

#87

In court count-
in the matter of
Dunroper

Not in

In County Court Sept Term 1858

In the matter of Claim for Damages by J. S. Knapp
An Road Petition by Jefferson Payette Et al -
in Mt Vernon Township

And now comes the Jais Jefferson
Knapp one of the Petitioners for a Road on Section
Lines in Mt Vernon Township, and moves
the Court to reject the report of the Appraisers
or to modify & reduce said damages as may be just -
here and to appoint new Appraisers for the
following reasons

1st The Jais Appraisers in surveying
said Road did not follow the line of the Road
as petitioned for in Jais petition and as
reported by the Commissioners appointed by
this Court in that

1st The Jais appraisers did not
follow the section line between Sec 29 & 20 to within
10 rods of NW corner of Sec 29 & SW corner of
Sec 20 and then varied so as to make ^{Jais} section
corner the south line of Jais Road, but on
the contrary followed said section line to
the section corner -

2^d because the Appraisers took into consideration
- in fixing the damages, the moving
of J. S. Knapp's house, which does not
stand in Jais Road as located by Jais
Commissioners but above Jais J. S. Knapp's
House nearly one Rod South of Jais
Road

Jefferson Payette

3^d There was a misunderstanding on the part
of the Appraisers in regard to the location of
said Road

Jefferson Payette

Wm H McBlue

#87
In the matter of the
Estate of J. D. Smith
for Damages
McBroom Turn Road
89-13

In County Court
In the Matter

of Black Hawk County

of
the claim of J. D. Smith
for damages

Do the County Court of said County

And now comes the said J. D. Smith and asks
this Honorable Court to set aside the award of the appraisers
in the above case made by Geo W. Miller & D. W. Dwyer and
have order for the same

First That the said award is wholly inequitable and that
the sum awarded as damages is not just compensation for
the taking of the property mentioned in said claim, for said
road.

Second That the said appraisers in assessing said damages
took into consideration only the value of the land which would
be taken for Public use. That the value of said land, was fixed
by said appraisers at eight dollars per acre and that said apprais-
ers assessed damages at that rate for the amount of land so taken. That
by the taking of said land as proposed by said road, a portion of
which is now fenced and in the season is cultivated
and used as pasture open in an improved state, that the proposed
road runs through his garden and in close proximity to his dwelling

Isaac Birdie for he says

First That the said award is wholly insufficient and that the sum awarded as damages is not just compensation for the taking of the property mentioned in said claim, for said road.

Second That the said appraisers in assessing said damages took into consideration only the value of the land which would be taken for Public use. That the value of said land, was fixed by said appraisers at eight dollars per acre and that said appraisers allowed damages at that rate for the amount of land so taken. That by the taking of said land as proposed by said road ^{near a portion of} ~~this claim-~~ ^{which is now fenced and in the season is cultivated} ~~ants land~~ is thrown open in an unfenced state, that the proposed road runs through his garden and in close proximity to his dwelling house, will destroy trees and shrubbery planted by him and will also destroy a granary ~~see~~ erected & owned by him, all of which are elements ~~of~~ of damage not taken into consideration by said appraisers -

Wherefore he asks that the award of the said appraisers may be set aside and a new appraisement ordered
Dec 6 1858,

J S Knapp

By Wm H McLehane
his atty

State of Iowa

Black Hawk County } ss. Wm H McElure being duly sworn
says that he is the attorney of the claimant in the
above case, that he is better acquainted with the facts there
that the claimant is, that he has read the foregoing
petition for new appraisement and knows the contents
thereof, that the facts stated there in in reference to the action
of said appraisers in making said appraisement are
true as he is informed and verily believes, that his
information was obtained by him from S D McDowell and
Isaac Widen two of said appraisers

Sworn to before me this 6th } Wm H McElure
day of December A D 1858 }

J B Swanson County Clerk

State of Iowa

Black Hawk County } ss. S D McDowell being duly sworn
says that he was one of the Appraisers appointed by the board
court to appraise the damages sustained by S S Knapp
in consequence of the establishment of roads in the Vernon
Township petitioned for by Jefferson Jagnuth & others, that the
rule established by said appraisers in assessing said damage
was to ~~fix a value for said land~~ ascertain the value of said
land per acre and then to ascertain the amount of land taken
that all other elements of damage were excluded in arriving
at said amount of damages, that said road will run through
land of said Knapp which is fenced and cultivated in the
season for cultivation and that it also runs in close

proximity to the house owned by said Knapp and will destroy

Lyman Strate
Secy. of the
Com. Affair
Account of the

Lyman Strate
Secy. Affair on
Board in M. V. D. P.

