken an oath for their faithful performance of their duties as such viewers and engineer, as provided by law, which oath is endorsed on the transcript issued to said viewers and engineer, and is in words as follows:-(Here Insert) And said engineer on the 14th day of February, 1911, filed his official bond as such engineer herein, payable to the State of Indiana, in the penal sum of \$5000.00 with The United States Fidelity & Guaranty Company as surety thereon, which bond is in words as follows:-

Know All Men by These Presents, that we, John O. Kain as principal and the United States Fidelity & Guaranty Company of Baltimore, Maryland, as surety, are held and firmly bound unto the State of Indiana in the penal sum of Five Thousand (\$5000.00) Dollars, for the faithful discharge of the duties of the above named principal as Engineer for preliminary survey of the Simon Hadley et al road, in Center Township, Hendricks County, Indiana, and to make plans, specifications, survey and profile for said road.

Signed and sealed this 14th day of February, 1911.

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

John O. Kain, Principal.

The United States Fidelity & Guaranty

Company by John E. Messick, Attorney-in-fact

State of Indiana, County of Marion, SS:

Before me the undersigned a notary public in and for said county, this the 18th day of March, 1911, personally appeared John E. Messick, attorney-in-fact of the United States Fidelity & Guaranty Company and acknowledged the execution of the foregoing bond.

Witness my hand and notarial seal this 18th day of March, 1911.

(SEAL)

Mary Gray, Notary Public.

My commission expires January 1st 1912.



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State of Indiana, Hendricks County SS:

Personally appeared before me, the undersigned Notary Public in and for said County and State John O. Kain and acknowledged the execution of the foregoing bond.

(SEAL) Witness my hand and notarial seal this 22 day of March 1911.

My com. expires Sept 24-1911.

Carey W. Gaston, Notary Public.

Endorsed on back: "Filed Mar 22 1911. Wm. H. Nichols, Auditor Hendricks Co" was on said day duly accepted and approved by the Auditor of Hendricks County, and State of Indiana, which approval was indorsed on said bond and is in words as follows: "Approved this 22" day of March, 1911. Wm. H. Nichols, Auditor Hendricks County

The petitioners would further show that the time for the filing of the report of said viewers and engineer, was for what were good and satisfactory reasons, as the same appeared to the said Board of Commissioners, extended from time to time as shown by the records of said commissioners court, until the 22nd. day of June, 1911, on which day said viewers and engineer produced and filed their report on said proposed improvement, which report is in words and figures as follows, to-wit:-

"Order To View Road"

The State of Indiana, )  
SS: Commissioners' Court, February Term, 1911.  
Hendricks County, )

To John O. Kain, John Snipes and Charles M. Havens.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their February Term, 1911, to view a proposed improvement of highway, as follows, 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 tracts 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 North West 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 North East on and along the center of said Columbia Street about 400 feet to the East line of the corporation of said town of Danville, to which point said Columbia Street intersects and terminates in the Danville and Pittsboro Free Gravel Road, and, if said proposed improvement of highway will be



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of public utility, mark and lay out the same in the manner prescribed by law to the width of from curb to curb where cement sidewalks and curbs have been put in and established along said highway, and not exceed 30 feet at any point.

You will meet at the office of Auditor of Hendricks Co. at Danville on Tuesday, the 14th day of February, 1911, at 9 o'clock A.M., and after being duly qualified, proceed to make said view, and report at the next regular term of said Board.

I certify the foregoing to be a true copy of the Order of the Board in relation to said proposed highway.

Witness my hand and official seal, this 8 day of February, 1911.

(SEAL)

Wm. H. Nichols, Auditor.

Oath of Viewers.

State of Indiana, Hendricks County, SS:

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

John O. Kain

John Snipes

Charles M. Havens

Subscribed and sworn to before me this 14 day of Feb., 1911.

Wm. H. Nichols, Auditor.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, June Term, 1911.

In the matter of the petition of

Simon Hadley et al to improve a public

highway in Center Township, Hendricks County, Indiana.

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

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

That pursuant to the notice served on us, we met on the 14th day of February, 1911, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary



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surveys of the same together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard, crushed, screened limestone with a wearing surface of asphalt bonded limestone as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed with Curbs", and "Cross Section of Roadbed without Curbs". We find that the proposed improvement, in accordance with the profile, drawings and specifications, and plans, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty-six (36) 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 hundred feet and certain plus stations, together with certain tabulated elevations and that said profile, drawings, plans and specifications provide for all details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used, and the methods of construction of the roadbed, sewers, ditches, drains, and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all necessary things to make a complete macadam road; that all drawings, plans, blue prints, and specifications, together with the profile are made by us and herewith filed and made a part of this report.

The following is a description of the route over and upon which said improvement is to be located:— Commencing at the North terminus of the Danville and Cartersburg Free Gravel road and running thence North 33 degrees 15 minutes West 566.4 feet; thence North 838.2 feet thence East 328.9 feet. thence North 2905 feet to the center of Columbia Street in the town of Danville, Indiana; thence East 369.5 feet to the East end of the combined side walks and curbs on said street; thence East and North East on and along the center of said Columbia Street 1255 feet and terminating in the Danville and Pittsboro Free Gravel road, all in Center Township, Hendricks County, Indiana. We find the total length of the proposed improved highway to be 6263 lineal feet, which is less than three miles.

We recommend that no improvement be made from Zero to Station 5 plus 66.4 feet, from station 45 plus 72.6 feet to station 46 plus 27.5 feet and from station 50 plus 8 feet to 62 plus 28 feet, for the reason that such portions of said highway are already sufficiently improved. All of said bearings and distances being the center line of said proposed highway.

We find that no damages on account of the construction of the foregoing described proposed highway will accrue to any one. We estimate the total cost of the proposed improvement to be \$9549.32

John Snipes )  
C.M. Havens ) Viewers

John O. Kain, Engineer.

Subscribed and sworn to before me this the 22nd day of June, 1911.

Wm. H. Nichols, Auditor.



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

(Here Insert) Specification as set out on pages 570, 571, 572, 573 & 574, this Book.  
and signed and acknowledged as follows:-

John Snipes Viewers.

C.M. Havens

John O. Kain, Engineer.

Subscribed and sworn to before me this the 22nd. day of June, 1911.

Wm. H. Nichols, Auditor.

and followed by General Specifications as set out on page 575 this book:-(Here Insert)

And now again on the 3rd. day of July, 1911, comes the aforesaid viewers and engineer, the ten (10) days from the filing of the report herein having expired, and the said time being at the next regular term or session of said Board of Commissioners after the filing of said report, and file their supplemental report herein, which supplemental report is in words and figures as follows, to-wit:-

SUPPLEMENTAL REPORT OF VIEWERS.

To The Honorable Board of Commissioners:

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

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 22nd day of June, 1911, filed our report in the above cause as ordered by you in your order appointing us, and ten days having expired since the filing of the same, now file this as our supplemental report, to-wit:-

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

Respectfully submitted,

John Snipes -

C.M. Havens

John O. Kain,

Viewers.

Subscribed and sworn to before me this 3rd. day of July, 1911,

Wm. H. Nichols, Auditor Hendricks County.

And said Board of Commissioners having the report, and supplemental report, made by said viewers, and filed herein, as aforesaid, and being duly advised and informed in the premises, now says, and finds that said viewers and engineer, pursuant to the notice of their appointment as such in this cause, met and duly qualified as provided by law, within the time as directed by the statutes, and that said engineer filed his bond as required by law, and that the same was duly accepted and approved by the Auditor of Hendricks County, and State of Indiana. And said Board of Commissioners further find that the time for the filing of said report by said viewers and engineer was from time to time extended for satisfactory and lawful reasons until the 22nd day of June, 1911, at



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

which date the report of said viewers and engineer was duly filed herein, in the office of the Auditor of Hendricks County, and State of Indiana, and that the same remained on file in said office, and open to the public for inspection, by any person for more than ten (10) days before the first day of the July Term, 1911, of said Board, and more than ten (10) days before the filing of the supplemental report herein by said viewers and engineer. And said Board now further finds that said report filed herein, on the 22nd day of June, 1911, as aforesaid, in all respects fully conformed to the law in such cases, and that the same should be accepted and approved by the Board, and that the highway sought to be improved, as described in said report, is less than three (3) miles in length, will be of public utility, and that said highway, as described in said report, should be adjudged and decreed to be improved and established as recommended in said report, without submission of said matter of improvement to a vote of the legal voters of Center Township, Hendricks County, and State of Indiana, wherein said highway proposed to be improved is located. And the Board of Commissioners further find that after the expiration of ten (10) days from the filing of the report herein, to-wit: on July 3rd, 1911, the same being the first day of the regular July Term, 1911, of said Board of Commissioners, that said viewers and engineer filed their supplemental report herein, as describes by law, which supplemental report, after being duly examined by said board of Commissioners, is accepted and approved by said board, and from which supplemental report it appears to the satisfaction of the Board and the Board so finds, that no injury will result to the property of any infant, idiot, or any insane person, or person of unsound mind, and that no such person will sustain any damages whatever by reason of the construction of the proposed improvement as prayed for in the petition, and recommended by the report of the viewers and engineer herein, the said supplemental report being in words and figures as follows, to-wit: (Here Insert) (See report heretofore set out) and the Board now further finds that no person, or corporation has made any written claim for damages to property by reason of said proposed improvement.

It is now hereby ordered and adjudged by said Board of Commissioners that the report, and supplemental report, made by the viewers and engineer, be, and the same are, hereby in all things fully and finally approved and confirmed, and it is further ordered and adjudged that said improvement of highway as recommended in said report be, and the same is, hereby fully established, and that the same be made and constructed, in all respects as provided in the report of said viewers and engineer.

It is further ordered and decreed by the Board that the Auditor of Hendricks County, Indiana, give notice by one publication in the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, and printed and published at the City of Indianapolis, Indiana, and by three weekly publications in The Republican, and Gazette, each being weekly newspapers of general



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circulation throughout the County of Hendricks, in which said highway sought to be improved is situated, that at 10 o'clock A.M. on Friday the 28th day of July, 1911, at a special called session of this Board called for that purpose, sealed bids and proposals will be received by the Board of Commissioners of Hendricks County, Indiana, at their usual place of meeting, for the furnishing of all material, and the performance of all work of making said improvement, in accordance with the plans, profile, report and specifications as set forth in the report of the viewers and engineer in this cause.

And further proceedings in this cause of action, is now continued until the 28th day of July, 1911, all of which is now ordered, adjudged and directed by the Board of Commissioners for Hendricks County, Indiana.



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

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

And now again comes the petitioners in the above entitled cause, and respectfully show to the Board of Commissioners of Hendricks County, and State of Indiana, that the viewers and engineer, heretofore appointed in this cause, met on the 14th day of February, 1911, which date was within ten (10) days after their appointment as such viewers and engineer herein, and having taken an oath for their faithful performance of their duties as such viewers and engineer, as provided by law, which oath is endorsed on the transcript issued to said viewers and engineer, and is in words as follows:-(Here Insert) And said engineer on the 14th day of February, 1911, filed his official bond as such engineer herein, payable to the State of Indiana, in the penal sum of \$5000.00 with The United States Fidelity & Guaranty Company as surety thereon, which bond is in words as follows:-

Know All Men By These Presents, that we John O. Kain, as principal and the United States Fidelity & Guaranty Company of Baltimore, Maryland, as surety, are held and firmly bound unto the State of Indiana, in the penal sum of Five Thousand (\$5000.00) Dollars, for the faithful discharge of the duties of the above named principal as Engineer for preliminary survey of the John G. Ridpath et al road in Center Township, Hendricks County, Indiana, and to make plans, specifications, survey and profile for said road.

Signed and sealed this 14th day of February, 1911.

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

John O. Kain, Principal

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

State of Indiana, Hendricks County, SS:

Personally appeared before me the undersigned Notary Public, in and for said County and State, John O. Kain, and acknowledged the execution of the foregoing bond. Witness my hand and notarial seal this 22nd day of March, 1911.

My Com expires Sept 24-1911.

Carey W. Gaston, Notary Public. (SEAL)

State of Indiana, Marion County, SS:

Before me the undersigned a notary public in and for said County, this the 18th day of March, 1911, personally appeared John E. Messick, attorney-in-fact of the United States Fidelity & Guaranty Company and acknowledged the execution of the foregoing bond.



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

Witness my hand and notarial seal this 18th day of March, 1911.

Mary Gray, Notary Public. (SEAL)

My commission expires January 1st., 1912.

Approved this 22nd day of March, 1911.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back "Filed March 22" 1911. Wm. H. Nichols, Auditor Hendricks Co."

was on said day duly accepted and approved by the Auditor of Hendricks County, and State of Indiana, which approval was indorsed on said bond, and is in words as follows:-(Here Insert)

The petitioners would further show that the time for the filing of the report of said viewers and engineer, was for what were good and satisfactory reasons, as the same appeared to the said Board of Commissioners, extended from time to time as shown by the records of said Commissioners Court, until the 22nd day of June, 1911, on which day said viewers and engineer produced and filed their report on said proposed improvement, which report is in words and figures as follows, to-wit:-

ORDER TO VIEW ROAD.

The State of Indiana,  
SS Commissioners Court, February Term, 1911.  
Hendricks County

To John O. Kain, M. T. Hunter & W. D. Corrie.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their February Term, 1911, to view a proposed improvement of highway, as follows, to-wit: Commencing at and in the Danville and Lebanon Free Gravel Road near the Southern Terminus of said road at a point where the same is intersected 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 in said Road. and, if said proposed improvement of highway will be of public utility, mark and lay out the same, in the manner prescribed by law, to a width of not less than 30 feet, except at such points where cement walks and curbs are already constructed on said street, at which points petitioners ask that improvement extend from curb to curb.

You will meet at the office of Auditor of Hendricks Co. Ind on Tuesday the 14th day of February, 1911, at 9 o'clock A.M., and after being duly qualified, proceed to make said view, and report at the next regular term of said Board.

I certify the foregoing to be a true copy of the order of the board in relation to said proposed highway. Witness my hand and official seal, this 8th day of February, 1911.

Wm. H. Nichols, Auditor.



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

OATH OF VIEWERS.

State of Indiana, Hendricks county, SS:

We, John O. Kain, M. T. Hunter and W. D. Corrie, do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described proposed highway to the best of our skill and ability, so help us God.

John O. Kain

M. T. Hunter

W. D. Corrie

Subscribed and sworn to before me, this 14<sup>th</sup> day of Feb., 1911.

Wm. H. Nichols, Auditor.

REPORT OF VIEWERS AND ENGINEER.

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

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

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

That pursuant to the notice served on us, we met on the 14th day of February, 1911, at the office of the Auditor of Hendricks County, in the Town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such "Viewers and Engineer", we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard, crushed, screened limestone with a wearing surface of asphalt bonded limestone as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed with curbs", and "Cross Section of Roadbed without Curbs". We find that the proposed improvement, in accordance with the profile, drawings and specifications and plans, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

hereinafter described and to the width of thirty-six (36) 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 hundred feet and certain plus stations, together with certain tabulated elevations and that said profile drawings, plans and specifications provide for all details of improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used, and the methods of construction of the roadbed, sewers, ditches, drains, and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all necessary things to make a complete macadam road; that all drawings, plans, blue prints, and specifications, together with the profile are made by us and herewith filed and made a part of this report.

The following is a description of the route over and upon which said improvement is to be located:- Commencing at the South end of the Danville & Lebanon Free Gravel Road being at the intersection of Lawton Avenue in the Town of Danville, Indiana, with said Free Gravel Road and running thence South 145.5 feet; thence South 590.45' West, 142.5 feet; thence South 88° 38' West, 253.5 feet; thence South 2977 feet; thence South 33° 15' East, 2406 feet, and terminating at the North end of the Danville & Cartersburg Free Gravel Road, all in Center Township, Hendricks County, Indiana. We find the total length of the proposed improved highway to be 5671 lineal feet, which is less than three miles.

We recommend that no improvement be made from station 21 plus 34.5 feet to station 25 plus 34.5 feet and from station 38 plus 55 feet to the terminus, for the reason that such portions of said highway are already sufficiently improved. All of said bearings and distances being the center line of said proposed improved highway.

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

We estimate the total cost of the proposed improvement to be \$7476.83

M.T. Hunter )  
Viewers.

W.D. Corrie )

John O. Kain, Engineer.

Subscribed and sworn to before me this 22nd day of June, 1911.

Wm. H. Nichols, Auditor.

(Here Insert) Specific Specifications, as set out in full on pages 570, 571, 572, 573, & 574., except that the provisions for "retaining curbs" has in this road the following additional "In addition to the curbs aforesaid, additional curbs of the same size and construction shall be constructed where curbs are now as shown on the drawings. Where these additional curbs are constructed the grading shall extend from these retaining curbs to the present curbs rounded off the same as the macadam."

Said specifications are signed and acknowledged as follows:-  
M.T. Hunter ) Viewers.  
W.D. Corrie )

John O. Kain, Engineer.

Subscribed and sworn to before me this 22nd day of June, 1911.  
Wm. H. Nichols, Auditor.



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

(Here Insert General Specifications) as set out on page 575 this book.

And now again on the 3rd day of July, 1911, comes the aforesaid viewers and engineer, the ten (10) days from the filing of the report herein having expired, and the said time being at the next regular term or session of said Board of Commissioners after the filing of said report, and file their supplemental report herein, which supplemental report is in words and figures as follows, to-wit:-

Supplemental Report of Viewers.

To the Honorable Board of Commissioners:

In the matter of the petition of John G. Ridpath  
et al for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 22nd day of June, 1911, filed our report in the above cause as ordered by you in your order appointing us, and ten days having expired since the filing of the same, now file this as our supplemental report, to-wit:

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

Respectfully submitted,

M. T. Hunter

W. D. Corrie

John O. Kain, Viewers.

Subscribed and sworn to before me this the 3rd day of July, 1911.

Wm. H. Nichols, Auditor Hendricks County.

And said Board of Commissioners having the report, and supplemental report, made by said viewers, and filed herein, as aforesaid, and being duly advised and informed in the premises, now says, and finds that said viewers and engineer, pursuant to the notice of their appointment as such in this cause, met and duly qualified as provided by law, within the time as directed by the statutes, and that said engineer filed his bond as required by law, and that the same was duly accepted and approved by the Auditor of Hendricks County, and State of Indiana. And said Board of Commissioners further find that the time for the filing of said report by said viewers and engineer was from time to time extended for satisfactory and lawful reasons until the 22nd day of June, 1911, at which date the report of said viewers and engineer was duly filed herein, in the office of the Auditor of Hendricks County, and State of Indiana, and that the same remained on file in said office, and open to the public for inspection, by any person for more than ten (10) days before the first day of the July Term, 1911, of said Board, and more than ten (10) days before the filing of the supplemental report herein by said viewers and engineer. And said Board now further finds that said report filed herein, on the 22nd day of June, 1911, as aforesaid, in all respects fully conforms



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

to the law in such cases, and that the same should be accepted and approved by the Board and that the highway sought to be improved, as described in said report, is less than three (3) miles in length, will be of public utility, and that said highway, as described in said report, should be adjudged and decreed to be improved and established as recommended in said report, without the submission of said matter of improvement to a vote of the legal voters of Center Township, Hendricks County, and State of Indiana, wherein said highway proposed to be improved is located. And the Board of Commissioners further find that after the expiration of ten (10) days from the filing of the report herein, to-wit: on July 3rd., 1911, the same being the first day of the regular July term, 1911, of said Board of Commissioners, that said viewers and engineer filed their supplemental report herein, as directed by law, which supplemental report, after being duly examined by said Board of Commissioners, is accepted and approved by said Board, and from which supplemental report it appears to the satisfaction of the Board and the Board so finds, that no injury will result to the property of any idiot, infant or any insane person, or person of unsound mind, and that no such person will sustain any damages whatever by reason of the construction of the proposed improvement as prayed for in the petition, and recommended by the report of the viewers and engineer herein, the said supplemental report being in words and figures as follows, to-wit: (See report heretofore set out) and the Board now further finds that no person, or corporation had made any written claim for damages to property by reason of said proposed improvement.

It is now hereby ordered and adjudged by said Board of Commissioners that the report, and supplemental report, made by the viewers and engineer, be, and the same are, hereby in all things fully and finally approved and confirmed, and it is further ordered and adjudged that said improvement of highway as recommended in said report be, and the same is, hereby fully established, and that the same be made and constructed, in all respects as provided in the report of said viewers and engineer.

It is further ordered and decreed by the Board that the Auditor of Hendricks County, Indiana, give notice by one publication in the Indianapolis Star, a daily newspaper of general circulation throughout the State of Indiana, and printed and published at the City of Indianapolis, Indiana, and by three weekly publications in the Republican, and Gazette, each being weekly newspapers of general circulation throughout the County of Hendricks, in which said highway sought to be improved is situated, that at 10 o'clock A.M. on Friday, the 28th day of July, 1911, at a special called session of this Board called for that purpose, sealed bids and proposals will be received by the Board of Commissioners of Hendricks County, Indiana, at their usual place of meeting, for the furnishing of all material, and the performance of all work of making said improvement, in accordance with the plans, profile, report and specifications as set forth in the report of the viewers and engineer in this cause. And further proceedings in this cause of action, is now continued until the 28th day of July, 1911, all of which is now ordered, adjudged and directed by the Board of Commissioners for Hendricks County Indiana.



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

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

Come now again the petitioners in the above entitled cause and respectfully show to the Board of Commissioners of Hendricks County and State of Indiana, that, pursuant to an order heretofore made by said Board and a notice issued by the Auditor of said Hendricks County, which notice is in words and figures as follows, to-wit:-

ORDER TO VIEW ROAD.

The State of Indiana, )  
Hendricks County, ) SS: Commissioners' Court, February Term, 1911.  
To Ed Blair, John Wear and John O. Kain, engineer.

You are hereby notified that you were appointed by the Board of Commissioners of said County, at their February Term, 1911, to view a proposed improved highway, as follows, to-wit: Commencing at a point at or near the South end of the Danville and Pittsburg Free Gravel Road the same being in the East half of the South West Quarter of Section 3, in Township 15 North of Range 1 west, and extending thence South West to where the same intersects with Columbia Street in said Town of Danville, Indiana; thence West on Columbia Street in the town of Danville, Ind., to the intersection of said Columbia Street, with North Cross Street in the town of Danville, Ind., and the Danville & North Salem Free Gravel Road, thence North West to the South East of said Danville and North Salem Gravel Road as the same is now established and used by the public.

Said proposed improved highway to be improved by grading, draining, ditching, bridging and culverting, graveling or paving with stone or other paving materials and, if said proposed improved highway will be of public utility, mark and lay out the same, in the manner petitioned for and prescribed by law, to the width of from curb to curb where sidewalks are laid, and not less than 30 feet in width where sidewalks are not laid.

You will meet at the office of County Auditor who resides in Danville, Ind. on Tuesday the 14th day of Feb 1911, at 9 O'Clock A.M., and after being duly qualified, proceed to make said view, and report at the next regular term of said Board, to-wit: March 7th., 1911.

I certify the foregoing to be a true copy of the order of the Board in relation to said proposed highway. Witness my hand and official seal, this 8th day of Feb. 1911.

Wm. H. Nichols, Auditor.

OATH OF VIEWERS.

State of Indiana, Hendricks County, SS:

We, E. E. Blair, John Wear and John O. Kain, do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described proposed highway to the best of our skill and ability, so



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

so help us God.

E.E. Blair

John Wear

John O. Kain

Subscribed and sworn to before me, this 14th day of Feb. 1911.

Wm. H. Nichols, Auditor.

that the viewers and engineer, heretofore appointed in this cause, met on the 14th day of February, 1911, which date was within ten days after the appointment of said viewers and engineer, and took the oath, as provided by law, for the faithful discharge of their duties as viewers and engineer in this cause, and that the engineer, on said date, filed his bond in the sum of \$5,000.00, which bond is in words and figures as follows, to-wit:

Know All Men by These Presents, that we John O. Kain as principal and the United States Fidelity & Guaranty Company, of Baltimore, Maryland, as surety, are held and firmly bound unto the State of Indiana in the penal sum of Five Thousand (\$5000.00) Dollars, for the faithful discharge of the duties of the above named principal as Engineer for preliminary survey of the John W. Ader et al road in Center Township, Hendricks County, Indiana, and to make plans, specifications, survey and profile for said road.

Signed and sealed this 14th day of February, 1911.

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

John O. Kain, Principal.

The United States Fidelity & Guaranty Company

By John E. Messick, Attorney-in-fact.

State of Indiana, Hendricks County, SS:

Personally appeared before me, the undersigned Notary Public, in and for said County and State, John O. Kain, and acknowledged the execution of the foregoing bond.

(SEAL) Witness my hand and notarial seal this 22 day of March, 1911.

My com. expires 9/24/1911.

Carey W. Gaston, Notary Public.

State of Indiana

SS:

County of Marion

Before me the undersigned a notary public in and for said County and State personally appeared John E. Messick attorney-in-fact of the United States Fidelity & Guaranty Company, and acknowledged the execution of the foregoing bond.

Witness my hand and notarial seal this 18th day of March, 1911.

(SEAL)

Mary Gray, Notary Public.

My commission expires January 1st. 1912.

Approved this 14th day of February, 1911. Wm. H. Nichols, Auditor Hendricks County.

with the approval of the Auditor of Hendricks County endorsed thereon, which approval and endorsement are in words and figures as follows, to-wit:-(See approval heretofore set out)

And now said petitioners would respectfully show to the Board, that the time for filing of the report of said viewers and engineer was extended to the June Term, 1911,



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

of said Board, and now comes the viewers and engineer herein and produce and file their report on said proposed improvement on the 22nd day of June, 1911, which report is in words and figures as follows, to-wit:-

REPORT OF VIEWERS AND ENGINEER.

