

Fredericksburg Council Minutes 1873

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At a called Meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Wednesday January 22^d 1873

Present R B Berrey, Mayor

W A Little, R H Coakley, W H Russell, H S Doggett, C E Hunter, P McCracken, J G Hurkamp, Benj'n Bowering

The minutes of the last Meeting were read and approved

Present: J G Wallace, J W Sener, Recorder, W P Conway, L O Magrath

The Mayor being indisposed, called the Recorder to the Chair

Mr J W Sener, Recorder in the chair

Absent: Mr R B Berrey, Mayor

Mr Little stated that the Council was called to take into consideration the importance of a general vaccination of the Citizens as it was well known that the small pox prevailed in the neighboring Cities and in Counties near by and he thought the precautionary measures ought to be adopted to prevent its introduction here

Mr Magrath offered the following which was seconded

Resolved that the Town Physician advertise that on [blank] days, at [blank] hours, he would vaccinate free of expense said physicians keeping a list of all persons vaccinated and for such services he shall receive such sum as in the judgment of the overseers of the Poor they deem fair

Mr Doggett offered the following as [Page 179] a substitute for Mr Magrath's resolution, which was seconded

Resolved, that Dr L B Rowe, the Corporation Physician be and he is hereby requested to visit citizens of the Town at their houses and vaccinate all who desire to be vaccinated and that an additional sum of fifty dollars be added to his salary for said services

The vote being taken upon the substitute of Mr Doggett it was adopted

The Recorded stated that the had been called upon by citizens, who suggested that steps should be taken to arrest if possible the person or persons who fired the premises of Mr Heinichen a few nights since, and he brought the matter to the notice of the Council that such action might be taken as was deemed best in the premises.

Mr Magrath moved the following which was seconded

Resolved by the Common Council of the Town of Fredericksburg that the Mayor be directed to offer a reward of two hundred dollars for the apprehension and conviction of the party or parties who fired the premises of Mr E L Heinichen on the night of the 19th instant

Mr McCracken moved to amend the resolution by striking out two hundred and inserting one hundred in place, which being seconded and the vote taken by Ayes & Noes it was lost

Ayes, Mess'rs Conway, Little, Wallace, Russell, Coakley, McCracken 6

Noes, Mess'rs Hurkamp, Bowering, Hunter, Doggett, Magrath, Sener 6

The vote was then taken upon the resolution of Mr Magrath and it was adopted

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The following accounted passed by the Finance Committee were read and ordered to be paid Viz

Dr L B Rose amt'g to \$11.00

S J Quinn & E M Crutchfield clerks of Election on November 72 amt'g to \$12.00

T F Knox, A E Samuel and Jno Sullinger, judges and Comm'rs of election in November 1872 \$18.00

An account of C Armat amt'g to \$34.67 for lumber &c furnished Pump & Street Committees was presented by Mr Russell and ordered to be paid

Dr J G Wallace asked and obtained leave to retire, Absent: Dr Wallace

Mr Sener offered the following which was adopted

Resolved that the Treasurer of this Corporation be and he is hereby requested to inform the Council what amount of money has been paid for a guard, or guards at the Jail

The Council then adjourned

Rob't B Berrey, Mayor

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At a regular meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday Jan'y 28th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, J G Hurkamp, Benj'n Bowering, R H Coakley, P McCracken, W A Little

The minutes of the last meeting were read and approved

Present: L O Magrath, C E Hunter

The Treasurer responded to the inquiry contained in Mr Sener's Resolution on amt expended within the past six month, forty eight dollars

Mr Little offered following which was adopted

Resolved that the former resolution of the Council passed 22^d Inst; be amended so as to read

That Dr L B Rose, the Corporation Physician be requested to proceed as speedily as possible to vaccinate all person in the town who have not been vaccinated and who are unable to pay for said service in such manner as he may deem advisable—to procure the best virus for said purpose and that one hundred and fifty dollars be appropriated to purchase said virus and to pay his services in this behalf, that said Physician be requested to give notice of the time and place where and when he can be prepared to perform such service

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A communication from Jno Howison, Supt of Public Schools was read by the Mayor—requesting the appointment of a Trustee in place of Mr S J Quinn, whose term of service expired in November last and strongly recommending the re-appointment of Mr Quinn

Mr S J Quinn was nominated and unanimously elected a member of the Board of Trustees of Public Schools for three years from November 15th 1872

An account of Dr G F Carmichael amt'g to \$5.00 was presented and ordered to be paid

An account of R B Berrey, C Armat and S C Kearsley amounting to \$9.00 was presented and ordered paid

Mr Sener called the attention of the Council to the application of Mr J L Green, for the correction of his tax assessment for 1872. On Motion the subject was referred to the Finance Committee

Mr Magrath offered the following which was unanimously adopted

Whereas this Council has observed from the public prints that an application is now pending before the Legislature of Virginia for an amendment of the Petersburg and Weldon Rail Road so as to allow said company to continue its roadway to Washington City which application is being resisted by the Richmond, Fredericksburg, and Potomac Rail Road

Therefore be it, Resolved, that a Committee of three be appointed by the Mayor to consider the merits of this controversy as touching the business interests and future prospects of Fredericksburg and to report at the next meeting of this Council, what action, if any [Page 183] should be taken by this Council in the interests of this City in the premises

The Mayor appointed Mess'rs Magrath, Hunter, Bowering as the Committee

The Council then adjourned

Rob't B Berrey, Mayor

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At a called meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Saturday February 1st 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, W A Little, J G Hurkamp, Benj'n Bowering, W H Russell, C E Hunter, R H Coakley, H S Doggett, L O Magrath, P McCracken

The minutes of the last Meeting were read and approved

Mr Little presented the following communication from the Agent of the Fredericksburg, Orange and Charlottesville Rail Road Company, which was read and is in the words following, to wit

The Fredericksburg, Orange & Charlottesville Rail Road Company desire the aid of the Delegate and Senator from Fredericksburg in obtaining the following legislative facilities as amendments of its charter and respectfully request the concurrence of the Common Council of Fredericksburg thereon

1st The right to extend the Road from Fredericksburg at or near Mathias Point on the Potomac River and to acquire sufficient land for Depot and wharfage uses on said River

2nd The Right to make a connection from any point on their existing line of Road to any point on the Chesapeake and Ohio Road, and in the event that said connection be made from point on the F O & C Rail Road lying east of Orange Court House, thereon that portion of said [Page 185] Rail Road between such point and Orange Court House be maintained and kept up in good running order equal to any other portion of the said line and that at least one daily train for passengers be run from Orange Court House to said point and sufficient freight transportation be afforded by said F O & C R R Co to provide for all produce or merchandise seeking transit from Orange Court House to any point on the said line.

3rd The Right to mortgage the new lines so as to authorized up to \$25,000 per mile to cover ultimate cost of construction and equipment and also to mortgage the lines from Fredericksburg to Orange Court House up to same limit, Provided that the latter mortgage on the existing lines to Orange shall only operate as a second and subordinate lien to the existing Mortgage to the holders of the issued under the existing Mortgage agree to surrender same on terms acceptable to them.

4th None of the above proposed amendments nor any rights created thereby to take effect or be in place until after the Rail Road is completed to Orange Court House, nor until after the said company shall have deposited \$100,000 of the said 1st mortgage bonds of said company issued in the present charter which the Board of Public Works of Virginia to be held by said Board as a security and earnest for the extension of the Rail Road from Orange C House to Charlottesville within three years from the date of the proposed Act and in case said F O & C Rail Road Co do not construct said extension within said three years said \$100,000 first Mortgage Bonds to be used and applied in aid of such extension.

5th An extension of the time for the completion of the Rail Road to Orange Co House until the first day of July 1873, but said privilege [Page 186] not to take effect or obtain until and unless the said Company shall deposit \$25,000 of the consolidated Bonds of the State of Virginia with said Board of Public Works, which Bonds are to be forfeited to the said Board in case of failure to complete the Road to Orange Court House by the said 1st July, In trust for the Original Stockholders of the Fredericksburg and Gordonsville Rail Road

Company, in addition to the forfeitures declared by the existing Charter, and said Board to enforce all said forfeitures, and take possession and control of the Road, and all property, rights, and franchises of said Fredericksburg, Orange & Charlottesville Rail Road Co on said 1st July and hold the same as a Trustee for the use and benefit of said Original Stockholders in case of said failure to complete by 1st July.

