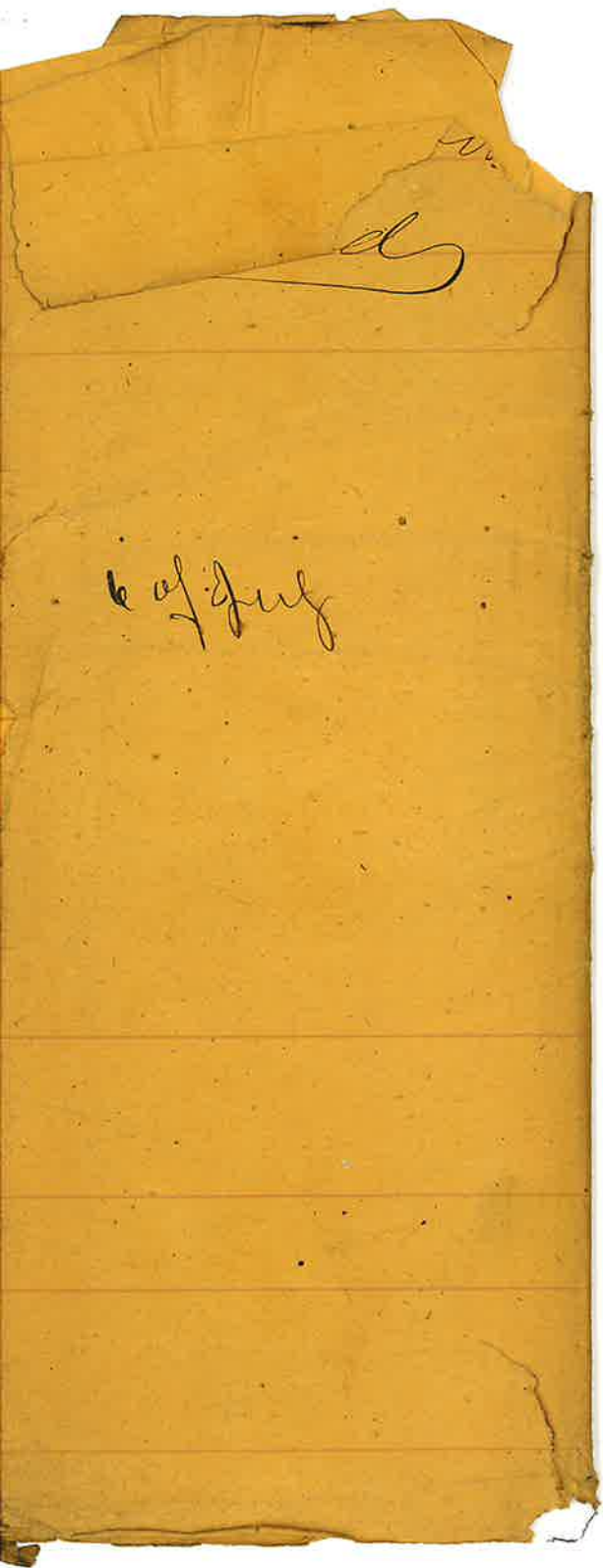




#151
W H Leavitt Road
Comd's Report

Filed May 5th 1862
S. Holman Clerk
By M. Bailey Supt

Office of the County Clerk, of Board of Supervisors
BLACKHAWK COUNTY, IOWA.

To Jeremiah Gray Waterloo, May 1st 1862

You are hereby notified that you have been appointed a Commissioner to view, and if required, to locate, a County Road, petitioned for by W. McLeavitt and others. Said County Road petitioned for, is

to commence at the SW corner of Sec 12 in Township 87
Range 13 thence running north to the NW cor
of Sec 12 in Township 88 R. 13 west in
said County

You will, therefore, appear at the Office of some person qualified to administer
oaths in said County, on the fifth day of May A. D. 1862, at 9
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

2nd day of May 1862

W. McLeavitt

County Clerk.

By

Deputy.

Report of Jeremiah Gay on
Road petition for by W. H. Leavitt
and others commencing at the South
West corner of Section No. Twelve
Twp. Eighty Seven North of Range
Thirteen West running thence North
on the section line to the North
West corner Section No. Twelve 12 in
Twp. Eighty Eight North Range 13
Thirteen West being seven miles in
length.