Filed June 26 1888
J. B. Swannell

State of Iowa
Black Hawk County }
Zimri Streeter of said
County being duly sworn says
that having been appointed a Commissioner by
the Honorable County Judge in & for said Co. to view
and report at next term of said Court upon the
Expediency of Establishing a County Road on the
Section lines in Mount Vernon Township in D
County that he will faithfully and impartially &
according to the best of his ability perform the
duties of such Commissioner
Subscribed & Sworn to before } Zimri Streeter
on this 22nd day of June A.D. 1886 }
J B Swanson Not Clerk }

Jefferson English Es

petition for roads in Section
lines in M^d. ~~Sherman~~ Dorr.

Recorded on Pages
141, 142 & 143. Book "A"

#87

Jefferson Jagnish & al
Bond

Filed June 9 1858

J B Swanson Clerk

ROAD BOND.

HILL & BALL, Printers, Cedar Falls.

Know all Men by these Presents, THAT WE,

Low Leversse and

Jefferson Jaguist of the County of

Blackhawk

and State of Iowa, are held and firmly bound unto the County of Blackhawk

in the sum of One Thousand

for the payment of which, well and

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,

Jefferson Jaguist and others

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

open all Section lines in Mt Vernon Township as public Highways

NOW, If the said road shall be established according to law, and the same becomes 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. for references in and about the same made & appended

WITNESS

our hands, this

day of

June A. D. 185 6

Jefferson Jaguist L.S.

Low Leversse L.S.

Martin Reed L.S.

Jose M. Jarvis

Approved this

day of

June A. D. 185 6

J. B. Hubbard County Judge.

Received Watuloo June 18th 1859 of J. B. Swanwick Clerk
the sum of Three Dollars and my fee in full
Geo. W. Miller
per W. W. Ransom

827
S. S. Knapp. Claim for Damages.

Notice to Appraisers

Wm Vernon Township
Roads

Filed Dec 6th 1859
J. B. Swanwick Clerk

THE STATE OF IOWA
JUDGE LEWIS HOLMES

WITNESS

STATE OF IOWA, } SS:

BLACK HAWK COUNTY,

Office of County Court, October Term, 1858
 To Geo W Miller, S. D. McHowall & Isaac Virden

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 S. D. Knapp to wit S. E. 1/4 of Sec. 17 & 1/4 of Sec. 20 & 1/4 of Sec. 21 & 1/4 of Sec. 22 & 1/4 of Sec. 23 & 1/4 of Sec. 24 & 1/4 of Sec. 25 & 1/4 of Sec. 26 & 1/4 of Sec. 27 & 1/4 of Sec. 28 & 1/4 of Sec. 29 & 1/4 of Sec. 30 all in Township 70 Range 13, Black Hawk County, Iowa.
 in the location of a County Road, petitioned for by

Jefferson Jaguith and others, as located by Samuel Street Commissioner, in Waterloo Township.
 You will therefore meet at the office of The County Clerk at 10 o'clock, and qualify and proceed immediately to the discharge of your duty, and report to the next term of this Court.

WITNESS my hand and Seal of Court, this Tenth
 day of November A. D., 1858

J. B. Severance County Clerk in and for said County

THE STATE OF IOWA, } SS.

BLACK HAWK COUNTY,

We Geo. W. Miller, S. D. McHowall & Isaac Virden

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 Samuel S. Knapp in consequence of the location of a County Road petitioned for by Jefferson Jaguith and others; we will faithfully and impartially discharge the duties of such appraisers according to the best of our knowledge and ability.

Geo. W. Miller
S. D. McHowall
Isaac Virden

Sworn and subscribed to before me this 15th day of November
 A. D., 1858 J. B. Severance County Clerk

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 Samuel S. Knapp in the location of the County Road, petitioned for by Jefferson Jaguith and others, as located by Samuel Street

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

Samuel S. Knapp
 has sustained damages to the amount of Ninety Eight Dollars.