Mr Conway moved the following which was seconded.

Resolved that the Council of Fredericksburg concur in and accept the application of the Fredericksburg, Orange & Charlottesville Rail Road Co; and that our Delegate and Senator in the Legislature of Virginia be requested to bring forward and sustain said application.

Mr Sener moved that the subject be laid on the table until Tuesday next which being seconded and put to the vote, the motion was lost. The vote was then taken by Ayes & Noes upon the Resolution offered by Mr Conway and it was adopted by the following vote.

Ayes Mess'rs McCracken, Magrath, Doggett, Hunter, Russell, Bowering, Hurkamp, Little, Conway 9
Noes Mess'rs Coakley, Sener 2

The Council then adjourned

Robt B Berrey, Mayor

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At a called meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday Feb'y 4th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

R H Coakley, Benj'n Bowering, W H Russell, L O Magrath, H S Doggett, W A Little, C E Hunter, J G Hurkamp

The minutes of the last meeting were read and approved

The Mayor laid before the Council the proceedings of a public meeting of the Citizens held on Saturday night last in reference to the action of the Council on the application of the Agent of the Fred'g Orange & Charlottesville Rail Road

On Motion, Mr Little;

Resolved that the action of the Council passed at the last meeting in reference to the F O & C R Rd Co be reconsidered and the subject laid on the table and that a committee be appointed to confer with the Committee of the Citizens upon the subject and report.

The mayor appointed: Mess'rs Little, Bowering, Sener, Coakley & Doggett as the Committee

The Mayor presented in writing the resignation of W P Conway as a member of the Council

On Motion, the resignation of Mr Conway was laid on the table with the request that he re-consider his action.

The Council then adjourned

R B Berrey, Mayor

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At a called meeting of the Common Council held at the Council Chamber on Wednesday Feb'y 5 1873

Present R B Berrey, Mayor

J W Sener, Recorder

J G Wallace, W A Little, Benj'n Bowering, C E Hunter, R H Coakley, P McCracken, J G Hurkamp, L O Magrath

The minutes of the last meeting were read and approved

Present: H S Doggett

Mr Little from the Committee appointed at the last meeting to confer with the Committee appointed at the Meeting of the Citizens held on 1st Inst made a verbal report to the effect that the Committees had conferred together and although the Committee insisted upon some modification of the action taken by the Council in their action on the application of the F O & C R Rd Co on 1st Inst, yet he deemed the change of so little importance inasmuch as the F O & C R Rd Co were willing to accept it, that he was willing to agree to the report adopted by the Citizens at their adjourned Meeting held on Tuesday 4th Inst.

The Report adopted by the Citizen at the meeting held on 4th Inst was then read and is in the following words;

The Corporators of the Fredericksburg, Orange and Charlottesville Rail Road Company desire the aid of the Delegate and Senator from Fredericksburg in obtaining the following legislative facilities as amendments to its Charter and respectfully request the Common Council of Fredericksburg to concur thereon:

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1st The right to extend the Road from Fredericksburg to a point at or near Mathias Point on the Potomac River and acquire sufficient lands for Depot and wharfage uses on said River.

2nd The right to make a connection from any point on their existing line of road to any point on the Chesapeake and Ohio Road, and in the event of said connection being made from a point on the Fredericksburg, Orange & Charlottesville Rail Road lying east of Orange Court House, that the portion of said Rail Road between such point and Orange Court House be maintained and kept up in good running order equal to any other portion of the line, and that at least one daily train for passengers be run each way from Orange Court House to Fredericksburg and sufficient transportation be afforded there upon by said Fredericksburg, Orange and Charlottesville Rail Road Company to provide for all produce and merchandise seeking transit from Orange Court House to any point on the said line,

3rd The Right to Mortgage the new line so as to be authorized up to \$25,000 per mile to cover estimated cost of construction and equipment, and also to mortgage the line from Fredericksburg & Orange Court House up to same limit, Provided that the latter mortgage on the existing line to Orange Court House shall only operate as a second and subordinate lien to the existing Mortgage unless the holders of the bonds issued under the existing Mortgage agree to surrender the same on terms acceptable to them.

4th None of the above proposed amendments, nor any right created thereby to take effect or be enjoyed until after the Rail Road is completed to Orange Court House and properly equipped, nor until after the said Company shall have deposited \$100,000 of the first mortgage [Page 190] of said Company issued under their present Charter with the Board of Public Works of Virginia to be held by said Board as a security and earnest for the extension of the Road from Orange Court House to Charlottesville within three years from the date of the proposed act, and in case said Fred'g Orange & Charlottesville Rail Road Company do not construct said extension to Charlottesville within said three years then said \$100,000 of first Mortgage bonds to be used and applied in aid of such extension.

That the said Fred'g Orange & Charlottesville Rail Road Company in arranging and regulating their fares and freights shall make the same per mile from and to the various way stations to or from Fredericksburg conform to and not exceed the charges made upon through freights and passengers.

An extension of the time for the completion of the Rail Road to Orange C H until July 1st 1873 subject at that time to all forfeitures, provided for by existing laws in case of non-completion on the first day of May 1873, but said privilege of extension not to take effect or obtain until and unless the said Company shall deposit twenty five thousand dollars of the consolidated Bonds of Virginia with the National Bank of Fredericksburg, which bonds are to be forfeited to the Corporation of Fredericksburg in case of failure to complete the Road to Orange Court House by said first day of July, for the benefit of the then existing

creditors in Fredericksburg and along the line of said Road to Orange C H for material or supplies furnished to said company or to contractors under said Company, and in event of not creditor, to the private Stakeholders of the Fredericksburg and Gordonsville Rail Road Company.

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That our Delegate and Senator shall oppose all the above legislation until said Fredericksburg, Orange, and Charlottesville Rail Road Company or the Contractors under said Company shall deposit \$10,000 of the Consolidated Bonds of the State of Virginia with Lieut Gov'r Marye within ten days to pay the present indebtedness of said Company or contractors under said Company to the creditors of said Company in Fredericksburg for supplied and materials and work and labor furnished for the benefit of said Company or contractors under said Company.

Mr Little moved that the report be adopted which was seconded.

Mr Doggett moved that the report be so amended as that the \$25,000 Bonds mentioned under the 6th section shall be forfeited to the Original Stockholders of the Fred'g & Gordonsville Rail Road in case of failure to complete the road by 1st July, which being seconded and the vote taken by Ayes, the motion was lost by the following vote.

Ayes Mess'rs Hurkamp, Hunter, Doggett, Magrath

Noes Mess'rs Little, Bowering, Wallace, Sener, Coakley, McCracken

The question recurring upon Mr Little's Motion to adopt the report and the vote being taken by Ayes & Noes the motion was unanimously adopted.

Ayes Mess'rs McCracken, Magrath, Doggett, Coakley, Hunter, Sener, Wallace, Bowering, Hurkamp, Little
10

The Council then on Motion adjourned

Robt B Berrey, Mayor

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At a called Meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Monday February 10th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

Benj'n Bowering, R H Coakley, H S Doggett, P McCracken, W P Conway, J G Hurkamp, C E Hunter, W A Little, L O Magrath

Mr Conway, after some remarks in reference to the matter, withdrew his resignation, which was tendered in writing on the 4th Inst.

The Minutes of the last meeting were read and approved

The Mayor stated that the Council was called and the instance of Mr St Geo R Fitzhugh who desired to be heard in reference to the application of the F O & C R Rd Co now before the Legislature.

On Motion, Mr Fitzhugh, was heard on the subject; our Delegate, Major Kelly and our Senator, Mr Herndon, being present were also heard; and it was agreed that no action should be taken at present, but to leave the subject with our Delegate and Senator.