State of Indiana, Hendricks County, SS:

In the Commissioners Court, June Term, 1911.

In the matter of the petition of

John W. Ader et al to improve a public

highway, in Center Township, Hendricks County, Indiana.

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

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

That pursuant to the notice served on us, we met on the 14th day of February, 1911, at the office of the Auditor of Hendricks County, in the town of Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard, crushed, screened limestone with a wearing surface of asphalt bonded limestone as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed with curbs", and "Cross Section of Roadbed without Curbs". We find that the proposed improvement, in accordance with the profile, drawings and specifications, and plans, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty-six (36) 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 hundred feet and certain plus stations, together with certain tabulated elevations and that said profile, drawings, plans and specifications provide for all details of the improvement of said road. Said profile, drawings, plans and



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

specifications describe in detail the sizes, materials to be used, and the methods of construction of the roadbed, sewers, ditches, drains and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all necessary things to make a complete macadam road; that all drawings, plans, blue prints, and specifications, together with the profile are made by us and herewith filed and made a part of this report.

The following is a description of the route over and upon which said improvement is to be located:- Commencing at the Southern terminus of the Danville and Pittsboro Free Gravel Road and running thence South West and West 1255 feet on and along the East end of Columbia Street in the town of Danville, Indiana, to the East end of the combined side walk and curbs on said street and continuing thence West 1998.5 feet to the intersection of Columbia Street with what is known as the North Salem road; thence North and North West on and along the center of said road to the Southern terminus of the Danville and North Salem Free Gravel Road, all in Center Township, Hendricks County, Indiana. We find the total length of the proposed improved highway to be 4180.7 lineal feet, which is less than three miles.

We recommend that no improvement be made from Zero to station 19 plus 37.7 and from station 32 plus 53.5 feet to station 41 plus 80.7 feet for the reason that such portions of said highway are already sufficiently improved. All of said hearings and distances being the center line of said proposed improved highway.

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

We estimate the total cost of the proposed improvement to be \$2591.96

E.E. Blair )  
Viewers  
John Wear )

John O. Kain, Engineer.

Subscribed and sworn to before me this 22nd day of June, 1911.

Wm. H. Nichols, Auditor.

(Here Insert) Specific Specifications as set out in full on pages 570, 571, 572, 573 & 574 this Book, also General Specifications as set out on page 575 this Book. Said specific specifications being signed and acknowledged as follows:

E.E. Blair )  
Viewers.  
John Wear )

John O. Kain, Engineer.

Subscribed and sworn to before me this the 22nd day of June, 1911.

Wm. H. Nichols, Auditor.

And now again come the viewers and engineer, after the expiration of ten days from the filing of their report herein, to-wit: on the 3d day of July, 1911, and at the next regular term or session of said Board of Commissioners after said date and file their supplemental report herein, which report is in words and figures as follows, to-wit:



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

Supplemental Report of Viewers-

To the Honorable Board of Commissioners:  
In the matter of the petition of John W. Ader et al.  
for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause, and who as such viewers, on the 22nd day of June, 1911, filed our report in the above cause as ordered by you in your order appointing us, and ten days having expired since the filing of the same, now file this as our supplemental report, to-wit:

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

Respectfully submitted,

E. E. Blair

John Wear

John O. Kain, Viewers.

Subscribed and sworn to before me this the 3<sup>rd</sup> day of July, 1911.

Wm. H. Nichols,

Auditor Hendricks County.

Endorsed on back:- "Filed Jul 3-1911. Wm. H. Nichols, Auditor Hendricks Co"

And now said Board of Commissioners being fully advised and informed in the premises, finds that the viewers and engineer heretofore appointed in this cause, met on the 14th day of February, 1911, pursuant to notice, and were qualified as provided by law and that said engineer filed his bond in the sum of \$5,000.00 and that the same was duly approved by the Auditor of Hendricks County, and the Board further finds that pursuant to an order heretofore made by said Board, that the time for filing the report of said viewers and engineer was extended to the 22nd day of June, 1911, and that said report of the viewers and engineer was filed in the office of the Auditor of Hendricks County, Indiana, on the 22nd day of June, 1911, and that the same has remained on file in said office open to inspection of any person since said date, and for more than ten days before the first day of the July Term, of said Board, 1911, and before the filing of the supplemental report herein, and the board having examined said report, finds that it conforms to the law in all respects and that the same should be approved, that the highway, described therein, is less than three miles in length, that the improvement as recommended and reported in said report, will be of public utility and that said improvement should be allowed and established, as recommended and provided in said report, without submitting the matter of said improvement to the legal voters of Center Township, Hendricks County, Indiana. And the Board further finds that the viewers and engineer herein filed their supplemental report on the 3rd day of July, 1911, that the same was filed on the first day of the July session, 1911, of the



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

Board and ten days after the filing of the first report; that said supplemental report being fully examined by the board and it finds that no injury will result to the property of any idiot or any person of unsound mind or will any person sustain any damages whatever by reason of the construction of the improvement prayed for by the petitioners and as recommended by the report of viewers and engineer, that no person or corporation has made any written claim for damages to property by reason of said improvement and that said supplemental report is in due form of law and regular and that the same ought to be, in all things approved.

It is therefore ordered by the Board that the report of viewers and engineers and also the supplemental report filed by said viewers and engineer, each be and the same are hereby in all things fully approved.

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

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

It is further ordered, by this Board, that the Auditor of Hendricks County Indiana, give notice, by one publication in the Indianapolis Star, a daily newspaper of general circulation, throughout the State of Indiana, printed and published at the City of Indianapolis, and by three weekly publications in the Republican and Gazette, public weekly newspapers of general circulation throughout the County of Hendricks, the County in which said road to be improved is located, that on the 28th day of July, 1911, at the hour of ten o'clock A.M. of said day, sealed proposals will be received by the Board of Commissioners of Hendricks County, Indiana, at their usual place of meeting for the work of said improvement, in accordance with the profile and report and plans and specifications in said report set forth, and this cause is continued.



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

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

And now again comes the petitioners in the above entitled cause, and respectfully shows to the Board of Commissioners of Hendricks County, and State of Indiana, that the viewers and engineer, heretofore appointed in this cause, met on the 14<sup>th</sup> day of Feby. 1911, which date was within ten (10) days after their appointment as such viewers and engineer herein, and having taken an oath for their faithful performance of their duties as such viewers and engineer, as provided by law, which oath is endorsed on the transcript issued to said viewers and engineer, and is in words as follows:-

ORDER TO VIEW ROAD.

The State of Indiana, Hendricks County SS:

Commissioners' Court, February Term, 1911.

To Wm. Vannice, Smith R. Davis and John O. Kain, Engineer.

You are hereby notified that you were appointed by the Board of Commissioners of said County at their February Term, 1911, to view a public highway proposed to be improved as follows, to-wit: Commencing at 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 Northwest 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, 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 Improved Free Gravel Road.

You will meet at the office of the Auditor of said County, at Danville, Indiana, on the 14th day of February, 1911, at 9 o'clock A.M., and qualify and after being duly qualified, proceed to make said view, and determine, whether it will be of public utility to grade, drain and pave said highway with stone, gravel or other road paving material, and build the necessary bridges, culverts and sewers thereon, and, if you find said proposed highway improvement to be of public



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utility you will then determine and fix the kind and character and the width of said proposed improvement, including the grading, draining and paving to be done, with complete plans and specifications of such improvement, and of all bridges, culverts and waterways required thereon, together with the estimated cost of said proposed improvement, and make report of your determination in said matter in respect to said highway, including an accurate description of said highway to be graded, drained and paved, together with your recommendations in respect to the paving material to be used, and complete plans and specifications of such improvement, and the estimated cost of such improvement, and accompany said report with an accurate profile of said highway, showing by proper lines and figures the elevation thereof at each 100 feet of its length and the changes to be made therein by excavations and fills. And make a complete report of your doings herein, as provided by statute, to said Board of Commissioners on the 1st day of their regular March Term, 1911.

I certify the foregoing to be a true copy of the order of the Board in relation to said proposed highway.

Witness my hand and official seal, this 8<sup>th</sup> day of February, 1911.

Wm. H. Nichols, Auditor.

(SEAL)

Oath of Viewers.

State of Indiana, Hendricks County, SS:

We, Wm. E. Vannice, Smith R. Davis and John O. Kain do solemnly swear that we will faithfully and impartially discharge the duties assigned us as viewers on the within described proposed highway to the best of our skill and ability, so help us God.

John O. Kain

Smith R. Davis

William E. Vannice

Subscribed and sworn to before me, this 14<sup>th</sup> day of Feb. 1911.

Wm. H. Nichols, Auditor.

And said engineer on the 14th day of February, 1911, filed his official bond as such engineer herein, payable to the State of Indiana, in the penal sum of \$5,000.00, with The United States Fidelity & Guaranty Company as surety thereon, which bond is in words as follows:-

Know all men by these presents, that we, John O. Kain as principal and the United States Fidelity & Guaranty Company of Baltimore, Maryland, as surety, are held and firmly bound unto the State of Indiana in the penal sum of Five Thousand (\$5000.00) Dollars, for the faithful discharge of the duties of the above named principal as Engineer for preliminary survey of the Willis Dobson et al road in Center Township, Hendricks County, Indiana, and to make plans, specifications, survey and profile for said road.

Signed and sealed this 14th day of February, 1911.

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

John O. Kain, Principal.

The United States Fidelity & Guaranty Co. by John E. Messick,



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

Attorney-in-fact.

State of Indiana, Hendricks County, SS:

Personally appeared before me, the undersigned Notary Public in and for said County and State, John C. Kain, and acknowledged the execution of the foregoing bond.  
(SEAL) Witness my hand and notarial seal this 22nd day of March, 1911.

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

State of Indiana, County of Marion, SS:

Before me the undersigned a notary public in and for said County this the 18th day of March, 1911, personally appeared John E. Messick, attorney-in-fact of the United States Fidelity & Guaranty Company and acknowledged the execution of the foregoing bond.

Witness my hand and notarial seal this 18th day of March, 1911.

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

\*Approved this 22\* day of March, 1911.

Wm. H. Nichols, Auditor Hendricks County\*.

Endorsed on back: "Filed Mar 22-1911. Wm. H. Nichols, Auditor Hendricks Co" was on said day duly accepted and approved by the Auditor of Hendricks County, and State of Indiana, which approval was indorsed on said bond, and is in words as follows: "See approval heretofore set out"

The petitioners would further show that the time for the filing of the report of said viewers and engineer, was for what were good and satisfactory reasons, as the same appeared to the said Board of Commissioners, extended from time to time as shown by the records of said Commissioners Court, until the 22nd. day of June, 1911, on which day said viewers and engineer produced and filed their report on said proposed improvement, which report is in words and figures as follows, to-wit:-

#### Report Of Viewers and Engineer.

In the Commissioners Court, June Term, 1911.

In the matter of the petition of

Willie A. Dusen et al, to improve a public highway in Center Township, Hendricks County, Indiana.

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

We, the undersigned Viewers and Engineer, appointed by your Honorable Body, under the "Provisions of an act of the General Assembly of Indiana, approved March 28th, 1905, and all amendments thereto", to view, examine, make all needful surveys of the road described in the petition of Willie A. Dusen et al, and hereinafter described, determine the manner of said improvement in detail, estimate the costs thereof, and prepare profile, plans, drawings and specifications, preparatory to cleaning, grading, sewerage, ditching, draining, and surfacing said proposed improvement of said highway, respectfully report:-

That pursuant to the notice served on us, we met on the 14th day of February, 1911, at the office of the Auditor of Hendricks County, in the town of



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

Danville, Indiana, and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such viewers and engineer, we proceeded to the vicinity and neighborhood of said road.

. That we made a careful view and examination of the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement as a facility for travel, and did make the necessary surveys of the same, together with profile, drawings, plans and specifications, and found that the material for the roadway should be hard, crushed, screened limestone with a wearing surface of asphalt bonded limestone as detailed in the specifications and exemplified in the drawings entitled "Cross Section of Roadbed with Curbs", and "Cross Section of Roadbed without Curbs". We find that the proposed improvement, in accordance with the profile, drawings and specifications, and plans, herewith filed, will be of public utility and convenience and that the costs of constructing the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of thirty-six (36) 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 hundred feet and certain plus stations, together with certain tabulated elevations and that said profile, drawings, plans and specifications provide for all details of the improvement of said road. Said profile, drawings, plans and specifications describe in detail the sizes, materials to be used, and the methods of construction of the roadbed, sewers, ditches, drains, and macadam required therein and likewise provide the quality and quantity of each and every kind of material, and all necessary things to make a complete macadam road; that all drawings, plans, blue prints, and specifications, together with the profile are made by us and herewith filed and made a part of this report.

The following is a description of the route over and upon which said improvement is to be located:- Commencing at the Northern terminus of the Danville and Cartersburg Free Gravel road and running thence North 33 degrees and 15 minutes West 566.4 feet; thence North 1999.6 feet; thence East 310.7 feet; thence North 1751 feet to the center of Columbia Street in the town of Danville, Indiana; thence West 320.3 feet; thence North 781.2 feet and terminating in the James A. Downard et al Free Gravel road, all in Center Township, Hendricks County, Indiana. We find the total length of the proposed improved highway to be 5729.2 lineal feet, which is less than three miles.

We recommend that no improvement be made from Zero to station 14 plus 17.165 feet, from Station 28 plus 59.7 feet to 46 plus 39.9 feet, for the reason that such portions of said highway are already sufficiently improved. All of said bearings and distances being the center line of said proposed improved highway.

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

We estimate the total cost of the proposed improvement to be \$5555.63



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

Smith R. Davis )  
William E. Vannice ) Viewers  
John O. Kain, Engineer

Subscribed and sworn to before me this 22nd day of June 1911.

Wm. H. Nichols, Auditor.

(Here Insert) Specific Specifications as set out on pages 570 to 574,  
inclusive this Book and also General Specifications as set out on page 575  
this Book.

Said Specific Specifications are duly signed and acknowledged as  
follows:-

Smith R. Davis )  
William E. Vannice ) Viewers  
John O. Kain, Engineer.

Subscribed and sworn to before me this the 22nd. day of June, 1911.

Wm. H. Nichols, Auditor.

And now again on the 3rd day of July, 1911, comes the aforesaid viewers  
and engineer, the ten (10) days from the filing of the report herein having  
expired, and the said time being at the next regular term or session of said  
Board of Commissioners after the filing of said report, and file their supplement  
al report herein, which supplemental report is in words and figures as follows,  
to-wit:- Supplemental Report of Viewers.

To the Honorable Board of Commissioners:  
In the matter of the petition of Willis A. Dobson et al  
for the improvement of highway.

We, the undersigned, Viewers, heretofore appointed in the above cause,  
and who as such viewers, on the 22nd day of June, 1911, filed our report in the  
above cause as ordered by you in your order appointing us, and ten days having  
expired since the filing of the same, now file this as our supplemental report,  
to-wit:

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

Respectfully Submitted,

Smith R. Davis  
William E. Vannice  
John O. Kain,

Viewers.

Subscribed and sworn to before me this the 3rd day of July, 1911.

Wm. H. Nichols, Auditor Hendricks County.

Endorsed on back: "Filed July 3rd 1911. Wm. H. Nichols, Auditor Hendricks Co"

And said Board of Commissioners having the report, and supplemental  
report, made by said viewers, and filed herein, as aforesaid, and being duly



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

advised and informed in the premises, now says, and finds that said viewers and engineer, pursuant to the notice of their appointment as such in this cause, met and duly qualified as provided by law, within the time as directed by the statutes, and that said engineer filed his bond as required by law, and that the same was duly accepted and approved by the Auditor of Hendricks County, and State of Indiana. And said Board of Commissioners further find that the time for the filing of said report by said viewers and engineer was from time to time extended for satisfactory and lawful reasons until the 22nd day of June, 1911, at which date the report of said viewers and engineer was duly filed herein, in the office of the Auditor of Hendricks County, and State of Indiana, and that the same remained on file in said office, and open to the public for inspection, by any person for more than ten (10) days before the first day of July Term, 1911, of said Board, and more than ten (10) days before the filing of the supplemental report herein by said viewers and engineer, And said Board further finds that said report filed herein, on the 22nd. day of June, 1911, as aforesaid, in all respects fully conforms to the law in such cases, and that the same should be accepted and approved by the Board, and that the highway sought to be improved, as described in said report, is less than three (3) miles in length, will be of public utility, and that said highway, as described in said report, should be adjudged and decreed to be improved and established as recommended in said report, without the submission of said matter of improvement to a vote of the legal voters of Center Township, Hendricks County, and State of Indiana, wherein said highway proposed to be improved is located. And the Board of Commissioners further find that after the expiration of ten (10) days from the filing of the report herein, to-wit: on July 3rd, 1911, the same being the first day of the regular July Term, 1911, of said Board of Commissioners, that said viewers and engineer filed their supplemental report herein, as directed by law, which supplemental report, after being duly examined by said Board of Commissioners, is accepted and approved by said Board, and from which said supplemental report it appears to the satisfaction of the Board and the Board so finds, that no injury will result to the property of any infant, idiot or any insane person, or person of unsound mind, and that no such person will sustain any damages whatever by reason of the construction of the proposed improvement as prayed for in the petition, and recommended by the report of the viewers and engineer herein, the said supplemental report being in words and figures as follows, to-wit:—(See Supplemental report heretofore set out), and the Board now further finds that no person, or corporation has made any written claim for damages to property by reason of said proposed improvement.

It is now hereby ordered and adjudged by said Board of Commissioners that the and report, supplemental report, made by the viewers and engineer, be, and the same are, hereby in all things fully and finally approved and confirmed, and it is further ordered and adjudged that said improvement of highway as recommended in said report be, and the same is hereby fully established, and that the same be made and constructed, in all respects as provided in the report of said viewers and engineer.

It is further ordered and decreed by this Board that the Auditor of Hendricks County, Indiana, give notice by one publication in the Indianapolis Star, a daily newspaper



Monday, July 3rd., 1911, and 1st. day of July Term, 1911.

of general circulation throughout the State of Indiana, and printed and published at the City of Indianapolis, Indiana, and by three weekly publications in the Republican and Gazette, each being weekly newspapers of general circulation throughout the County of Hendricks, in which said highway sought to be improved is situated, that at 10 o'clock A.M. on Friday the 28th day of July, 1911, at a special called session of this Board called for that purpose, sealed bids and proposals will be received by the Board of Commissioners of Hendricks County, Indiana, at their usual place of meeting, for the furnishing of all material, and the performance of all work of making said improvement, in accordance with the plans, profile, report and specifications as set forth in the report of the viewers and engineer in this cause. And further proceedings in this cause of action, is now continued until the 28th day of July, 1911, all of which is now ordered, adjudged and directed by the Board of Commissioners for Hendricks County, Indiana.

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

Harry E. Sanders

Elbert M. Murphy

James A. Downard

) Board Commissioners Hendricks County.



Friday, July 28th., 1911. Special Session.

Friday Morning, July 28th., 1911.

Be It Remembered that on this the 28<sup>th</sup> day of July, 1911, the Board of Commissioners of Hendricks County, Indiana, are met in special session, in pursuance of notice of such special meeting as follows, to-wit:-

The State of Indiana, Hendricks County, SS:

To the Sheriff of said County Greeting:

Whereas, in my opinion, the public interests of Hendricks County require that the board of Commissioners of said County should meet in special session, for the transaction of the following business, to-wit: To award contracts for Coal at Co. Home, Court House and County Jail, and to take action on the John R. Hull et al Road in Brown Tp., and to award Contracts <sup>and issue bonds</sup> for the Improvement of certain roads, and to appt. supt. & Engineer thereon, and to approve bonds of engineers & Supt. of construction heretofore filed.

You are, therefore, commanded to summons Harry E. Sanders, E. M. Murphy and James A. Downard, who now constitute said board, to appear and attend a special session of the board of Commissioners of said County, to be holden at the usual place of meeting of said board, in the Court House, in the town of Danville, said County, on the 28th day of July, 1911, to meet at the hour of 10 o'clock A.M. of said day, and then and there return this writ.

(SEAL) In Witness whereof, I hereunto set my hand and affix my official seal, this 28th. day of July, 1911.

Wm. H. Nichols, Auditor of Hendricks County.

We hereby acknowledge the service of summons, this the 28th day of July, 1911.

Harry E. Sanders

Elbert M. Murphy

Members Board of Commissioners of Handricks  
County.

Present: Harry E. Sanders and Elbert M. Murphy, two members of said Board, James A. Downard, the third member of said Board being absent.

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

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

Comes now Henry Rodney, heretofore appointed as Superintendent of Construction of said Road and asks that he be relieved from his duties as such Superintendent. And the Board being duly advised now releases the said Rodney as such Superintendent, and appoints Wm. L. Wilson, as such Superintendent.

And now comes the said William L. Wilson and accepts said appointment and files Bond as such superintendent, in the sum of \$5000.00, which Bond is now duly approved by the Board and is as follows, to-wit:- (Here Insert)

And now the said Wm. L. Wilson is duly sworn to faithfully discharge his duties as such superintendent and he now files a copy of said oath as follows, to-wit:- (Here INsert)



July 28th., 1911, Special Session.

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

Comes now Henry Rodney, heretofore appointed as Superintendent of Construction of said Road and asks that he be released from his duties as such superintendent. And the Board being duly advised now releases the said Rodney, as such Superintendent, and appoints Wesley Brady as such superintendent.

And now comes the said Wesley Brady and accepts said appointment and files Bond as such Superintendent, in the sum of \$5000.00, which Bond is now duly approved by the Board and is as follows, to-wit:-(Here Insert)

And now the said Wesley Brady is duly sworn to faithfully discharge his duties as such Superintendent and he now files a copy of said oath as follows (Here Insert)

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

Comes now Henry Rodney heretofore appointed as superintendent of construction of said road and asks that he be relieved from his duties as such superintendent. And the board being duly advised now releases the said Rodney as such Superintendent and appoints George Doty as such Superintendent.

And now comes the said George Doty and accepts said appointment and files bond as such superintendent in the sum of \$5000.00, which bond is now duly approved by the Board and is as follows, to-wit:-(Here Insert)

And now the said George Doty is duly sworn to faithfully discharge his duties as such superintendent and he now files a copy of said oath as follows, to-wit:-(Here Insert)

In the matter of the petition of Orren A. Stout )  
et al for improvement of Public Highway by taxation. )

Comes now Wm. T. Boyd, heretofore appointed as superintendent of construction of said road and asks that he be relieved from his duties as such superintendent. And the Board being duly advised now releases the said Boyd as such superintendent, and appoints Earl Duncan, as such Superintendent.

And now comes the said Earl Duncan and accepts said appointment and files Bond as such superintendent in the sum of \$5000.00, which bond is now duly approved by the Board and is as follows (Here Insert)

And now the said Earl Duncan is duly sworn to faithfully discharge his duties as such superintendent and he now files a copy of said oath as follows:-(Here Insert)



July 28th., 1911. Special Session.

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

Comes now R.E. Kennedy, heretofore appointed as superintendent of construction of said highway and presents to the Board and files his bond as such superintendent in the sum of \$5000.00, which bond is now duly approved by the board and is as follows:-  
(Here Insert)

And now the said R.E. Kennedy is duly sworn to faithfully and impartially discharge his duties as such superintendent, and he now files a copy of said oath as follows:- (Here Insert)

In the matter of the petition of J.J. Dungan et al )  
for improvement of public highway by taxation. )

Comes now A.E. Deatley heretofore appointed as superintendent of construction of said highway and presents to the Board and files his bond as such superintendent in the penal sum of \$5000.00, which bond is now duly approved by the Board, and is as follows:- (Here Insert)

And now the said A.E. Deatley is duly sworn to faithfully and impartially discharge his duties as such superintendent and he now files a copy of said oath as follows:- (Here Insert)

In the matter of the petition of )  
Morton Foster, and others, for the )  
Improvement of a public highway. )

Be It Remembered, that on this the 28th day of July, 1911, pursuant to notice duly given by the County Auditor, the Board of Commissioners of Hendricks County, Indiana, are met in special session for the purpose of receiving bids and letting a contract for the improvement of the Morton Foster, and others, public highway.

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 Danville Gazette, two weekly newspapers of general circulation throughout the County of Hendricks, printed and published in the town of Danville, Hendricks County, Indiana. Said affidavits being in the words and figures following, to-wit:- (Here Insert) And from which said affidavits it appears to the satisfaction of the board that notice of the time and place of receiving bids for the construction of the improvement proposed in the foregoing entitled cause was duly published in said newspapers for three consecutive weeks, the first publication being on the 6th day of July, 1911, and the last on the 20th day of July, 1911, copies of which notice so published as aforesaid being attached to 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



July 28th., 1911, Special Session.

circulation throughout the State of Indiana, printed and published in the City of Indianapolis. Said affidavit being in the following words and figures, to-wit:-  
(Here Insert). And from which affidavit it appears to the satisfaction of the board that notice of the time and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause was duly published in said newspaper on the 8th day of July, 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 being in the words and figures following, to-wit:- (Here Insert).

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

And the hour of ten o'clock A.M. of the 28th day of July, 1911, 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 proposals were all opened in the presence of the several bidders, that the following named person, only, had submitted a bid for said work, Frank Allen, and in the sum of \$5260.00.

The board further finds that said bid is in due form and accompanied by bond, and affidavit as provided in the notices,

And the board further finds that the entire cost of said improvement including the bid aforesaid received, and the expenses incurred and to be incurred in the per diem of the engineer and superintendent, is the sum of Fifty-nine hundred (\$5900.00) Dollars; that the total indebtedness of Franklin Township, the township in which said road to be improved under these proceedings is located, including all of the costs and expenses of this improvement and all bonds heretofore issued for the building of free gravel or macadamized roads, will not exceed four per centum of the total assessed taxable valuation of the property of said township.