The undersigned would respectfully
refer to the honorable board of supervisors
that he appeared before Thos. H. Leavitt
a Notary Public and qualified
according to law on the 5th day of
May A.D. 1862 and on the same
day proceeded to view the ground
along the route of said road and
affording the same favorable for
road and believing that the
public convenience requires it would
recommend ^{that} said road be established
Witness my hand May 5-1862
Jeremiah Gay

Wetlands May 1 - 1862
Pocumot Bay

11	12
14	13
23	24
26	25
35	26
2	1
11	12

87-13

88-13

to appraise the same and that they
may be awarded to him with cost
of this application

Charles P. Nichols
By Brainard West
his attorney

#151

Charles P. Nichols

vs Lemmit et al

Petition

Filed Judge 1st 1863

D. G. Baumay
Clerk

Clark P. Nichols

Wm. B. Leavitt

I Saul P. Brainard being duly sworn on oath say that I am atty in above named cause for Clark P. Nichols and am authorized to make this affidavit. That about the first of June A.D. 1862 said Nichols employed me to make for him a claim for damages as set forth in the petition attached to this affidavit. That it was the information and belief of said Nichols as stated by him at that time, that the Report of the Commissioner was returnable to the Board of Supervisors at their June Session 1862 & that the day for final hearing in the Road petitioned for by Defts. had not been, but would be fixed by the said Supervisors at said June Session. That neither this deponent, nor, as he is informed & believes, the said Nichols knew that the clerk was empowered in said road matter to fix the day of final hearing, nor that he had so done. That he filed his claim for damages on the 1st of July 1862 being within 30 days from the sitting of said Board of Supervisors and afterwards for the first time ascertained that the day for final hearing had been set more than 30 days previous thereto. That this affiant was informed by one of the Board of Supervisors during the session aforesaid that the

Board had not acted upon said matter nor fixed the day of final hearing, and that in consequence thereof affiant did not file said claim immediately nor until the said first day of July believing that to be within the 30 days required in the law. The said Nichols therefore asks that said claim may be filed and considered as if the said 30 days had not expired

Subscribed in my presence }
& sworn to before me by said }
P. Brainard this 30th day of }
July 1862

James P. Brainard

J. H. H. H. H.
Clerk

State of Iowa Black Hawk County
Clark & Nichols

Wm Leavitt et al

To the Board of Supervisors of Black
Hawk County State of Iowa

The Petitioner Clark & Nichols Repre-
sents that he is the owner of NW $\frac{1}{4}$ of the NW $\frac{1}{4}$
of Section No 12 in Township No 88 North,
of Range No 13 West of the 5th & M in the
County of Black Hawk, Iowa. That
the said defendants Wm Leavitt
et al are petitioners for a Road running
from the SW Section Corner of Sec. No 12 Township
No 88 N Range 13 West in the county of Black Hawk
Iowa to NW Section corner of the same section

That said road has been surveyed and
run out by a Commissioner for that
purpose duly appointed and is laid
out and ask to be established, over, through
and across the above named and
described land. And the damages
he will sustain by reason of the es-
tablishment of said road across said
land will amount to the sum of
one hundred dollars, which sum he
claims as such damages and asks
that appraisers may be appointed

#151,
W. H. Leavitt Road
Bond

Filed May 1st 1862

ROAD BOND.

HILL & BALL, Printers, Cedar Falls.

Know all Men by these Presents, THAT WE,

_____ of the County _____
and State of Iowa, are held and firmly bound unto the County of _____
in the sum of One hundred dollars for the payment of which, well an-
truly to be made, we bind ourselves, our heirs, executors, administrators, and every of them, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, whereas, W H Leavitt
& others have ~~has~~ this day made application by petition, to the
County Court of said County, to appoint a commissioner to view and locate a road, called Commencing at NW
corner of sec 12 T87 R18 thence running North to NW corner of sec
12 in Town 88 R 18 & 3

NOW, If the said road shall be established according to law, and the same becomes a public highway, in accordance with the statu-
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 1st day of May A. D. 1862

W H Leavitt L. S.

Abraham Paul L. S.

_____ L. S.

Approved this _____ day of _____ A. D. 1862

County Judge.