Mr Little read a letter from J M Robinson Pres't R F & P R Rd Co (to St G R Fitzhugh) requesting an interview with the Committee of the Council and Citizens; The Committee were requested to meet Mr R.

Mr Conway, Chairman of the Finance Committee presented the Bond of Thos Hill, J L Stringfellow and L C Major and J M Spindle, in the penalty of Fifteen thousand dollars, to save harmless the Corporation of Fredericksburg and all other parties [Page 193] interested from legal loss or damage resulting from the re-issue of the \$10,000 Hazel River Bonds; On Motion the Bond was approved and the same turned over to the Treasurer for safe keeping.

The Council then adjourned

Robt B Berrey. Mayor

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At a regular meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday evening Feb'y 25th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, J G Wallace, W H Russell, L O Magrath, Benj'n Bowering, W A Little, J G Hurkamp, R H Coakley, P McCracken

The Minutes of the last meeting were read and approved

The following accounts presented by Mr Conway, Chairman of the Finance Committee were read and ordered to be paid, viz

A A Little (4 fills inclusive) amt'g to	\$8.00
J K Anderson, E C Rowe clerks of election amt'g to	\$12.00
F T Forbes, P Couse, W J Moon Commissioners and Judges of Election amt'g to	\$18.00
Justice J E Stone, Holding Inquest	\$5.00
C W Edrington & C A Gore amt'g to	\$7.00
Tackett, Ford & Co amt'g to	\$4.00
L C Wilson amt'g to	\$2.98
Ledger Officer amt'g to	\$3.00

Mr Magrath, Chairman of the Special Committee appointed by Council on 28th Jan'y to considered the merits of the controversy between the "Ragland & Roberson Road interests now pending before the Legislature of Va as touching the business interests of Fredericksburg" submitted a written report which was read

On Motion of Dr Wallace: Resolved that the report of the Committee be received and that the Council proceed to take action upon the same which was seconded.

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Mr McCracken moved the following as a substitute for the Report which was seconded

Resolved by the Mayor and the Council of Fredericksburg that we believe it inexpedient to instruct our Representatives Hon J H Kelly and Hon Chas Herndon in the Rail Road controversy between Messrs Roberson and Ragland, now pending in the Virginia Legislature; that we have implicit confidence in their integrity and good judgment and that we believe they will do the best they can to promote the interests of Fredericksburg.

Dr Wallace moved the following as a substitute for Mr McCracken's resolution:

1st Resolved by the Mayor and Common Council of Fredericksburg, that our Representatives in the Senate and House of Representatives of Virginia be and they are hereby requested to use all their influence and cast their votes in favor of a Free Rail Road bill protecting private interests as at present is done by the laws of the State.

2nd Resolved, that our Senator and Representative be requested to use their influence and cast their votes in favor of which is known as the “Ragland Charter with the following provisos
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The lines from Weldon to Washington, so far as it passes through the sate subject to the rights of taxation by the State of Virginia, said taxation to apply to the Richmond, Fredericksburg and Potomac Rail Road Company; now exempt from taxation, if purchased or leased by said Petersburg Rail Road Company, as well as to a new Rail Road if built by them.

Mr Recorder Sener, asked and obtained leave to retire: Absent Mr Sener

Mr Conway, moved that the whole subject be laid on the table for the present which being seconded and the vote taken by Ayes and Naves it was lost by the following vote;

Ayes	Mess’rs Conway, Little, Coakley, McCracken	4
Noes	Mess’rs Hurkamp, Bowering, Wallace, Russell, Magrath	5

The question recurring upon the Resolution of Dr Wallace (Mr Conway asked that the vote be taken separately upon each resolution which was agreed) and the vote was taken by Ayes & Noes upon the 1st Resolution and it was carried by the following vote

Ayes	Mess’rs Magrath, Coakley, Russell, Wallace, Hurkamp, Little	6
Noes	Mess’rs McCracken, Bowering, Conway	3

Upon the 2nd Resolution the vote was taken and adopted by the following vote:

Ayes	Mess’rs Little, Hurkamp, Bowering, Wallace, Russell, Magrath	6
Noes	Mess’rs Conway, Coakley, McCracken	3

Dr Wallace moved the following which [Page 197] was seconded

Resolved that all action by this Council in reference to the Fredericksburg, Orange and Charlottesville Rail Road be reconsidered;

And the vote being taken upon the same by Ayes & Noes it was lost by the following vote

Ayes	Dr Wallace	1
Noes	Mess’rs Conway, Little, Hurkamp, Bowering, Russell, Coakley, Magrath, McCracken	8

The Council then, on Motion, adjourned

Robt B Berrey, Mayor

[Page 198]

At a regular meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday March 25th 1873

Present J W Sener Recorder

J G Wallace, P McCracken, R H Coakley, J G Hurkamp, H S Doggett, L O Magrath, W P Conway, Benj’n Bowering

The Minutes of the last meeting were read and approved

Present: W H Russell

An account of A A Little for advertising amounting to \$20.50 was presented and ordered to be paid

On Motion, ordered that the Treasurer do pay James & Green Eleven 88/100 dollars (being amount of tax of \$18, less discount and commutation of 2/3rd at 60 cents in the dollar) assessed in 1872 to the Estate of D Green on House on Commerce St, sold by the Corporation of Fredericksburg to McDowell and assessed to

him. The said assessment to the Estate of D Green being erroneous, and the Commr of the Revenue is directed to omit the assessment of said house hereafter to said Green's Estate, but continue it to Mr McDowell, the owner.

Mr Russell called the attention of the Council to the condition of the Street between the residing of Dr R B Rennolds and A K Phillips and suggested that some action be taken with reference to it as he requested it at present unsafe for public use.

On Motion, Mr Conway, the subject was referred to the Street Committee for examination [Page 199] and report

Mr Conway moved the following which was seconded and being put to the vote was unanimously adopted. Whereas Mr John T Knight has declined to accept the privilege granted him by the council on 26th December 1871

Resolved that the Public Property Committee be requested to contract with any responsible person or persons for the erection of a Magazine for the storage of Gun Powder, upon the same terms agreed upon by the Committee with Mr Knight in their report of 26th December 1871

On Motion, ordered that the Treasurer be directed to pay the salaries of the Police Officers for the quarter ending 31st March upon the order of the Mayor.

The Council then adjourned

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At a called Meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Monday March 31st 1873

Present J W Sener, Recorder

J G Wallace, W H Russell, P McCracken, H S Doggett, W P Conway, C E Hunter, Benj'n Bowering, R H Coakley

The Recorder stated that the Council was convened for the purpose of considering the application of G R Haswell for the privilege of constructing a Railway through certain streets of the Town for the purpose of transporting granite &c from the quarry of Dr J R Taylor to the Depot & Wharves

The application was read and is in the following words to wit:

To the Mayor and Common Council of the Town of Fredericksburg, Viz

Your petitioner, George R Hasewell for himself and others would respectfully represent that he recently leased for a term of twenty years the stone and granite quarries now owned by Dr John R Taylor near the limits of this Corporation and that it is his purpose and intention to commence opening and working the same as soon as possible, but that in order to do so successfully by reason of the great weight as well as the bulky character of said stone it is necessary for him to obtain a cheap, easy and expeditious mode of carriage and transportation for the same from the quarries by either some Rail or Water route to Market. To that end he proposes to construct a Railway from the upper terminus of the Rappahannock River front of John R Taylor's land to be laid on or near the banks of said River to the [Page 201] Canal, thence down the banks of the said Canal on the South side of said Canal (if this route can be obtained on said Canal Banks, upon fair and liberal terms, if not, thence by some other route than said canal banks to be hereafter selected) to the west side of the said Canal at the Basin; where said Rail way would strike the limits of this Corporation, thence if your body will grant this privilege from said Basin down Pitt Street to the intersection of said Pitt Street with Caroline or Main Street, thence down said Caroline Street to the track of the Richmond, Fredericksburg & Potomac Rail Road, thence if found necessary parallel with the track of said R F P R Rd

Co to where the same intersects with Sophia Street & thence down Sophia Street to the wharves on said Rappahannock River.

