

Fredericksburg City Council Minutes 1840

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At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber on the 22<sup>nd</sup> Feb'y 1840

Present, Benjamin Clark, Mayor

H H Wallace, Recorder

Richard J Walker, John Buck, A G Lucas, C C Wellford, Jesse Curtis, G W Rothrock, S J Blaydes—  
Common Councilmen

The Mayor stated the principal object of convening the Council was for the purpose of taking some further steps in relation to the drawing of "Greens Lottery" [Page 161] so far as the obligation heretofore entered into by William D Green and his securities was concerned; Whereupon on motion it was Resolved that the obligation heretofore entered into by Wm D Green and his securities in relation to the drawing of said Lottery or scheme be renewed, so as to hold the said Green and his securities in said obligation or bond, bound and responsible to indemnify the Corporation against any and all liability or liabilities to pay or deliver any prize or prizes drawn in said lottery or scheme and against any and all loss or losses for the repayment or refunding any money or monies to the purchasers or holders of the tickets in said scheme or lottery in the event of the same not being drawn, according to the true intent and meaning of the obligation or bond heretofore entered into by said Green and his securities. It was also Resolved that the same persons appointed by the Council at the meeting of the 18<sup>th</sup> December last as Commissioners to superintend the drawing of said lottery be and the same are hereby appointed by the Council, Commissioners to superintend the drawing of said Lottery as contemplated by the renewal of said contract.

The following accounts were passed and ordered to be paid by the Chamberlain, viz;

An acct of Geo Aler amounting to thirteen dollars and thirty eight cents for wood &c

An account of A G Lucas for sundries amounting to fourteen dollars and twenty one cents

On motion it was ordered that the salary of George Aler as Police Officer for the quarter ending the 19<sup>th</sup> December last, directed to be withheld by an order of the 18<sup>th</sup> December last, be paid by the Chamberlain.

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber, this morning, the 28<sup>th</sup> February 1840

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Present, Benjamin Clark, Mayor

Howson H Wallace, Recorder

R J Walker, Geo W Rothrock, C C Wellford, A K Phillips, Wm A Jackson, A G Lucas, Thomas F Knox,  
S J Blaydes—Common Councilmen

The Bond of Wm D Green & his securities as directed to be renewed by an order of the Council at its last session was submitted to the Board by the Mayor, approved & ordered to be filed by the Clerk of the Council.

On motion the following preamble & resolutions were passed

Whereas the Act of Assembly passed the 5<sup>th</sup> January 1804 entitled an “Act of raising by Lottery a sum of money for improving the Main Street of Fredericksburg” having expired on the 31<sup>st</sup> December 1839, under and by force of an Act passed the 25<sup>th</sup> Feb’y 1834, entitled an “Act to suppress lotteries in this Commonwealth” and whereas Wm D Green having heretofore purchased from the Mayor and Commonalty of Fredericksburg, the right of drawing one scheme under said Act of 1804, which said scheme was advertised to be drawn on the 31<sup>st</sup> December last, but was not drawn from certain causes beyond the control of said Green. And whereas the said Green having at his own cost & exertion, procured a revival of said Act of 1804, until the 1<sup>st</sup> March 1840, for the purpose of being enabled to draw said scheme and has executed his bond with security, conditioned (among other things) for the payment of \$500 to the Corporation of Fredericksburg for said privilege and whereas it has been represented to the Council that there is some doubt whether said scheme can now be drawn unless the Council remit a portion of the price for said privilege, in which event said Green will be subjected to heavy expense and loss and the Corporation in nowise benefited, therefore

Resolved that the Chamberlain of the Corporation be and he is hereby authorized and directed to accept from said Green the sum of fifty dollars as satisfaction in full of said sum of \$500.

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Resolved, also, that should Mr Green think proper to present the Corporation with any ticket or tickets for the privilege granted him, the Chamberlain be and he is hereby directed to receive the same and hold them for the benefit of the Corporation until the next meeting of the Council.

