

Cambridge, June 1, 1870

To the Honorable, the Mayor and Aldermen,
of the City of Cambridge.

~~The undersigned respectfully pray~~

The shillings on the Waltham side of Concord Avenue desire me to state, that they are advised and believe that their fences, as now standing, do not encroach upon Concord Avenue; but even if they do, that they have been maintained in the same place for more than forty years. They therefore submit that the City has no right to cause said fences to be set back, unless their land is regularly taken for that purpose and damages are awarded them for the same.

Justin A. Jacobs.

In Accord of Assessment. June 1, 1870.

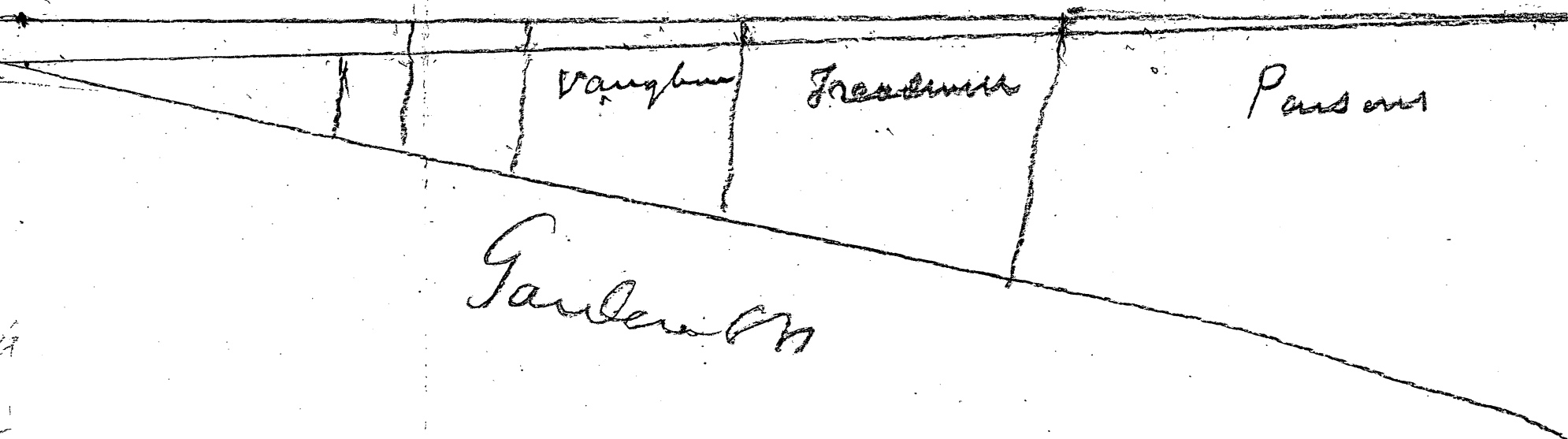
Referred to the City Solicitor.

Attest, Justin A. Jacobs. City Clerk.

Communication
of Abolition. Concord, N.H.
June 1, 1870.

J. W.

Concord Avenue



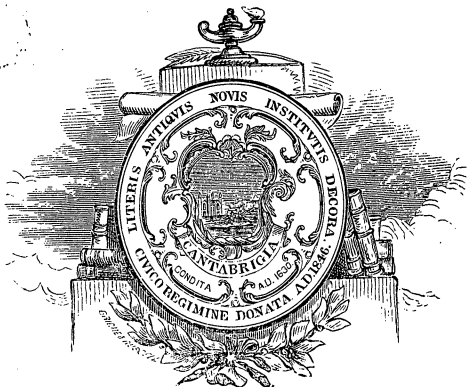
Takes from Mr Vaughan
1478 feet

Sold at 25 ct -

Treadwell & Parsons put their
fences 21 years ago on the line of
an ancient fence -

Treadwells
about 60 feet
Parsons's -

about 250 feet



City of Cambridge.

CLERK'S OFFICE,

June 15th 1874 186

To the Honorable, the Mayor and Aldermen:-

The undersigned, to whom was referred the matter of certain encroachments on Concord Avenue, would respectfully

Represent

That Concord

Avenue was laid out as a common highway by the County Commissioners in May, 1828, by the same description as that by which the Cambridge and Concord Turnpike was laid out in Sept., 1804. This description was as follows, for that part of the road lying in Cambridge:- "Beginning at a stake and stones by the road near the westerly end of Jonas Wyeth's farm, thence running a westerly course on a straight line, on lands of Samuel Hunt and Andrew Craigie, to a stake and stones in land of said Craigie, thence on a straight line through land of the heirs of Aaron Hill, deceased, to a stake and stones by a

town way; thence crossing same way and through fences
of Andrew Craigie, James Wyeth, same A. Craigie, and
Lee, and heirs of Thomas Brooker, deceased, to a stake
and stones by the highway or Fresh Pond; thence on
the old road, " &c.

In July, 1857, an Order was adopted for a survey
and plan of Concord Avenue. There were prepared
and the lines established according to said plan
in September, 1857. The "hairs of Mr. Wyeth" and
"the stakes and stones" had long before this time
been removed, and the plan so adopted was un-
doubtedly a mean of the lines of the fences then
standing, so drawn as to give an average width of
fifty feet.

In ~~Dec. 1858~~ May, 1858, & in Dec. 1858. Orders were
adopted for the removal of encroachments, but
nothing was done in pursuance of these orders.
The shutees claim that the present fences stand
in the exact places of fences erected more than
fifty years ago, and that if there was an original
encroachment, the City cannot now treat it as an
encroachment.

The shutees seem to stand in a better position
than the City, and if it is desirable to have

the steel fifty feet in width, the only safe course
would seem to be to lay it out of the mill, taking
land when necessary for that purpose.

Respectfully submitted,

Justin A. Jacobs.

Report -
of the City Solicitor
Lines of Concerned Avenues
June 1st 1871.