Your petitioner would therefor pray that you would grant him the power and privilege of constructing and laying said Railway track on the Streets and by this road as above, to wit: from the Corporate limits to Pitt St; thence down Pitt Street to the intersection of Pitt Street with Main or Caroline Street thence down said Main or Caroline Street to the track of the Richmond, Fredericksburg and Potomac Rail Rd with the authority and privilege of extending the same parallel with the track of said Rail Road to Sophia Street, thence down Sophia Street to the wharves,

Your petitioner is willing that there shall be provided in the ordinance granting this privilege and as a condition thereof, that said Rail Way within this Corporation shall be laid and constructed under the supervision and inspection of the Committee on Streets of your body and any other Committee that may be selected by your body, and that the said Rail Way [Page 202] shall be laid and constructed in first class workmanlike manner, and shall conform in construction and finish to street railways of other cities, wherein there now exist said railways, and that all the cars used on said Railway, whether freight or passenger shall be drawn and propelled by horses or mule and not by steam within the limits of said Corporation,

Your petitioner is further willing that there shall be provided and declared in the ordinance granting this privilege that if said railway ceases to be used for any six consecutive months after the same is completed and ready for use either for freight or passengers then that the same shall be taken up either by the owners of the same or by the authorized officers of this Corporation to be specially authorized by your body for that purpose at the cost and charges of the owners of the same, Provided that said time may be extended by your body, and that when this same is taken up, the streets upon which said track was laid shall be placed in the same condition as when and before said Railway was constructed

Your petitioner is further willing that there shall be provided in said ordinance that a passenger car for the convenience of travel shall be run on said Rail Way from the Corporate limits of this Corporation to the terminus of said Rail way at least once per hour during the day time; your petitioner would request that if this privilege is granted it may be granted, it may be granted to your petitioner or his assigns or to any Corporation that may be hereafter incorporated for the purpose of working said stone and granite quarried or of constructing said Rail way.

Resp'y Signed

Jno E Tackett for G R Haswell

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Mr Conway moved that the privilege asked for in the petition be granted, and that an ordinance be drawn to that effect which was carried

The following ordinance was presented by Mr Conway and unanimously adopted by a vote of Ayes & Noes. Be it ordained by the Mayor and Common Council of Fredericksburg, that G R Haswell and such other persons as may be associated with him shall be authorized to construct a Railway within the Corporation limits of the said City on Pitt St from the East side of the Basin to its intersection with Caroline or Main St thence down the said Main or Caroline St to Prussia St near the R F & P R Road, thence down Prussia St to Sophia or Water Street, thence down Sophia St to the Wharves or the Rappahannock River, for this transportation of the freight and passengers asked for and on terms and conditions set forth in the application of the said G R Haswell for himself and others which application is hereby made part and parcel of this ordinance.

Provided that the said Rail way be constructed within six months from the passage of this ordinance

On Motion of Mr Conway

Ordered that the License on Drays, Carts and Wagons for hauling on the Streets be fixed at the same as last year, and that the Treasurer be directed to receive the tax for Licenses and the Commissioner of the Revenue issue said licenses.

On Motion (Maj J H Lacy) was heard on the subject of Babcock's patent fire [Page 204] extinguishers

On Motion, Resolved that a Committee of three be appointed to take into consideration the subject of a fire extinguisher for the use of the Corporation its costs &c, also to ascertain what amount will be contributed by the Insurance Companies towards the purchase of same, and whether a company can be organized to work the same if procured.

Mess'rs Bowering, McCracken & Doggett were appointed by the Recorder as the Committee

On Motion, the Recorder was added to the Committee

The Council then adjourned

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At a called meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Thursday April 17th 1873

Present R B Berrey, Mayor

J G Wallace, P McCracken, Benj'n Bowering, H S Doggett, L O Magrath, C E Hunter

A Quorum not being present the Council stood adjourned

R W Adams, C C

At a called meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on a Monday April 21st 1873

Present R B Berry, Mayor

J W Sener, Recorder

J G Wallace, C E Hunter, Benj'n Bowering, R H Coakley, P McCracken, J G Hurkamp, H S Doggett, L O Magrath, W P Conway

The Council was convened in pursuance of the following order of the Mayor

"A meeting of the Common Council is called for 4½ O'clock this afternoon to take some action in regard to the death of our late most efficient Corporation officer, L J Huffman .

Mr Huffman was for many years an active and useful member of the Council and for a number of years has been an efficient Corporation officer; whose term of service closed only with his death. It is proper therefore in my judgment that the Council should be convened for the purpose indicated above [Page 206] I therefore earnestly request the presence of every member.

The Mayor stated that the object of the meeting this afternoon was fully set forth in his order convening the Council and after some appropriate remarks upon the character of the late L J Huffman as a citizen & public officer he suggested that the council now take such action as it might deem proper in respect of the memory of the deceased.

Mr Hurkamp moved that a Committee be appointed to prepare and present to the Council suitable

Resolutions of respect to the memory of the late Landon J Huffman for a long time a member of the Council and at the time of his decease Collector of Taxes of this Corporation;

Which motion was seconded and adopted by a unanimous vote

The Mayor appointed Mess'rs Conway, Hurkamp, and Wallace as the Committee.

The Committee through their Chairman Mr W P Conway presented the following preamble and resolutions, which on Motion were unanimously adopted

The Council of the Town of Fredericksburg having been convened to take suitable action to testify its respect for the memory of Landon J Huffman, for years a member of this body; and for a longer time an officer of the Corporation who departed this life on Sunday, yesterday at 1¼ o'clock we do resolve

1st That in the death of L J Huffman this City is called to mourn the loss of an upright citizen, a faithful officer, and a man who for more than half a century has been marked for Christian and personal integrity, public [Page 207] spirit and the faithful discharge of all the duties of life

2nd That will attend his funeral in a body to testify our high appreciation of the Man and pay proper respect to his memory.

3rd That the officers of the Courts and the Corporation be invited to unite with us in the tribute of respect to our deceased friend and fellow citizen

4th That a copy of these resolutions be furnished to the family of the deceased, and copies to the city papers with a request that they publish the same

The council then adjourned

Rob't B Berrey, Mayor

[Page 208]

At a regular Meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday April 22^d 1873

Present R B Berrey, Mayor

J W Sener, Recorder

J G Wallace, W A Little, Benj'n Bowering, R H Coakley, H S Doggett, L O Magrath, W P Conway, P McCracken, J G Hurkamp

The minutes of the last meeting were read and approved

The Committee to whom was referred the subject of the cost &c of a Fire Extinguisher for the use of the Corporation being unable to make their report; on motion further time was granted them

On Motion further time was granted the Committee on Streets to make their report relative to the Street below the lots of A K Phillips & R B Rennolds

Mr Conway presented a communication from Mr Jno Howison, Superintendent of Public Schools informing the Council that in consequence of the death of Mr L J Huffman, a vacancy existed in the Board of Trustees and recommending Mr J W Sener as a suitable person to fill said vacancy

Present: C E Hunter

On motion, Mr Conway, Mr J W Sener was nominated and unanimously elected a member of the Board of Trustees Public Schools to fill the vacancy occasioned by the death of L J Huffman

On Motion, Mr Conway, ordered that the sum of five hundred dollars be appropriated toward the support of Public Schools of the Town [Page 209] and the Treasurer is directed to pay the same upon the order of the Trustees

Dr Wallace, stated that the Hon J B Sener was present and could perhaps give the Council some information as to the further prosecution of the improvements of the Navigation of the Rappahannock River; and on Motion Mr Sener was heard upon the subject and he suggested that the Council appoint a Committee to confer with the U S Authorities in the further prosecution of the work.

The following resolution offered by Mr Magrath was adopted

Resolved that a Committee of three be appointed to be known as "The River Improvement Committee" who shall confer with the U S authorities having charge of the improvement of the Navigation of the Rappahannock, observe the progress of the work and report from time to time to the Council.