Witness Our hands, this Fourth day of December

A. D., 1858

Geo. W. Miller
S. D. McHowall
Isaac Virden Appraisors.

and others, as located by James Wheeler
 Commissioners, they leave to report that, in accordance with said notice, after being duly
 notified, we have not to move and have not moved what that we find the said

Free	2 days	Geo W Allen	\$ 4.00
		John Stowell	4.00
		Lease Pinder	9.00
		Stone and hay for Pinder & Allen	2.00
		McDonald	1.00
			\$ 18.00

Alford \$12.00 according to Geo W Allen
 Received March 4th 1889 my fee in full
 Geo W Allen 1889 my fee in full \$18.00 in full & in full

Received Matutao Pms. 18th of 1889. of J. B. Sumner and Clark
the sum of Three Dollars my fee in full

Geo. W. Mylles
per D. W. Rawson

#87
In County Court
S S Knapp claim
of

Damages by establishment
of Roads in Mt Vernon Twp

Att of Wm H McLeure

Filed Sept 6/52
J C Hubbard
C Judge

In County Court

In the Matter

S S Knapp claim for
damages

State of Iowa Black Hawk County S S

Wm H McLeure being duly sworn says

that he is the attorney for the claimant S S Knapp, that
he was employed by him to put in and to file in the County
Court his claim for damages on the petition of Jefferson
Augusta Bottoms for roads in Mt Vernon Township.

That this ^{claimant} ~~deponent~~ resides in the Town of Mt Vernon and
that this deponent on or about the August term of Court was
principally at the Town of Cedar Falls, that on Monday
the second day of August, he came to Waterloo to file said
claim and had also visited Waterloo during the month of
July to ~~visit~~ file said claim, that at both of said visits
an extraordinary freshet occurred, that at the first he
crossed the river at great risk but found the clerk of this
Court absent and was informed by him afterwards that
he was unable to cross the river. That on the last of said
visits this deponent was unable to cross said river himself
that an court would be held. That he

he was employed by him to put in and to file in the County Court his claim for damages on the petition of Jefferson Leight Dutton for roads in Mt Vernon Township.

That this ^{claimant} ~~deponent~~ resides in the Town of Mt Vernon and that this deponent on or about the August Term of Court was principally at the Town of Cedar Falls. That on Monday the second day of August, he came to Waterloo to file said claim and had also visited Waterloo during the month of July to ~~visit~~ file said claim. That at both of said visits an extraordinary freshet occurred. That at the first he crossed the river at great risk but found the clerk of this Court absent and was informed by him afterwards that he was unable to cross the river. That on the last of said visits this deponent was unable to cross said river himself but was informed that no court would be held. That he there upon sent word to S P Brainard to file said claim and as he is informed & believes said Brainard did so. That said Brainard received the description of land upon which to file said land from a diagram given to the clerk of this Court by B Knapp Esq which diagram points out the correct description of said land. That in the claim for damages and in the award of the

appraisers there exists an error to wit the North East quarter of section thirty (30) in Township ninety (90) Range thirteen (13) is wholly omitted, that the roads ~~was~~ petitioned for run along said land and take a part thereof, that the strip of land taken by said roads will be one mile in length and half the width of said road, and that no report of the amount of damage in which said land was included was returned by the appraisers, and that in consequence thereof said award of damages is wholly insufficient

He therefore asks that a new award and appraise-
ment may be awarded and that the appraisers may report on the amount of damage sustained by petitioner on the following described land viz: The South East quarter of the South East quarter of section nineteen (19) the South West quarter of section twenty (20), the West half of the North West quarter of section twenty nine (29) and the North East quarter of section thirty (30) all in Township ninety (90) north of Range thirteen (13) west of the fifth principal meridian

Sept 2 1858

Wm H McClure

att'y for S & T Knapp

State of Iowa

Black Hawk County

Wm H McClure being duly sworn says he has read the foregoing petition & affidavit and that the same is true to the best of his own knowledge information & belief

