

City of Cambridge.

In Board of Aldermen, Aug. 17th 1858 -

Ordered, That the Mayor be authorized, on behalf of the City, to purchase of Mr. George Stearns, of Belmont, a strip of land containing from nine to ten thousand square feet and lying between the old Concord Turnpike and the City's Gravel Farm, the same being a part of said Stearns' orchard, - for the purpose of laying out a road, or way, from said Gravel Farm to said Concord Turnpike. Said strip to be about twenty-five feet in width, and to lie between the two most Easterly rows of Apple Trees in said orchard, or next westerly of the second of said rows of trees, or at such other convenient place as may be agreed upon. And it is further Ordered, That whenever said George Stearns shall execute and deliver to the City a good and sufficient deed of said strip of land, the Mayor shall be, and hereby is, authorized, in the name and on behalf of the City, and as the consideration for the land so conveyed by said Stearns, to execute, acknowledge and deliver to said Stearns a deed of a portion of said Gravel Farm adjoining the orchard of said Stearns, and westerly of the strip

by him conveyed to the City, the quantity of land so conveyed to said Stearns to be in the proportion of not more than four to one as compared with the land conveyed by him to the City.

Adopted and sent down for concurrence.

Attest: Justin A. Jacobs.

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Order
of every to it
of every to it
Aug. 17. 1858.

In Common Council Aug. 17. 1859.

Concurrence. Attest, James M. Chase. Clerk

City of Cambridge

In Board of Aldermen

Sept 10th 1859

The undersigned to whom was
referred the communication of
W. W. Cheney in relation to the
proposed passage way to the gravel
Farm would respectfully ask
leave to

Report
in part, that he has received a
proposition from Mr. Stearns
who owns the land west of Mr.
Cheney, and lying between the
city land and the Concord Turnpike
road to sell the city a strip of
land of twenty five feet wide
across his land in exchange for
the land of the city. He has pointed
out two routes, for one route he
asks three feet per one of his
for the other route, his terms are
four feet per one,

Resolved.

Passed January 6, 1860

Aug. 10, 1859.

The amount of land we should
require would mine or ten thousand
feet of it I deem this a favorable
proposition for the City I desire
that the premises may be viewed
by the Board or by a Committee
and the proposition decided upon
before I make any further attempts
at negotiation with Mr. Cheney

John Targent Hayes

In Board of Aldermen, Aug. 10, 1859.

Accepted and sent down for execution.

Attest: Justin A. Jacobs, City Clerk.

In Common Council Aug. 17, 1859.

Concurred. Attest: J. A. Jacobs, City Clerk.

To the Honorable
The Mayor and Aldermen,-
and the Common Council,-
of the City of Cambridge.

This the memorial of Winthrop W. Cheney
of Belmont, - represents that he is the owner
of the estate on the Westerly side of Fresh
Pond, recently occupied by the late George
Lee as his homestead, - that a pathway
or road has been made across or through
his said estate and near the margin of
the Pond, without his consent, - that the
said road is used for the cartage of gravel
for the use of the City, and is a great detri-
ment to the value and use of his said es-
tate, that he your Memorialist has no
disposition to take any action which might,
though legally justifiable, seem to be un-
generous, - but he submits this memorial
protest against the farther continuance
of a use of his land by the City in such a

Correspondence

from Mr. W. W. Cheney -

Right of way to Green Street

May 12, 1883.

manner as might well make its use as described as "a nuisance," - and to which his consent has never been asked or expressed or implied.

And he therefore asks that such action may be taken by your Honorable Board as will cause him to be compensated for the damages in this behalf by him already sustained, and will prevent the continuance of ^{the} grievance of which he now complains.

And he farther asks that the Committee to whom this memorial shall be referred will meet him upon the premises, and investigate the facts involved in this his memorial.

Respectfully submitted by
Winthrop W. Cheney

May 6. 1859.

In Board of Aldermen, May 11. 1859.

Referred to the Mayor, and sent down for an answer.

Attest: Justin A. Jacobs, City Clerk.

In Common Council, May 19. 1859.

Concurred.

Attest: Justin A. Jacobs, Clerk for term.

196 State Street
Boston June 20th 1859.

Hon. John C. Davenport, Mayor.
Cambridge, Mass.

Dear Sir,

In accordance with your request, I herewith submit proposals for the settlement of the matter between your City and myself relative to the damage occasioned by the use of a portion of my land at the "Lee Place" in Belmont, as a roadway for carting gravel; And, also, relative to giving you a "right of way" over said portion of my premises there.

First, then, I propose for the sum of Two thousand dollars (\$2000) to release you from all liability for damage already occasioned. And, also, to give you a right of way over that portion of my premises, heretofore used by you as a roadway for carting gravel from your farm, during your ownership of said farm.

Or, as an equivalent to the above, you may give me, in Cash, Five hundred dollars,

of W. W. Channing
June 20, 1859.

a deed of that portion of your farm known as the "hollow" — comprising a territory of some three acres, and bounded northerly by land of Smith, Stearns and myself, westerly by Brighton Street, about ten rods more or less to a point now planted with Tomatoes, southerly by your own land, and easterly by land of J. Hittinger;

And, also, within a reasonable time, fill up and grade in a proper manner the "slough hole" lying between said roadway and my small house and stable.

I claim that my estate has been damaged to the extent of more than Five thousand dollars, and I therefore beg that you will consider that I make the above very moderate demand in a spirit of compromise.

I remain

Very Resptly

Yrs. &c.

Winthrop W. Cheney

City of Cambridge

In Board of Aldermen

Aug 31st 1859

The undersigned who was directed by
an order of August 17th to purchase
a strip of land of George Stearns
for a road to the gravel fence
provided the same could be paid
for in other lands belonging to the
city at not exceeding four feet
per acre has attended to that
duty and would respectfully

Report

That an exchange has been effected
and that ^{he has} ~~it~~ have received a portion
and duly executed of a strip of
land twenty five feet wide over
said stones Archard, containing
7918 square feet, and ^{he has} ~~it~~ have
executed in the name of the
City a deed of 31.672 square feet
of land belonging to the City in exchange
and in consideration of the same.

Report

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Wm. G. Gravel Fence

Aug. 31. 1859.

Upon the communication of W.
W. Cheney which was referred to
me I would report that the
proposed purchase renders unnecessary
any further negotiations with that
gentleman and I would ~~recommend~~
~~there~~ ask to be discharged from
the further consideration of the same.

John Sargent Mayor

In Board of Aldermen, Aug. 31, 1858 -

Report accepted and the charge is discharged from
further consideration of the communication of W. W.
Cheney. - Sent - closed for concurrence.

Attest: Justin A. Jacobs, City Clerk. -

In Common Council, Sept. 7, 1858.

Concurred. Attest, James W. Chase, Clerk.