The Mayor appointed Mess'rs W A Little, Benj'n Bowering and C E Hunter as the Committee

On Motion, Mr Doggett, The subject of Re-assessment of the property of the Town in accordance with the late Act of the Legislature was referred to the Finance Committee for examination and report

Mr Conway submitted the following ordinance which was seconded

Be it ordained by the Mayor and Common Council that on and after the first day of May next there shall be levied and collected from all sample liquor merchants the sum of fifty dollars and from all other sample merchants the sum [Page 210] of thirty dollars

And it is further ordained that all act in conflict with this ordinance be and the same are hereby repealed

Mr Sener moved in place

That the tax on sample liquor merchants be fixed at seventy five dollars and upon all other sample merchants fifty dollars; which was seconded and the vote taken by Ayes & Noes, it was lost by the following vote

Ayes McCracken, Magrath, Coakley, Sener, Wallace 5

Noes Doggett, Hunter, Bowering, Hurkamp, Little, Conway 6

The question recurring upon the adoption of the ordinance offered by Conway and the vote taken it was adopted

The Council then adjourned

Rob't B Berrey, Mayor

[Page 211]

At a regular meeting of the Common Council of the Town of Fredericksburg held at the Common Chamber on Tuesday May 27th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

R H Coakley, W A Little, J G Wallace, H S Doggett, J G Hurkamp, B Bowering, P McCracken, C E Hunter

The Minutes of the last meeting were read and approved

Present: W P Conway

On Motion, Dr Wallace, McCracken was added to the Committee known as the River Improvement Committee

Mr Little, Chrmn of the River Improvement Committee stated that by the next regular meeting of the Council the Committee would have something definite to report

Mr Bowering, Chrmn of the Special Committee of the Council reported in writing, adverse to the purchase by the Corporation of Babcock's Fire Extinguisher

On Motion, Dr Wallace, the report of the Committee was received and the Committee discharged from further consideration of the subject

Mr Bowering from the Street Committee stated that in the absence of the Chairman, no report could be made at this meeting in reference to the street between the property of Mess'rs Phillips and Rennolds

Mr Conway, Chrmn of the Finance Committee reported verbally that the Committee deemed it inexpedient to take any action in [Page 212] reference to the Re-assessment of property under the recent Act of the Legislature of Va and also that the times fixed by law such had passed

The Mayor stated that he was requested by Mr Josiah Hazard to make application to the Council for the improvement of the Wharf property recently purchased by him of Wellford's Estate and requesting the privilege of extending the same several feet beyond the present water line of said property; Whereupon Mr Little offered the following resolution which was adopted; Resolved that Mr Josiah Hazard be and he is hereby authorized to make the contemplated improvement in the Wharf property recently purchased by him of Wellford's Estate, said improvement covering an extension of said wharf several feet beyond its present water line
Present: L O Magrath

Mr Conway, Chrmn of Finance Committee presented the following accounts which were passed and ordered paid Viz

F W Johnston amt'g to	\$3.95
F T Forbes, P Couse, Roy Jones, Judges and Commissioners and E D Eve & P H Ball Clerks of Election amt'g to	\$30.00
T F Knox, Jno Sullinger, & Chs Wallace Judges and Commissioners, and S J Quinn and E M Crutchfield clerks of election amt'g to	\$30.00
J W Adams amt'g to	\$11.63

Mr Doggett stated that he was requested by the New Gas Company to ask the privilege of the Council for the use of the Mayor's office or Court House for the purpose [Page 213] of testing the machinery of the Company

On Motion of Mr Conway,

Resolved that that the New Gas Company have and they are hereby allowed the privilege of using the Mayors office or Court House for the purpose of testing the apparatus of said Company, at their own expense,

The Council then adjourned

Rob't B Berrey, Mayor

[Page 214]

At a regular meeting of the Common Council in the Town of Fredericksburg held at the Council Chamber on Tuesday morning June 24th 1873

Present R B Berrey, Mayor

W A Little, Benj'n Bowering, H S Doggett, C E Hunter

A quorum not being present the Council stood adjourned

At a called meeting of the Common Council in the Town of Fredericksburg held at the Council Chamber on Friday evening June 27th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, Benj'n Bowering, W H Russell, W A Little, L O Magrath, P McCracken, J G Wallace, R H Coakley, C E Hunter

The proceedings of the last meeting were read and approved

Mr Little, Chrmn of the River Improvement made a verbal report to the effect that in a conference with Colo Craigbill he stated that the work would soon be resumed (say in about a Month, by dredging which when completed would afford a draft of eight feet water at low tide between Fredericksburg and Spotswood bar

The Street Committee being unable to make any report reflecting the Street between Mess'rs Phillips & Rennolds

On Motion, Mr McCracken, the subject was postponed and the Committee discharged from further consideration of the same.

[Page 215]

On Motion, Mr Conway

Resolved that when the Council adjourns it adjourn to meet on Monday next at 8 O'clock PM

Mr Sener, Chrmn of the Pub Prop Com submitted a written report of the action of the during the year and showing the amount expended to be \$492.47

On Motion, Dr Wallace the report of the Committee was received and ordered to be filed

The Council then adjourned until Monday 30th Inst 8 O'clock PM

Rob't Be Berrey, Mayor

At an adjourned meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Monday evening Jun 30th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

J G Wallace, W A Little, H S Doggett, R H Coakley, J G Hurkamp, P McCracken, Benj'n Bowering, C E Hunter, L O Magrath, W P Conway

The Minutes of the last meeting were read and approved

Mr Doggett, Chairman of the Pump Committee submitted a report in writing setting forth the operations of the Committee for the Year ending this day and also shewing the amount expended by the Committee to be \$312.31

On Motion of Mr McCracken, the report was received and ordered to be place on file

Mr Bowering from the Street Committee presented [Page 216] a written report of the operations of the Committee for the Year commencing July 1st last, and shewing the amount expended by the Committee to be \$530.17

On Motion Mr Conway, the report was received and ordered to be placed on file

Mr Conway, Chairman of the Finance Com; presented a written report of the Finance of the Town for the year ending June 30th Inst, said report shewing that \$9,022.76 of the debt of the debt of the Town had been extinguished during the year, The committee also set forth that they had examined the account of R W Adams, Treasurer and found the same to be correct and supported by proper vouchers, and shewing a balance due by the Treasurer by the Treasurer to the Corporation of five hundred and ten 20/100 dollars

On Motion, Mr Sener, the report of the Committee was received and ordered to be filed

The Mayor having reported in writing that the Police Officers had discharged their duties faithfully during the quarter just closed, on Motion, It was ordered that the Treasurer pay to Police Officers their salaries for the quarter ending the 30th Inst

The minutes of the meeting were read by the clerk and there being no objection, made, they stood confirmed
The Council then adjourned sine die

Rob't B Berrey, Mayor

[Page 217 Blank] [Page 218]

The Common Council elect of the Town of Fredericksburg at the election held in accordance with law on Thursday 22^d day of May 1873 met pursuant to call of Robert B Berrey Esq'r Mayor at the Council Chamber on Tuesday evening July 1st 1873

Present R B Berrey, Mayor

The following councilmen elect having qualified according to law appeared and took their seats at the board,
Viz

W P Conway, W A Little, P McCracken, J G Wallace, R H Coakley, Benj'n Bowering, L O Magrath, J W Sener, C E Hunter, J G Mason

The Council was called to order by the Mayor

The first business in order being the election of the Clerk of the Council

On Motion, Dr Wallace, the Salary of Clerk of the Council was fixed at Seventy five dollars per annum

R W Adams was nominated and unanimously elected Clerk of the Council for the ensuing twelve months.

The Mayor presented in writing the resignation of Mr J W Myer, Councilman elect.

Present: H S Doggett, councilman elect, J H Myer councilman elect who withdrew his resignation and took his seat at the board

On motion, Mr Conway

Resolved that a Committee of three be appointed who shall enquire into the manner of filling any vacancy in this body which may occur by resignation or otherwise and report to the Council at a subsequent meeting

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The Mayor appointed Mess'rs Conway, Doggett and Mason at the Committee

The election of Recorder being next in order, Mr Joseph W Sener was nominated and unanimously elected as Recorder for the ensuing twelve months

On Motion of Mr Conway,

The Salary of Treasurer was fixed at three hundred dollars per annum

The Salary of Commissioner of the Revenue was fixed at two hundred and fifty dollars per annum

The Commissioner to Collector of Taxes as follows;

On all sums received by him for taxes by the 15th November two and a half percent

And upon all sums received after the 15th November five per cent

The election of a Collector of Taxes being next in order the following gentlemen were placed in nomination
Viz.