Sworn to before me this

2th day of September A.D. 1858

Chas. H. Singletary
Justice of the Peace

Wm H McClure

Notice is hereby given that a petition of the citizens
and property holders of Mt Vernon Township Black Hawk
County Iowa will be presented to the county Judge of aforesaid
county on the first Monday of June asking of the said county
Judge the following request that be the said county
Judge may in compliance with said petition
proceed to open each section line in said
Township of Mt Vernon in said county of Black
Hawk for road purposes and that the said
section lines be declared and made public
high ways or roads Dated Mt Vernon
Township and county aforesaid April 17th 1858

Served the within by Reading
the same to & in hearing of the
within named Guy R Beniger
per
J. M. Stued
Sherry

#87

I served the within
subpoena upon the within
named S. W. Hannah
& reading the same to
him Oct 4th 1858

Dec 30 John Chrell
Sherry

J. A. G. Hastings
Deputy

RECEIVED CORRELL
OFFICE OF THE CLERK

State of Iowa, } ss.
BLACKHAWK COUNTY.

To Levi Mackham Esq R.
Boright and George W. Hannah

You are hereby required to be and appear before the ^{County} District
Court for the County of Blackhawk to be holden at the Court House
in the Village of Waterloo on the 4th day of October
A.D. 1858 to testify in a Cause therein pending, and to be tried,
wherein ~~S. Knapp has filed claims for Damages~~ is Plaintiff, and
~~by reason of the location of a certain Road Defendant, on the~~
~~part of the~~ ^{Shroef Tail Not, at your peril}

Witness, ~~the hand of the~~ Clerk of the DIS-
TRICT COURT, with the Seal thereof hereto affixed at his
Office in Waterloo, this 4th day of October 1858

J. Deverance ^{County}
Clerk of the District Court.

To the Honorable Judge of the County Court
 of Black Hawk State of Iowa, Your petitioners
 residents, legal voters and property holders of Mt
 Vernon Township Black Hawk County Iowa would
 respectfully petition the Honorable County Court to open
 every and all section lines in aforesaid Township of
 Mt Vernon for public highways or that the said
 section lines be declared public roads, for reasons
 1st, that there is no road legally laid in aforesaid
 Township, 2d No person can reach his premises
 with being a trespasser, 3d That said petitioners may
 know where to lay out the road moneys according
 to law, 4th for the accommodation of the
 citizens of said township generally
 Jefferson Jaguith
 Lemuel J. Coleman

H. T. Grant
 Murray Reed
 S. W. Foster
 J. Moore
 J. W. Henry
 James Miller
 A. Henderson
 H. Miller

Colonel Knapp
 Terrence R. Knapp
 Thomas A. Knapp

Thomas A. Knapp
 J. W. Grant
 J. M. Harris
 William Leeming
 James F. Jeffers
 Uriah DuBois
 Adrian DuBois
 Clark King
 Henry DuBois
 L. McComan
 Calvin E. Corvell
 Fred Koser
 Jacob Tyler
 R. B. Shannon
 E. J. Martin
 The H. Kitch

G. S. Barclay
 J. Whitman
 H. Barclay
 C. K. Hatch
 David J. Webster
 Joshua Tyler
 William Terrell
 George McClaney
 William Rodgers
 H. B. Hamilton
 J. L. Loebe
 A. G. Stone
 Wm. W. St John
 A. A. Munger

G. W. Henry
James Miller
A. Henderson
H. Miller

Friendship generally

Henry, and
J. M. Harris

William Leeming

James F. Jeffers

Uriah Du Bois

Adrian Du Bois

Clark King

Henry Du Bois

J. M. Corman

Thos. Leeming

Calvin E. Correll

Thos. H. Hester

Jacob Tyler

E. B. Shannon

Ed. Martin

Thos. W. Fitch

Joseph Poquet

William McCauley

G. S. Barclay

J. Whitman

H. Barclay

C. B. Fitch

Thos. Leeming

David J. McKittrick

Joshua Tyler

William Tennant

George McCauley

William Rodgers

A. B. Hamilton

H. C. Hamilton

Thos. Leeming

A. C. C. C. C.

Moses W. St John

Alex. A. Munger

M. C. C. C.

William P. Smith

J. J. Munger

Marquis L. Knapp

87

Petition of Jefferson J. J. J. J.
and others for a Road

Filed June 7th 1858

J. B. Swannick Clerk

The damages claimed by d.d. McNally is the south
East 1/4 of the South East 1/4 of Sec 19 and the south West 1/4 of
Sec 20 and the West 1/2 of the North West 1/4 of Sec 23 &
the North East 1/4 of Sec 29 except 60 acres off from the
West side all in Township 90 Range 13 in Black Hawk
County, Iowa.