#151
Road

W H Seavitt
Petition

Filed May 1st 1862
D Coleman clerk
By M Bailey Depy

To the Hon Board of Supervisors

We the undersigned Citizens of
Black Hawk County and State of Iowa
would respectfully represent to this
Hon Body that their interest & convenience
and the interests of Traveling Public at
large require a County Road to be established
between the following named points commencing
at the South West Section corner of
off Section No ^{Township 48 N Range 13} twelve 12 running thence due north
on said Sectional line to the North
West Section corner of Section No
twelve 12 in Township No eighty eight
Range Thirteen 13, in said County of
Black Hawk & State of Iowa. we therefore
ask that your Hon Board of Supervisors
will establish & confirm said Road
on said Sectional line, as aforesaid

Mr. Leavitt
E. H. Wray
~~John Smith~~
C. J. Plato
J. F. Bates
D. L. Keyes
M. Mannick

Saml. D. Sharo
Michael Mitchell
Thomas Riley
John La Bame
John James Jr
H. C. Raymond
Hiram Hard

I Wm M Leavitt do hereby
 Certify that on the 3rd day of April AD
 1862 I posted four copies of the within notice
 as follows: One on the school house near S. B
 Babcock one on the school house near Seneca
 Ward one on the house of Samuel Gichty and
 one at the termination of the termination of said
 road situated for all in Orange of
 Blockhauler John
 James & and Subscribed before me Wm M Leavitt
 this 30 day of April AD 1862
 Wm M Leavitt Notary Public
 in and for Westchester Co

notice
 I Michael Mitchell do hereby certify
 that on 3rd day of April AD 1862
 I posted three copies of the within notice
 in Eagle Township: One at the starting
 point of said road. one on James
 Shearns farm on the west side of his farm
 on the Waterloo and Big Lake Road and
 one on the school house door

#151
 Subscribed before me this 29th day of April
 AD 1862
 Michael Mitchell
 Notary Public in and for
 Westchester Co

Public Notice.

of application for County road
Public notice is hereby given to all whom
it may or does concern that a petition
of W^m H Leavitt and others will ~~be~~
presented to the Clerk of the Board of
Supervisors on the first day of May 1862
asking for a road to be established
on a Section line commencing at the
South West Section corner of Section No
Twelve Township No Eighty Seven N
of Range No Thirteen W. & running then
due North on said sectional line
to the North West Section corner
of Section No twelve Township Eighty
Eight N Range No Thirteen West
March 18th 1862.

STATE OF IOWA, } SS:
BLACK HAWK COUNTY,

Office of County Court,

Term, 1862

To John Duell R. A. Whitaker and
C. P. Nichols

Gentlemen:—You are hereby notified that you have been appointed by the County Court, appraisers to view and, if any, to assess the damages claimed by C. P. Nichols in the location of a County Road, petitioned for by W. H. Seavitt

and others, as located by Jeremiah Gay Commissioner, in Osage Township.

You will therefore meet at the office of James S. George at 10 o'clock, and qualify and proceed immediately to the discharge of your duty, and report to the Clerk of the Court on or before the 3rd Monday of August 1862

WITNESS my hand and Seal of Court, this 30th day of July A. D. 1862

James S. George Clerk

THE STATE OF IOWA, } SS.
BLACK HAWK COUNTY,

We John Duell R. A. Whitaker C. P. Nichols

do each of us solemnly swear, that having been appointed by the County Court of said County, appraisers to view and assess, if any, the damages claimed by C. P. Nichols in consequence of the location of a County Road petitioned for by W. H. Seavitt and others; we will faithfully and impartially discharge the duties of such appraisers according to the best of our knowledge and ability.

John Duell
C. P. Nichols
R. A. Whitaker

Sworn and subscribed to before me this

Twelfth day of August

A. D., 1862

J. P. Doe 2565

James S. George J.P.

THE STATE OF IOWA, } SS:
BLACK HAWK COUNTY,

To the Honorable County Court in and for said County:

The undersigned, appointed by your Honorable Court appraisers to view and, if any, to assess the damages sustained by C. P. Nichols in the location of the County Road, petitioned for by W. H. Seavitt and others, as located by Jeremiah Gay

Commissioner, beg leave to report that, in accordance with said notice, after being duly qualified, we proceeded to view said premises, and would report that we find the said C. P. Nichols

has sustained damages to the amount of Fifty Dollars.

Witness Our hands, this 12th day of August

A. D., 1862

John Duell
C. P. Nichols
R. A. Whitaker } Appraisors.