H S Huffman, E E Rollins, James McGuire, J G Read, Hugh Scott, J M Conway, F T Ford, John Taliaferro, R B Merchant, S C Kearsley, A B Botts and James Taylor

The council then proceeded to the election of a collector of taxes by ballot and after balloting twenty eight times and the votes counted upon the casting of each ballot and neither of the candidates receiving a sufficient number of votes to elect

Mr Conway moved that the election of collector of taxes be postponed until the next meeting of the Council which was seconded and the vote taken by Ayes and Noes it resulted as follows

Ayes Mess'rs Little, Conway

Noes Mess'rs McCracken, Magrath, Doggett, Coakley, Hunter, Mason, Sener, Wallace, Bowering, Myer

[Page 220]

So the motion of Mr Conway was lost, and the council resumed the election of a Collector of Taxes, and after eight additional ballots, making thirty one in all, resulting in no election, and upon the announcement of the vote upon the 36th ballot, which stood as follows

For James McGuire	5
H S Huffman	4
F T Forbes	2

Mr Conway moved that the Council do now adjourn which motion was seconded and the vote taken by Ayes and Noes and it was carried by the following vote

Ayes Mess'rs Conway, Little, Myer, Bowering, Coakley, Doggett, Magrath 7

Noes Mess'rs Wallace, Sener, Mason, Hunter, McCracken 5

So the Council stood adjourned

Robert B Berrey, Mayor

[Page 221]

At a called Meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday July 8th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, J G Wallace, H S Doggett, L O Magrath, P McCracken, J H Myer, R H Coakley, C E Hunter, J G Mason, Benj'n Bowering

The minutes of the last meeting were read and approved

The first business in order being the election of a Collector of Taxes. Mr Conway moved that the election of Collector of Taxes be postponed, which motion being seconded and the vote taken by Ayes & Noes, it was lost by the following vote

Ayes Mess'rs Conway, Wallace, Mason, Doggett 4

Noes Mess'rs Myer, Bowering, Sener, Hunter, Coakley, Magrath, McCracken 7

The Council then proceeded to the election of a Collector of Taxes and the following persons were balloted for Viz

James McGuire, H S Huffman, J M Conway, and Andrew Bowering and after balloting four times the vote being counted upon the casting of each ballot Mr James McGuire was declared elected he having received a majority of the votes cast upon the fourth ballot. The vote standing thus

For James McGuire 6

Andrew Bowering 5

Mr James G Read was nominated and unanimously elected Surveyor of the Corporation for the ensuing year
[Page 222]

On Motion, the salary of Clerk of the Market was fixed at one hundred dollars per annum

Mr Roy Jones was nominated and unanimously elected Clerk of the Market for the ensuing year

Mr M Montgomery, Charles Cash, and E E Rollins were severally nominated for the Office of Weigher and Measurer of Coal, Salt, Grain &c and the council proceeded to ballot and upon the counting of the votes upon the second ballot Mr E E Rollins having received a majority of the votes cast he was declared elected, The vote being as follows

For E E Rollins 7

For M Montgomery 3

For Charles Cash 1

R W Hart was nominated and unanimously elected Measurer and inspector of Wood, Lumber &c for the ensuing year

On Motion, the number of Police Officers was fixed at three.

Mr Conway moved that the salaries of the police officers be fixed at three hundred dollars each per annum which being seconded. Mr Doggett made as an amendment that the salaries of the Police Officers be fixed at two hundred dollars per annum, which was also seconded and the vote taken by Ayes and Noes, the amendment was lost by the following vote

Ayes Mess'rs Wallace, Doggett, Magrath, McCracken 4
Noes Mess'rs Conway, Myer, Bowering, Sener, Mason, Hunter, Coakley 7

The vote was then taken upon the Motion of Mr Conway to fix the salaries at \$300 per [Page 223] annum and it was adopted

The following persons were nominated as Police Officers, James A Taylor, J S G Timberlake, C W Edrington, C A Gore, G A Rawlett and the Council proceeded to the election and the ballots being counted and Mr James A Taylor, Mr C W Edrington and Mr J S G Timberlake having received the largest majority of the votes cast they were declared elected police officers for the ensuing year, the vote being as follows

For James A Taylor	8
For J S G Timberlake	9
For C W Edrington	7
For C A Gore	6
For G A Rawlett	2

Mr Sener submitted the following for the future consideration of the Council

Resolved that this Council be and are hereby requested to levy a Tax of Two and one quarter Mills on the dollar for the support of Public Schools for the present Scholastic Year

The Mayor announced the following standing committees

On Finance; Mess'rs W P Conway, J G Wallace, W A Little

On Streets; Mess'rs Benj'n Bowering, L O Magrath, J G Mason

On Public Property; Mess'rs J W Sener, P McCracken, J H Myer

On Pumps; Mess'rs H S Doggett, R H Coakley, C E Hunter

The Council then adjourned

Rob't B Berrey, Mayor

[Page 224]

At a regular meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday July 22^d 1873

Present J W Sener, Recorder

H S Doggett, J G Mason, R H Coakley, W P Conway, J G Wallace, L O Magrath

The Minutes of the last meeting were read and approved

Present: J H Myer

On Motion Mr Conway, the Salary of overseer of the Poor was fixed at one hundred dollars per annum

On Motion, the Council proceeded to the election of an Overseer of the Poor

Mr Edwin Carter was nominated, balloted for and elected to the office of Overseer of the Poor for the ensuing year

The Recorder presented the following communication from Montgomery Slaughter

To the Honorable

The Mayor and Council of the Town of Fredericksburg

Fredericksburg July 21st 1873

The undersigned respectfully asks of your honorable body the right and privilege to establish a wharf on the Rappahannock River immediately below the Richmond Fredericksburg and Potomac Rail Road Bridge, and in the rear of the Milling property recently purchased by him of the Estate of the late John L Marye, deceased
Signed
M Slaughter

On Motion Mr Conway

Resolved that Mr Montgomery Slaughter [Page 225] be and he hereby is granted the privilege of establishing a wharf on the Rappahannock River in the locality named in his communication to the Council presented this day

On motion, Mr Conway,

Resolved that when the Council adjourns it adjourn to meet on Thursday evening next at four O'clock for the purpose of considering matters relative to the Fred'g Orange & Charlottesville Rail Road

Mr John Howison, Supt of Public Schools being present, on motion, Mr Conway, he was requested to address the Council upon the subject of the public schools of the Town, Mr D addressed the Council at length giving an account of the working of the schools for the past year and stated that the Board of Trustees contemplated some changes in the management of the schools for the coming Scholastic year, and in order that their plans be carried out it would require an appropriation of the Council seven hundred dollars and he requested that the appropriation be made so that the Trustees could go on and make their arrangements for the coming year

Mr Conway submitted the following, which was unanimously adopted

Resolved that the Common Council of the City of Fredericksburg will from time to time as the needs of the Superintendent and School Trustees may require appropriate and pay for the support of the public schools of the city such sums as may be called for.

Provided the aggregate shall not exceed the sum of twenty seven hundred dollars

The Council then adjourned until Thursday evening next, 4 o'clock

[Page 226]

At an adjourned meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Thursday evening July 24th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, W A Little, Benj'n Bowering, J G Wallace, R H Coakley, H S Doggett, P McCracken, J G Mason

The minutes of the last meeting were read and approved

Present: C E Hunter

The Official Bond of James McGuire, Collector of Taxes with J G Hurkamp & C A Jones as securities in the penalty of ten thousand dollars was presented approved, and ordered to be filed

Mr Conway stated that he had been informed by the Mayor of a suit in Chancery by W H Fitzhugh, Trustee of L J Huffman and suggested that no action be taken at present.