On motion, the following accounts were passed and ordered to be paid by the Chamberlain viz;

An acct of Robert Gray’s for a deed book	\$3.50
An acct of Linsey Pullen’s amounting to	\$4.00

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg at the Mayors office on Saturday morning the 29<sup>th</sup> February 1840

Present, Benjamin Clark, Mayor

H H Wallace, Recorder

Rich’d J Walker, S J Blaydes, G W Rothrock, T F Knox, C C Wellford, A G Lucas—Common Councilmen

The Mayor stated that he had convened the Council for the purpose of submitting to the Board a new bond of Wm D Green with additional securities, the securities in the bond approved on yesterday having declined drawing the lottery advertised to be drawn on yesterday, in consequence of the responsibility or risk of loss to them, being too heavy. Whereupon the bond having been read and approved it was on motion,

Ordered that said bond be received in lieu of the one approved on yesterday

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber March 13<sup>th</sup> 1841

Present, Benjamin Clark, Mayor  
H H Wallace, Recorder

S J Blaydes, A G Lucas, Jesse Curtis, R J Walker, John Buck, Geo W Rothrock, Thomas F Knox—  
Common Councilmen

The following accounts were passed and ordered to be paid by the Chamberlain, viz;

Michael Ames amounting to	\$4.75
James D Harrow amounting to	\$11.17
Francis H Bell's amounting to	\$.87½
Wm B Peake's amounting to	\$.60
S J Blaydes amounting to	\$.75
Edw'd McDowell's amounting to	\$9.57
John S Caldwell's amounting to	\$16.29
Wm M Blackford's amounting to	\$5.50
Bernard Cole's amounting to	\$2.50

The Chamberlain exhibited to the Board a package of tickets (18 half tickets) in Greens Lottery presented to the Corporation by Mr Wm D Green, also a certified copy of the drawing, of said Lottery, by which it was seen that said tickets are entitled to the half of four fifty dollar prizes making the nett sum of Eighty five dollars, which sum together with the \$50 received from Mr Green for the privilege of drawing said Lottery in all one hundred and thirty five Dollars, the Chamberlain is directed to receive from Mr Green and place the same to the credit of the Corporation.

On motion, ordered that the Chamberlain pay to the police officers their salaries for the quarter ending the 3<sup>rd</sup> Monday of this month.

Ordered that Jesse Curtis, George W Rothrock and Thomas F Knox be a committee to examine & settle the accounts of the Chamberlain & Sergeant of the Corporation and report to the council on Monday morning next.

An account of George W Rothrock for blankets amounting to three dollars & seventy five cents was passed and ordered to be paid by the Chamberlain.

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Ordered that the Sergeant of the Corporation be and he is hereby directed to take the most summary steps for the collection of the Rents due the Corporation from all persons who are in arrears for rent.

On motion the Council adjourned till Monday morning at 9 o'clock

Benj Clark, Mayor  
A Goodwin, CC

Monday Morning, March 16<sup>th</sup> 1840. The Common Council of the Town of Fredericksburg met pursuant to adjournment of the 13<sup>th</sup> Instant

Present, Benjamin Clark, Mayor  
H H Wallace, Recorder

Wm A Jackson, Jesse Curtis, A G Lucas, George W Rothrock, Peter Spilman, Thomas F Knox, S J Blaydes—Common Councilmen

The Committee appointed to examine and settle the accounts of the Chamberlain & Sergeant of the Corporation made the following reports, viz;

On the Chamberlain's account "In pursuance of an order of the Common Council of the Town of Fredericksburg of the 13<sup>th</sup> Instant, the undersigned a committee appointed for the purpose beg leave to report that they have examined the account of Arthur Goodwin, Chamberlain of the Corporation & find the same to be correctly stated and supported by proper vouchers, and further that the same stands balanced

Given under our hands this 16<sup>th</sup> day of March 1840

Signed Jesse Curtis, G W Rothrock, Thomas F Knox

On the Sergeants Account "The undersigned a committee appointed by the Common Council of the Town of Fredericksburg to examine the account of the Sergeant of the Corporation have performed that duty and hereby report that they found the same correctly stated and balanced as per statement above

Given under our hands this 16<sup>th</sup> day of March 1840

Signed Jesse Curtis, G W Rothrock, Thomas F Knox

Reports were approved and the accounts ordered to be filed by the Clerk

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The Sergeant of the Corporation returned the following lists of insolvents viz;

Of whites amounting to one hundred and sixty seven dollars and forty cents

Of free blacks & Mulattoes amounting to one hundred and fourteen dollars and fifty cents

Also a list of deferred Rents amounting to three hundred and fifty six dollars and forty six cents

And of deferred taxes amounting to one hundred & seventy three dollars and thirty four cents

An account of Mr Robert Ellis amounting to twenty six dollars and forty nine cents was passed and ordered to be paid by the Chamberlain.