The board further finds that the contract for said improvement should be awarded. And the bid of Frank Allen, being the only bid submitted 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 Frank Allen 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 the said Frank Allen.

And the bond of the said Frank Allen, with good and sufficient sureties and conditioned as provided by law, in the sum of Eleven Thousand Dollars which is a sum at least double his bid, is approved by this board. Said bond with the approval written thereon being in the words and figures following, to-wit:-

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Thousand (11,000  
ourselves, John  
and assigns, firm  
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ers of Hendrix  
Public Highway  
And whereas  
Auditor of the Co  
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(SEAL)  
Accepted and  
Attest: Wm. H. Nichol  
The bid of th  
this board, said bo  
said improvement, an  
Frank Allen, as the  
of the county of H  
This Agree  
Indiana, the first  
second party, is th  
sum of \$5260.00, a



July 28th., 1911. Special Session.

Know All Men by These Presents, That we the undersigned Frank Allen, E. B. Lynch, W. A. Kreigh of are firmly bound unto the State of Indiana, in the penal sum of Eleven Thousand (11,000.00) Dollars, for the payment of which, well and truly to be made, we bind ourselves, jointly and severall, and our joint and several heirs, executors, administrators and assigns, firmly by these presents, this 27th day of July, 1911.

The Conditions of the above obligation are such that, whereas, the Board of Commissioners of Hendrix County, Indiana, is about to let a contract for The Construction of a Public Highway in Franklin Township Hendrix County, Ind known as the Morton Foster Road

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

Frank Allen (SEAL)

W. A. Kreigh (SEAL)

E. B. Lynch (SEAL)

State of Indiana, Putnam County, SS:

Before me, Auditor in and for said County, personally appeared Frank Allen, W. A. Kreigh and E. B. Lynch and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness my hand and official seal, this 28 day of July A. D. 1911.

D. V. Moffett, Auditor.

(SEAL)

Accepted and Approved July 28, 1911.

Harry E. Sanders

Elbert M. Murphy

Board of Commissioners of Hendricks County.

Attest: Wm. H. Nichols, Auditor.

The bid of the said Frank Allen having been accepted and his bond duly approved by this board, said board does now enter into a contract with the said Frank Allen for said improvement, and which contract duly signed, having been reduced to writing, by the said Frank Allen, as the first party, and the members of this board as the Board of Commissioners of the county of Hendricks, the second party, is in the words and figures following, to-wit:

Contract.

This Agreement, made this 28<sup>th</sup> day of July, 1911, between Frank Allen of Putnam 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 the Morton Foster Road, for the sum of \$5260.00, said highway being situate in Franklin Township, in said Hendricks



July 28<sup>th</sup>, 1911. Special Session.

County and State of Indiana, complete according to plans and specifications on file in the office of the Auditor of said County, which plans and specifications are made a part of this contract.

Said second party agrees to pay said first party for said work the sum of Fifty two Hundred and Sixty 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 first day of December, 1911.

It is further understood and agreed that the survey, profile and general plans and specifications adopted and approved by the second party for such improvement are all, each and every one thereof, made a part of this contract as fully and effectually as if copied herein at full length.

It is further understood and agreed that all and singular of the provisions of an act of the General Assembly of the State of Indiana entitled An Act concerning public buildings and public improvement contracts, and declaring an emergency, approved March 4th, 1911- Acts of 1911 p.p. 437, 438, 439- are also made a part of this contract, it being hereby understood and agreed that said provisions are to be in all things performed by the second party so far as the same apply to and prescribe the duties of said second party.

Harry E. Sanders

Frank Allen, The First Party.

Elbert M. Murphy

Board of Commissioners, the Second Party.

And now it is further 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 \$5900.00, and in series of \$295.00, each and bearing interest at the rate of four and one half per centum per annum, and payable over a period of ten years from the 28th day of July, 1911.

And the treasurer of this county is now hereby charged with the sale of said bonds.

Whereupon the board does now appoint a resident of said Franklin 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 the duly appointed and acting engineer heretofore appointed in these proceedings is now hereby ordered by this board to execute his bond in the penal sum of \$6,000.00, conditioned as provided by law.

And further proceedings herein are continued.



July 28", 1911. Special Session.

In the matter of the petition of )  
Simon Hadley and others, for the )  
Improvement of a public highway in )  
Center Township, Hendricks County, Indiana. )

Be It Remembered, that on this the 28th day of July, 1911, the Board of Commissioners of Hendricks County, Indiana, are met in special session at their usual place of meeting in the Court House in the town of Danville, Hendricks County, Indiana, pursuant to an order made by said Board on the 3rd day of July, 1911, when in regular session, and also pursuant to a summons issued by the Auditor of said County, for said Board to meet in special session on this day for the further consideration of the above entitled proceedings.

And now comes William H. Nichols, the Auditor of said County and State, and produces the affidavits of Julian D. Hogate, and William A. King, editors and publishers, respectively of The Republican, and the Danville Gazette, two weekly newspapers of different politics, and representing the political parties casting the highest number of votes at the last general election held in said County, and of general circulation throughout Hendricks County, Indiana, and published in the town of Danville, Hendricks County, Indiana, said affidavits being in the words and figures as follows, to-wit:-(Here Insert) 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, in accordance with the plans, specifications and profile made and reported therein, was duly published in each of said newspapers for three consecutive weeks, the first of which said publications was on the 6th day of July, 1911, and the last on the 20th day of July, 1911, a copy of which notice so published being attached to each of said affidavits and being in words as follows, to-wit:-(Here Insert) And said Auditor now 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, Indiana, said affidavit being in words as follows, to-wit:-(Here Insert) from which affidavit it appears to the satisfaction of the Board that notice of the time, and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause, according to the plans specifications and profiles made therein, was published in said newspaper on the 8th day of July, 1911, and more than two weeks prior to this date, which was fixed in said notice as the time for receiving said bids, a copy of which notice, so published as aforesaid, being attached to said affidavit, and being in words and figures as follows, to-wit:-(Here Insert) And now from all of the aforesaid affidavits, and the copies of notices attached thereto, it appears to the satisfaction of the Board, and the Board so finds, that due and legal notice of the time, and place for receiving sealed bids and proposals for the making of said improvement, had been given by the Auditor of said Hendricks County, as provided by law in such proceedings.

And the hour of 10 o'clock A.M. of the 28th day of July, 1911, having arrived, the same being the hour of said day up to which it was provided in said notices that the board



July 28", 1911. Special Session.

would receive sealed bids and proposals, the Board finds upon an inspection and examination of all bids and proposals submitted, which said bids and proposals were all opened in the presence of the Board, the several bidders and divers taxpayers of said Center Township, and the following named person, together with the amount of his bid, did submit sealed proposals for said work, viz:

George T. Miller \$9498.00

The Board now finds that said bid and proposal is in due form, and that the same is accompanied by a non-collusion affidavit, and a bond in the sum of \$19,000.00 with the Federal Union Surety Company of Indianapolis, Indiana, as surety, as provided in said notice, and as required by law, in such cases.

The Board now further finds that the entire cost of said improvement; including the aforesaid bid, and the expense incurred, and to be incurred in the per diem of the engineer and superintendent, is the sum of \$10200.00, and that the total indebtedness of said Center Township, the same being the township in which the highway to be improved by these proceedings is located, including all the costs and expenses of this improvement, and all bonds heretofore issued for the building of free gravel of macadamized roads, will not exceed four per centum of the total assessed taxable valuation of the property of said Center Township.

The Board further finds that the contract for said improvement should be awarded to the said George T. Miller, his being the lowest bid received, and he being a responsible party and bidder, and his bid being less than the estimated cost of said improvement, and that the bid and proposal of the said George T. Miller should be accepted, and that the bonds of the County should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement. And the bond of the said George T. Miller, with the Federal Union Surety Company, of Indianapolis, Indiana, as surety, conditioned for the faithful performance of the work, and the material used, in accordance with the plans, report, profile and specifications therein, said report set forth and in the contract set out, in the penal sum of \$19,000.00, which sum is more than double the amount of the bid herein, is now duly accepted and approved by the Board, and said bond, with the approval indorsed thereon, is in words as follows, to-wit:-

Know All Men by These Presents, That we, the undersigned George T. Miller, of Lebanon, Indiana, as principal and the Federal Union Surety Company, of Indianapolis, Indiana, as surety are held and firmly bound unto the State of Indiana in the penal sum of Nineteen Thousand (\$19,000.00), 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 successors and assigns, firmly by these presents, this 25th day of July, 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 construction of Simon Hadley Gravel or Macadam Road, in Hendricks County, Indiana.



July 28", 1911. Special Session.

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

George T. Miller (SEAL)

Federal Union Surety Company

by C.M. Abbott, Vice President

Attest: L.C. Breunig, Secretary.

State of Indiana, County of Boone, SS:

Before me, the subscriber, a Notary Public in and for said County, personally appeared George T. Miller and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and notarial seal, this 28" day of July A.D. 1911.

My com. ex 4/15-1915.

Harry T. Thompson, Notary Public. (SEAL)

State of Indiana,

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 26th day of July A.D. 1911.

My commission expires March 22, 1915.

C.C. Hough, Notary Public.

Accepted and Approved July, 28, 1911.

Harry E. Sanders

Board of Commissioners of Hendricks County.

Elbert M. Murphy

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

"Filed Jul 28-1911. Wm. H. Nichols, Auditor Hendricks Co."

The bid of the said George T. Miller, having been accepted, and his bond having been duly approved, the said Board does now enter into a written contract with the said George T. Miller, as the first party and the Board of Commissioners of Hendricks County, Indiana, as the second party, which contract is in words and figures as follows, to wit:-

Contract.

This Agreement, made this 28 day of July, 1911, between George T. Miller of Boone County, Indiana, the first party, and The Board of Commissioners of Hendricks County, Indiana the second party, is that said first party agrees to construct the Simon Hadley



July 28", 1911. Special Session.

Road in Center Township for the sum of \$9498.00; the John W. Ader Road in Center Township for the sum of \$2548.00; the John G. Ridpath Road in Center Township for the sum of \$7448.00; the Willis A. Dobson Road in Center Township for the sum of \$5500.00, all of said Roads being 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 \$24,994.00 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 first day of December, 1911.

It is further understood and agreed that the survey, profile and general specifications adopted and approved by the second party for such improvement are all, each and every one thereof, made a part of this contract as fully and effectually as if copied herein at full length.

It is further understood and agreed that all and singular of the provisions of an Act of the General Assembly of the State of Indiana entitled An Act concerning public buildings and public improvement contracts, and declaring an emergency, approved March 4th 1911-Acts of 1911 p.p. 437, 438, 439-are also made a part of this contract, it being hereby understood and agreed that said provisions are to be in all things performed by the second party so far as the same apply to and prescribe the duties of said second party.

George T. Miller, The First Party.

Harry E. Sanders

Elbert M. Murphy

Board of Commissioners, the Second Party.

And now it is ordered by this Board, that the bonds of Hendricks County Indiana, be issued and sold for the purpose of raising money to pay the costs and expenses of said improvement; and that said bonds be issued in a total sum of \$10200.00 and in a series of \$510.00 each and bearing 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, from the 28th day of July, 1911, and the Treasurer of Hendricks County, Indiana, is hereby charged with the sale and delivery of said bonds upon their issue. And now the Board appoints a resident of Center Township, Hendricks County, Indiana, Superintendent to supervise the construction of said improvement according to the plans, report, profiles and specifications filed by the engineer and viewers herein, and said superintendent is now ordered and directed by the Board to execute, file and present for approval his bond as such superintendent, in the sum of \$5000.00 with surety to be approved by the Board, conditioned for the faithful discharge and performance of his duties



July 28", 1911. Special Session.

as such superintendent.

And the duly appointed and acting engineer in these proceedings is now ordered by this Board to execute his bond as such engineer, in the penal sum of \$6000.00 conditioned for the faithful discharge of his duties as such engineer, and further proceedings herein are continued.

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

Come now the petitioners, by their attorneys, and comes also William H. Nichols, Auditor of Hendricks County, Indiana, and said Auditor shows to the Board of County Commissioners that he, as such Auditor, gave notice to Contractors, as directed by said Board, by one publication of said Notice in the "Indianapolis Star", a newspaper of general circulation throughout the State of Indiana, published and printed at the City of Indianapolis, Indiana, that a copy of said notice together with the proof of said publication is filed herein, by the publishers of said "Indianapolis Star", a copy of which notice and proof of publication is in words and figures as follows to-wit:-(Here Insert) And said Auditor also shows to the Board of Commissioners that he gave notice by publication for three successive weeks in The Republican a weekly newspaper of general circulation throughout Hendricks County, Indiana, printed and published at the town of Danville, in said County and State, and for verification shows to the Board the proof of publication filed herein, by Julian D. Hogate, editor and publisher of said paper, a copy of which notice and publication thereof are in words and figures as follows, to-wit:-(Here Insert) And said Auditor further shows to the Board of Commissioners that he gave notice by publication for three successive weeks in the Danville Gazette, a weekly newspaper of general circulation throughout Hendricks County, Indiana, printed and published at the town of Danville, in said County and State, and for verification shows to the Board the proof of publication filed herein by William A. King, editor and publisher of said paper, a copy of which notice and publication thereof are in words and figures as follows, to-wit:-(Here Insert) which notices stated that the Board of Commissioners of said Hendricks County would, on the 28th day of July, 1911, up until the hour of 10 o'clock A.M. of said day receive, at the office of said Auditor, sealed bids for the construction of the above entitled improvement in accordance with the report, plans, specifications and profile on file at the office of said Auditor, heretofore approved by said Board of Commissioners, and now said Board having examined said copies of notice and the proofs of publication thereof, filed herein, finds the same are in due form and according to law, and specifically finds that said Auditor gave due notice that sealed bids would be received on said 28th day of July, 1911, and until ten o'clock A.M. of said day for the construction of the above entitled improvement according to law as the same is provided in such cases.

And now the hour of ten o'clock A.M. of said 28th day of July, 1911, having



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arrived the Board meets at the place designated in said notice and find on file with said Auditor one sealed bid for the construction of said improvement, being the bid of George T. Miller, of Lebanon, Indiana, which bid is opened in the presence of said bidders and in the presence of the public generally, and having examined said bid and being duly advised and informed in the premises finds that said bid is in due form and according to law and that said bid was accompanied with an affidavit of non-collusion on the part of the person submitting the same; that said bid was accompanied by a bond in double the amount of said bid; that said bid was for the sum of \$2548.00, which the board finds to be less than the estimate of the engineer and viewers filed herein; and the Board further finds that the total indebtedness for the construction of Free Gravel or macadamized roads, including the amount herein ordered and the amount already existing, of said Township of Center, in said County and State, is not in excess of four per centum of the total assessed taxable valuation of the property of said Center Township; the Board further finds that the contract for the construction of the above entitled improvement should be awarded to George T. Miller, which is accordingly done and is in words and figures as follows, to-wit:—(Here Insert) (See Contract set out in full on Pages 43 & 44 this Book) and that the bond filed by said George T. Miller, should be approved, which is accordingly done, which bond and the approval thereof are in words and figures as follows, to-wit:—

Know All Men By These Presents, That we, the undersigned George T. Miller, of Lebanon, Indiana, as principal, and the Federal Union Surety Company, of Indianapolis, Indiana, as surety, are held and firmly bound unto the State of Indiana, in the penal sum of Fifty-one hundred Eighty-two (\$5182.00) 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 successors and assigns, firmly by these presents, this 25th day of July, 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 construction of John W. Ader Gravel or macadamized Road, Hendricks County, Indiana.

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



July 28th., 1911.

Special Session.

George T. Miller (SEAL)

Federal Union Surety Company

by C. M. Abbott, Vice President

Attest: L. C. Breunig, Secretary.

State of Indiana, County of Boone, SS:

Before me, the subscriber, a Notary Public, in and for said County, personally appeared George T. Miller and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

(SEAL) Witness, my hand and notarial seal this 28<sup>th</sup> day of July A. D. 1911.

My com ex 4/15-1915.

Harry T. Thompson, Notary Public.

State of Indiana,

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 26<sup>th</sup> day of July A. D. 1911.

my commission expires March 22, 1915.

C. C. Hough, Notary Public.

Accepted and approved July 28, 1911.

Harry E. Sanders

Elbert M. Murphy

Attest:

Board of Commissioners of Hendricks County.

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

"Filed Jul 28 1911. Wm. H. Nichols, Auditor Hendricks Co."

And now the Board estimates that the costs of construction of said road, including expenses incurred and the contract price together with a sum sufficient to pay the per diem of the engineer and the superintendent to be hereafter appointed, will be \$3060.00

It is therefore ordered by the Board that bonds be issued in the name of Hendricks County, Indiana, for the sum of \$3060.00 in series payable over a period of ten years. It is further ordered that said bonds bear interest at the rate of 4 1/2 per cent per annum and payable semi-annually, the first of said bonds being payable on the 15th day of May, 1912, and one every six months thereafter, until all are paid. It is also ordered that said bonds bear date of July 28<sup>th</sup> 1911.

And now the Board hereby appoints John O. Kain as engineer of construction for the above entitled improvement and orders that he file his bond as by law provided for the sum of \$6000.00, payable to the State of Indiana and conditioned for the faithful discharge of his duties herein.

The Board also appoints \_\_\_\_\_ as Superintendent of construction herein and orders that he qualify by filing his bond for the sum of \$5000.00 conditioned for the faithful discharge of his duties herein.

And now said matter is continued.



July 28th., 1911, Special Session.

In the matter of the petition of )  
 John G. Ridpath and others, for the )  
 Improvement of a public highway in )  
 Center Township, Hendricks County, Indiana. )

Be It Remembered that on this the 28th day of July, 1911, the Board of Commissioners of Hendricks County, Indiana, are met in special session at their usual place of meeting in the Court House in the town of Danville, Hendricks County, Indiana, pursuant to an order made by said Board on the 3rd day of July, 1911, when in regular session, and also pursuant to a summons issued by the Auditor of said County, for said Board to meet in special session on this day for the further consideration of the above entitled proceedings.

And now comes William H. Nichols, the Auditor of said County and State, and produces the affidavits of Julian D. Hogate, and William A. King, editors and publishers, respectively of the Republican, and the Danville Gazette, two weekly newspapers of different politics, and representing the political parties casting the highest number of votes at the last general election held in said county, and of general circulation throughout Hendricks County, Indiana, and published in the town of Danville, Hendricks County, Indiana, said affidavits being in the words and figures as follows, to-wit:-(Here Insert) 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, in accordance with the plans, specifications and profiles made and reported therein, was duly published in each of said newspapers for three consecutive weeks, the first of which said publications was on the 6th day of July, 1911, and the last on the 20th day of July, 1911, a copy of which notice so published being attached to each of said affidavits and being in words as follows, to-wit:-(Here Insert) And said Auditor now 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, Indiana, said affidavit being in words as follows, to-wit:-(Here Insert) from which affidavit it appears to the satisfaction of the Board that notice of the time, and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause, according to the plans specifications and profiles made therein, was published in said newspaper on the 8th day of July, 1911, and more than two weeks prior to this date, which was fixed in said notice as the time for receiving said bids, a copy of which notice, so published as aforesaid being attached to said affidavit, and being in words and figures as follows to-wit:-(Here Insert) And now from all of the aforesaid affidavits, and the copies of notices attached thereto, it appears to the satisfaction of the Board, and the Board so finds, that due and legal notice of the time, and place for receiving sealed bids and proposals for



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the making of said improvement, had been given by the Auditor of said Hendricks County, as provided by law in such proceedings.

And the hour of 10 o'clock A.M. of the 28th day of July, 1911, having arrived, the same being the hour of said day up to which it was provided in said notices that this Board would receive sealed bids and proposals, the Board finds upon an inspection and examination of all bids and proposals submitted, which said bids and proposals were all opened in the presence of the Board, the several bidders and divers taxpayers of said Center Township, and the following named person, together with the amount of his bid, did submit sealed proposals for said work, viz:

George T. Miller

\$7448.00

The Board now finds that said bid and proposal is in due form, and that the same is accompanied by a non-collusion affidavit, and a bond in the sum of \$14900.00, with the Federal Union Surety Company of Indianapolis, Indiana, as surety, as provided in said notice, and as required by law, in such cases.

The Board now further finds that the entire cost of said improvement, including the aforesaid bid, and the expense incurred, and to be incurred in the per diem of the engineer and superintendent, is the sum of \$8060.00 and that the total indebtedness of said Center Township, the same being the township in which the highway to be improved by these proceedings is located, including all the costs and expenses of this improvement, and all bonds heretofore issued for the building of free gravel of macadamized roads, will not exceed four per centum of the total assessed taxable valuation of the property of said Center township.

The Board further finds that the contract for said improvement should be awarded to the said George T. Miller, his being the lowest bid received, and he being a responsible party and bidder, and his bid being less than the estimated cost of said improvement, and that the bid and proposal of the said George T. Miller should be accepted, and that the bonds of the County should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement. And the bond of the said George T. Miller, with the Federal Union Surety Company, of Indianapolis, Indiana, as surety, conditioned for the faithful performance of the work, and the material used, in accordance with the plans, report, profile and specifications therein, said report set forth in the contract set out, in the penal sum of \$14900.00 which sum is more than double the amount of the bid herein is now duly accepted and approved by the Board, and said bond, with the approval indorsed thereon, is in words as follows, to-wit:-

Know All Men by These Presents, That we, the undersigned George T. Miller, of Lebanon, Indiana, as principal and the Federal Union Surety Company, of Indianapolis, Indiana, as surety are held and firmly bound unto the State of Indiana, in the penal sum of Fourteen Thousand Nine Hundred (\$14,900.00) 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 successors and assigns, firmly by these presents, this 25th day of July, 1911.



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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 Construction of John G. Ridpath Gravel or Macadam Road, Hendricks County, Indiana.

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

George T. Miller (SEAL)

Federal Union Surety Company

by C. M. Abbott, Vice President

Attest: L. C. Breunig, Secretary.

State of Indiana,

County of Boone, SS:

Before me, the subscriber a notary public in and for said County, personally appeared George T. Miller and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and notarial seal, this 28<sup>th</sup> day of July A. D. 1911

My com ex 4/15-1915.

Harry T. Thompson, Notary Public (SEAL)

State of Indiana

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 26 day of July A. D. 1911.

My commission expires March 22, 1915. C. C. Hough, Notary Public (SEAL)

Accepted and Approved, July 28<sup>th</sup> 1911.

Harry E. Sanders

Elbert M. Murphy

Attest: Wm. H. Nichols,

Board of Commissioners Hendricks County.

Auditor Hendricks County, Ind.

"Filed Jul 28-1911. Wm. H. Nichols, Auditor Hendricks Co."

The bid of the said George T. Miller, having been accepted, and his bond



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having been duly approved, the said Board does now enter into a written contract with the said George T. Miller, as the first party and the Board of Commissioners of Hendricks County, Indiana, as the second party, which contract is in words and figures as follows, to-wit:-(Here Insert) (See Contract set out in full on pages 43 & 44 this book)

And now it is ordered by this Board, that the bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs and expenses of said improvement; and that said bonds be issued in a total sum of \$8060.00 and in a series of \$403.00 each and bearing 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, from the 28th day of July, 1911, and the Treasurer of Hendricks County, Indiana, is hereby charged with the sale and delivery of said bonds upon their issue. And now the Board appoints \_\_\_\_\_ a resident of Center Township, Hendricks County, Indiana, superintendent to supervise the construction of said improvement according to the plans, report, profiles and specifications filed by the engineer and viewers herein, and said superintendent is now ordered and directed by the Board to execute, file and present for \_\_\_\_\_ approval his bond as such superintendent, in the sum of \$5000.00 with surety to be approved by the Board, conditioned for the faithful discharge and performance of his duties as such superintendent.

And the duly appointed and acting engineer in these proceedings is now ordered by this Board to execute his bond as such engineer, 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 )  
 Willis A. Dobson and others, for the )  
 Improvement of a Public Highway in )  
 Center Township, Hendricks County, Indiana. )

Be It Remembered that on this the 28th. day of July, 1911, the Board of Commissioners of Hendricks County, Indiana, are met in special session at their usual place of meeting in the Court House in the town of Danville, Hendricks County, Indiana, pursuant to an order made by said Board on the 3rd day of July, 1911, when in regular session, and also pursuant to a summons issued by the Auditor of said County, for said Board to meet in special session on this day for the further consideration of the above entitled proceedings.

And now comes William H. Nichols, the Auditor of said County and State, and produces the affidavits of Julian D. Hogate, and William A. King, editors and publishers, respectively of The Republican, and the Danville Gazette, two weekly newspapers of different politics, and representing the political parties casting the highest number of votes at the last general election held in said county, and of general circulation throughout Hendricks County, Indiana, and published in the town of Danville, Hendricks County, Indiana, said affidavits being in the words and figures as follows, to-wit:-(Here Insert) 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, in accordance with the plans, specifications and profiles made and reported therein, was duly published in each of said newspapers for three consecutive weeks, the first of which said publications was on the 6th day of July, 1911, and the last on the 20th. day of July, 1911, a copy of which notice so published being attached to each of said affidavits and being in words as follows, to-wit:-(Here Insert) And 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, Indiana, said affidavit being in words as follows, to-wit:-(Here Insert) from which affidavit it appears to the satisfaction of the Board that notice of the time, and place of receiving bids for the construction of the improvement prayed for in the foregoing entitled cause, according to the plans specifications and profile made therein, was published in said newspaper on the 8th day of July, 1911, and more than two weeks prior to this date, which was fixed in said notice as the time for receiving said bids, a copy of which notice, so published as aforesaid, being attached to said affidavit, and being in words and figures as follows, to-wit:-(Here Insert) And now from all of the aforesaid affidavits, and the copies of notices attached thereto, it appears to the satisfaction of the Board, and the Board so finds, that due and legal notice of the



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time, and place for receiving sealed bids and proposals for the making of said improvement, had been given by the Auditor of said Hendricks County, as provided by law in such proceedings.