Mr Conway stated that when the Council adjourned on Tuesday last, it adjourned for the purpose of considering matters relative to the Fred'g Orange & Charlottesville Rail Road Co and he submitted the following preamble and resolution, which were seconded

Present L O Magrath, J H Myer

Whereas under the provisions of an Act of the General Assembly of Virginia entitled “An Act to extend the time for the Completion of its Road by the Fred’g Orange and Charlottesville Rail Road Company, to provide for constructing a Branch and extension of said Road and [Page 227] to prescribe what may be done to complete same in case of forfeiture incurred by said Company, In force March 26, 1873, it appears that the forfeitures declared and provided by said act have been incurred by said Company by reason of its failure to complete said Rail Road in the manner and at the time prescribed in said act:

And Whereas the Town of Fredericksburg is the Holder of Nine tenths of the private Stock originally subscribed by the Stockholders of the Fred’g & Gordonsville Rail Road Company and the said forfeiture is made by said Act of the Legislature to enure in behalf and for the use of said Stockholders of the Fred’g & Gordonsville Rail Road Company

And Whereas the Common Council of Fredericksburg representing said interest in said Stock of said Town of Fredericksburg is convinced that it is for the true interests, and welfare of the said Town, as well as of all the peoples of the State of Virginia that the said provisions of forfeiture should not be insisted upon and enforced against the Fredericksburg Orange & Charlottesville Rail Road Company in case the latter to be able and willing to proceed so vigorously with the work on said Rail Road as to complete the same to the point near Verdiersville on or before the 15th September 1873 and to complete the Road to Orange Court House on or before the 1st December 1873, but that said Fred’g Orange & Charlottesville Rail Road Co should be allowed to aforesaid further extensions of time within which to make the progress and completion aforesaid with said work;

And Whereas the said Common Council is willing to allow such privilege of extension of time to the latter company, provided they [Page 228] avail of it be actually accomplishing the aforementioned progress in and completion of said work upon the terms and conditions expressly reserved that the Town of Fredericksburg as such original Stockholders in the Fredericksburg and Gordonsville Rail Road Co shall not be held or constrained by reason of such grant of extension of time to have waived yielded or in any wise lost or diminished its full legal right power and claim to insist upon and enforce the said forfeiture declared in said Act, in case the said Fred’g Orange & Charlottesville Rail Road Company shall fail to complete the work on said Rail Road Co in the mode and within the time allowed by such extension as herein above set forth Now therefore be it resolved and it is hereby ordered by the said Common Council of the Town of Fredericksburg:

1st That the Council does hereby agree that the Fredericksburg, Orange & Charlottesville Rail Road Company may and shall be allowed the following extension of time within which it may proceed to construct the work of completing the Rail Road from Fredericksburg to Orange Court House viz; the period up to September 15th 1873 within which to complete the Road to the point near Verdiersville [blank] miles from Fredericksburg, and the period up to December 1st 1873 within which to complete the Road to Orange Court House, Provided that nothing in this agreement and action of the Council shall be held construed or claimed to alter, abridge, or diminish the full legal right and claim now subsisting to insist upon and enforce the forfeitures pronounced by said Act of the Legislature against the Fredericksburg, Orange & Charlottesville Rail Road Co

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But that in case the latter Co; shall fail so to use and avail of this grant of further extension of time by making true progress in and completion of its Road as herein above prescribed, then the said Common Council shall in behalf of said Town have full right and power to demand and enforce the Forfeiture prescribed by such act, and all the said Rail Road with all the work, materials and structure thereon, and all the property of said Fred’g Orange and Charlottesville Road Company embracing both the Roadway, Track and all work, materials and Structures as now existing as well as such additional work and materials and property put on said Road within such period of extension, shall then be and stand forfeited to and for the use of the Stockholders of the Fredericksburg and Gordonsville Rail Company, who held stock in said Company at the date of its dissolution, and such forfeiture shall be enforce and effectuated by the Board of Public Works of Virginia in the manner and by the proceedings prescribed in said Act of the Legislature in

reference to the Forfeiture so now incurred by said Fred'g Orange & Charlottesville Rail Road Co, under its provisions.

2nd It is further resolved and ordered that the Board of Public Works of Virginia be and the same is hereby earnestly requested not to take any steps for the present enforcement of the said forfeiture so incurred by the said Fred'burg, Orange & Charlottesville Rail Road Co, but in consonance with what has heretofore been the repeated expressions of the judgment and policy held by the State of Virginia, and by [Page 230] by the private Stockholders in the Fredsburg and Gordonsville Rail Road Co; that it was best to obtain the completion of said Rail Road by Capital drawn from without the limits of Virginia in so far as there appeared to be a reasonable prospect for inducing such capital to be so employed the Common Council respectfully invokes said Board of Public Works to unite with it in allowing said Freder'burg, Orange & Charlottesville Rail Road Co to have this aforementioned extension of time within which to complete said Rail Road to Orange Court House upon the terms and conditions herein above stipulated,

3rd Be it further resolved and ordered that the Fredericksburg Orange and Charlottesville Rail Road Company shall file with the Board of Public Works of Virginia a writing signed by its president and attested by the seal of its Company declaring that said Company accept the terms and conditions herein above expressed, upon which such extension is to be granted and also of the terms and conditions which may be prescribed and expressed by the Board of Public Works of Virginia for the granting of such extension of time on its part, in case said Board concurs in such grant of extension of time before said Freds'burg, Orange & Charlottesville Rail Road Company shall have and enjoy the rights and benefits of such extension of time.

4th Be it further resolved that [blank] be a committee of this Council to communicate an authenticated copy of these Resolutions to the Board of Public Works of Virginia and to invoke its concurrence in the line of [Page 231] of policy and action contained in these proceedings.

Mr Conway stated that before any action was taken upon the paper presented by him as Gov Marye was present the Council would be glad to hear him upon the subject, On Motion, Gov'r Marye was requested to address the Council upon the subject before the body, and did so at great length, and strongly recommended the adoption of the preamble and resolutions presented by Mr Conway;

Mr Mason, moved the following as a substitute for the preamble and resolution offered by Mr Conway; seconded by Dr Wallace

Whereas the forfeitures provided for by the Act of Assembly of Virginia in force March 26th 1873 entitled "An Act to extend the time for the completion of its Road by the F O & C R R Co, to provide for construction of a Branch and extension of said Road, and to prescribe what may be done to complete same in case of forfeiture incurred by the said Company, and the Act of Assembly entitled an Act to authorize the F & O & C R Rd Co to create a new and first Mortgage on its property & franchises approved April 1st 1873, have been incurred by said F O & C R Rd Co by reason of its failure to complete said Road to Orange Court House by the 1st of July 1873;

And whereas it is provided by said Act first mentioned act (see the act and insert section 2nd down to the first and whereas it is provided by said Act that in case of the happening and enforcement of the forfeitures that said Fred'g & Gordonsville R Rd Co so reorganized shall be subject to and bound for certain debts and obligations to Citizens of Virginia in said act set out and,

Whereas the entire interest in and all controls of said Road and property rights and franchises thereon now accrued by reason of said forfeitures to the parties for whose benefit they are in said acts declared to enure may be most seriously hazarded by the failure of the original Stockholders of the F & G R Rd Co to organize in the manner within the time prescribed in said acts,

Therefore be it resolved by the Common Council of Fred'g speaking in behalf of the interest of said Corporation of Fredericksburg and her Citizens

1st that the Board of Public Works of Va be requested to proceed to enforce said forfeitures and to call the meeting of Stockholders of the F & G R Rd Co, within forty days from the 1st of July 1873 for the purpose of

organization as prescribed in Section one of said first mentioned act, and to take possession of said Road &c, but in taking possession thereof it is earnestly desired that no real interference with the work now progressing or hindrance thereto be interposed by said Board of Public Works

2nd Resolved that the said Council solemnly assure the Stockholders of the late F O & C R Rd Co that this step is taken from no desire upon the part of the Corp'n of Fred'g or her citizens to cause to them in any event the eventual entire loss of the interests lately held by them thereon, but for the protection of the rights and interests of the parties for whose benefit said forfeitures have inured against loss by waiver or lack [Page 233] that no interference with or hindrance to the prosecution of their work on said Road will be offered by said Corporation of Fred'g pending the organization of said Fred'g & G R Rd Co but every facility in the power afforded to help on the same and that said F & G R Rd Co when organized as provided in said Acts of Assembly (nine-tenths of the private stock in said last named Co being owned by the Corpo of Fred'g) will contract with said Stockholders of said F O & C R Rd Co or the parties interested in the last mentioned Co as they are authorized to do by said Acts of Assembly, for the completion of said Road in such manner as to provide for the reinvestment of said Stockholders of said F O & C R Rd Co with all the rights and interests held by them in said Road, prior to the forfeiture thereof, and hereinbefore mentioned save the debts & liabilities due and accruing under and by reason of said forfeitures to the parties in said acts mentioned, other than said Corpo of Fredericksburg, provided said Stockholders of the F O & C R Rd Co shall show by their works their capacity and intention to complete said Road to Orange Court House in such reasonable time as may be agreed upon by the contracting parties.