This being the day fixed by law for the election of twelve men to serve as Common Councilmen until the 3<sup>rd</sup> Monday in March 1841 and until others are elected in their stead, a poll was opened for that purpose and the freeholders and housekeepers of the town having been duly notified of such election met at the Council Chamber and deposited their ballots and upon counting the same the largest number of votes were found to be given for the following persons to wit;

H H Wallace	71
Peter Spilman	67
Jesse Curtis	67
A K Phillips	66
S J Blaydes	65
G W Rothrock	63
Thomas F Knox	61
John Buck	61
C C Wellford	60
Wm A Jackson	59
A G Lucas	58

Richard J Walker 52

William Allen 22

The first named twelve of whom were declared duly elected Common Councilmen to serve for one year and until others are elected in their stead.

On Motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

Tuesday evening, March 17<sup>th</sup> 1840.

S J Blaydes, P Spilman, Howson H Wallace, George W Rothrock, John Buck, Jesse Curtis, Albert G Lucas, Thomas F Knox, Wm A Jackson, C C Wellford, members elect of the Common Council of the Town of Fredericksburg met at the Council Chamber and severally took the oath of office before the Mayor.

On motion, the salary of the Mayor was fixed at the sum of four hundred dollars for the present year.

The Council then proceeded to the election of Mayor when Benjamin Clark was unanimously re-elected Mayor for the present year and took the several oaths of office [Page 167] before William Redd a Justice of the peace for the Corporation of Fredericksburg.

The Council balloted for a Recorder when Howson H Wallace was re-elected and took the several oaths of office before the Mayor.

On Motion the salaries of the following officers were fixed at the following rates per annum viz;

Clerk of the Council Fifty dollars

Chamberlain of the Corporation One hundred and fifty dollars

Alexander K Phillips and Richard J Walker members elect appeared and were qualified before the Mayor

On motion, the vote on fixing the salaries of the Police officers at one hundred dollars each was taken by Ayes and Noes as follows, viz;

Ayes Wallace, Wellford, Curtis, Buck 4

Noes Knox, Lucas, Rothrock, Jackson, Blaydes, Phillips, Walker & Spilman 8

And the the salaries were fixed at one hundred and fifty dollars each per annum

That of the Commissioner of the Revenue at sixty dollars

Clerk of the Market at one hundred dollars

Bellman fifty dollars

Jailor fifty dollars

The usual commission of 10 per cent on Taxes and 5 per cent on Rents was fixed upon as compensation to the Collector of Taxes and Rents.

The Council then proceeded to the election of officers for the current year when Arthur Goodwin was elected Clerk of the Council and Chamberlain of the Corporation

John S Caldwell, Police officer and Collector of Taxes and Rents

Bernard Cole, assistant police officer

Linsey Pullen, assistant police officer

John Metcalfe, Commissioner of the Revenue

M D Anderson, Clerk of the Market

Jesse White, Bellman

John Goolrick Surveyor and Geographer of the Corporation

William M Baggott, Inspector & Measurer of Wood, Lumber &c &c at the Wharf and also the Basin

John B Alexander Inspector and Measurer of Wood Lumber &c &c at the Depot

M D Anderson Measurer of Coal, Salt, Grain &c &c. The appointment of Guager was postponed for the present.