And the hour of 10 o'clock A.M. of the 28th day of July, 1911, having arrived, the same being the hour of said day up to which it was provided in said notices that this Board would receive sealed bids and proposals, the Board finds upon an inspection and examination of all bids and proposals submitted, which said bids and proposals were all opened in the presence of the Board, the several bidders and divers taxpayers of said Center Township, and the following named person, together with the amount of his bid, did submit sealed proposals for said work, viz:

George T. Miller

\$5500.00

The Board now finds that said bid and proposal is in due form, and that the same is accompanied by a non-collusion affidavit, and a bond in the sum of \$11,000.00, with the Federal Union Surety Company of Indianapolis, Indiana, as surety, as provided in said notice, and as required by law, in such cases.

The Board now further finds that the entire cost of said improvement, including the aforesaid bid, and the expenses incurred, and to be incurred in the per diem of the engineer and superintendent, is the sum of \$6100.00, and that the total indebtedness of said Center Township, the same being the township in which the highway to be improved by these proceedings is located, including all the costs and expenses of this improvement, and all bonds heretofore issued for the building of free gravel or macadamized roads, will not exceed four per centum of the total assessed taxable valuation of the property of said Center township.

The Board further finds that the contract for said improvement should be awarded to the said George T. Miller, his being the lowest bid received, and he being a responsible party and bidder, and his being less than the estimated cost of said improvement, and that the bid and proposal of the said George T. Miller should be accepted, and that the bonds of the County should be issued and sold for the purpose of raising the money necessary to pay the costs and expenses of said improvement.

And the bond of the said George T. Miller, with the Federal Union Surety Company, of Indianapolis, Indiana, as surety, conditioned for the faithful performance of the work, and the material used, in accordance with the plans, report, profile and specifications therein, said report set forth in the contract set out, in the penal sum of \$11,000.00, which sum is more than double the amount of the bid herein is now duly accepted and approved by the Board, and said bond, with the approval indorsed thereon, is in words as follows, to-wit:-

Know All Men by These Presents, That we, the undersigned George T. Miller, of Lebanon, Indiana, as principal and the Federal Union Surety Company, of Indianapolis, Indiana, as surety, are held and firmly bound unto the State of Indiana, in the penal sum of Eleven Thousand (\$11,000.00) 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,



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administrators successors and assigns, firmly by these presents, this 25th day of July, 1911.

The condition of the above Obligation are such, That whereas, the Board of Commissioners of Hendricks County, Indiana is about to let a contract for construction of Willis A. Dobson Gravel or Macadam Road, Hendricks County, Indiana.

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

George T. Miller (SEAL)

Federal Union Surety Company

By C. M. Abbott, Vice President.

Attest: L. C. Breunig, Secretary.

State of Indiana, County of Boone, SS:

Before me, the Subscriber, a Notary Public in and for said County, personally appeared George T. Miller and acknowledged the execution of the foregoing instrument for the uses and purposes therein mentioned.

Witness, my hand and Notarial seal, this 28th day of July A. D. 1911.

Harry T. Thompson, Notary Public. (SEAL)

My com. ex 4/15-1915.

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, 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 26th day of July A. D. 1911.

My commission expires March 22, 1911.

C. C. Hough, Notary Public

Accepted and Approved, July 28th 1911.

Harry E. Sanders

Elbert M. Murphy, Board of Commissioners

Attest: Wm. H. Nichols,

Hendricks County.

Auditor Hendricks County, Ind.

"Filed July 28", 1911. Wm. H. Nichols, Auditor."

The bid of the said George T. Miller, having been accepted, and his bond



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having been duly approved, the said Board does now enter into a written contract with the said George T. Miller, as the first party and the Board of Commissioners of Hendricks County, Indiana, as the second party, which contract is in words and figures as follows, to-wit:-  
(Here Insert) (See Contract set out in full on pages 43 & 44 this Book)

And now it is ordered by this Board, that the bonds of Hendricks County, Indiana, be issued and sold for the purpose of raising money to pay the costs and expenses of said improvement; and that said bonds be issued in a total sum of \$6100.00 and in a series of \$305.00 each and bearing 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, from the 28<sup>th</sup> day of July, 1911, and the Treasurer of Hendricks County, Indiana, is hereby charged with the sale and delivery of said bonds upon their issue. And now the Board appoints

a resident of Center Township, Hendricks County, Indiana, superintendent to supervise the construction of said improvement according to the plans, report, profiles and specifications filed by the engineer and viewers herein, and said superintendent is now ordered and directed by the Board to execute, file and present for approval his bond as such superintendent, in the sum of \$5000.00, with surety to be approved by the Board, conditioned for the faithful discharge and performance of his duties as such superintendent.

And the duly appointed and acting engineer in these proceedings is now ordered by this Board to execute his bond as such engineer, in the penal sum of \$6000.00 conditioned for the faithful discharge of his duties as such engineer.

And further proceedings herein are continued.

In the matter of the petition of )  
John R. Hull, and others, for the : )  
Improvement of a public highway in )  
Brown Township, Hendricks County, Indiana. )

Be It Remembered that on this the 28th day of July, 1911, the Board of Commissioners of the County of Hendricks, State of Indiana, pursuant to an order made in this cause on the 3rd day of July, 1911, and pursuant to a summons duly issued by the Auditor of Hendricks County, Indiana, for said Board to meet in special session, said board are now in Special Session at their usual place of meeting in the Court House, in the town of Danville, Hendricks County, Indiana, for the purpose of taking further action in the above entitled proceedings. And now again comes the petitioners herein, and more than twenty days having elapsed since the day set for the hearing of this petition herein, and no remonstrance having been filed by any of the freeholders and legal voters of Brown Township, said petitioners now ask that an engineer and viewers be appointed herein, and that this proceedings be referred to them for examination and report as the law provides.

And now at this time comes Grant Arbuckle, Ellison Arbuckle, Gus Strawmyer, W. P. Johnson, Earl Brunes, C. B. Phillips, Alva Warren, L. G. Funkhouser, J. H. Airhart, Fred Tansel, Wm. S. Everett, Thomas H. Shepherd, William Gore, Martin Dugan Jr, John Dugan, Thomas G. Wyon, Martin



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Dugan Sr, Harry Brookshire, Patsey Lee, N. D. Totten, Stephen J. Maloney, P. B.

Herring, Charles A. Sullivan, James W. Phillips, P. M. Long, James Dugan, R. Herring, Oliver

Amick, Isaac McDaniel, Alva A. Marsh, and G. W. Wright, by Thomas Corliss, their attor-

ney, and present to the Board, a certain petition which is in words and figures

as follows, to-wit:-(Here Insert) and filed herein on the 24th day of July, 1911,

asking that they, and each of them be permitted to withdraw as petitioners herein.

And the Board having examined said petition, and being duly advised in the

premises, now sustains said motion, and permits said parties, and each of them

to withdraw from further acting as petitioners herein, and it is ordered that the

aforesaid parties, nor any of them, be liable for any costs made after this date,

that may be taxed against the petitioners herein. And now again comes J. R. Garner

and others, taxpayers of Brown Township, and present, and file herein, their motion,

which is in words as follows:-(Here Insert) to dismiss this proceedings, and

the Board having examined said motion, and being duly advised in the premises, now

over-rules said motion.

And now also comes Thomas Kinney, Martin Fahy, and Henry E. Holloway, by

Corliss, their attorney, and file their motion in words as follows:-(Here Insert)

asking to dismiss the petition herein, for reasons therein set forth, and the

Board having duly examined said motion, and being duly advised in the matter, now

overrules said motion.

And no remonstrance having been filed by any of the freeholders and legal voters of Brown Township, within the time allowed by law, for so doing, it is now ordered by the Board that the petition in this proceedings be spread of record upon the records in the Auditors Office kept for such purposes, which is now done, and the same is in words as follows, :-

State of Indiana

SS:

Hendricks County,

In the Commissioners Court, July Term, 1911.

To the Honorable Board of Commissioners of

Hendricks County, and State of Indiana,

We the undersigned petitioners, would respectfully show that we constitute more than fifty of the freeholders and legal voters of Brown Township, in Hendricks County, and State of Indiana, and we hereby petition your honorable Board to take the necessary steps for the improvement by grading, draining, ditching, bridging and culverting, and graveling or paving with stone or other road paving material, the following described public highway that is located wholly within Brown Township, Hendricks County, Indiana, to-wit:

Beginning at the South West Corner of Section Eighteen, Township Seventeen North, Range Two East, at, and in an already constructed Free Gravel Road, there situated. Thence running East along the public highway located on the South line of said Section 18, for the distance of about three fourths of a mile,



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thence South along the public highway as now situated, in the center of the North East quarter of section Nineteen, in said Township and Range, for the distance of about one-half mile. Thence West along the public highway running East and West located in the center of said Section 19, for the distance of about Twenty rods, thence in a south and Southeasterly direction along the public highway as now located for the distance of about one mile, and terminating at the East boundary line of said Brown Township, at a point on the East line of the North West quarter of Section Twenty nine near the South East corner thereof.

Said public highway above described, and asked by your petitioners to be improved, is less than three (3) miles in length, to-wit: About two and one half miles in length. Your petitioners would further ask that said improvement be of the width of not less than thirty (30) feet, and that the same be made without an election of the voters of said Brown Township, and they ~~ask~~ that bonds be issued and sold, in a series of ten years payments as provided by statute, for the payment of said proposed improvement, and the necessary expenses incident thereto, and your petitioners ask that upon a hearing of their petition, if the same be found sufficient by your Honorable Board, that the same be referred to a competent engineer, and viewers for their report upon said proposed improvement, as herein prayed for, as provided by the Statutes of the State of Indiana, for the improvement of public highways. Your petitioners would further show that a United States Mail Route is located over most of the above described public highway, and that said improvement will be of great public utility and benefit.

John R. Hull  
Wm. H. Wilson  
Wm. L. Batz,  
Daniel Burden  
Chas. H. Jordan  
James Gorrell  
John Beck  
Erba Wilson  
Henry C. Wilson  
Everett E. Marvel  
J. C. Lamar  
Fred Herdrich  
John Herdrich  
M. J. Collins  
Geo. G. Turley  
A. T. Burden  
Arthur Mark  
Martin Dugan  
John Dugan  
Frank Gardner  
William Mark  
David L. Wilson  
Alonzo G. Gardner  
Clark Gossett  
John Marvel  
U. W. Turley  
Thomas E. Sanders  
J. N. Brunfield  
Chas. Pennington  
William Wright  
Thomas Hogan  
John T. Lee  
James H. Hogan  
Thomas Dickerson  
Samuel Shambaugh  
Elbert A. Turley  
Wm. H. Hamilton  
M. D. Totten  
L. M. Sinne  
James M. Hogan

William Gore  
Patrick Hogan  
Thomas H. Shepherd  
Martin Digan Jr.  
James M. Lawler  
Wm. E. Everett  
Harry Brookshire  
Earl Brunes  
Sanford Everett  
C. B. Phillips  
Gus Strawmire  
Alva Warren  
Williard Johnson  
Alva A. Marsh  
Fred Tansel  
James T. Phillips  
Albert P. Smith  
Wm. S. Everett  
L. G. Punkhouser  
J. H. Airhart  
Chas. A. Sullivan  
George Wing  
P. B. Herring  
Oliver H. Amick  
P. M. Long  
R. Herring  
James Dugan  
Isaac McDaniel  
Everett T. Hopkins  
Grant Arbuckle  
Ellison Arbuckle  
W. P. Johnson  
P. M. Lee  
Stephen J. Maloney  
E. O. Toole  
J. J. O. Toole



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Said petition is indorsed on back as follows:-

"Set for hearing July 3" 1911. Wm. H. Nichols, Auditor"

"Filed Jun 12 1911. Wm. H. Nichols, Auditor Hendricks Co."

And now the Board appoints as viewers D. W. Carter, and Charles Kocher, two responsible freeholders and legal voters of Hendricks County, Indiana, neither of whom is a resident of said Brown Township, or the owner of any taxable property therein, said township being the one wherein said highway proposed for improvement is located, said Board now appoints John O. Kain, the Surveyor of Hendricks County, Indiana, civil engineer to act with the viewers herein the said John O. Kain not being a resident of said Brown Township, or the owner of any taxable property therein.

It is further ordered by the Board that said engineer and viewers shall meet at Hunter's Bank, in the town of Brownsburg, Hendricks County, Indiana, on Saturday the 5th day of August, 1911, at the hour of 9 o'clock A.M. of said day, and shall there take and subscribe an oath for the faithful and impartial discharge of their duties as such engineer and viewers herein.

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

It is further ordered by the Board that said engineer and viewers file in the Auditor's Office of said Hendricks County, Indiana, a report of their determination in regard to said proposed improvement on the 24th day of August, 1911.

And further proceedings herein are now continued.

Ordered that the Board do now adjourn.

Harry E. Sanders  
~~Robert M. Murphy~~  
 James A. Downard

)  
 )  
 ) Board Commissioners Hendricks County.  
 )



Monday, August 7th., 1911, and 1st. day of August Term, 1911.

Monday Morning, August 7th., 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 and Elbert M. Murphy, members of said Board, James A. Downard not being present.

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

In the matter of the petition )  
of T.R. Ruark, et al to establish )  
a public highway. )

Come now the viewers herein and present and file their report in the above entitled matter on the 17th day of June, 1911, which report is in the following words and figures, to-wit:- (Here Insert) and which report said viewers find that the public highway described in their said report and also described in the petition herein will be of public utility. Said viewers also present and file on said 17th day of June, 1911, the order issued to them by the Board of Commissioners together with the oath by said viewers taken, which order and oath are in the following words and figures, to-wit:- (Here Insert) and now also Eugenia H. Shields, one of the persons named in the petition herein whose lands will be affected by the proposed opening of the public highway as therein petitioned for, and presents and files her verified remonstrance asking for damages, which remonstrance is in the following words and figures, to-wit:- (Here Insert) which remonstrance was filed on the 22nd day of June, 1911.

And now said Board appoints reviewers to fix and assess the damages, if any, resulting to said remonstrator, said reviewers be named as follows: John Shelton, Oscar Kurtz and Preston T. Long, who are hereby ordered to meet at the office of Ralph C. Cope, a notary public, at Stilesville, Indiana, on the 19th day of August, 1911, at 10 O'Clock A.M. and qualify for their appointment as provided by law, and then proceed to assess and fix the damages accruing to the remonstrator, if any, and report their doings to this Board at the regular September Term, 1911, and said matter is continued.

Ordered that the Board do now adjourn.

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

) Board Commissioners Hendricks County.



## Vacation.

In the matter of the petition of )  
John R. Hull et al for the improvement of )  
a public highway in Brown Township, Hendricks )  
County, Indiana, by taxation. )

Be It Remembered, that on the 26th day of August, 1911, Thomas Kinney filed with the Auditor of Hendricks County, Indiana, appeal Bond herein, in the penal sum of \$500.00, duly signed and acknowledged by himself as principal, and James W. Phillips, Frank Marvel and Festus F. Money, as surety thereon, which bond is now duly approved by said Auditor and is in words and figures as follows, to-wit:-(Here Insert)







Tuesday, September 5th., 1911, and 2nd. day of September Term, 1911.

In the matter of the petition of )  
Wm.H.Rutledge et al for the improvement )  
of a public highway by taxation. )

Be It Remembered that heretofore, to-wit: On the 2nd. day of September, 1911, comes George L. Whyte, heretofore appointed as Superintendent of Construction of said highway and refuses to accept said appointment. And on said date the Board being duly advised hereby appoints Edgar Stephenson as such Superintendent who accepts said appointment, and presents to the Board and files his bond as such superintendent in the penal sum of \$5000.00 with R.J. Campbell as surety thereon, which said bond is now duly approved by the Board and is in words and figures as follows, to-wit:-(Here Insert)

In the matter of the petition of )  
John P. Street et al for the improvement of )  
a public highway in Union Township, Indiana, )  
by taxation. )

Comes now Bert Belding, Contractor for the above improvement, and now the report of the Engineer and Superintendent of construction for said improvement are now presented to the Board.

And the Board having duly inspected said reports and being duly advised in the premises finds that said road has been completed as is shown by the report of the engineer and Superintendent of Construction, according to the plans and specifications of the same, and the Contractor is hereby released from further liability, and said road is now accepted as a County Free Gravel Road.

In the matter of the petition of )  
O.A. Kennedy et al, for Improvement )  
of County Line Road between Hendricks )  
& Morgan County. )

Come now the engineer and viewers herein and file petition as follows:-(Here Insert) wherein they ask that time be given them in which to prepare and file their report herein.

The Board having examined said petition and being duly advised now grants them further time, and direct that they file their report within 30 days from this date.

Ordered that the Board do now adjourn.

*Elbert Whinnery*

*Elbert Whinnery*  
*James A. Downard*  
*Harry E. Sanders*

Board Commissioners Hendricks County.

*Morgan County*



Vacation.

Be It Remembered, that heretofore, to-wit: On the 9th day of September, 1911, the following transcript of Proceedings was filed in the office of the Auditor of Hendricks County, Indiana, to-wit:-

State of Indiana, Marion County, SS:

Cause No. \_\_\_\_\_

In the Commissioner's Court of Marion County, Indiana, September Term, 1911.  
Albert McCalment et al.

Ex Parte.

Petition for the Improvement of Public Highway on County Line Road.

Be It Remembered that on the 8th day of September, 1911, the same being the 5th day of the regular September Term, 1911, of the Board of Commissioners of said County in the State of Indiana, the following proceedings were had and held in the above entitled cause, to-wit:

Comes now Albert McCalment and 183 other persons and file their petition for the improvement of a public highway on a county line Road together with the proof of the signing of the said petition (and the qualifications of the signers of said petition) which said public highway is described as follows, to-wit: "On and along the unimproved highway on the boundary line between Wayne Township in Marion County, in the State of Indiana, and Lincoln and Washington Townships in Hendricks County in said State, extending from the free gravel road known as the "Wall Street Pike" on the South to the free gravel road known as the "Crawfordsville Pike" on the North, a distance of approximately two (2) miles," which said petition, proof of signing thereof and qualifications of the petitioners to sign the same are in the words and figures following, to-wit:-

State of Indiana,

In the Commissioner's Court,

County of Marion, SS

September Term, 1911.

Albert McCalment et al

Affidavit showing qualifications of Petitioners.

Ex parte.

Albert McCalment, being duly sworn, upon his oath says, that he is a resident free holder of Lincoln Township, Hendricks County, Indiana, one of the Townships abutting on the County Line road proposed to be improved in the annexed petition.

That said petition is signed by at least seventy five (75) and more than seventy five (75) resident adult free holders of the Township of Wayne in the County of Marion, in the State of Indiana and the townships of Lincoln and Washington, in the County of Hendricks in the said State and that ten of said petitioners are resident adult free holders of each of said townships.

That the following are some of the Petitioners who have signed said petition and who reside in said Wayne Township in Marion County, Indiana, to-wit: M. U. Martindale; A. O. Ruse; H. D. Terry; A. B. Smith; F. A. Fellinzer; F. E. Whiting; Jno. T. Jones; J. W. Jones; C. H. Anderson; J. M. Robey; Edward Applegate; L. Carson; R. M. Johnson; A. N. Miller; D. C. Bryant; B. W. Henderson; Charles H. Starkey; David Cossel; Wm Gabel; J. N. Hughes; Henry L. Harding; Mark Lippard; L. C. Miller; Tinsley Tansel; Calvin W. Denny; Frank McCalment; A. A. Fink; John F. McClelland; J. F. McClelland Jr.; J. J. Brisentine; I. J. Harden; Elmer Gladden; U. G. Ballard; Harry Harrison; John H. Carter; Vestal Davis;



## Vacation.

J.W. Marvel; G.L. Gladden; Charles D. Davis; G.W. Linn; Edgar U. Stout; Michael Casserly;  
John Casserly; F.A. Price; A.N. Peek; Chas. Yoke; M.H. Moody; Oscar Robinson; Alvey Jay;  
Sam Regan; B.C. Symmonds; W.L. Jennings; A.B. Conaroe; J.A. Mickley; Harry Bradley; Geo.  
W. Mickley; Frank McCaslin; James M. Johnson; T.A. Gerth; F.H. Wallace; Alva Smock; S.O.  
Arbuckle; M. McConnaha; H.K. Marshall; Arthur M. Martindill; John C. Trout; Wm. W. Cones;  
F.M. Clark; Geo. W. White; Wm. Wear; A.J. Leap; C.H. Jones;

That the following are Petitioners who have signed said petition  
and who reside in Lincoln Township in said Hendricks County, to-wit:

H.W. Turpin; Wm. S. Moore; O.C. McGannon; Albert McGannon; M. King; W.L. Coulter;  
W.E. Stearns; T.C. Haulk; J. Turpin; T.F. Gorham; W.P. Shepherd; E.E. Kaler; Alfred Cox;  
J.W. Patterson; R.L. Worrell; Joel Hufford; John W. THarp; Grand Eaton; Geo. H. Turpin;  
H.E. Brown; T.J. Davison; Tawner Neal; Len Turpin; Forest Neal; James Merritt; John L.  
Marsh; I.D. Rynierson; J.S. Tharp; L. Hornaday; Jno. U. Rice; Charles Tansel; Samuel  
Sterritt; S.V. Evans; L.W. Coulter; Bert Turpin;

That the following named petitioners who signed said petition reside  
in Washington Township, Hendricks County, Indiana, viz:

D.V. Clark; James W. Parsons; Joseph Wadkins; E.E. Baumgardner; Chas. W.  
Frazee; Fletch McCalment; Charles E. Walters; M.H. Wehr; S.P. Ennis; O.D. Frazee; B.W.  
McClain; J.W. Ogborn; D.S. Barker; Peter Poland; James H. Merritt; Alph Hussey; Chas.  
Miller; T.A. Gossett; C.W. Kocher; H.M. Hussey; S.N. Merritt; Isaac Parsons; Thomas Long;  
J.H. Ferree; B.F. Perkins; James Norris; J. Brooke Gossett; Barney Gossett; Amos S.  
Maberry; John C. Shockley; John W. Frazee; William Merritt; S.B. Stiles; Emmett H. Davis;  
Frank M. Petty; Arthur Parsons; Earl Ferree; Robt. Euliss; Martha J. Dugan; S.O. Winnings;  
James Baldwin; A.G. Blair; Grover Price; A.B. Smith; W.E. Reed; Sam Perkins; Charles N.  
Larsh; Oliver W. Merritt; Edgar E. Foudry; Tom McCalment; Wilbur Hadley; James A. Hadley;  
Joseph W. Evans; Wm. Clark; Geo. P. Wilson; John Wear; R.O. Merritt; J.H. Denney; C.W.  
Gladden; W.H. Bussell; M.E. Merritt;

Affiant further swears and says that he is personally acquainted  
with practically all of the above named petitioners and that he personally attend  
ed to procuring the signatures of said persons to said petition to the extent of  
more than ten names in each of said townships and that more than ten adult  
resident free holders in each of said townships signed said petition in his  
presence- And that altogether more than seventy five resident adult free  
holders of said townships signed said petition in his presence.

That he has been traveling the highway described in said petition  
which is asked to be improved by the construction of a free stone or macadamized  
road with more or less regularity for more than thirty (30) years and is very  
familiar with every part of it. That said proposed improvement will be of  
public utility. That said Township of Wayne in the County of Marion and Lincoln  
and Washington townships in Hendricks County, Indiana, are the only townships abut-  
ting on said highway.

Albert McCalment.



Vacation.

Subscribed and sworn to before me this 8th day of September, 1911.

Albert Sahm,

Auditor of Marion County, Indiana.

State of Indiana

County of Marion, SS

In the Commissioner's Court, September Term, 1911.

Petition for Free Macadamized Road.

We, the undersigned freehold voters of Wayne Township in Marion County in the State of Indiana, and Lincoln and Washington Townships in Hendricks County in said State, do hereby respectfully petition your Honorable body to order the construction of a free stone or macadamized road on and along the unimproved highway on the boundary line between said Townships in said Counties extending from the free gravel road known as the "Wall Street Pike" on the South to the free gravel road known as the "Crawfordsville Pike" on the North, a distance of approximately two (2) miles.

