

John Kerns

#137

Independence &

New Hampton State Power

Change

#137

John Herms  
Petition for ~~Change~~  
Change  
In N.H. Road

Filed Sept. 11/1869  
J. B. Sutherland Clerk  
per J. A. Elliott Depy

State of Iowa

Black Hawk County

To the County Judge of  
said County we the undersigned feel the  
demonstrate against the Independence and  
Chickasaw State Road running diagonally a-  
cross the farm of John Henry which is  
described as follows viz the North East  
fourth of the South West fourth and  
the South East fourth of the North  
West fourth of Section one in Township  
Ninety North of Range Eleven West  
wherein there has been a damage awarded  
by the appraisers on the land as above  
described in consequence of said Road of  
five hundred Dollars to said Henry  
and we your petitioners feel to ask  
your Honor to take up and locate said  
Road on the South and West lines  
of said land the South and West lines  
being the South and West boundaries  
of said Road the Route being better and  
but a few rods further and save the  
County of ~~the~~ damages above named  
as the said Henry is willing to give the  
Road on the lines as above described  
Lester Sept the 5th 1860

of John Henry

J H Potter J.P.

#134  
John Kerns  
Petition for change  
in

Independence &  
New Hampton  
State Road

Filed Nov. 5<sup>th</sup> 1860  
W B Severance clerk  
By M Bailey Depy

To the Hon. County Court of Black Hawk  
County State of Iowa

The undersigned would respectfully ask that a Commissioner be appointed to view and report upon the expediency of a change in the Independence and New Hampton State Road where the same runs through the NE<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub> & the SE<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of Sec one in Town 90 Range 11 west in said County and making the same to run on the south and west lines of said Land and that such action may be had thereon as will establish the said change

John Kerns  
Lester Nov 5<sup>th</sup> 1860

John Kerns<sup>137</sup>  
Change in State Road  
Bonds

Filed Nov 5<sup>th</sup> 1860  
J B Senearum Clerk  
By M Bailey Dpt

Know all Men by these presents  
That we John Hearn, John Bierchmitt  
and J H Potts of the County of Black-  
hawk and State of Iowa are held and  
firmly bound unto the County of Black-  
hawk in the sum of One Hundred  
Dollars for the payment of which well  
and truly to be made we bind ourselv-  
es our heirs executors administrators &  
every of them firmly by these presents  
The condition of the above obligation  
is such that whered John Hearn  
~~John Hearn~~ has this day made applica-  
tion by petition to the County Court  
of said county to appoint commissioners  
to ~~review~~ <sup>review</sup> and take up and locate a  
certain portion of State Road named  
in his petition known as the Independa-  
nce and New Hampton State Road  
Now if the said road shall be establish-  
ed according to law and the same beco-  
me a public highway in accordance  
with the Statute in such cases made  
and provided then this obligation  
to be void otherwise to be and remain  
in full force and virtue

Witness our hands this Sixth  
day of Nov AD 1860

John Hearn Seal  
John Bierchmitt Seal  
J H Potts Seal

#137

John Kerns.

Change in State Road  
Commission and  
Report

Filed June 5<sup>th</sup> 1861

J B Sencrance Clerk  
By M Bailey Depy

To the Honorable County Court  
of Black Hawk County State of Iowa.

According to a commission ~~sent~~  
attached. from the County Court of Black  
Hawk County State of Iowa authorizing and  
appointing me to view on the 28<sup>th</sup> day of  
December AD 1860 and ~~to~~ <sup>make</sup> if required  
~~change in the~~ a County road. petitioned for by John  
Kerns. Said change to be when the Independence  
and New Hampton State Road passes through the N.E.  
1/4 of South West quarter 1/4 and the South E. 1/4 of N.W. 1/4  
of Section one in Township 90 Range 11 West in  
Said County and the same desired to be run on  
the South and West lines of said land.

Having viewed said route as required by  
Commission, I find it practicable and I find  
believe the petitioners will be much benefited  
thereby and would recommend that the change  
as petitioned for be made and the road  
established on the South and West lines of as  
traced for in said petition.

Commissioners fees

2 days \$4.00

Plat of Said Change as

accompanying my

Report as part thereof.

J. H. Potts  
Commissioner



J. H. Potts  
Commissioner

viewed by me.