Arthur Goodwin, John S Caldwell, Bernard Cole, M D Anderson and William M Baggott severally qualified to their offices before the Mayor

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The following standing Committees were appointed by the Mayor, viz;

On Public Property, Howson H Wallace, Peter Spilman, John Buck, Richard J Walker

On Pumps, Charles C Wellford, A G Lucas, A K Phillips, Thomas F Knox

On Streets, S J Blaydes, Jesse Curtis, George W Rothrock, Wm A Jackson

On motion, it was ordered that the Taxes on Dray and Cart licenses issued between the 1<sup>st</sup> of April and the 1<sup>st</sup> of November 1840 shall be five dollars each; on all issued after the 1<sup>st</sup> of November 1840 and before the 1<sup>st</sup> April 1841 shall be three dollars each; and on Waggon as follows, viz; between the two first named periods, eight dollars each, and between the two last named periods as above five dollars each.

Ordered that the Committee on Public Property be directed to advertise and set up at public auction to be leased for 10 years the house and lot belonging to the Corporation, next adjoining the house of B R Hillyard on Commerce Street, said Committee being authorized in making a contract for said lease to exercise their discretion in fixing upon the terms of the same.

On motion, Ordered that the rates of drayage from and after the 1<sup>st</sup> day of April next be as follows, viz  
On each load of salt, hogsheads of tobacco, molasses, oil, brandy, gin, wine, or spirits of any kind in hogsheads or pipes, twenty five cents, and on each load of every other article twenty cents.

Ordered that the rates for measuring coal, salt, grain, etc, be from and after the 1<sup>st</sup> of April next twenty five cents per hundred bushels.

The following ordinance entitled "an ordinance concerning butchers was read and passed.

Be it ordained by the Mayor and Common Council of the Town of Fredericksburg, that if any butcher shall use any stall or bench in the Market house, other than those [Page 169] rented by such butcher, he or they shall forfeit and pay for every such offense the sum of two dollars, and it shall be the duty of the Clerk of the Market to prosecute for the recovery of such penalties in the name of the Chamberlain of the Corporation, for the time being, for the use of the Corporation.

On motion, the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber pursuant to a summons from the Mayor on the Evening of the 26<sup>th</sup> March 1840

Present, Benjamin Clark, Mayor

Howson H Wallace, Recorder

Peter Spilman, John Buck, Jesse Curtis, Richard J Walker, Albert G Lucas, and George W Rothrock—  
Common Councilmen

It was stated by the Mayor that the Council had been called for the purpose of giving particular and definite instructions to the Committee on Public Property as to renting out the house on Commerce Street next to B R Hillyard. The Committee having informed him that they were unwilling to proceed under the order entered the 17<sup>th</sup> March 1840 without instructions from the Council. Whereupon after considering the subject it was, on motion of Rich'd J Walker,

Resolved that the Committee on Public Property rent out the house aforesaid for the term of ten years, at public auction, provided that the same be not rented at a less sum than forty dollars per year.

A communication was received from a committee of the Young Men's Society asking that the rent of the wing of the Town Hall, now used by them may be reduced; Whereupon,

It was ordered that the Young Men's Society have leave to use the room now occupied by the infant school, in conjunction with said school, rent free until the further pleasure of the Council

On motion the Council adjourned

Benj Clark, Mayor

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At a meeting of the Common Council of the Town of Fredericksburg at the Mayor's office March 31<sup>st</sup>  
1840

Present, Benjamin Clark, Mayor

H H Wallace, Recorder

Peter Spilman, John Buck, A G Lucas, Thos F Knox, Charles C Wellford, Jesse Curtis, A K Phillips, S J Blaydes—Common Councilmen

The Committee appointed at the last meeting of the Council to lease at public auction the house on Commerce Street, reported that they had leased the same, at public auction, to Francis H Bell, for ten years at the rent of forty six dollars and fifty cents per annum, payable semi-annually and that a lease had been prepared for said Bell to execute which having been read and approved it was

Ordered that the Mayor have the same executed by Francis H Bell, and also have the Common Seal of the Corporation affixed to the same.

On motion, Ordered that the sum of fifteen dollars be allowed the Clerk for preparing the several bonds in relation to Green's Lottery & above named lease to Bell.

On motion, Ordered that the Committee on Public Property be directed to enquire whether it will be most advisable to sell or rent out the vacant lot owned by the Corporation at the lower end of the Town, adjoining Henry Buckin's lot, and report to the next meeting of the Council.