Names.	Township and County.	
1. Albert McCalment	Lincoln Twp.	Hendricks Co.
2. Omer S. Whiteman	Wayne "	Marion "
3. H. W. Turpin	" "	" "
4. M. U. Martindale	" "	" "
5. A. O. Ruse	" "	" "
6. H. D. Terry	" "	" "
7. A. B. Smith	" "	" "
8. Wm. S. Moore,	Lincoln "	Hendricks "
9. O. C. McGannon	" "	" "
10. Albert McGannon	" "	" "
11. M. King	" "	" "
12. F. A. Fellingner,	Wayne "	Marion "
13. W. L. Coulter	Lincoln "	Hendricks "
14. W. E. Stearns,	" "	" "
15. T. C. Haulk,	" "	" "
16. J. Turpin,	" "	" "
17. T. F. Gorham	" "	" "
18. W. P. Shepherd	" "	" "
19. F. E. Whiting	Wayne "	Marion "
20. D. V. Clark	Washington	Hendricks "
21. James W. Parsons,	" "	" "
22. Joseph Wadkins	" "	" "
23. E. E. Bomgardner	" "	" "
24. Charles W. Frazee	" "	" "
25. Fletcher McCalment	" "	" "
26. Charles E. Walters	" "	" "
27. John T. Jones	Wayne "	Marion "



## Vacation.

28. J. M. Miller	Pike Twp.	Marion Co.
29. E. E. Kaler	Lincoln	Hendricks
30. J. W. Jones	Wayne	Marion
31. C. H. Anderson	"	"
32. M. H. Wehr	Washington	Hendricks
33. J. M. Robey	Wayne	Marion
34. Edward Appleget	"	"
35. L. Carson	"	"
36. R. M. Johnson	"	"
37. A. N. Miller	"	"
38. Alfred Cox	Lincoln	"
39. D. C. Bryant	Wayne	"
40. S. P. Ennis	Washington	Hendricks
41. J. W. Patterson	Lincoln	"
42. R. L. Worrell	"	"
43. O. D. Frazee	Washington	"
44. B. W. McClain	"	"
45. J. W. Ogbern	"	"
46. J. M. Armstrong	Wayne	Marion
47. D. S. Barker	Washington	Hendricks
48. Joel Hufford	Lincoln	"
49. John W. Tharp	"	"
50. Peter Poland	Washington	"
51. B. W. Henderson	Wayne	Marion
52. James H. Merritt	Washington	Hendricks
53. Charles H. Starkey	Wayne	Marion
54. Grand Eaton	Lincoln	Hendricks
55. George H. Turpin	"	"
56. Alph Hussey	Washington	"
57. David Cossel	Wayne	Marion
58. Chas. Miller	Washington	Hendricks
59. T. A. Gossett	"	"
60. C. W. Kocher	"	"
61. H. M. Hussey	"	"
62. Wm. Gabel	Wayne	Marion
63. J. N. Hughes	"	"
64. S. N. Merritt	Washington	Hendricks
65. Henry L. Harding	Wayne	Marion
66. Mark Lippard	"	"
67. Isaac Parsons	Washington	Hendricks
68. Thomas Long	"	"
69. L. C. Miller	Wayne	Marion



## Vacation.

70. J. H. Ferree	Washington Twp.	Hendricks Co.
71. B. F. Perkins	"	"
72. James Norris	"	"
73. Tinsley Tansel	Wayne	Marion
74. J. Brooke Gossett	Washington	Hendricks
75. Barney Gossett	"	"
76. Calvin W. Denney	Wayne	"
77. Frank McCalment	"	"
78. T. A. Fink	"	"
79. John F. McClelland	"	"
80. J. F. McClelland	"	"
81. L. P. Ross	"	"
82. J. J. Brisentine	Wayne	Marion
83. I. J. Harden	"	"
84. John L. Ayers	Lincoln	Hendricks
85. Elmer Gladden	Wayne	Marion
86. U. G. Ballard	"	"
87. Harvey Harrison	"	"
88. Amos F. Maberry	Washington	Hendricks
89. John C. Shockley	"	"
90. John W. Frazee	"	"
91. John H. Carter	Wayne	Marion
92. William Merritt	Washington	Hendricks
93. H. E. Brown	Lincoln	"
94. Vestal C. Davis	Wayne	Marion
95. S. B. Stiles	Washington	Hendricks
96. T. J. Davidson	Lincoln	"
97. Emmett H. Davis	Washington	"
98. J. W. Marvel	Wayne	Marion
99. Samuel Cooper	Center	"
100. Frank M. Petty	Washington	Hendricks
101. Arthur Parsons	"	"
102. G. L. Gladden	Wayne	Marion
103. Earl Ferree	Washington	Hendricks
104. Robert Euliss	"	"
105. Martin J. Dugan	"	"
106. Tavner Neal	Lincoln	"
107. Lon Turpin	"	"
108. Forest Neal	"	"
109. James Merritt	"	"
110. John L. Marsh	"	"



## Vacation.

111. I. D. Reynierson	Lincoln Twp.	Hendricks Co.
112. J. S. THarp	"	"
113. L. Hornaday	"	"
114. K. Weishaar	Wayne	Marion
115. S. O. Winnings	Washington	Hendricks
116. Charley D. Davis	Wayne	Marion
117. G. W. Linn	"	"
118. James Baldwin	Washington	Hendricks
119. Edgar U. Stout	Wayne	Marion
120. Micheal Casserly	"	"
121. John Casserly	"	"
122. A. G. Blair	Washington	Hendricks
123. F. A. Price	Wayne	Marion
124. A. A. Peek	"	"
125. Charles Yoke	"	"
126. M. H. Moody	"	"
127. Oscar Robison	"	"
128. Alvy Jay	"	"
129. Sam Reagan	"	"
130. Grover Price	Washington	Hendricks
131. F. E. Guthrie	"	"
132. B. C. Symmonds	Wayne	Marion
133. W. L. Jennings	"	"
134. A. B. Conarce	"	"
135. A. B. Smith	Washington	Hendricks
136. J. A. Mickley	Wayne	Marion
137. Harry Bradley	"	"
138. Geo. W. Mickley	"	"
139. Frank McCaslin	Wayne	Marion
140. James M. Johnson	"	"
141. T. A. Gerth	"	"
142. F. H. Wallace	"	"
143. Alva Smock	"	"
144. S. O. Arbuckle	"	"
145. M. McConnaha	"	"
146. H. K. G. Marshall	"	"
147. Arthur M. Martindall	"	"
148. John C. Trout	"	"
149. Jacob Nease	Lincoln	Hendricks
150. W. E. Reed	Washington	"
151. William W. Cones	Wayne	Marion



## Vacation.

152. Sam Perkins	Washington Twp.	Hendricks. Co.
153. Charles N. Larsh	"	"
154. Oliver W. Merritt	"	"
155. Edgar E. Foudry	"	"
156. Thomas McCalment	"	"
157. John U. Rice	Lincoln	"
158. Wilbur Hadley	Washington	"
159. James A. Hadley	"	"
160. F. M. Clark	Wayne	Marion
161. George W. White	"	"
162. Joseph W. Evans	Washington	Hendricks
163. Wm. Clark	"	"
164. C. L. Hunt	Lincoln	"
165. Geo. P. Wilson	Washington	"
166. John Wear	"	"
167. Wm. Wear	Wayne	Marion
168. A. J. Leap	"	"
169. Charles Tansel	Lincoln	Hendricks
170. Samuel Sterritt	"	"
171. R. O. Merritt	Washington	"
172. S. V. Evans	Lincoln	"
173. L. W. Coulter	"	"
174. C. H. Jones	Wayne	Marion
175. J. H. Denney	Washington	Hendricks
176. C. W. Gladden	"	"
177. W. H. Bussell	"	"
178. Bert Turpin	Lincoln	"
179. M. E. Merritt	Washington	"
180. C. E. Orders	Wayne	Marion
181. Geo. W. Brooks	"	"
182. R. E. Wym	"	"
183. John Applegate	"	"
184. F. H. Johnson	Lincoln	Hendricks

Said petition together with the proof of the signing thereof and the Qualifications of the petitioners to sign said petition is now submitted to the Board for their consideration: Said Board of Commissioners having heard the evidence and being fully advised in the premises finds for the petitioners upon their petition, that the same is signed by more than seventy-five (75) resident adult Free Holders of the Townships of Wayne in Marion County and Lincoln and Washington Townships in Hendricks County, all in the State of Indiana, and that ten (10) of said petitioners are resident adult Free Holders of said Township Wayne in said County of Marion, ten are resident adult free holders of the Township of Washington in said Hendricks County; that the only



Vacation.

townships abutting on the said highway proposed to be improved are Wayne Township in said Marion County and Lincoln<sup>and Washington</sup> Townships in said Hendricks County in said State; that said petition was duly and legally filed in the Auditors Office of Marion County, Indiana, on the 8th day of September, 1911, the same being the 5th day of the regular September Term, 1911, of the Commissioners Court of Marion County, Indiana, and that said Petition together with the proof of the signing thereof and the qualifications of the Petitioners to sign the same was duly presented to said Board on said day.

It is therefore considered, adjudged, ordered and decreed by the Board of Commissioners of Marion County, Indiana, that the Board of Commissioners of Hendricks County, Indiana, meet in joint session with the Board of Commissioners of Marion County, Indiana, on the 10th day of October, 1911, at the hour of 10 A.M. on said day, which joint meeting of said Boards of Commissioners shall be held at the Commissioners Room in the Commissioners Room in the Auditors Office of Marion County, Indiana, in the city of Indianapolis, Indiana, on the day heretofore set out, for the purpose of considering said petition, the appointment of viewers and the Engineer or Surveyor for the purpose of viewing said public highway and performing such other duties as may be prescribed by law for viewers and engineer or Surveyor. It is further considered, adjudged and decreed that the Auditor of Marion County, Indiana, give the Board of Commissioners of Hendricks County, Indiana, fifteen (15) days notice of the time and place of such joint meeting of said Boards of Commissioners and of the presentation of said petition and that such notice be given by transmitting to the Auditor of Hendricks County, Indiana, a certified copy of the petition filed herein together with the proof of the signing thereof and the qualifications of the petitioners who have signed the same, and also shall give said notice by transmitting to the Auditor of Hendricks County, Indiana, a certified copy of this order.

Also, that the Auditor of Marion County, Indiana, shall make and preserve a full and complete record of all of the proceedings herein including the time and manner of notifying said Board of Commissioners of said Hendricks County, Indiana, of said joint meeting as herein provided, and of all his acts herein make due return.

All of which is fully ordered, adjudged and decreed by the Board of Commissioners of Marion County, Indiana, in regular session assembled.

James Kervan

John Kitley

Board of Commissioners of

Marion County, Indiana.



Vacation.

State of Indiana, )  
County of Marion ) SS:

I, Albert Sahn, Auditor of said County, do hereby certify that the foregoing is a true and complete copy of the proceedings of the Board of Commissioners of said County in the matter therein set forth, as the same appears of record in my office.

(SEAL) Witness my hand and the Seal of the Board of Commissioners of Marion County,  
Indiana, this 8th day of September, 1911.

Albert Sahm,

Auditor Marion County, Indiana.



Monday, October 2nd., 1911, and 1st. day of October Term, 1911.

Monday Morning, October 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, 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 petition of )  
David Foster et al and )  
Morton Foster et al, for the )  
improvement of public highways )  
by taxation. )

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 had in said improvements is the sum of \$40.00, for each.

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 case, 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 Morton Foster et al )  
for the Improvement of a public highway by taxation. )

The matter of the claim of Cofer & Dougan 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 Cofer & Dougan for such legal services be allowed in the sum of \$150.00; that the



Monday, October 2nd., 1911, and 1st. day of October Term, 1911.

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.

In the matter of the petition of )

O.A. Kennedy et al, for the improvement of )

a public Highway on the County line- )

between Hendricks and Morgan Counties. )

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 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. )

*Board of Commissioners of Morgan County*

*Elbert W. Murphy*

*James A. Downard*

*Harry E. Saunders*

*Board of Commissioners of Hendricks County*

Comes now James A. Downard, a member of this Board of Commissioners, who was absent at the letting of the contract herein, and files his approval and ratification of said contract which said approval and ratification is in words as follows, to-wit:-

I, James A. Downard, one of the members of the Board of Commissioners for Hendricks County, Indiana, hereby certify that for more than three weeks from and after the 23rd day of July, 1911, I was absent from said County and State, and was not therein at the date of the letting of the above contract, but hereby fully approve, ratify and concur in all things done by my associate members of said Board in the letting of said Contract.

James A. Downard, Commissioner of Hendricks County, Ind.

And now also comes John O. Kain, Engineer in charge of the construction of said Improvement and files his certificate as to the location of said highway, and also his estimate as to the cost of the construction of said highway improvement in excess of the average cost and expenses of the improvement of the highway in said Center Township, Hendricks County, Indiana, the Township in which said Town of Danville is located, outside of the corporation of said Town of Danville, which certificate and estimate is in words as follows, to-wit:-

State of Indiana, Hendricks County, SS:

In Re-Improvement of

John G. Ridpath et al, Public Highway.

I, John O. Kain, engineer in charge of the construction of the highway improved in the above entitled cause, hereby certify that the highway described and improved in



Monday, October 2nd., 1911, and 1st. day of October Term, 1911.

said cause is located wholly within the limits of the incorporated town of Danville, Indiana, and I further certify that the cost of said improvement as made exceeds in cost, the average expense of improvement of the roads in Center Township outside of the corporate limits of said town of Danville, for a like distance, in the sum of \$2501.19

John O. Kain, Engineer.

And now comes Cly R. Humston, Clerk of the town of Danville, Indiana, and files a certified copy of the Resolutions of the town Board of Trustees of said town of Danville, as follows, to-wit:-

I, Cly R. Humston, Clerk of the Town of Danville, Indiana, hereby certify that at a meeting of the Board of Trustees for said Town, held on the 25th day of September, 1911, all the members of said Board being present, that the following resolution was presented, read and passed by said Board as shown by the records of the said Board, to-wit:

In Re Petition of John G. Ridpath, and others,  
for the Improvement of Public Highway.

Whereas the engineer in charge of the construction of the improvement in the above entitled proceedings, has filed in the office of the Auditor of Hendricks County, Indiana, his estimate of the excess cost of said improvement over and above the average cost of the improvement of public highways in Center Township, Hendricks County, Indiana, outside of the incorporated town of Danville, and by said estimate has fixed and assessed the amount to be paid by the town of Danville, as such excess cost, at the sum of \$2501.19, which estimate has been duly accepted and approved by the Board of Commissioners for Hendricks County, Indiana.

Therefore it is hereby resolved by the Board of Trustees for the Town of Danville, Indiana, acting for and in behalf of said Town, that the aforesaid estimate of said engineer made at the sum of \$2501.19 be, and the same is, hereby accepted as the true and correct amount of the costs of said improvement, in excess of the average cost of highway improvements in said Center Township, outside of the incorporated town of Danville, and said Town hereby agrees and binds itself to provide for the payment of said sum of \$2501.19, by the assessment of benefits against the abutting property upon and along said improved highway.

(SEAL) Given under my hand as such Clerk and the Seal of said Town, this 28th day of September, 1911.

Cly R. Humston,

Clerk of the Town of Danville, Ind.



Monday, October 2nd., 1911, and 1st. day of October Term, 1911.

In the matter of the Petition of )  
Willis A. Dobson et al for the Improvement )  
of a public highway by taxation. )

Comes now James A. Downard, a member of this Board of Commissioners, who was absent at the letting of the contract herein, and files his approval and ratification of said contract, which said approval and ratification is in words as follows, to-wit:-

I, James A. Downard, one of the Board of Commissioners for Hendricks County, Indiana, hereby certify that for more than three weeks, from and after the 23rd. day of July, 1911, I was absent from said County and State, and was not therein, at the date of the letting of the above contract, but I hereby fully approve, ratify and concur in all things done by my associate members of the Board, in the letting of said contract.

James A. Downard, Commissioner of Hendricks County.

And also comes John O. Kain, Engineer in charge of the construction of said improvement and files his certificate as to the location of said highway, and also his estimate as to the cost of the construction of said highway improvement in excess of the average cost and expenses of the improvement of the highways in said Center Township, Hendricks County, Indiana, the Township in which said town of Danville is located, outside of the corporation of said Town of Danville, which certificate and estimate is in words as follows, to-wit:-

State of Indiana, Hendricks County, SS:

In Re Improvement of Willis A. Dobson  
et al Public Highway.

I, John O. Kain, engineer in charge of the construction of the highway improved in the above entitled cause, hereby certify that the highway described and improved in said cause is located wholly within the limits of the incorporated town of Danville, Indiana, and I further certify that the cost of said improvement as made, exceeds in cost, the average expense of improvement of the roads in Center Township, outside of the corporate limits of said town of Danville, for a like distance, in the sum of \$2208.52

John O. Kain, Engineer.

And now comes Cly R. Humston, Clerk of the Town of Danville, Indiana, and files a certified copy of the Resolutions of the town Board of Trustees of said town of Danville, as follows, to-wit:-

I, Cly R. Humston, Clerk of the Town of Danville, Indiana, hereby certify that at a meeting of the Board of Trustees for said Town, held on the 25th day of September, 1911, all the members of said Board being present, that the following resolution was presented, read and passed by said Board as shown by the records of the said Board, to-wit:-

In Re Petition of  
Willis A. Dobson, and others,  
For the Improvement of Public Highway.

Whereas the engineer in charge of the construction of the improvement in the above entitled proceedings, has filed in the office of the Auditor of Hendricks County,



Monday, October 2nd., 1911, and 1st. day of October Term, 1911.

Indiana, his estimate of the excess cost of said improvement over and above the average cost of the improvement of public highways in Center Township, Hendricks County, Indiana, outside of the incorporated town of Danville, and by said estimate has fixed and assessed the amount to be paid by the Town of Danville, as such excess cost, at the sum of \$2208.52, which estimate has been duly accepted and approved by the Board of Commissioners for Hendricks County, Indiana.

Therefore it is hereby resolved by the Board of Trustees for the Town of Danville, Indiana, acting for and in behalf of said Town, that the aforesaid estimate of said engineer made at the sum of \$2208.52 be, and the same is, hereby accepted as the true and correct amount of the cost of said improvement in excess of the average cost of highway improvements in said Center Township, outside of the incorporated town of Danville, and said Town hereby agrees and binds itself to provide for the payment of said sum of \$2208.52 by the assessment of benefits against the abutting property upon and along said improved highway.

(SEAL) Given under my hand as such clerk and the seal of said town, this 28th day of September, 1911.

Cly R. Humston,

Clerk of the town of Danville, Indiana.

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

Comes now James A. Downard, a member of this Board of Commissioners, who was absent at the letting of the contract herein, and files his approval and ratification of said contract which said approval and ratifications is in words as follows, to-wit:-

I, James A. Downard, one of the Board of Commissioners for Hendricks County Indiana, hereby certify that for more than three weeks, from and after the 23rd. day of July, 1911, I was absent from said County and State, and was not therein, at the date of the letting of the above contract, but I hereby fully approve, ratify and concur in all things done by my associate members of the Board, in the letting of said Contract.

James A. Downard,

Commissioner of Hendricks County.

And also comes John O. Kain, Engineer in charge of the construction of said improvement and files his certificate as to the location of said highway, and also his estimate as to the cost of the construction of said highway improvement in excess of the average cost and expenses of the improvement of the highways in said Center Township, Hendricks County, Indiana, the Township in which said Town of Danville is located, outside of the corporation of said Town of Danville, which certificate and estimate is in words as follows, to-wit:-



Monday, October 2nd., 1911, and 1st. day of October Term, 1911.

State of Indiana, Hendricks County, SS:

In Re Improvement of Simon Hadley et al  
Public Highway.

I, John O. Kain, engineer in charge of the construction of the highway improved in the above entitled cause, hereby certify that the highway described and improved in said cause is located wholly within the limits of the incorporated town of Danville, Indiana, and I further certify that the cost of said improvement as made, exceeds in cost, the average expense of improvement of the roads in Center Township, outside of the corporate limits of said town of Danville, for a like distance, in the sum of \$4768.66

John O. Kain, Engineer.

And now comes Cly R. Humston, Clerk of the town of Danville, Indiana, and files a certified copy of the Resolutions of the town Board of Trustees of said town of Danville, as follows, to-wit:-

I, Cly R. Humston, Clerk of the Town of Danville, Indiana, hereby certify that at a meeting of the Board of Trustees for said Town, held on the 25th day of September, 1911, all the members of said Board being present, that the following resolution was presented, read and passed by said Board as shown by the records of the said Board, to-wit:

In Re Petition of Simon Hadley, and others,

For the Improvement of Public Highway.

Whereas the engineer in charge of the construction of the improvement in the above entitled proceedings, has filed in the office of the Auditor of Hendricks County, Indiana, his estimate of the excess cost of said improvement over and above the average cost of the improvement of public highways in Center Township, Hendricks County, Indiana, outside of the incorporated town of Danville, and by said estimate has fixed and assessed the amount to be paid by the Town of Danville, as such excess cost, at the sum of \$4768.66, which estimate has been duly accepted and approved by the Board of Commissioners for Hendricks County, Indiana.

Therefore it is hereby resolved by the Board of Trustees for the Town of Danville, Indiana, acting for and in behalf of said Town, that the aforesaid estimate of said engineer made at the sum of \$4768.66 be, and the same is hereby accepted as the true and correct amount of the cost of said improvement in excess of the average cost of highway improvements in said Center Township, outside of the incorporated town of Danville, and said Town hereby agrees and binds itself to provide for the payment of said sum of \$4768.66 by the assessment of benefits against the abutting property upon and along said improved highway.

(SEAL) Given under my hand as such Clerk and the Seal of said Town this 28th day of September, 1911.

Cly R. Humston, Clerk of the Town of

Danville, Indiana.



Monday, October 2nd., 1911, and 1st. day of October Term, 1911.

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

Comes now James A. Downard, a member of this Board of Commissioners, who was absent at the letting of the contract herein, and files his approval and ratification of said contract which said approval and ratification is in words as follows, to-wit:-

I, James A. Downard, one of the Board of Commissioners for Hendricks County, Indiana, hereby certify that for more than three weeks, from and after the 23rd day of July, 1911, I was absent from said County and State, and was not therein, at the date of the letting of the above contract, but I hereby fully approve, ratify and concur in all things done by my associate members of the Board, in the letting of said Contract.

James A. Downard,

Commissioners of Hendricks County.

And also comes John O. Kain, engineer in charge of the construction of said improvement and files his certificate as to the location of said highway, and also his estimate as to the cost of the construction of said highway improvement in excess of the average cost and expenses of the improvement of the highways in said Center Township, Hendricks County, Indiana, the Township in which said Town of Danville is located, outside of the corporation of said Town of Danville, which certificate and estimate is in words as follows, to-wit:-  
State of Indiana, Hendricks County, SS:

In Re Improvement of  
John W. Ader et al Public Highway.

I, John O. Kain, engineer in charge of the construction of the highway improved in the above entitled cause, hereby certify that the highway described and improved in said cause is located wholly within the limits of the incorporated town of Danville, Indiana, and I further certify that the cost of said improvement as made, exceeds in cost, the average expense of improvement of the roads in Center Township, outside of the corporate limits of said Town of Danville, for a like distance, in the sum of \$1400.23

John O. Kain? Engineer.

And now comes Cly R. Humston, Clerk of the Town of Danville, Indiana, and files a certified copy of the Resolutions of the town Board of Trustees of said town of Danville, as follows, to-wit:-

I, Cly R. Humston, Clerk of the Town of Danville, Indiana, hereby certify that at a meeting of the Board of Trustees for said Town, held on the 2nd day of October, 1911, all members of said Board being present, that the following resolution was presented, read and passed by said Board as shown by the records of the said Board, to-wit:



Monday, October 2nd., 1911, and 1st. day of October Term, 1911.

In Re Petition of  
John W. Ader, et al for the  
Improvement of Public Highway.

Whereas the engineer in charge of the construction of the improvement in the above entitled proceedings, has filed in the office of the Auditor of Hendricks County, Indiana, his estimate of the excess cost of said improvement over and above the average cost of the improvement of public highways in Center Township, Hendricks County, Indiana, outside of the incorporated town of Danville, and by said estimate has fixed and assessed the amount to be paid by the Town of Danville, as such excess cost, at the sum of \$1400.23, which estimate has been duly accepted and approved by the Board of Commissioners for Hendricks County, Indiana.

Therefore it is hereby resolved by the Board of Trustees for the Town of Danville, Indiana, acting for and in behalf of said Town, that the aforesaid estimate of said engineer made at the sum of \$1400.23 be, and the same is, hereby accepted as the true and correct amount of the cost of said improvement in excess of the average cost of highway improvements in said Center Township, outside of the incorporated town of Danville, and said Town hereby agrees and binds itself to provide for the payment of said sum of \$1400.23 by the assessment of benefits against the abutting property upon and along said improved highway.

(SEAL) Given under my hand as such Clerk and the seal of said town, this 2nd. day of October, 1911.

Cly R. Humston,

Clerk of the town of Danville, Indiana.

Ordered that the Board do Now adjourn.

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

)

)

)

)

Board Commissioners Hendricks County.



Be It Remembered, that on the 19th day of October, 1911, the following transcript of proceedings had in the matter of Albert McCalment et al, for improvement of highway as follows, to-wit:-

Tuesday, October 19<sup>th</sup>-1911.

Special and Joint Session of the Boards of Commissioners of Marion and Hendricks Counties, Indiana.

Be It Remembered, that on the 19th day of October, 1911, the Boards of Commissioners of Marion and Hendricks Counties in the State of Indiana, met in Special Session, present Carl Von Hake, James Kervan and John Kitley, members of the Board of Commissioners of Marion County, Indiana, and Harry Sanders, Elbert W. Murphy and James A. Toward, members of the Board of Commissioners of Hendricks County, Indiana, also Albert Eahn, Auditor of Marion County and Jacob Woessner Sheriff of Marion County.

Said Boards of Commissioners being duly and legally in session pursuant to an order heretofore made and entered of record by the Board of Commissioners of Marion County, Indiana, and notice of such meeting heretofore served by law, which said notice was duly and legally served on the said Board of Commissioners of Hendricks County, Indiana, fifteen (15) days prior to the 19th day of October, 1911, the following proceedings were had, to-wit:-

Albert McCalment et al, ex parte.

Petition for the improvement of Public Highway on County Line Road.

Comes now the petitioners by counsel and ask and are granted permission to amend their petition heretofore filed herein which amendment is in the words and figures following, to-wit:-

State of Indiana, Marion County, SS:

In the Commissioner's Court of Marion County, Indiana, Joint Session of the Boards of Commissioners of Marion and Hendricks Counties, in the State of Indiana.

Albert McCalment et al Ex parte.

Amendment to Original Petition.