of Montgomery Township, Lincoln County,
in the location of a County Road, petitioned for by Jefferson Piquette

STATE OF IOWA, } SS:
BLACK HAWK COUNTY,

Office of County Court, *August* Term, 1858

To *Levi Washburn Guy R Benight and George W. Hanna,*

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 *S. S. Knapp* of *Washington Township* in said County in the location of a County Road, petitioned for by *Jefferson Jaguette*

and others, as located by *Zemur Struter* Commissioner, in *Wautoma* Township.

Inst You will therefore meet at the office of *the County Clerk* at 10 o'clock, *AM on the* and qualify and proceed immediately to the discharge of your duty, and report to the next term of this Court.

WITNESS my hand and Seal of Court, this *Sixteenth* day of *August* A. D., 1858.

J. Beverance County Clerk
in and for said County

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

We *Levi Washburn Guy R Benight*
and George W. Hanna

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 *S. S. Knapp* of *Washington Township* in consequence of the location of a County Road petitioned for by *Jefferson Jaguette* and others; we will faithfully and impartially discharge the duties of such appraisers according to the best of our knowledge and ability.

Levi Washburn
G. R. Benight
G. W. Hanna

Sworn and subscribed to before me this *18th* day of *August* A. D., 1858

J. Beverance County Clerk

Rec^d Treasurer Marsh 9th A.R. 1888 of W.B. Severance five dollars
and fifty cents in full as appraiser in the partition
Rec^d Treasurer Oct 6th 1888 of George W Hamma
of Madison as per my fee in full Levi Washburn

Commission to Appraiser
to appraise Damages of S.D. Knott
Merrion Trap
Roads
Appraisers Fees

Levi Washburn 1 day \$1.50
G. W Hamma 1 day 1.50
G. R. Benight 1 day Self and
\$3.00

Filed August 18th 1888
J. B. Severance Clerk

12
18
98
116
123

87
J. D. Knapp's -
affidavit

Filed Oct 4th 1858
J. B. Serrano Clerk

He therefore asks a continuance of the above
case until the attendance of the said Hubbard can
be obtained

Subscribed & before me }
this 2nd day of October 1858 }
J. B. Severance Clerk

Wm H McLeure

Remonstrances against
the Road Petitioned
for by Jefferson Jefferies &
others

Filed August 6th 1858
J. B. Deversee Clerk

July 30th 1858.

Mount Vernon Township
To the Hon. Judge of Black Hawk Coun-
ty. Sir A Petition having been got
up and signed by some of the citizens
of Mt Vernon Township and presented
to you for a Public Highway to be
laid out and established on every
section line in said Township.
A commissioner authorized has, ^{now} ~~as~~ ^{an}
informe viewed the said lines and
reported in favor of the Petition
presented.

We the undersigned inhabitants of
said Township object and remonstrate
against a Road being laid out and
~~established~~ on the section line betw-
een Section 4 (187) ~~four~~ and nine, and
(3 & 10) three and ten, (2 & 11) two and eleven
(1 & 12) one and twelve. Our objections
are that the Public good would not
be promoted by a Road on that line
and that the ground is not suitable

for a town on account of what is
called Slew, there is not more than
one fourth of the four miles, but what
is Slew of the worst kind and was it
fenced up it could not be traveled
by a single horse and there is at this
time more than one mile of the line
fenced up for it runs through the
center of our farms that are
improved. There is not a settler
in the town that would be benefited
by a road on said line.
We are willing and want to give
a road on the section lines running
North and South.

Sincerely

Salmon Waller
Joseph Brown
Chas. Gibbs.