The Mayor having stated that the Council had been convened for the purpose of receiving a remonstrance from Mr John B Hall on the subject of a nuisance stated by him to come from the lot of the Orphan Asylum adjoining his dwelling house, and that as Mr Hall was present, he would in person make his statement. Whereupon Mr Hall submitted to the Board a paper purporting to be a copy of a remonstrance

addressed by himself and Mrs Hall to the Managers of said institution, respectfully requesting said nuisance to be abated, accompanied by some remarks and concluded by respectfully asking the Council to have the same abated;

Mr Conrad H Hunt being present requested in behalf [Page 171] of the managers of said institution to say a few words, in the course of which he denied on behalf of said managers that the drain complained of is a nuisance, but merely a drain, common to the lots of almost all houses in Town and used for the purpose of throwing the dirty water &c from their lots, and asked on behalf of said managers that the Street Committee may be directed to make examination of said drain and report whether the same be a nuisance or not. And thereupon after hearing the parties the Council came to the determination that a recourse to the existing ordinance on the subject of nuisances was the only remedy, in their opinion, to which Mr Hall could resort, they not conceiving it was a proper subject for the action of the Council.

On motion the Council adjourned  
Benj Clark, Mayor  
A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg on Monday Evening the 20<sup>th</sup> April 1840 at the Council Chamber  
Present Benjamin Clark, Mayor  
H H Wallace, Recorder  
Peter Spilman, S J Blaydes, J Curtis, John Buck, Thomas F Knox, A G Lucas—Common Councilmen

The Mayor [told] the Council had been convened at the instance of a number of Citizens at the west end of the Town for the purpose of asking an appropriation from them to aid in opening a drain or Canal running thro the lands of Samuel Gordon, Robert Ellis and others, the said drain or canal being now in such a situation as may, if allowed to continue, endanger the health of the Citizens of that part of the Town during the coming summer. Whereupon, upon consideration, it was on motion, Resolved that the sum of fifty dollars be appropriated to that object and that the same be paid by the Chamberlain to the order of the Mayor whenever called for by him.

On motion the Council adjourned  
Benj Clark, Mayor  
A Goodwin, CC  
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At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber May 23<sup>rd</sup> 1840.  
Present Benjamin Clark, Mayor  
H H Wallace, Recorder  
Richard J Walker, Jesse Curtis, Geo W Rothrock, S J Blaydes, Peter Spilman, John Buck, and C C Wellford—Common Councilmen

The Commissioner of the Revenue having returned a list of taxable property, and the Chamberlain his estimate of the receipts and expenditures of the Corporation for the current year, which having been laid before the Council, it was on motion,  
Ordered that the Taxes on persons and property for the present year be as follows, viz;  
On real property, 4 per cent on the annual value



On each white Male above the age of 16 years	\$1.25
On each slave above 12 years of age	\$1.25
On each free Male Negro or Mulatto above 16 years of age	\$1.25
On each free female Negro or Mulatto above 16 years of age	\$1.00
On each horse	\$1.50
On every Carriage, Carriole, Gig, Phaeton, or pleasure carriage of any description of the value of \$100 or under	\$2.00
For each over the value of \$100, 2 percent on the value thereof	

On motion, Ordered that the Pump Committee be directed to have a pump put in the Well, on the Corner of the Street at Mr G Johnston's Store, by Mr Hughes, similar to the one at the Corner of Forbes & Berry on Commerce Street; and that they are hereby authorized to draw on the Chamberlain for the cost of the same.