Range 11

John Kern  
Change in State Road  
Petition

On this 28th day of Dec 1866  
Personally appeared before me  
a Justice of the Peace in & of  
the County of Clark Nevada  
John Kern, who being duly sworn,  
deposes that he is the owner  
of within appointed commissioners  
and qualified by oath according  
to law.

John Kern  
Justice of the Peace

## Office of the County Clerk,

BLACKHAWK COUNTY, IOWA.

Waterloo, Dec 14<sup>th</sup> 1860.

To J. H. Potts Esq.

You are hereby notified that you have been appointed a Commissioner to view, and if required, to locate, a part of State County Road, petitioned for by John Kears and others. Said Change in Road petitioned for, is to ~~commence~~ <sup>be</sup> where the Independence and New Hampton State Road passes through the NE 1/4 of South West 1/4 and the SE 1/4 of NW 1/4 of Section one in Township 20 Range 11 west in said County and the same ~~is~~ <sup>is</sup> to be run on the South and west lines of said land.

You will, therefore, appear at the Office of the Justice nearest you in said County, on the 28<sup>th</sup> day of December A. D. 1860, at A. M. and qualify according to Law, and proceed immediately to the discharge of your duty and make your report thereon according to Law and the following Instructions, on or before the next term of this Court:

1. In your survey of this Road you will particularly describe the point of commencement, with reference to some monument record, which will generally be found to consist of corners in the public and private surveys; the exact course and distance from some one of which, you must give in your field notes.
2. You must also measure to, and in your field notes return the distance to some section or quarter section corner, from the point where you intersect each and every line of sections in the public surveys.
3. The point at which you terminate your survey must be ascertained and returned by reference to the same evidence as is herein required for the commencing point.
4. All letters and figures inscribed upon wood must be cut with a "marking iron," similar to that used in the government survey of lands.
5. Where bearing trees are taken, (and it is strongly enjoined that, if within ten chains of an angle, they should without fail be taken,) a smooth face fronting the angle of the Road, should be made as near the ground as practicable, and in this face should be cut the initial letters of the points of beginning and ending of the Road. For example—a Road from Dubuque to Cascade: D. & C. R. When bearing trees cannot be had at angles, it is recommended that the bearing and distance to a boulder, edifice, or corner of an enclosure be taken, and where this is impracticable, a large mound of earth should be raised at the point of the angle.
6. Marks in timber will consist of a smooth blaze with a notch in the center, except those trees which the line cuts, each of which must have three notches, both upon the side which the line strikes and that upon which it leaves the tree.
7. After completing your survey of this Road you must carefully protract the same upon paper, with a view to the detection of all errors, either in your chaining or course.
8. Before commencing your survey you must compare and adjust your chain to a standard kept for that purpose, in this office.
9. These Instructions in no way relieve you from each and every duty prescribed by the Code of Iowa, pages 91 and 92.
10. Your compass must be adjusted to run upon the true medium; that is, the true magnetic variation only must be employed, and this must invariably be stated, and all changes, as a part of the field notes of this survey.

Given under my hand, and the Seal of said County, at my Office in Waterloo, this  
 Fourteenth day of December 1860.

J. B. Severance

County Clerk.

By M. Bailey Deputy.

Black Hawk Co. John Kerns of said County being  
duly sworn upon his oath says that he posted  
notices of which the within is a true copy one on  
the Court House door in Waterloo and one in each  
of three public places in the Township in which  
the road in said notice mentioned is sought to  
be changed at least four weeks previous to this  
date Subscribed & sworn to before me this

by John Kerns before me this

5th day of November AD 1860

W. S. Laverance Clerk

by M. Bailey Dep't

John Kerns <sup>137</sup> Rural  
Change in State  
Affidavit of Notice

Filed Nov 5<sup>th</sup> 1860

W. S. Laverance Clerk  
By M. Bailey Dep't

# Road Notice

Notice is hereby given that there will be presented to the  
County Court of Black Hawk County State of Iowa  
at the November Term <sup>1860</sup> of said Court a Petition asking  
for the appointment of a commissioner to view  
and Report upon the expediency of establishing  
a change in the Independance and New Hamp-  
ton State Road where said Road runs through  
the NE<sup>1</sup>/<sub>4</sub> of the S.W.<sup>1</sup>/<sub>4</sub> & the SE<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub> of Sec. one  
(1) Town 40 Range 11 West 5<sup>th</sup> P.M. and changing  
the same so that it may run upon the South  
& West lines of said Land  
Sept. 7<sup>th</sup> 1860