Received of
Salmon Waller
Joseph Brown
Chas. Gibbs
the sum of \$100.00
for the same

Received of
Salmon Waller
Joseph Brown
Chas. Gibbs
the sum of \$100.00
for the same

67
Jefferson Leggett & Co
Petition for Rights
Report of Commissioners

Filed July 6th 1858
J. Beverance Clerk

#87
S. S. Knapp

vs

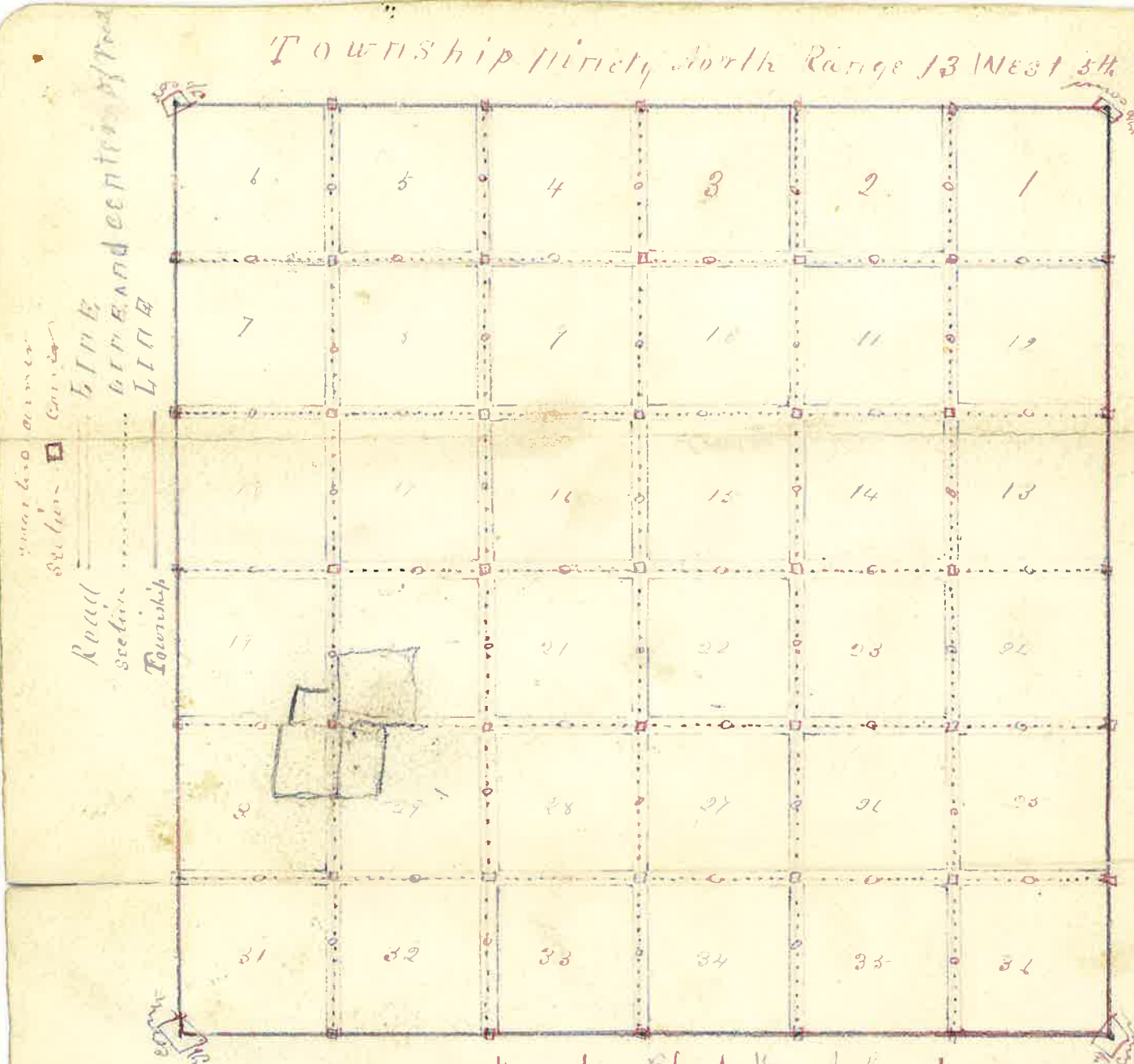
Jefferson Jaquith's et al
Road Petition for
roads in Mt Vernon Twp

Filed August 2nd 1858.