On motion the Council adjourned  
 Benj Clark, Mayor  
 A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber on the 28<sup>th</sup> May 1840 pursuant to a summons from the Mayor  
 Present Benjamin Clark, Mayor  
 H H Wallace, Recorder  
 S J Blaydes, John Buck, Wm A Jackson, Jesse Curtis, Charles C Wellford, Albert G Lucas, George W Rothrock, Richard J Walker—Common Councilmen  
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The Mayor stated the Council had been convened at the instance of Mr Fayette Johnston to consider the propriety of rescinding the order made at the last meeting of the Council directing the Pump Committee to have a pump put in the Well at the Corner of the street near the store lately occupied by Mr Gabriel Johnston. Whereupon after hearing the objections of Mr Fayette Johnston to the execution of said order by the Pump Committee, and the consideration of a proposition of Mr Johnston, to have a well dug and pump erected therein some [blank] feet on the cross street leading to the River, from the corner of said Street and he agreeing to pay all expense attending the same over and above the cost of the pump to be erected at the said corner, It was on motion,  
 Ordered, (Mr C C Wellford begging to be excused from voting on the question) that the order of the 23<sup>rd</sup> May 1840 be rescinded and that the Pump Committee be authorized to locate a well and have a pump put therein on the Cross Street leading from said corner at such spot as they may think expedient, Mr Fayette Johnston agreeing to pay all expense attending the digging of said well and the erection of a pump therein, over and above the cost or expense of the erection of a Pump at the Corner of the Street.

On motion the Council adjourned  
 Benj Clark, Mayor  
 A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber July 13<sup>th</sup> 1840, pursuant to notice from the Mayor  
 Present Benjamin Clark, Mayor

H H Wallace, Recorder

Peter Spilman, Wm A Jackson, Thomas F Knox, C C Wellford, A G Lucas, George W Rothrojk, Rich'd J Walker, John Buck, S J Blaydes—Common Councilmen

The Chamberlain of the Corporation submitted to the Board for its approval his official bond as Chamberlain with Reuben T Thom and John Coakley as securities in the sum of Five thousand dollars, which being read and approved was ordered to be file by the Mayor.

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An account of Bernard Cole, for summoning an inquest on the body of George Jett, and the expenses attending said inquest, in all amounting to five dollars and twenty three cents was passed and ordered to be paid by the Chamberlain.

An account of Bernard Cole for killing dogs up to the 13<sup>th</sup> July 1840, amounting to three dollars was passed and ordered to be paid by the Chamberlain.

Present, Jesse Curtis—Councilman

The official bond of John S Caldwell, Collector of Taxes & Rents of the Corporation in the sum of five thousand dollars with Samuel Phillips & A K Phillips as securities was submitted to the board, approved and ordered to be filed by the Mayor.

The Mayor stated that he had convened the Council at the instance of Doctor John B Hall, to consider a petition signed by many Citizens of the Town in relation to throwing dirty water, Dye Water into the gutters of the public streets by the citizens of the Town; which being read the following ordinance in the following words, to wit;

Be it ordained by the Mayor and Common Council of the Town of Fredericksburg, that it shall not be lawful for the owner or occupant of any lot in said Town to pass or cause to be passed any washing water, dye water, dish water or other dirty water there from, into any gutter on the public street, and thence along or through such gutter by the house on any adjacent or neighboring lot, against the consent of the owner or occupier of such house; and any person offending herein shall for every such offense forfeit and pay to the Mayor and Commonalty of said town the sum of five dollars, to be recoverable with costs, by warrant before any justice of the Peace of said Corporation” was submitted to the Board and on motion of Mr Curtis, to strike out from said ordinance, the words “washing water,” “dye water” the motion prevailed by the following vote, viz;

Ayes Spilman, Curtis, Jackson, Wallace, Wellford, and Walker 6

Noes Blaydes, Knox, Lucas, Rothrock and Buck 5

And thereupon on motion, the Petition and ordinance aforesaid was ordered to be on the table for the future consideration and action of the Council.

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On motion, that the Committee on Public Property be directed to sell, lease, or rent the lot at the lower end of the Town adjoining H Buckin’s lot, as in the opinion of the said Committee may seem most advisable.

A motion to adjourn was made and negatived and thereupon on motion the Petition and ordinance heretofore laid on the table was taken up again and a motion made to pass the ordinance in its original form when the vote being taken stood thus

Ayes, Bladyes, Knox, Lucas, Rothrock, and Buck 5

Noes, Spilman, Curtis, Jackson, Wallace, Wellford and Walker 6

So the motion was rejected

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber, Wednesday evening the 15<sup>th</sup> July 1840, pursuant to notice from the Mayor

Present, Benjamin Clark, Mayor

H H Wallace, Recorder

Thomas F Knox, Peter Spilman, A K Phillips, Jesse Curtis, Wm A Jackson, C C Wellford, A G Lucas, Geo W Rothrock, Richard J Walker, John Buck, S J Blaydes—Common Councilmen