The petitioners in the above entitled cause having obtained permission of the Court to amend their original petition heretofore filed herein would respectfully show to the Court that a more accurate and better description of the highway sought to be improved by said petition, is as follows, to-wit:

Commencing at the intersection of the Wall Street Free Gravel Road with the established highway on the County Line between Marion and Hendricks Counties in the State of Indiana, at the South West corner of Section Twenty-eight (28), Township Sixteen (16) North of Range Two (2) East in said Marion County, Indiana, and running thence North on and along said established highway on said County Line on the West side of said Section Twenty-eight (28) and part of Section Twenty-one (21), said Township and Range, to the point where the



Indianapolis and Huntington Place Road known as Southwestern Ave Road Road across said County line at the West side of the North West Quarter of Section Twenty-one (21), said Township and Range a distance of approximately one and three quarters (1 3/4) miles.

That L. Williams, following the Petitioners.

And the said Petitioners having filed their said petition and petition in the County of Indianapolis of said State and Indiana Indiana, their petition and petition therein asking for the improvement by grading, leveling and paving with macadam stone of a certain public highway across the County line between the said Counties of Marion and Indiana to said State of Indiana, the route of said highway to be as improved, being described as follows, as appears from the statement in the original petition filed herewith, to-wit:

"Commencing at the intersection of the Full Street Ave Road Road with the established highway on the County line between Marion and Indiana Counties in the State of Indiana, at the North West Quarter of Section Twenty-eight (28), Township Twenty (20) North of Range Two (2) East in said Marion County, Indiana, and running thence North to and along said established highway on said County line on the West side of said Section Twenty-eight (28) and part of Section Twenty-nine (29), said Township and Range, to the point where the Indianapolis and Huntington Place Road known as Southwestern Ave Road Road crosses said County line at the West side of the North West Quarter of Section Twenty-one (21), said Township and Range, a distance of approximately one and three quarters (1 3/4) miles."

as which said petition and petition therein are in the words and figures following (have been):

And the said petition and petition therein being and presented to said Courts of Indianapolis in said State of Indiana, and said Courts of Indianapolis having seen and advised the same and having heard the evidence and being fully advised in the premises, that for the said Petitioners, that their said petition has been duly signed by at least Twenty-five (25) qualified Free Soil citizens of the Township of Huntington and located in the County of Indiana in the State of Indiana, and the Township of Range in Marion County, Indiana, the (24) of whom are residents Free Soil citizens of said of said Township which are the Township and the only Township adjoining on that part of the County line Road proposed as said Petitioners and the evidence therein to be improved.

It is therefore considered, judged, viewed and returned by the Courts of Indianapolis of Marion and Indiana Counties in the State of Indiana, as aforesaid, that George T. Williams, a white man, born in said Marion County, Indiana, and who is not a resident or inhabitant of Range Township in said Marion County, Indiana, and Alfred L. Williams, a white man, born in said Marion County, Indiana, and who is not a resident or inhabitant of Range Township in said Marion County, Indiana, and they are hereby appointed as assessors and the full value of said Road known as Southwestern Ave Road Road in said Township and Range is hereby appointed as follows:



Vacation.

and Surveyor, they to examine and view said proposed improvement of the following described highway, to-wit:

"Commencing at the intersection of the Wall Street Free Gravel Road with the established highway on the County Line between Marion and Hendricks Counties in the State of Indiana, at the South West corner of Section Twenty-eight (28), Township Sixteen (16) North of Range Two (2) East in said Marion County, Indiana, and running thence North of and along said established highway on said County Line on the West side of said Section Twenty-eight (28) and part of Section Twenty-one (21), said Township and Range, to the point where the Indianapolis and Brownsburg Plank Roads known as Crawfordsville Free Gravel Road crosses said County Line at the West side of the North West Quarter of Section Twenty one (21), said Township and Range, a distance of approximately one and three quarters (1, 3/4) miles."

It is further ordered by the Board of Commissioners of Marion and Hendricks Counties in the State of Indiana, that the said Viewers and the said Engineer and Surveyor meet at the Auditors Office in the City of Indianapolis, Indiana, in said County of Marion, on the 23rd day of October, 1911, at the hour of one o'clock (1 P.M.) for the purpose of qualifying as such Viewers and Engineer and Surveyor and that after taking an oath to faithfully and impartially to discharge the duties required of them, they shall take to their assistance the necessary assistants and proceed to view, examine and survey the said highway and said proposed improvement, locate the same, determine the public utility, and convenience thereof, the width, make a profile of the grade, determine the quality and depth of the material and anything else required to properly complete the improvement and make an estimate of the cost of the improvement, including bridges such as Townships are authorized to make, culverts, drainage, assess damages and do all other things that may be necessary for the completion of said road.

It is further ordered by the Boards of Commissioners of said Marion and Hendricks Counties that said Viewers and said Engineer shall make their report in duplicate and file one copy thereof with the Auditor of Hendricks County, Indiana, and one copy with the Auditor of Marion County, Indiana.

Said report shall be so filed on or before the 23rd day of November, 1911, by said Viewers and Engineer.

Carl Von Hake

James Kervan

Commissioners Marion County.

John Kitley

*Elbert M. Murphy*  
*James A. Donward*  
*Harry E. Sanders*

Commissioners of Hendricks County.



Vacation.

Auditors Certificate.

State of Indiana, Marion County, SS:

I, Albert Sahm, Auditor of Marion County in the State of Indiana, do hereby certify that the foregoing is a true and correct copy of the proceedings had and the record made by the Commissioners of Marion and Hendricks Counties in the State of Indiana, at their special Joint Session held at the Commissioners room in the Auditors Office in the City of Indianapolis, Indiana, in the County of Marion, on the 10<sup>th</sup> day of October, 1911, the same being entitled Albert McCalment et al Ex. Parte. Petition for Improvement of Highway on County line, as appears from the records on file in my office, of which records I am custodian and which are now in my keeping.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Board of Commissioners of Marion County, Indiana, this 18th day of October, 1911.

Alber Sahm,

(SEAL)

Auditor of Marion County, Indiana.

Endorsed on back:-

"Filed Oct 19 1911. Wm. H. Nichols, Auditor Hendricks Co."



Monday, November 6th., 1911, and 1st. day of November Term, 1911.

Monday Morning, November 6th., 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 petition of O.A. Kennedy et al )  
for the improvement of a public highway on the )  
County Line between Hendricks & Morgan Counties )

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

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

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

*Board of Commissioners of Hendricks County*  
*Elbert M. Murphy*  
*James A. Downard*  
*Harry E. Sanders*  
*Board of Commissioners of Hendricks County*

The matter of the claim of Thad S. Adams 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 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 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 Thad S. Adams 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.



Monday, November 6th., 1911, and 1st. day of November Term, 1911.

In the matter of the petition of )  
John G. Ridpath et al, for the Improvement )  
of a public highway. )

And now the matter of the claim of John C. Taylor for his claim filed for making transcript upon the order of the County Treasurer for the sale of the bonds in the foregoing entitled improvement coming on for hearing and the board, having heard the evidence and otherwise being fully advised in the premises finds that said transcript was 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 the proceedings had in said improvement is the sum of \$40.00.

It is therefore ordered by the board that said claim of the said John C. Taylor be allowed in the sum of \$40.00; that the County Auditor be and 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 claim in the sum of \$40.00, 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.

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

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

)  
) Board Commissioners Hendricks County.  
)



Vacation.

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

State of Indiana, Hendricks County, SS:

Patrick Cummings et al )

vs. )

John R. Hull et al )

Hendricks Circuit Court, November Term, 1911.

Be It Remembered, That on the 7th day of November, 1911, the same being the 2nd day of the November Term, 1911, of the Hendricks Circuit Court, begun, held and continued at the Court House in Danville, commencing on Monday, the 6th day of November, 1911, before the Honorable James L. Clark, Judge of said Court, the following judgment and decree was rendered in the above entitled cause, to-wit:

Patrick Cummings et al

vs.

No. 8703. Judgt vs Kinney for Costs. J.D. 12 p.

John R. Hull et al

Comes now the plaintiffs by Corliss, Blessing, & Brill & Harvey, their attorneys, and comes also the defendants by Thad S. Adams, and Cofer & Dougan, their attorneys, and said defendants, now present to the Court for hearing, their motion to dismiss the plaintiff's appeal herein, filed in this cause on the 2nd. day of November, 1911, which motion is in words and figures as follows:-(Here Insert) And the Court having heard the argument of counsel, and being duly advised and informed in the premises, now sustains the defendants motion to dismiss said appeal, to which the appellant, Thomas Kinney, at the time duly excepts.

Wherefore it is now hereby ordered and adjudged by the Court, that the appeal taken by the plaintiffs in this cause, be, and the same is hereby dismissed, and it is further ordered and adjudged by the Court that the costs made by reason of the appeal in this action, taxed at        dollars and        cents be, and the same is hereby adjudged against the appellant Thomas Kinney.

It is further ordered and adjudged by the Court that this cause of action, together with all the papers and files belonging in the proceedings of John R. Hull, and others, pending before the Board of Commissioners of Hendricks County, Indiana, for the improvement of a public highway, be certified by the Clerk of this Court, back to said Board of Commissioners, who are hereby directed by the court to proceed with the making of said proposed improvement, as provided by statutes for the making of such improvements.

All of which is now finally ordered, adjudged and decreed by the court.  
State of Indiana, Hendricks County, SS:

I, James M. Adams, Clerk of the Hendricks Circuit Court of the County of Hendricks, in the State of Indiana, do hereby certify that the foregoing is a true and complete copy of the judgment and decree of said Court, in the above entitled cause, on the day and year first aforesaid, as appears of record in my



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office.

(SEAL)

In Testimony Whereof, I hereunto subscribe my name and affix the seal of the said Court, at my office at Danville, Ind. this 7th day of November A.D. 1911.

James M. Adams, Clerk.



Monday, December 4th., 1911, and 1st. day of December Term, 1911.

Monday Morning, December 4th., 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 1st. 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 petition of O.A. Kennedy et al )  
for the Improvement of County Line Road between Hendricks )  
and Morgan Counties, by taxation. )

Came now the petitioners, by counsel, 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 1st day of the next regular session of this board to make, and file in the office of the Auditor of Hendricks County, Indiana, their certain report in writing setting forth their determination in regard to said proposed improvement.

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

*By Commission James A. Downard*  
*Elbert M. Murphy*  
*James A. Downard*  
*Harry E. Sanders*  
*By Commission James A. Downard*

It now appearing to the Board that upon order of the Hendricks Circuit Court, this cause is remanded to the jurisdiction of this Board.

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

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



Monday, December 4th., 1911, and 1st. day of December Term, 1911.

In the matter of the petition of )  
 John W. Ader et al for the Improvement )  
 of a Public Highway. )

And now the matter of the claim of John C. Taylor for his claim filed for making transcript upon the order of the County Treasurer for the sale of the bonds in the foregoing entitled improvement coming on for hearing and the board, having heard the evidence and otherwise being fully advised in the premises finds that said transcript was 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 the proceedings had in said improvement is the sum of \$40.00.

It is therefore ordered by the board that said claim of the said John C. Taylor be allowed in the sum of \$40.00; 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 claim in the sum of \$40.00, 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.

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

The matter of the claim of Enloe & Pattison 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 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 Enloe & Pattison 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.



Monday, December 4th., 1911, and 1st. day of December Term, 1911.

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

It appearing to the satisfaction of the Board that owing to the unfavorable condition of the weather that it will be impracticable for the contractor herein to complete said improvement in the time stipulated in his contract, it is hereby ordered by the Board that said contractor be given time until the 1st. day of June 1912, in which to complete said work.

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

It appearing to the satisfaction of the Board that owing to the unfavorable condition of the weather that it will be impracticable for the contractors herein to complete said improvement in the time stipulated in said contract, it is hereby ordered by the Board that the said contractors be given time until the 1st day of June, 1912, in which to complete said work.

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

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

Board Commissioners Hendricks County.



Joint Session, Boards Hendricks & Putnam Counties, December 20th., 1911.

Wednesday Morning, December 20th., 1911.

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

And now, pursuant to notice duly given by the Auditors of the counties of  
Hendricks and Putnam, <sup>the Boards of Commissioners of the Counties of Hendricks & Putnam</sup> are met in Joint session at Danville, Indiana, for the purpose  
of taking further steps in the foregoing entitled cause, which said notices are in the  
words and figures following, to-wit:-

In the matter of the petition of John Masten,  
and others for the improvement of a public  
Highway between Hendricks and Putnam Counties.

To the Board of Commissioners of Hendricks County:

Pursuant to an order heretofore made and entered in the foregoing entitled  
cause directing the auditors of the counties of Hendricks and Putnam to keep the boards  
of Commissioners of said two counties informed and advised as to the financial  
condition of Mill Creek Township, Putnam County, Indiana, and Franklin Township, Hendricks  
County, Indiana, for gravel road building, you are hereby notified that said two townships,  
and each of them severally, are now financially able to build and construct the  
improvement provided for in the report of the engineer and viewers in the foregoing  
entitled cause.

You are further notified that there will be a joint meeting of the boards of  
Commissioners of Putnam County and Hendricks County at the room of the board of  
Commissioners of Hendricks County, Indiana, in the Court house in the town of Danville,  
Indiana, on the 20th day of December, 1911, between the hours of ten o'clock A.M. of said  
day and the hour of two o'clock P.M. thereof, for the purpose of taking further steps in  
said improvement matter.

Witness the hands of the several auditors of the counties of Putnam and  
Hendricks, and the seals of their said courts, this the 4th day of Dec. 1911.

Wm. H. Nichols, Auditor of Hendricks County.

D. V. Moffitt, Auditor of Putnam County.

We hereby acknowledge service of summons this 4th day of Dec. 1911.

Harry E. Sanders

Elbert M. Murphy

James A. Downard

Board Commissioners Hendricks County.

(Like notice addressed to Commissioners Putnam County, endorsed as follows:-)

Served December 8-1911. Served as commanded, by reading to and within the hearing  
of George W. Raines, Albert N. Gardner and James E. Houck; said persons constituting the  
Board of County Commissioners of Putnam County, Indiana.

Frank M. Stroube, Sheriff P.C.



And now it appearing to the satisfaction of the joint boards that the financial condition of the several townships interested in said proposed improvement is such that the improvement can be made as provided in the report of the viewers and engineer it is now ordered by the boards that the auditor of Hendricks County, Indiana, advertise for bids for said improvement as now provided by law in such cases. All of which is duly ordered this the 20th. day of December, 1911, by the said boards of the counties of Hendricks and Putnam in joint session assembled: Present George Raines, A. M. Gardner, James E. Houck, commissioners of Putnam County, Indiana, and Harry E. Sanders, Elbert M. Murphy and James A. Downard, Commissioners of Hendricks County, Indiana.

And further proceedings herein are continued.

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

Geo. Raines )  
 A. M. Gardner ) Board Commissioners Putnam County.  
 James E. Houck )



Special Session, Wednesday December 20th., 1911.

Wednesday Morning, December 20th., 1911.

Pursuant to summons issued by the County Auditor and acknowledgement of service thereon endorsed by the Board, which said summons and endorsement thereon is as follows:-(Here Insert) The Board of Commissioners of Hendricks County, Indiana, are convened in Special Session, at the Commissioners' Court Room in the town of Danville, Indiana, this the 20th. day of December, 1911, for the purposes set out in said summons.

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 and also In the )  
Matter of the Petition of )  
Willis A. Dobson et al for the improvement )  
of Public Highways by taxation. )

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 each of said transcripts of the proceedings had in said improvement is the sum of \$40.00.

It is therefore ordered by the Board that said claim of the said John C. Taylor in each case be allowed in the sum of \$40.00; 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 filed herein 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.



Wednesday, December 20th., 1911.

In the matter of the petition of )  
 Simon Hadley et al and In the Matter )  
 of the Petition of Willis A. Dobson et al )  
 for the Improvement of public Highways )  
 by taxation. )

The matter of the Claim of Thad S. Adams, on the Simon Hadley Road, and  
 Chas. V. Sears, on the Willis A. Dobson Road, for an allowance out of said funds for  
 legal advise to the Board of Commissioners in said cases coming on for hearing  
 upon their verified claims 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 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 each.

It is therefore ordered by this Board that said claim of Thad S. Adams,  
 on the Simon Hadley Road be allowed at \$150.00, and the Claim of Chas. V. Sears,  
 on the Willis A. Dobson Road, be allowed at \$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 amounts  
 payable out of the funds raised by the sale of bonds for said improvements.

All of which is now finally ordered by the Board.

Ordered that the Board do now adjourn.

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

Board Commissioners Hendricks County.



Be it remembered that heretofore to-wit; on the 1st day of January, <sup>1912</sup> the Auditor of Marion County Indiana filed in the office of the Auditor of Hendricks County the following Transcript to-wit:

State of Indiana,  
County of Marion. SS:

In the Commissioners' Court  
December Term, 1911.

Albert McCalmet et al., Ex-Parte.

Improvement of Highway on County Line.

Be it remembered, that on the 15th day of December, 1911, at 1 o'clock P.M. the Boards of Commissioners of Marion and Hendricks Counties, in the State of Indiana, met in a special joint session, present Carl Von Hake, James Kervan, and John Riley, members of the Board of Commissioners of Marion County, Indiana and Harry E. Sanders, Elbert M. Murphy and James A. Downard, members of the Board of Commissioners of Hendricks County, Indiana, also, Albert Sahm, Auditor of Marion County, and Jacob Woessner, Sheriff of Marion County, Indiana.

Said Boards of Commissioners being duly and legally in session pursuant to formal notices issued by the Auditor of said counties and served upon each of the members of said Boards by the Sheriffs of their respective county as appears by the copies of notice and return of Sheriff endorsed thereon, filed in the office of the Auditor of said Marion County, which notices and returns are in the words and figures following, to-wit.

State of Indiana,) SS:  
Marion County. )

To The Sheriff of Said County, Greeting:

You are hereby commanded to notify Carl von Hake, James Kervan and John Kitley, members of the Boards of Commissioners of Marion County, Indiana, that there will be a joint meeting of the Boards of Commissioners of the Counties of Marion and Hendricks at the office of the Commissioners of Marion County, at the Marion County Court House on Friday, the 15th day of December, A.D. 1911, at one o'clock P.M. for the purpose of hearing remonstrances and the transaction of such other business as may come before said joint boards in connection with the petition of Albert McCalmet et al. for the improvement



of a certain highway.

Witness my hand and Seal this 23rd day of November, A.D. 1911.

(Signed) Albert Sahm,

Auditor Marion County, Indiana.

(Seal)

and served this writ by reading to and within the hearing of the within named Carl Don Hake, James Kervan, and John Kitley and delivering to them a true copy of the same November 23, 1911.

(Signed) Jacob Woessner, Sheriff of Marion County.

(Con.)

(Gravel Road Record No. 3, page 492, Marion County, Ind.)

(Notice Auditor Marion County to Auditor Hendricks County)

Indianapolis, Ind. Nov. 23, 1911.

Hon. W. H. Nichols,

Auditor Hendricks County,

Danville, Indiana.

My dear sir:

Enclosed herewith find notice of meeting of joint Boards of Commissioners for remonstrance, if any, re county line road petitioned for by Albert McCalmet et al. You will kindly arrange for publication as required by law. We will publish the notice here in the "Indianapolis Star" November 25, 1911.

Also, please have the Sheriff notify your board of Commissioners of the joint meeting of December 15, 1911, at one o'clock P. M.

Yours very truly,

(Signed) Albert Sahm,

Auditor Marion County, Ind.

Enc. spec.

Dear Sir:

Rec'd Notice above referred and in accordance with same have issued notice to Board and placed same in the hands of Sheriff. Will publish notice Nov. 30 "as that is the earliest day possible in our papers.

Very truly,

(Signed) W. H. Nichols  
Auditor.



The said Harry E. Sanders being elected to preside and the matters for consideration relating to the petition of Albert McCalmet et al. for improvement of highway on the line between said counties, the Minutes of the previous joint meeting of said Boards had and held on Oct. 10<sup>th</sup> 1911, at the Commissioners' Room in the Court House in the city of Indianapolis, Indiana, at which meeting Viewers and Engineer were appointed to examine and report their findings in re. said proposed improvement - See Gravel Road Record No. 3, at pages 465 to 468 inclusive. Marion County, Indiana, - were read, considered and on motion approved as read.

Comes now Albert Sahm, Auditor of Marion County, Indiana and presents to said Boards, copies of notice served on the said Viewers and Engineer, which notice is in words and figures following, to-wit:

State of Indiana,

County of Marion, ss: Before the special joint session of the  
Boards of Commissioners of Marion and  
Hendricks Counties.

Albert McCalmet et al. ex parte.

Petition for improvement of highway on  
County Line.

Notice of Appointment to Viewers and Engineer.

To Alfred Lineinger, of Hendricks County, and George J. Blue, Marion County, Viewers, and Paul Julian of Marion County, Indiana, Engineer, you and each of you are hereby notified that at a special meeting of the Boards of Commissioners of Marion and Hendricks Counties, in the State of Indiana, held at the Commissioners' Room in the Auditor's office in the city of Indianapolis, Indiana, in said Marion County, on the 10<sup>th</sup> day of October, 1911, you were appointed as viewers and Engineer respectively to view and survey a certain highway on the county line between said Marion and Hendricks Counties, and proposed improvement thereof as more fully appears from the petition and an amendment thereto on file in my office and from the records of the proceedings had in said cause.

The highway to be improved as prayed for in the petition filed in said cause is described as follows, to-wit: Commencing at the intersection of the Wall Street Free Gravel Road with the established highway on the county line between



Marion and Hendricks Counties in the State of Indiana, at the southwest of Section Twenty-eight (28), Township Sixteen (16) North of Range Two (2) East in said Marion County, Indiana and running thence north on and along said established highway on said county line on the west side of Section Twenty-eight (28) and part of Section Twenty-one (21), said township and range, to the point where the Indianapolis and Brownsburg Plank Road, known as Crawfordsville Free Gravel Road, crosses said line at the west side of the northwest quarter of said Section Twenty-one (21) said township and range, a distance of approximately one and three quarters ( $1\frac{3}{4}$ ) miles.

You and each of you are hereby further notified that said Boards of Commissioners at said joint special meeting did make the following order in relation to your duties as such viewers and engineer, to-wit:

It is further ordered by the Boards of Commissioners of Marion and Hendricks counties in the State of Indiana, that the said viewers and the said Engineer and Surveyor meet at the Auditor's office in the city of Indianapolis, Indiana, in the said County of Marion on the 23rd. day of October 1911, at the hour of one o'clock (1 P.M.) for the purpose of qualifying as such viewers and Engineer and Surveyor and that after taking an oath to faithfully and impartially discharge the duties required of them shall take to their assistance the necessary assistants and proceed to view, examine and survey the said highway and proposed improvements, locate the same, determine the public utility and convenience thereof, the width, make a profile of the grade determine the quality and depth of the stone and anything else required to properly complete the improvement and make an estimate of the cost of the improvement, including bridges such as townships are by law authorized to make, culverts, drainage, assess damages and do all other things that may be necessary for the completion of said road.

It is further ordered by the Boards of Commissioners of said Marion and Hendricks Counties that said viewers and said Engineer shall make their report in duplicate and file one copy thereof with the Auditor of Hendricks County, Indiana, and one copy thereof with the Auditor of Marion



County Indiana.

Said report shall be so filed on or before the 23rd. day of November, 1911, by said Viewers and Engineer.

You will therefore govern yourselves accordingly.  
(Seal)

(Signed) Albert Sahn

Auditor of Marion County Indiana.

October 10, 1911.

Together with the Oath of said Viewers and Engineer, which Oath is in words and figures following, to-wit:

Albert McCalmet et al. Road.

Oath of Viewers.

State of Indiana, Marion County. ss.

We, Alfred Linenger, George T. Blue, and Paul Julien do solemnly swear that we will faithfully and impartially discharge the duties assigned and directed to us on the within order of the Boards of Commissioners of Hendricks and Marion Counties to the best of our skill and ability; so help us God.

(Signed) Paul Julien

Engineers.

Alfred S. Linenger

George T. Blue.

Viewers.

Subscribed and sworn to before me this 23rd. day of October, 1911.

(Signed) Albert Sahn

Auditor Marion County.

(Gravel Road Record No. 3, page 494, Marion County Indiana) and also the Board of said Engineer, which Bond is in the words and figures following, to-wit:

Bond of Engineer.

Know all men by these presents, That we, Paul Julien of Marion County, Indiana, as Principal, and American Surety Company of New York, as Surety, are held and firmly bound unto the State of Indiana, in a penal sum of Five Thousand (\$5,000.00) Dollars, for the payment of which well and truly to be made and done, we bind ourselves, our heirs, executors, administrators and assigns jointly and <sup>severally</sup> firmly by these presents.

Sealed and Signed this 12th day of October, 1911.

The condition of the above obligation is such



that whereas the above named and bounden Paul Julien has been by the Board of Commissioners of Marion County, Indiana, and the Board of Commissioners of Hendricks County, Indiana sitting in joint session on October 10th. 1911, appointed as Engineer in location of the G. M. Calment et al. Free Gravel Road.

Now therefore, if the said Paul Julien shall well and faithfully discharge the duties of his said office of Engineer in location of said road according to law, then and in that event this bond shall be void; otherwise to be and remain in full force and effect in law.

(Signed) Paul Julien  
American Surety Company of New York  
By E. V. Clark  
Resident Vice-President

Attest:-

D. M. Carsem

(Seal) Resident Asst. Secretary

Approved Oct. 13, 1911

Albert Sahm

Auditor

Approved Dec 15th, 1911

Harry E. Sanders

Elbert M. Murphy

James A. Downard

Board of Commissioners of  
Hendricks County Indiana

Board of Commissioners  
of Marion County, Indiana.