J. P. Severance Clerk

Am. on Aug 2

Township Ninety North Range 13 West 5th m



Mount Vernon Township Black Hawk County Iowa

The undersigned Commissioner appointed by the County Court (in accordance with a petition filed for an opening of the county court the opening of section lines in Mount Vernon Township Black Hawk County Iowa) to examine said section relative to their practicability and utility of said section lines and did proceed on the 23rd day of June 1858, and did find that he has examined the said lines severally and singly and finds them practicable for roads and in his judgement necessary and would recommend that the said section lines as prayed for in said petition be opened for and be made ^{upone} ~~main~~ high ways. Except the section running between sec 29 & sec 21, would recommend that the sec line be followed to within 30 rods of the N.W. corner of sec 29 & the S.E. corner of sec 20, and that the said road be so varied as to make the said section cover the south line of said road thence south to the line and following it west to the Township line as is shown in above plot

Zimri Streeter

My fees are 5 days in all at 12-1.50

Received March 7th 1859 of J. H. Severance (Clerk in Court) Zimri Streeter

24-
1-25
40
3-23
4-08-7

The State of Iowa
Black Hawk County 355

To the Hon. County Court of Said County of
Black Hawk at the August Term 1838
Now, to wit, on this Second day of August
AD 1838 comes S. S. Knapp and claims the sum
of ^(1,000) One thousand Dollars as damages which he alleges
he has sustained as owner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
Section No 19; and the SW $\frac{1}{4}$ of Section No 20; and the
W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section No 29; and the NE $\frac{1}{4}$ of Sec-
tion No 29 except ^{also the North East quarter of section No 29} 60 Acres off from the West side; all
in Township No 90 N. of Range No 13 W in Said
County of Black Hawk; which damages are occasioned
by the location & establishment of a County road through
the said lands, which was petitioned for by Jefferson
Jaguth & others and their petition filed June Term 1838
and was surveyed by Zimri Streeter
who was appointed and acted as commissioner
on said Road and whose report is now on file in
this Court. And the said S. S. Knapp asks this
Court that it will so order, and that such means
may be taken herein, as will secure to him the pay-
ment of the said damages in case the said Road
shall be finally established as surveyed and platted;
and for that purpose, that three appraisers may
be appointed to appraise said damages and re-
port as the law requires, And that the claim of
the said S. S. Knapp herein may be allowed

Wm H. McCune &

S. P. Brainerd, attys for
S. S. Knapp

In County Court
On the Matter }
of }
The application of }
S S Knapp for damages }
by a road }

Wm H McElure being duly sworn
says that at the September term of this court the above
matter came up for hearing and that upon an affidavit
of this deponents this court made an order ~~was made~~
allowing the claimant to file a claim ~~upon~~ for dam-
ages upon the following land namely the North
East quarter of section thirty in Township ~~thirty~~
ninety Range thirteen and that the claim for
damages was thereupon amended so as to include
the above land ~~as~~ reasonable excuse being shown by
the said affidavit, that the said order does not
appear upon the record; that it will materially
prejudice the rights of said claimant if the said
order does not show the same. That Hon J L Hub-
ard County Judge is an important & material
witness for said claimant to prove said order and
that the said witness is now absent. That this
deponent fully expected to find said Judge present
to hold this term of Court but ~~finds him~~ is informed
that he has gone down the river in a skiff, that
he believes and fully expects to secure the attendance
of said Judge as soon as the Steam Boat comes which
he is informed will be during this week.

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 S. S. Knapp of McWernon
Township in the location of the county Road petitioned for
by Jefferson Jaguith and others as located by Gimri
Street Commissioner beg leave to report that in accordance
with said notice after being duly qualified we proceed-
ed to view said premises and would report that
we find the said S. S. Knapp in consequence of the loca-
tion of the East and West road on the S E 1/4 of the S E 1/4 of
Sec 18 & S W 1/4 of Sec 20 the West 1/2 of the N W 1/4 Sec 29
will sustain damage to the amount of one hundred
and twenty five Dollars And that in the location
of the North and South road we find no damage
Witness our hands this 18 day of August
A. D. 1858

Levi Washburn }
G R Benight } Appraisers
G W Hanna }

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Commissioners for Black Hawk County