The Mayor stated that at the instance of two of the members of the Council he had convened the Council to take into consideration again, the petition & ordinance presented to the Council at its last meeting, in relation to throwing water into the gutter of the streets, whereupon after some debate the following ordinance entitled an “Ordinance in relation to throwing washing water &c &c into the gutters of the Public Streets” was passed by the following vote, viz;

Ayes, Knox, Blaydes, Phillips, Jackson, Lucas, Rothrock, Walker, and Buck 8

Noes, Spilman, Curtis, Wallace and Wellford 4

Be it ordained by the Mayor and Common Council of the Town of Fredericksburg that it shall not be lawful for the owner or occupier of any lot in said Town [Page 176] to pass or cause to be passed any washing water, dye water, dish water, or other dirty water, there from, into any gutter on the public streets and thence along or through such gutter by the house on any adjacent or neighboring lot against the consent of the owner or occupier of such house. And any person offending herein shall for every such offense forfeit and pay to the Mayor and Commonalty of said Town, the sum of two dollars to be recovered with costs, by warrant before any justice of the peace of said Corporation.

Be it further ordained that if any slave or servant shall offend herein by throwing any washing water, dye water, dish water or other dirty water into any gutter on the public streets, from the lot of his or her master or mistress without the consent of the owner or occupier of the adjacent or neighboring lot, as aforesaid, he or she for every such offense upon being convicted thereof shall receive ten lashes on his or her bare back unless the sum of one dollar be paid by the owner or employer of such slave for the use of the Corporation.

This ordinance shall be in force from and after the 25<sup>th</sup> day of July 1840

The following ordinance entitled

An ordinance amend the “Ordinance passed 20<sup>th</sup> February 1836, concerning nuisances” was read and passed.

Be it ordained by the Mayor and Commonalty of the Town of Fredericksburg that the Ordinance concerning nuisances, passed the 20<sup>th</sup> February 1836, be and the same is hereby amended in this to wit;

That the fines imposed by said ordinance be increased to the sum of five dollars for the commission of any offense therein named; and further that if any slave shall be convicted of any offense therein name before an justice of the peace of the said Corporation, he or she shall receive on his or her bare back, any number of lashes in the discretion of the justice of the peace before whom such conviction shall take place, provided the same do not exceed the number of twenty, unless his or her master or mistress shall pay the sum of five dollars for each and every offense.

Be it further ordained that all fines accruing for convictions under this ordinance shall enure as follows viz;

One half to the use of the informant, the other half [Page 177] to the use of the Corporation.

This ordinance shall be in force from and after its passage

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg on the 20th day of October 1840 at the Council Chamber

Present Benjamin Clark, Mayor

H H Wallace, Recorder

J Curtis, P Spilman, R J Walker, John Buck, Charles C Wellford, and G W Rothrock—Common Councilmen

The following bills against the Corporation was passed and ordered to be paid by the Chamberlain viz;

An acct of J J Young's for candlesticks &c	\$2.50	
An acct of Bernard Cole for inquest on body of a child found drowned at Spooner's Wharf		\$4.65
An acct of Jas West for iron tub for Public Measure	\$5.37	

The Mayor having stated that there was a vacancy in the office of Geographer and Surveyor of the Corporation by the death of John Goolrick Esqr, Mr John Minor was nominated and unanimously elected to fill the office of Geographer and Surveyor of the Corporation.

Present, Wm A Jackson—Common Councilman

A memorial of the Managers of the female Orphan asylum praying a repeal or a modification of the ordinance passed the 15<sup>th</sup> day of July 1840 concerning the throwing of dye water &c into the drains of the streets or that the Council would direct a blind drain to be laid down from the Orphan Asylum to the corner of the street at Patton's Ice house, was presented and it was on motion, ordered that the Street Committee be instructed without delay to receive proposals and cause immediately the construction of a secret brick, wood, or iron drain from the mouth of the cesspool at the Orphan Asylum to the corner of John M Patton's Ice House, and draw upon the Chamberlain for the amount of the expenditure.

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

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