Carl Von Hake

James Kervan

John Kitley

The boards also see and examine the notice to Taxpayers issued jointly by the auditors of their respective counties and published in the Indianapolis Star in said Marion County and the The Hendricks County Republican and The Danville Gazette in said Hendricks County as more fully appears from the copies of said Notice to Taxpayers and proofs of publication thereto



attached and filed in the office of the Auditor of said Marion County, which notices and proofs of publication are in words and figures following, to-wit:

(Con.)

(Gravel Road Record No 3, page 495, Marion County, Indiana.)

State of Indiana,  
County of Marion, ss: Publisher's Affidavit.

J. N. Fox being duly sworn, says that he is Clerk for Star Publishing Company, and duly authorized to sign for said corporation, publishers of the Indianapolis Star, a daily news paper of general circulation published in said county, and that the notice of which the attached is a true copy, was duly published in said paper for two times, the dates of publication being as follows, November 25, 1911 and December 13, 1911.

(Signed) J. N. Fox.

### Notice to Taxpayers.

Notice is hereby given to the taxpayers of Wayne Township in Marion County Indiana, and Lincoln and Washington Township in Hendricks County Indiana, that on the 8th day of September 1911, Albert McCalment et al. filed their petition in the auditor's office of Marion County, in the state of Indiana, praying for the construction of a stone road on and along the county line, between the Counties of Marion and Hendricks in the State of Indiana, which said road and public highway is also between said townships and is described as follows, to-wit: Commencing at the intersection of the Wall Street Free Gravel Road with the established highway on the county line between Marion and Hendricks Counties in the State of Indiana, at the southwest corner of section Twenty-eight (28) Township sixteen (16) north of range two (2) east, in said Marion County, Indiana and running thence north on and along said established highway on said county line on the west side of section twenty-eight (28) and part of section (21) said township and range, to the point where the Indianapolis and Brownsburg plank roads, known as Crawfordsville free gravel road, crosses said county line at the west side of the north west quarter of said section (21) twentyone, said township and range

The Boards of Commissioners of Marion and Hendricks Counties in the State of Indiana, have duly and legally met, in joint session and appointed viewers and an engineer to lay out, view, pre-



pare plans, specifications and profile for the improvement of said highway, to determine the length and width thereof assess damages, determine as to bridges, the depth and quality of material to be used thereon and to determine the public utility and convenience of the construction of said improvement. That said viewers and engineer, did on the 23rd day of November, 1911 file with the auditors of Marion and Hendricks Counties in said State of Indiana, their written report in duplicate, recommending the construction of a gravel road on and along said highway above described.

You are therefore hereby notified that the boards of Commissioners of Marion and Hendricks Counties, Indiana, will meet in joint session at the auditor's office of Marion County, in the city of Indianapolis, Ind., on the 15 day of December 1911, at the hour of 10'clock P.M. on said day, to hear any and all objections you or any of you may have, why said improvement of said highway should not be made, and will then and there hear and determine said petition, and any remonstrance that may be filed against the construction of said improvement.

You are also hereby further notified that all claims for damages for and on account of the construction of said improvement of said public highway, must be filed with said viewers within ten (10) days from the 23rd. day of November, 1911

Dated this 23rd. day of November, 1911.

Albert Sahn

Auditor of Marion County Indiana

Wm H. Nichols

Auditor of Hendricks County Indiana.

Subscribed and sworn to before me this 15th day of December, 1911.

Florence R.S. Phillips,

Notary Public

My commission expires June 13, 1915.

(Con.)

(Gravel Road Record No 3, page 496. Marion County Indiana.)



State of Indiana Hendricks County, ss:  
 Personally appeared before the undersigned Julian D. Hogate editor of the Hendricks County Republican, a public weekly newspaper of general circulation printed and published in Danville in the County aforesaid, who being duly sworn upon his oath saith that the notice of which the attached is a true copy, was duly published in said paper in two weeks, the first of which publication, was on the 30th day of November, 1911, and the last on the 14th day of December, 1911.

(Signed) Julian D. Hogate.

### Notice to Taxpayers.

Notice is hereby given to the taxpayers of Wayne township in Marion County Indiana, and Lincoln and Washington Townships in Hendricks County Indiana that on the 8th day of September 1911, Albert McCalment et al. filed their petition in the Auditor's office of Marion County in the state of Indiana, praying for the construction of a stone road on and along the county line between the counties of Marion and Hendricks in the state of Indiana which said road and public highway is also between said townships and is described as follows to-wit:

Commencing at the intersection of the Wall Street free gravel road with the established highway on the county line between Marion and Hendricks Counties in the state of Indiana, at the south-township sixteen (16) north of range two, west corner of section twenty-eight (28), (2) east in said Marion County Indiana, and running thence north on and along said established highway on said county line on the west side of section twenty-eight (28) and part of section twenty-one (21) said township and range, to the point where Indianapolis and Brownsburg plank roads, known as Crawfordville free gravel road, crossing said county line at the west side of the north west quarter of said section twenty-one (21) said township and range.

That the Boards of Commissioners of Marion and Hendricks Counties in the state of Indiana have duly and legally met in joint session and appointed viewers and an engineer to lay out, view, prepare plans specification and profile for the improvement of said highway, to determine the length and width thereof, assess damages, determine as to bridge the depth and quality of material to be used thereon and to determine the public utility and convenience of the construction of said improvement. That said viewers and engineer, did on the 23rd day of November 1911, file with the auditors of Marion and Hendricks Counties in said state of Indiana, their written report in duplicate, recommending the construction of a gravel road on and along said highway above described.

You are therefore hereby notified that the Boards of Commissioners of Marion and Hendricks Counties Indiana, will meet in joint session at the Auditor's office of Marion County, in the city of Indianapolis Indiana, on the 16th day of December, 1911, at the hour of one o'clock P. M. on said day to hear and try all objections you or any of you may have why said improvement of said highway, should not be made and will then and there hear and determine said petition, and any remonstrance that may be filed against the construction of said improvement.

You are also hereby further notified that all claims for damages for and on account of the construction of said improvement of said public highway must be filed with said viewers within ten (10) days from the 23rd day of November, 1911.

Dated this 23rd. day of November 1911.

Albert Sahm

Auditor of Marion County Ind.

Wm. H. Nichols

Auditor of Hendricks County Ind.

Subscribed and sworn to before me, this 14th day of December, 1911.

(Signed) Wm. H. Nichols, Auditor.

(Gravel Road Record No 3, page #97, Marion County, Indiana.)



State of Indiana, Hendricks County, SS:

Personally appeared before the undersigned W. A. King, publisher of the Danville Gazette, a weekly newspaper of general circulation printed and published in Danville, in the county aforesaid, who being duly sworn upon his oath, saith that the notice, of which the attached is a true copy, was duly published in said paper for two weeks successively, the first of which publications was on the 7th day of

1911, and the last on the 14th day of December, 1911.

(Signed) W. A. King

### Notice to Taxpayers.

Notice is hereby given to the taxpayers of Wayne Township, Marion County, Indiana, and Lincoln and Washington Townships in Hendricks County, Indiana, that on the 8th day of September 1911, Albert M. Calment et al. filed their petition in the auditor's office of Marion County, in the state of Indiana, praying for the construction of a stone road on and along the county line between the counties of Marion and Hendricks in the state of Indiana, which said road and public highway is also between said townships and is described as follows to-wit:

Commencing at the intersection of the Wall Street Tree Gravel Road with the established highway on the county line, between Marion and Hendricks Counties in the state of Indiana at the south west corner of section twenty-eight (28) Township sixteen (16) north of range two (2) east, in said Marion County, Indiana, and running thence north on and along the established highway on said county line on the west side of section twenty-eight (28) and part of section twenty-one (21) said township and range, to the point where the Indianapolis and Brownsburg plank roads known as Crawfordville Tree Gravel Road crosses said county line, at the west side of the north-west quarter of said section twenty-one (21) said township and range.

That the Boards of Commissioners of Marion and Hendricks Counties in the state of Indiana, have duly and legally met in joint session and appointed viewers and an engineer, to lay out, view, prepare plans, specifications and profile for the improvement of said highway, to determine the length and width thereof, assess damages, determine as to bridges, the depth and quality of material to be used thereon, and to determine the public utility and convenience of the construction of said improvement. That said viewers and engineers did on the 23rd day of November 1911, file with the auditors of Marion and Hendricks Counties, in said state of Indiana, their written report and duplicate, recommending the construction of a gravel road on and along the said highway above described.

You are therefore hereby notified that the Boards of Commissioners of Marion and Hendricks Counties, Indiana, will meet in joint session at the auditor's office of Marion County, in the city of Indianapolis, Ind. on the 16th day of December 1911, at the hour of one o'clock P. M. on said day to hear any and all objections you or any of you, may have, why said improvement of said highway should not be made, and will then and there hear and determine said petition, and any remonstrance, that may be filed against the construction of said improvement.

You are also hereby further notified that all claims for damages for and on account of the construction of said improvement of said public highway must be filed with said viewers within ten (10) days from the 23rd day of November 1911.

Dated this 23rd day of November 1911.

Albert Sahm

Auditor of Marion County, Ind.

Wm. H. Nichols

Auditor of Hendricks County, Ind.

(Seal)

Subscribed and sworn to before me this 16th day of December 1911.

(Signed) James M. Adams, Clerk.

(Con.)

(Gravel Road Record No. 3. page 498. Marion County, Indiana.)



And the said joint Boards of Commissioners have examined said notice to Viewers and Engineer, Oath of Viewers and Engineer, Bond of Engineer, and notice to taxpayers of the townships abutting on the highway proposed to be improved, find that said proceedings were in all things according to law, and the order of the joint boards concerning them.

No remonstrance of any kind or character having been filed against said proposed improvement by any taxpayer of the townships named in said Notice to Taxpayers or by any other person prior to ten o'clock A.M. of said 15th. day of December 1911 or at any other time, the Boards proceeded to a consideration of the Report and Supplemental Reports of the said Viewers and Engineer filed in accordance with the order of said Boards which said Report and Supplemental Report are in words and figures following, to-wit:

State of Indiana, County of Marion, ss

Before the Boards of Commissioners of Marion and Hendricks Counties in the State of Indiana  
Albert McCalment et al. Ex-parte.

Petition for improvement of highway on  
County Line.

### Report of Viewers and Engineer.

To the Honorable Boards of Commissioners of  
Marion and Hendricks Counties in the state of Indiana:—

We the undersigned Viewers and Engineer appointed by the Boards of Commissioners of Marion and Hendricks Counties in the state of Indiana at their joint meeting had and held on the 10th day of October 1911 at the Commissioners' Room at the Auditor's office in the city of Indianapolis Indiana to view examine and survey a certain highway and proposed improvement thereof, to locate the same make a profile of the grade, determine the quality and depth of the material, and make an estimate of the cost of construction of the said improvement, including bridges and culverts, to provide for drainage, assess damages, and do all other such things as may be necessary for the completion of the improvement of said highway which said road and public highway is described as follows to-wit:

Commencing at the intersection of the Wall Street Tree Gravel Road, with the established highway on the county line between Marion and Hendricks Counties, in the state of Indiana



at the southwest corner of section Twenty eight (28) Township (16) North of Range (2) East in said Marion County Indiana and running thence north on and along said established highway on said County Line on the west side of section Twenty eight (28) and part of section Twenty one (21) said Township and Range, to the point where the Indianapolis and Brownsburg plank roads, known as Crawfordsville Free Gravel Road crosses said county line, at the west side of the north west quarter of section Twenty one (21) said township and range.

Would respectfully report that we met as directed by said Boards of Commissioners, in their order at the office of the Auditor of Marion County, Indiana on the 23rd day of October 1911, and that each of us did take and subscribe to an oath to faithfully and impartially discharge our duties in said cause according to law and that said civil engineer did file with the auditor of said county, his bond, as required by law.

(Con.)

(Gravel Road Record No. 3. page 499, Marion County Indiana)

That after we had each taken said oath and the said civil engineer had filed the prescribed bond we did proceed without delay to view and make all necessary surveys of the highway above described.

We find that said proposed improvement is 8900 feet in length. We further find that said improvement will abut on the Township of Wayne in the County of Marion and the Townships of Lincoln and Washington in the county of Hendricks in the state of Indiana. That said improvement will connect two free gravel roads, and that same is now traversed by a United States Rural Mail Route. We find and report that said above described highway so proposed to be improved, is in need of grading draining and paving and that such improvement will be of public utility.

We further find and determine that it will be of public utility to grade, drain and pave the same in accordance with the specifications plans and profiles hereinafter set out, attached hereto, and made a part hereof.

We find the width of the highway to be 33 ft. and that the total cost of said improvement, when constructed in accordance with the specifications plans and profiles therefor, will not exceed \$8,550.00.



We caused a survey to be made and stations to be noted on the profile prepared by the Engineer, said stations are numbered consecutively, from station "0" at the north end and to station "89" at the south end, and are 100 feet from station to station.

The profile which is a part of this report and shows in lines and figures the elevation thereof at each 100 feet of its length, and the changes to be made therein, by excavations and fills, which profile was made by the Engineer appointed to do the work by said Boards of Commissioners.

We further report the following specifications to be used for the construction of the foregoing proposed improvement.

### Specifications.

For a proposed improvement of a highway on a County line commencing at the intersection of the Wall Street Free Gravel Road with the established highway on the County Line between Marion and Hendricks Counties at the S. W. corner of Sec. 28, Twp. 16 N., R. 2 E., and running thence N. on the W. line of Sections 28 and 21 to its intersection with the Crawfordville Free Gravel Road on the west line of Section 21, Twp 16 N., R. 2 E.

### General Specifications.

The contractor shall take the road in the condition in which he finds it, at the time set for the commencement of the work and shall remove all trees, stumps, stones, and rubbish from the limits of the road, excepting such shade trees as can be preserved. When fences are in the right of way, the party who owns them shall have a right to remove them. But should the parties fail to remove the fence when notified so to do, the contractor shall have the right to remove them and place them outside the right of way. Where telephone or telegraph poles are within the right of way, and are in the way of the proper construction of the road, they shall be removed by the company or corporation to whom they belong.

### Right of Way.

The road shall not be less than thirtythree (33) feet extreme width between the fences. The lines given in the description above, being the center line of the road.

(Gravel Road Record No 3. page 500, Marion County, Indiana.)



### Excavation and Embankments.

Excavations and embankments shall be made at the places shown on the plans and profile in the office of the County Auditor and at such other places as necessary. The road bed to be twenty (20) feet in width with the required crown, and the bidders must examine the same to determine the lengths of haul for the different cuts and fills.

Excavations must be built with the slope of one (1) foot horizontal to one (1) foot vertical.

Embankments must be built with the slope of one and one-half ( $1\frac{1}{2}$ ) feet horizontal to one (1) foot vertical.

When the excavations are in excess of the embankments, the contractor must dispose of the surplus as the engineer may direct. When it is necessary to borrow dirt to make a fill, the contractor shall furnish the same at his own expense and the quality of the dirt must meet the approval of the engineer or superintendent, and no other will be permitted to be used.

Grade and line stakes will be set by the Engineer for cuts and fills and at such other places as he may deem necessary. These stakes must be preserved by the contractor, and all cost of resetting stakes made necessary by the carelessness or negligence of the contractor to protect said stakes, shall be charged to said contractor and the same deducted from the final estimate.

### Grading.

The roadbed shall be graded to a width of twenty (20) feet and shall have a uniform curvature, being six (6) inches higher in the center, than at the edges, and shall conform to the stakes to be set by the engineer in charge of the construction and to the cross-section as shown on the profile, filed herewith and made a part of these specifications. Where no change of grade is shown on the profile, the surface of the road shall be neatly dressed up as the engineer may require, to a width of twenty (20) feet. The graded roadbed shall be completed and accepted by the engineer or superintendent one and one-half ( $1\frac{1}{2}$ ) mile in advance of the gravel.

Ditches shall be constructed on both sides of the road-bed and shall be one (1) foot in width at bottom, with banks sloping one (1) foot vertical to one (1) foot horizontal and be cut to such grade and be provided with such outlet as the engineer shall require. The cost of such drains has been estimated, in grading



and in no case will additional compensation be allowed therefor.  
Gravel.

The gravel shall be of good quality free from large stones and dirt and shall be subject to the approval of the engineer. Gravel must be dumped between boards ten (10) feet apart and ten (10) inches deep and shall be fifteen (15) inches deep in the center and take its natural slope when the boards are removed and in quantity equal to six and thirty-five hundredths (6.35) yards per lineal rod of the road. Where said road intersects with other roads, an additional amount of gravel shall be placed in such manner as the engineer may direct in order to make the proper approaches. The amount will be five (5) cubic yards at each intersection and has been included in the estimate. After the entire road has been graveled, it shall be gone over and all defects either in quantity or quality of gravel shall be remedied to the satisfaction of the engineer and the gravel shall be gone over with a grader and dressed up and the stones raked off and the road shall be in perfect condition when received. Extra gravel to the amount of 100 cubic yards has been included in the estimate, to be used as the engineer may direct. (Coni. Gr. Rd. Record No 3. page 501. Marion County, Indiana)

### Culverts.

At points indicated on profile, culverts or cross drains shall be placed. These culverts shall be corrugated metal culverts of the size indicated on profile, except at Station 37 + 75 where a flat top concrete steel culvert shall be constructed. They shall be laid to grade as directed by the engineer and the earth shall be firmly tamped around and over them and the ends protected with masonry. The top of the culverts when completed to be six (6) inches below sub-grade.

The masonry protecting the tile shall begin not less than two and one-half ( $2\frac{1}{2}$ ) feet below the bottom of the stream and shall be on solid foundation and built up as high as the finished surface of the road. Walls to be twelve (12) inches at top with a thickness at base of not less than four-tenths ( $\frac{4}{10}$ ) of the height and extend not less than three feet on each side of the tile and shall be covered with a coping of not less than four (4) inches in thickness and to extend four (4) inches over the wall all around.

Masonry shall be constructed of concrete made in the following proportions, one part American Portland Cement to two (2) parts sand and four (4) parts of gravel, thoroughly mixed and placed in the forms at once, in layers not more than one (1) foot thick and



each layer to be thoroughly tamped before another is put in.

### Corner Stones.

The contractor shall not allow any corner stones to be moved or taken out, but if any corner stones interfere in the work of grading, he shall notify the engineer, who shall lower them so that they shall be out of the way.

### General Specifications.

The entire work shall be executed in accordance with the plans, specifications and profile, and all different parts of the work shall be done in the order designated by the Engineer, and all work herein specified or found necessary, shall be done in accordance with the orders and directions of said Engineer and he shall be the judge of the quality and fitness of all material, tools and labor used in the construction of the work.

The contractor shall superintend the work in person and shall not sublet any part thereof without the consent of the Board of Commissioners and the Engineer in charge of construction, and in case any part is so sublet it shall in no wise affect the conditions of these specifications.

The contractor must protect his work until it is completed and approved by the Engineer and Board of Commissioners, and he must repair any damage done by rains, freshets or other accidents in such manner as the Engineer may direct, at his own expense.

None of the work shall be considered as accepted which may be found defective in any part before the final acceptance of said work by the Board of Commissioners and Engineer.

Before the final acceptance of the work the contractor shall remove any unused material or temporary work used by him and leave the work in neat and orderly condition.

All materials furnished, shall be of the best to be obtained and shall be subject to the inspection of the Engineer, and if rejected shall be at once removed from the work.

(Cont.)

(Gr. Rd. Road Record No 3. page 502, Marion County Indiana.)



### Management.

The Engineer shall have general charge of the work, and shall set all stakes necessary for the grade and for structures and shall inspect all materials.

The Superintendent to be appointed by the Board of Commissioners shall have direct charge and shall report to the Engineer.

### Payments.

Payments will be made to the contractor in monthly estimates of eighty (80%) percent of the completed work. The twenty percent (20%) retained from each estimate will not become payable to the contractor, until the final acceptance of the work by the Board of Commissioners of Marion and Hendricks Counties.

### Estimate of Quantities

Gravel	3,500 cubic yards	1.00	\$3,500.00
Gravel hauling and spreading	3,500 " "	.50	1,750.00
Grading road complete			1,300.00
Culvert and pipe in place			1,500.00
Superintending			125.00
Expense of location, engineering etc.			125.00
Attorney and advertising			250.00
			<u>\$8,550.00</u>

### Additional Specifications.

No gravel or paving material shall be placed on the grade unless the grade is smooth and even at the time and place, and no gravel shall be hauled on the grade when the same is in a soft or muddy condition.

Whenever the word "Engineer" or "Civil Engineer" shall occur it shall be held to mean the engineer appointed on said work or his authorized deputy.

Whenever the word "Superintendent" shall occur, it shall be held to mean the superintendent appointed to oversee the construction of said work.

Whenever the word "Commissioners" shall occur, it shall be held to mean the Commissioners of Marion and Hendricks Counties in the State of Indiana.

Whenever the word "Contractor" shall occur, it shall be held to mean any contractor, or firm of contractors or any member of a firm of contractors who have contracted to do any part of said work.



Any material along the line of said work not needed in the construction of the new work, shall become the joint property of Marion and Hendricks Counties, and subject to division by said Boards of Commissioners.

The contractor shall not be required to place any tile, culverts, bridges, grades, crossings or approaches to any private lane or crossing.

The superintendent may suspend the work from time to time when the weather is deemed unfit and the time for the completion of the work shall be extended as many days as the work is suspended.

The decision of the Engineer shall be final as to the work and material, or as to the interpretation of these specifications, on the appeal of the contractor or superintendent.

It is intended that these specifications and accompanying drawings, shall provide for a highway complete in every respect, unless otherwise herein expressly stipulated; and any thing which may be omitted from the plans and specifications, but which may be necessary for the completion of the work in accordance with the spirit thereof, shall be furnished by the contractor under his contract, without additional compensation.

This report of the viewers and engineer shall not be made a part of the contract for said work.

We, the undersigned viewers and engineer appointed by the concurrent action of the Boards of Commissioners of Marion and Hendricks Counties Indiana, to view, survey lay out, and report on the above case make specifications drawings profiles, and estimate and report our determinations, did do and perform the matters and things so required of us by law, in the improvement of the public highway petitioned for by Albert McCalment et al. and here with respectfully submit this, our report, setting forth our findings and determinations, in said matters in respect to said petition, including an accurate description of said public highway, to be graded, drained and paved together with our recommendations in respect to the paving material to be used in the construction of said improvement and the estimated cost of said improvement.

This report is accompanied by an accurate profile of



the within described public highway to be improved showing by proper lines and figures the elevation of said public highway at each 100 feet of its length and the changes to be made therein, by excavating and filling, plan and method of drainage, bridges and culverts which said profile was made by the Engineer appointed by the said Boards of Commissioners to do said work.

Witness our hands and seals this 17th day of November 1911.

(Signed) Alfred S. Lininger

Geo. T. Blue

Viewers

Paul Julien

Civil Engineer

Subscribed and sworn to before me this 17th day of November 1911.

(Signed) Albert Sahm

Auditor of Marion County.

### Supplemental Report.

State of Indiana,  
County of Marion. SS.

Before the special joint session of the  
Boards of Commissioners of Marion  
and Hendricks Counties

Albert McCalment et al.

Ex-parte.

Petition for improvement of highway  
on County Line

### Supplemental Report of Viewers and Engineer

The viewers and Engineer heretofore appointed, qualified and acting in the above entitled matter having filed their report recommending the improvement of the highway described in the petition filed herein now beg leave to submit their further and supplemental report in said matter as follows to-wit:—

1. That no lands or property of any infant, idiot, or person of unsound mind, will be damaged by the construction of said proposed improvement of said public highway.  
(Con.)

(Gr. Rd. Record No 3, page 504, Marion County, Indiana)

2. That no person, firm, company or corporation, have filed with us any claim for damages to their lands and property, for and on account <sup>of the construction</sup> of the said proposed improve-



ment of said public highway.  
All of which is most respectfully submitted.

(Signed) Paul Julien,  
Engineer  
Alfred S. Lineinger,  
Geo. J. Blue,  
Viewers.

Subscribed and sworn to before me, this 15th. day of  
December 1911.

(Signed) Albert Sahm  
Auditor of Marion County  
Indiana.

And the boards having seen and examined said Report and Supplemental Report, and being fully advised as the premises, find that the same are regular and comply fully with the law in relation to such matters, and on motion, same are unanimously approved and the proposed improvement declared to be of public utility and convenience.

It is therefore considered, adjudged, ordered, and decreed by the said Joint Boards that said proposed improvement will be of public utility and convenience, demands that said improvement be made and constructed in accordance with the profile, plans and specifications submitted by the Viewers and Engineer appointed herein, and the Auditor of Marion County, Indiana is hereby directed to advertise for bids for the construction of said improvement in one paper in each county interested, for two weeks successively in a weekly or daily newspaper of general circulation twenty days before the day of letting, which day for receiving bids and letting the contract for the construction of said proposed improvement shall be Thursday, January 25, 1912, at 11 o'clock A.M.

The Boards also find that such publication of notice to Contractors will be sufficient, and that it will not be necessary to post up such notices.

There being nothing further to come before the said Boards, on motion made and carried, the meeting stood adjourned.

Carl von Hake.

James Kervan.

John Kitley.

Commissioners of Marion County.

James A. Downard.

Harry E. Sanders.

Elbert M. Murphy.

Commissioners of Hendricks County.

(Gravel Road Record No 3. Page 505: Marion County, Indiana.)



State of Indiana, )  
County of Marion.) SS:

I, Albert Sahm, Auditor of Marion County, do hereby certify that the above and foregoing is a true and complete copy of the proceedings in the matter, therein set forth, as the same appears of record in my office.

Witness, my hand and the Seal of the Board of Commissioners of the County of Marion, Indiana, on this 28th day of December, 1911.

(Signed) Albert Sahm

Auditor Marion County, Indiana.

(Seal.)



Monday January 22, 1912

State of Indiana  
Hendricks County, SS:

In the Joint Commissioners' Court  
Hendricks and Morgan Counties

K-3

See Pg 156

In the matter of the petition of  
O. A. Kennedy, et al., to Improve } Entry.  
a Public Highway on the County Line }  
between Hendricks and Morgan Counties

And now on this 22nd. day of January, A.D. 1912, pursuant to notices duly given by the Auditor of Hendricks County, Indiana, to the members of the Boards of Commissioners of Hendricks County, Indiana, and pursuant to the notice of the Auditor of Morgan County, Indiana, to the members of the Boards of Commissioners of Morgan County, Indiana, which notices are in words and figures, as follows to wit: (Here Insert), the several Boards of Commissioners are met in joint session at the Auditor's Office in the Town of Danville, Hendricks County, Indiana for the purpose of hearing any objections that may be legally filed by any resident taxpayer of Liberty Township, Hendricks County, Indiana, or of any taxpayer of Monroe Township, Morgan County, Indiana, and further for the purpose of considering the report of the viewers and engineer now on file in this proceeding and for passing upon the public utility of said proposed improvement in this proceeding prayed for.

And now come O. A. Kennedy and others, the petitioners herein, and present and file the affidavit of Julian D. Hogate editor and publisher of the Republican, a public weekly newspaper of general circulation printed and published in the Town of Danville, Hendricks County, Indiana, in words and figures as follows to wit: (H. I.).

And from which said affidavit it appears to the satisfaction of the joint Boards of Commissioners that notice of the time and place of the meeting of said Boards, and the place where the report of the viewers and engineer heretofore filed in this proceeding could be found, and the time and place of the filing and presenting of any remonstrance against said proposed improvements, was duly given in said newspaper by two publications, the first of which publication was on the 4th day of January 1912, and the last on the 11th day of January, 1912.



Said petitioners also presented and filed the affidavit of G. E. Finney, Editor and publisher of the Martinsville Democrat a weekly newspaper of general circulation, printed and published in the City of Martinsville, Morgan County, Indiana, as follows, to-wit: (H. I.) and from which said affidavit it appears to the satisfaction of the joint Boards that notice of time and place of meeting of said Boards and the place where the report of the viewers and engineer heretofore filed in this proceeding could be found, and the time and place of the filing and presenting of any remonstrance against said proposed improvement was duly given in said newspaper by at least two publications, the first of which publications was on the 4th day of January 1912, the second on the 11th day of January 1912, the first of which was more than two weeks before the 22nd day of January, 1912. The said several notices being in words and figures as follows to wit: (H. I.) And the Boards now find that said notices were in due form and in all things sufficient and as required by law.

And the Boards find that no person or persons, either minor, idiot, or of unsound mind, or corporation, or any other person, will sustain any damages by reason of said improvement and that no property of such persons or corporations will suffer damages by reason of said improvement, and that no person or corporation, has within the time allowed by law, filed any claim of any nature, with the viewers and engineer for damages to their property by reason of said proposed improvement, all of which appears by the supplemental report of viewers and engineer filed January 22, 1912.

And now said report of said viewers and engineer comes on for hearing, and said Board having duly and fully examined the same and being fully advised in the premises finds that said report was filed in the office of the Auditor of Hendricks County, Indiana, the Auditor's office in which County the petition for said improvement was filed, on the 2nd day of January 1912, and further finds, that a copy of said report was filed in the office of the Auditor of Morgan County, Indiana, and the said report of the viewers and engineer was duly filed on the 2nd day of January 1912, in the offices of the Auditors of Morgan and Hendricks Counties.



And they further find that said report is correct and in all respects according to law and that all matters are regular and that no objections of any character have been filed; that said proposed improvement is of public utility and that said report and supplemental report should be approved and spread of record and said proposed improvement established and ordered constructed as provided in said report. Said report and supplemental report and approval thereon being in words and figures as follows to wit:

Signed

Harry E. Saunders  
Board of Commissioners of Hendricks County.

James A. Downard  
Board of Commissioners of Morgan County.

Signed

H. H. Sney  
Board of Commissioners of Hendricks County.

L. H. Rinker  
Board of Commissioners of Morgan County.

For order to  
Viewers and  
their Oath  
see page 144.

State of Indiana, Hendricks County SS:

In the joint Commissioners' Court,  
Hendricks & Morgan Counties  
January 1912

In the matter of the petition of O. A. Kennedy et al. to improve a public highway, on the line between Liberty Township Hendricks County, and Monroe Township, Morgan County, in the State of Indiana.

To the Honorable Joint Board of Commissioners of Hendricks and Morgan Counties, 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 7, 1905 and all amendments and supplements thereto," to view examine, make all needful surveys of the road described in the petition of O. A. Kennedy et al. and hereinafter described, determine the manner of said improvement in detail, estimate the cost thereof, and prepare profile, plans, drawings, and specifications preparatory to cleaning, grubbing, grading, sewerage, ditching, draining, bridging and surfacing said proposed improvement of said highway, and respectfully report:— That pursuant to the notice served on us; we met on the 10th day of July, 1911 at the office of the Auditor of Hendricks County, in the town of Danville, Indiana and after taking and subscribing an oath, faithfully and impartially to discharge the duties under our respective appointments, and as such Viewers and Engineer we proceeded to the vicinity and neighborhood of said road

That we made a careful view and examination of



the route of the proposed improvement, of the locality in which said proposed improved road is located, of the needs of the public for this proposed improvement, as a facility for travel and did make the necessary surveys of the same together with profile drawings, plans and specifications, and found that 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 costs of construction of the same will be less than the benefits derived therefrom; that we have laid out said proposed highway along the route hereinafter described and to the width of Thirty four (34) feet and specified in the specifications herewith filed. That the aforesaid profile shows the elevations of the center line of said proposed road, at the end of each one hundred (100) feet, and that said profile, drawings, plans and specifications provide for all the details of the improvement of said road. Said profile drawings, plans and specifications describe in detail the sizes materials to be used, and the method of construction of the road bed, sewers, ditches, drains, bridges 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 and all figures notes, and requirements thereon are made by us and herewith filed and made a part of this report.

The following is a description of the route over which and upon which said improvement is to be located: Commencing 231 feet East and  $87\frac{3}{4}$  feet North of the South West corner of Section 33, Township 14 North, Range 1 West, in Hendricks County, Indiana, and running thence South 61 degrees, East 181 feet to the point on the South line of said Section 33, which said point is also on the line between Hendricks and Morgan Counties, Indiana, and running thence East on said South line of Section 33 aforesaid 931.5 feet to a stone at the center on the South of the South West quarter of said Section 33, and continuing still East on the South line of said Section 1327.5 feet to the South half mile stone of said Section 33 and continuing still East



2706.25 feet to a stone at the North West corner of Section 3 Township 13 North Range 1 West, and continuing still East on the North line of Section 3 aforesaid 2661.05 feet to the North half mile stone of said Section 3, and continuing still East on the North line of Section 3 aforesaid 2668.5 feet to a stone at the North East corner of said Section 3, and continuing still East on the North line of Section 2 Township 13 North Range 1 West 3950.1 feet to a stone at the center on the North of the North East quarter of said Section 2, and continuing still East of said North line of Section 2 aforesaid 1425.85 feet to a stone at the North East corner of said Section and continuing still East 1317.35 feet to a stone at the center on the North of the North West quarter of Section 1 Township 13 North Range 1 West and continuing still East 1363 feet to the South half mile stone of Section 36, Township 14, North Range 1 West, and continuing still East 2569.9 feet to a stone at the North East corner of Section 1 Township 13 North Range 1 West, the same being on the line between Liberty Township, Hendricks County, and Monroe Township, Morgan County all in the State of Indiana. We find the total length of the proposed improved highway to be 21102 lineal feet. All of 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 Sixteen thousand (\$16,000.00) Dollars.

(Signed) John O. Kain, Engineer

(Signed) O. B. Hessler, Viewer

(Signed) W. H. Wooden Viewer

Subscribed and sworn to before me this 2nd day of January 1912.

(Signed) J. S. Whitaker,  
Auditor Morgan County.



## Report of Viewers.

### General Specifications.

Public Work for Hendricks and Morgan Counties  
in the State of Indiana.

1. Intention. It is intended that the specifications and the accompanying drawings shall provide for a complete and finished improvement of the kind contemplated in every particular. These General Specifications shall be used in connection with, and be considered a part of, all detail specifications; and the specifications shall be considered a part of the contract or obligation.

2. Board. The word "Board" as used in these specifications refers to the Joint Board of Commissioners of Hendricks and Morgan Counties, Indiana, the representative in this contract of the said Counties. Whenever the words "The Board" are used in the specifications, they shall be understood as referring to the aforesaid Joint Board of Commissioners.

3. Engineer. Whenever the word "Engineer" is used in these specifications, it shall be understood as referring to the Civil Engineer, appointed by said Joint Board of Commissioners. In the case of the absence of the Engineer, or in case he shall so direct, the powers and duties herein assigned to him will devolve upon his assistants or inspectors, duly appointed by the Engineer.

4. Contractor. Whenever the word "Contractor" is used it shall be understood as referring to the person, firm, or corporation who shall enter an agreement to execute and perform the work, or any part thereof, as herein specified and contemplated, or to the authorized representative of said person firm or corporation.

5. Meaning of Specifications. In case of the specifications or drawings are deficient in any part, or not clearly expressed, bidders desiring to submit propositions shall apply to the Engineer for information before submitting their propositions. Bidders must examine for themselves the location of the proposed work, and exercise their own judgment as to the nature and amount of work to be done. If it be found that anything has been omitted or misstated which is necessary for the proper performance and completion of any part of the work contemplated in accordance with the spirit of the plans and specifications, the contractor will be required to execute and perform the same, as though fully and correctly



stated, and the correction of any error or omission shall not be deemed to be in addition to, or deviation from the work herein contracted for. The contract for this work comprises the formation, construction, completion and maintenance of the several works referred to in the plans, profiles, drawings and specifications. The several parts of this contract shall be taken together to explain each other, and to make the whole consistent.

6. Disagreement. Should any discrepancies appear or misunderstanding arise as to the meaning of the contract or of the Specifications, Plans, Profiles or Drawings or as to the quality or quantity of the materials, or as to the proper execution of the work or as to the measurements or valuation of any works executed or to be executed under the contract or as to extras thereupon or deductions therefrom, the same shall be determined by the Engineer or Board; and the contractor shall immediately, when ordered by the Board or Engineer, proceed with and execute the work according to such decision and with such additions to, or deductions from the contract price as are provided for under Section 26 of the General Specifications.

7. Staking out Work. The work to be done under this contract will be staked out by the Engineer or his assistants. The Contractor shall give the Engineer at least thirty-six hours' notice in writing before requiring stakes to be set on any portion of the work, and he shall clearly state in such notice the exact locality or localities where such stakes are needed for immediate use. He shall also give the same notice to all authorized Inspectors, Superintendents, or other persons in charge. Any work done contrary to the provisions of this section must be taken up and rebuilt immediately upon the order from the Board or Engineer. The Contractor must satisfy himself before commencing work as to the meaning and correctness of all stakes and marks, and no claim will be entertained by the county for or on account of any alleged inaccuracies, or for alterations subsequently rendered necessary on account of such alleged inaccuracies unless the Contractor notifies the Engineer thereof in writing before commencing work therefrom. The Contractor will be held responsible for the preservation of all such stakes and marks in their proper positions, and in case any of them are lost or destroyed after



having once been given, he shall at once notify the Engineer in writing, and all expenses incurred by the Counties replacing the same shall be charged against the Contractor, and the Engineer shall report the same to the Board for collection and it shall be paid by the Contractor before completion and final acceptance of his work. As the stakes and marks will not in all cases represent all the grades, lines and angles and changes of surface in the finished work, the Contractor must be careful to see that they are taken in connection with the Plans, Details, Specifications, and Engineer's directions, except when he may discover errors in the same, in which case he shall at once discontinue work thereon until such errors are rectified, but no claim shall be made or allowed on account thereof, or on account of any delay occasioned thereby.

8. Assistance. The contractor is to furnish the Engineer or any of his assistants with any reasonable assistance which he or they may require at any time to help in driving stakes, or in laying out the work. He shall also furnish the said parties or any of the Inspectors with all required assistance to facilitate thorough inspection or culling over or removing defective materials, or for thorough examination into any of the work performed, or for any other purpose required in the discharge of their respective duties, for which service no additional allowance will be made.

9. Inspection. The Joint Board of Commissioners may appoint such Inspectors as it may deem necessary, who shall be paid by the Counties of Hendricks and Morgan, and who shall be on the work at all times and report to the board.

Whenever the Contractor fails to complete the work herein specified within the time named, he shall pay the wages of such Inspectors at the rate of \$2.50 per day for each Inspector from the above specified time to the completion of the work, and said amount shall be paid to the Counties of Hendricks and Morgan before the final acceptance by the Board.

10. Incompetent or Disorderly Persons. Inspectors are required to see that all the provisions of the contract and specifications are faithfully adhered to, and to report to the Board or Engineer any failure on the part of the Contractor so to do. The Board or Engineer shall have the authority to dismiss



from the work, any superintendent workman or other person, employed by the Contractor, who shall refuse or neglect to obey the instructions of the Board or Engineer in anything relating to the work, or who shall perform his work in any manner contrary to the specifications or directions of the Engineer, or who shall be deemed by the Board or Engineer incompetent or unfaithful. The Contractor shall also on the demand of the Board or Engineer, discharge from the work, any drunken, disorderly, insolent or otherwise disagreeable person, and shall not again employ him on the work, without the consent of the Board or Engineer.

11. Work not Inspected. Any Inspector may stop the work on the order of the Board or Engineer if there is not a sufficient quantity of suitable and approved material on the ground to carry it on properly or for any other good and sufficient cause. Any work done in the absence of the Inspector may be condemned, and when so ordered, must be rebuilt or replaced as directed, at the Contractor's expense.

12. Work at Contractor's Risk. It is understood that the whole of the work embraced under these specifications is to be done at the Contractor's risk, and he is to assume the responsibility and risk of all damages to the work or to the property on the line of said work, which may result from floods, backwater, caving of the highways, settling of the foundations of buildings, or from any other causes, whatever connected with the construction of said work. No extension of time will be allowed for finishing the work, except as herein specified, it being understood and agreed that the Contractor must take the risk of any and all delays arising from the nature of the work, or from any unforeseen obstruction or difficulties which may be encountered in doing the work, or from any action of the elements or otherwise.

13. Protection of Work. When in the opinion of the Board or Engineer, the weather may be such that it is deemed advisable to discontinue the work until the following spring, the Contractor is required, on notice to that effect from the Board or Engineer to place the work in proper condition for the accommodation and protection of the public for the winter season, and for the protection of the work against snow, frost or ice; and in the event of his failing to do so, within the space of forty-eight hours after having been notified to do so, the Joint Board of Commissioners shall



have the power to take whatever steps it may deem necessary to the interest of the public, and for the protection of the work, and all expenses so incurred by reason of such action shall be paid by the Contractor before the final acceptance of the work. Unless with the written permission of the Board or Engineer, no work of any description liable to be injured by the action of frost, shall be carried on during freezing weather, but it shall be properly covered, protected and guarded, and work shall not be resumed thereon without the written consent of the Board or Engineer.

14. Suspension of Work. The Board may from time to time, suspend the work at certain places or altogether if, in its opinion, the public needs require it; but the Board shall not have the right to stop the work altogether for more than a week at any one time, except that, whenever, in the opinion of said Board, the conditions of the weather are not suitable for doing the work, it may cause the work to be suspended, provided that if the work is suspended on account of failure to comply with the specifications, the extension of time will not be granted.

15. Materials. All materials furnished shall be of the best quality of their respective kinds. No material of any kind shall be used until they have been examined and approved by the Board or Engineer, who shall have full power to condemn any work or materials not in accordance with the specifications, or which do not equal the samples of materials to be used in the work, approved by the Board or Engineer, and to require the contractor to remove any work or materials so condemned, and, at his own expense, to replace the said work or materials to the satisfaction of the Board or Engineer. In case the Contractor shall neglect or refuse, after written notice, to remove or replace said rejected work or materials, they shall be removed and replaced by the Board at the Contractor's expense. The Contractor shall furnish the Board and Engineer with all desired information as to where or from whom materials are obtained. Any defective materials or work which may have been temporarily passed or overlooked, shall be corrected at any time on demand of the Board or Engineer. None of the work will be finally accepted until the whole is complete and ready for acceptance.

16. Protection to Property. Materials delivered on the



highway, shall be neatly, safely and compactly piled up along the sides of the roadway in which the improvement is located, or adjacent thereto, as the Board or Engineer may direct, in such manner as to cause the least inconvenience and damage to property owners and the general public. Private drives and street crossings shall be kept open. Shade trees and other improvements shall be protected from any damage. Injury to lawns, trees, sidewalks, streets or other improvements must be made good by the Contractor to the satisfaction of the Board. All lot stakes along the line of work must be carefully preserved.

17. Bills. Before final acceptance of the work, the Contractor shall pay all bills for materials and labor incurred in connection therewith, and shall submit satisfactory evidence to the Board of such payment.

18. Facilities. The contractor shall provide all necessary facilities, furnish all the materials, and employ a sufficient number of competent men, to carry on the work with dispatch. If at any time the work is not progressing satisfactorily, the Board may direct the Contractor to employ more men to complete the work under contract within the time specified, and on failure of the Contractor to obey, the Board shall have the power to double the penalty for failure to complete the work on time. In employing men, preference shall be given to residents of the Counties of Hendricks and Morgan whenever practicable.

The Contractor shall at all times have some competent and authorized superintendent or foreman, on the work to whom notices, orders and instructions may be given, his name to be certified in writing to the Board and Engineer.

19. Connection with other Work. It is understood that the completion of the contract under this agreement includes any and all work that may be necessary to connect the work done with the adjoining work in a reasonable manner; said reasonable manner to be determined by the Board and Engineer. In case any of the work constructed under these specifications shall intersect any culverts, sewers, house-connections, catch-basins, or other connections previously existing and still in use so much of the same as may, in the opinion of the Board or Engineer



be necessary, shall be taken up and rebuilt, relaid or extended, as the case may require, so as to conform in any proper manner with the new work without additional compensation.

All old sewers or drains or culverts on or near the line of work that are rendered useless by the new construction, must be taken out or filled solidly with good earth, well rammed as may be required.

20. Skill. The Contractor shall be required to exercise all proper skill in the prosecution of the work, Although the Board and Engineer may assent to special means for prosecuting work in difficult cases, this will not relieve the Contractor from responsibility as to the result.

21. Barricades. The Contractor shall employ all necessary day and night guardmen, and erect and place all necessary barricades and lights, and shall use all due and proper precautions to prevent injury to any property, person or persons whatever, and shall omit no reasonable precaution which will tend to the security of all persons and property.

22. Debris. On the completion of the work, the Contractor must remove from the premises all surplus material and debris, of every kind and description. He must also restore to their former condition all sidewalks, cross walks, streets, parks, pavements, curbs, fences, and other public or private property which may have been disturbed or damaged by reason of his work. Upon the temporary discontinuation of the work, all the materials or debris are to be piled up snugly and safely, so as not to impede travel on the sidewalk, roadways or drive ways, or to interfere with the use of fire plugs, or of drainage in the gutters.

23. Affidavit. Before the work is finally accepted by the Board, the Contractor must file an affidavit that all work has been done in accordance with the plans and specifications, to the best of his knowledge and belief.

24. Indemnity. The Contractor shall keep the Counties of Hendricks and Morgan 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 actions, claims, demands or proceedings arising out of any infringement or alleged infringement, or use of any patent or patented device, article, system or arrangement that may be used by the Contractor in the execution of his work. And the



Contractor will be required to indemnify and save harmless the Counties of Hendricks & Morgan from all claims or actions of any kind or description made or 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 the same or in any improper materials used, or by or on account of any act of commission or omission of the Contractor or his agents or employees.

25. Laws and Ordinances. The contractor must familiarize himself with all town ordinances and state laws, or regulations controlling the action or operation of those engaged upon the work, or affecting the materials used, and must govern himself in accordance with them.

26. 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 and 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 obstructions 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 the 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 alteration 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 damage 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.



27.

Inspection. All the materials and workmanship of whatever description, shall be subject to the inspection and rejection of the Board or 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.

28. Collateral Work. The right to construct any sewer or sewers or to lay any water or gas mains, or electric conduits, or receiving basins, or culverts, or to build up or to adjust any man-holes, not provided for in the contract, or to supply water or gas stop-cocks, and to grant permits for house connections with sewers or with water or gas pipes or conduits, at any time prior to the completion of the work, in case of sewers or sidewalks or at any time prior to the preparation of the sub-grade in the case of roadway pavements, it is expressly reserved by the Board, and the Board reserves the right to suspend work on any part of the contract at any time during the construction of the same, for the purposes above stated. And the Contractor shall not interfere with, or place any impediment in the way of any person or persons who may be engaged in the construction of said sewer or sewers, or in laying such water or gas mains or conduits, or in making connections therewith or doing other work of the character above specified. In any case the Contractor shall not be entitled to any damages either for the digging up of the street or for the delay, but he shall be allowed and shall be paid for any work or materials made necessary on his part, a reasonable sum (not to exceed fifteen percent. in addition to the actual cost), as may be agreed upon between him and the Board; and the time for completing the contract shall be extended by as many days as he was thus delayed.

29. Discontinuation of the Work. Upon any temporary discontinuation of the work, all materials are to be piled up snugly and safely so as not to impede the travel on the sidewalks or carriage ways, or the use of fire plugs or drainage in gutters, and all rubbish or surplus material shall be removed immediately thereafter from the highway by the Contractor.

30. Obstructions. The Contractor will be required to remove at his own expense any and all obstructions, filth or refuse of any kind that may be encountered in the line of



his work, and which may be required to be taken out in order to construct the new work; also any rubbish, refuse, or materials produced by such work. The materials in such obstructions shall be taken out by the Contractor and removed by him, and will be retained as the property of the County.

31. Work at Contractors Risk. During the progress of the work and until the work is accepted as completed, the whole work done under this contract will be at the Contractor's risk and he shall assume the risk of, and be responsible for any and all damages to the work or injuries to persons or property, caused by, or in any way resulting from the doing or the mode of executing such work, whether the same be occasioned by the rise in any stream, floods, backwater, caving, settling of trenches or foundations of buildings or any portion of the improvement, derangement of alignment, defect in surface, foundations or other appendances, or otherwise occasioned, and whether such damages or injuries occur during the progress of the work; and in case the County is compelled to pay any money on account of any such damages or injuries, the Contractor and his sureties shall repay to the County the amount so paid, together with the court costs.

32. Sub-Contractors. The Contractor shall not assign or transfer the contract or sub-let the work or any part thereof, except with the approval of the Board. In case the Contractor sub-lets or under-lets, or makes a sub-contract contrary to this section, he shall pay to the Counties a sum to be assessed by the Board, and which shall be deemed liquidated and ascertained damages. Any assignment or subletting of the contract shall in no wise affect the conditions or provisions of the contract and specifications.

33. Affidavit. On the completion of the contract, all portions of the work must be gone over carefully by the Contractor personally or by his accredited representative, who must satisfy himself that every item is completed, and all defects made good, and that all surplus material, refuse dirt, or rubbish is cleaned up and removed, and that the whole work is in a finished satisfactory, neat and tidy condition, and ready in all respects for acceptance by the Counties. A sworn statement that the condition of the work is as just stated, will be required from the Contractor in addition to the report of the Engineer before the work will be accepted by the Board.



34. Duties of Engineer. The work under this contract in its progress and with respect to all details shall be under the supervision of the Engineer. It shall be his duty to see that all material used in the work done are according to the contract and specifications. His acts and each and all of them, shall be under the order and direction and subject to the approval of the Board, and in all general and detail specifications where he is authorized to order, direct, approve or disapprove or to do other act or thing, it is understood that his orders, directions, approval or disapproval or other acts are subject to review and approval or disapproval by the Board. All Inspectors also, shall be under the special supervision and direction of the Engineer in carrying out the orders of the Board, but their acts in like manner, shall be subject to review, approval or disapproval of the Board. It is understood that by the adoption of the general and detail specifications the Engineer, his assistants and deputies and the Inspectors in the employ of the Board are ordered and directed by the Board to do the acts and perform the duties prescribed therein for each, but that all acts upon their part and each of them are subject to the approval or disapproval of the Board, and shall not be binding on the Counties of Hendricks and Morgan until approved by said Board.

35. Bond. Within five (5) days after the successful bidder shall have been notified of the acceptance of his bid, he shall file with the Board an approved bond in an amount as required by law, conditioned to guarantee the full and complete performance of his work according to the terms of the contract, and that he will comply with and carry out all the terms and provisions of said contract, said bond to be in full force and effect up to and including the final acceptance of the work.

36. Time of Completion. The time fixed in the contract for the completion of the work shall be and is an essential element and consideration and in addition to the pay of the Inspectors, provided for in Section 9, any sum not to exceed fifty (50) dollars per day, may, at the option of the Board, be deducted from the contract price, as liquidated damages, for each and every day the work is delayed in completion after the time specified. And in the event, said Contractor or his sureties fail or neglect to com-



mence the work within 21 days from award of contract, or to prosecute said work with such vigor, as, in the opinion of the Board, will complete the same within the time fixed in the contract or fail to increase the force employed on said work, on notice from said Board, then said Board may declare said contract null and void, and adjudge the same to have been abandoned and forfeited, and may re-let or require said sureties to complete the same, as said Board shall elect; and said Contractor and his sureties shall be liable for all damage that may accrue by said failure to perform said work according to this contract, and shall be entitled to recover nothing from said Counties or the property owners along said improvement, for work already performed or materials used, and such materials shall be retained by and belong to said Counties.