The vote was taken by Ayes & Noes, upon the substitute offered by Mr Mason and it was lost by the following vote

Ayes Mess'rs Myer, Wallace, Mason 3
Noes Mess'rs Conway, Little, Bowering, Sener, Hunter, Coakley, Doggett, Magrath, McCracken 9
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The question recurring upon the preamble and resolutions offered by Mr Conway, Mr McCracken submitted the following as an amendment which was adopted

But it is not proposed or intended by this Council that the grant or extension of time to complete said road hereby agreed to shall be held, construed, or made to prejudice or affect any legal rights acquired by the creditors of Finch & Co, or by any creditors of the Fredericksburg and Gordonsville Rail Road company who are provided for by the Acts of the General Assembly creating the said forfeitures.

The vote was then taken by Ayes & Noes upon the resolutions offered by Mr Conway, and they were carried by the following vote:

Ayes Mess'rs Conway, Little, Myer, Bowering, Wallace, Sener, Hunter, Coakley, Doggett, Magrath, McCracken 11
Noes Mr Mason 1

The Mayor appointed Mess'rs Conway, Little and Bowering as the Committee under Mr Conway's 4th Resolution

The Council then adjourned

Rob't B Berrey, Mayor

[Page 235]

At a called meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Friday August 15th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, Benj'n Bowering, J G Wallace, J G Mason, H S Doggett, P McCracken

On motion, Mr Sener, Mr Mason was requested to act as Clerk of this meeting in the absence of Mr Adams

Mr Conway, Chrmn of the Committee appointed at the last meeting of the Council submitted a written report to the effect that the Board of Public Works concurred in the action of the and that the F & O & C R Rd Co had accepted the conditions upon which the extension of time of completion was granted and that there was a good prospect of the road being completed

Present: W A Little, councilman, R W Adams, Clerk

On motion, the report of the Committee was received and ordered to be filed and the Committee discharged, also that the Treasurer be directed to pay the expenses of the Committee amt'g to fourteen 90/100 dollars

Mr Conway, Chrmn of the Committee appointed by this council to take into consideration the subject of filling any vacancy in this body that may occur by resignation or otherwise reported in writing that they are of opinion that any vacancy can be filled by an election of the remaining Councilmen.

On Motion, Mr Sener, the report of the [Page 236] committee was received and ordered to be filed and the Committee discharged

Mr Conway submitted the following which was adopted;

A bill in chancery having been filed in the Circuit Court of Spotsylvania County by Wm H Fitzhugh, Trustee of Landon J Huffman, late Collector of taxes for this Corporation in which the Mayor and Common Council of the Town of Fredericksburg are made parties defendants, in which bill amongst other things complainant prays "that the accounts between the said collector and the said Corporate authorities be referred to an experienced commissioner with authority to call for all necessary books and papers & to examine on oath such persons as he may think proper in regard to said accounts &c &c"

Now be it ordained by the Mayor and Commonality of the said Town that his Honor the Judge be required to grant the prayer of the said bill so far as the said reference to the accounts aforesaid to a special commissioner is concerned, it being desirable that a settlement of this said accounts may be made at an early day.

Mr Conway, Chairman of the Finance Committee submitted the following ordinance imposing taxes for the year 1873 which on Motion Mr McCracken was adopted

Be it ordained by the Mayor and Commonality of the Town of Fredericksburg that the taxes on persons, property, licenses and subjects required to be listed for the year 1873 in the said town as be assessed levied and paid as follows

[Page 237]

1st On every male person over 21 years (not exempt by law)

50¢

2nd On all real and personal property and on Incomes in excess of \$1000 on every \$100 assessed value thereof \$1.50

3rd On Bankers, Brokers and Real Estate Licenses 50 per cent of the license tax imposed by the State

4th On All other persons required to be licensed by law (excepting Theatrical and other exhibitions and such persons as are taxed by Special ordinances 75 percent of the license tax imposed by the State

5th On all monies, capital, employed by Bankers and Brokers and their Gross profits, salaries, the Capital Stock of the Fredericksburg Aqueduct Company and the Capital Stock of the National Bank of Fredericksburg fifty cents on every \$100 assessed, the tax on the Aqueduct Co to be paid by its Treasurer and the tax on the National Bank to be assessed and paid by the Cashier of the said Bank to the Collector of

Taxes in the same manner and under the same provisions that the State tax is assessed and paid under the provisions of the Act of Assembly passed March 28th 1871

6th On all male dogs one dollar and on all female dogs two dollars

7th One third of the said taxes shall be paid in National Currency of the United States and two thirds in past due Coupons or past due interest on the Registered Bonds of the Town of Fredericksburg, or the tax payer at his option pay the said two thirds of his taxes [Page 238] in National Currency of the United States at the rate of sixty cents on the dollar

8th A deduction of 10 percent will be allowed on all taxes paid on or before the 15th day of September; of 5 percent on all payments on or before the 15th of October and of 3 percent on all payments on or before the 15th day of November 1873

9th On all taxes remaining unpaid on and after the 15th November 1873 there shall be added five percent and interest from that date till paid and the same shall be collected in the manner prescribed by law and the ordinances of the Town

The Council then adjourned

Rob't B Berrey, Mayor

[Page 239]

At a regular meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday, August 26th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, J G Wallace, C E Hunter, Benj Bowering, P McCracken, H S Doggett, L O Magrath

The minutes of the last meeting were read and approved

Present: J G Mason

Mr Conway stated that the Commissioner of the Revenue had completed his work and the Books had been placed in the hands of the Treasurer and Collector of Taxes and on his motion it was ordered that the Treasurer pay Mr S J Quinn, Commissioner of the Revenue his salary for the Year 1873 amounting to two hundred and fifty dollars

A Communication from C W Wallace, Commonwealth Attorney suggesting that the ordinance concerning sample merchants be amended was read by Mr Conway.

Mr Conway submitted the following ordinance which was seconded

1st Be it enacted by the Mayor and Common Council of the Town of Fredericksburg, that it shall not be lawful for any person to sell or offer to sell any description of goods, wares, or merchandise by sample cards, description or other representation without having obtained a license therefor as hereinafter prescribed and any person [Page 240] so acting with or without said license shall be deemed to be a sample merchant. But nothing in this act shall be so construed as to prevent any merchant or manufacturer a resident of the State of Virginia from exhibiting a specimen of his goods wares or merchandise, nor shall it prevent the exhibition of a sample of any property which the person exhibiting the same, is authorized to sell without a sample merchant's license

Any person or persons who shall sell or offer to sell in violation of this act shall pay a fine of ten dollars for each offense; the informer to receive one half of the fine so collected

2nd The specific license tax on every person other than a resident merchant or manufacturer for the privilege of selling by sample card description or other representation, and on every sample merchant shall be \$ [blank] dollars, excepting the tax on a liquor sample Merchant shall be \$ [blank] and any sample or other merchant permitting anyone else to sell under his license shall pay a fine of ten dollars for each offence

3rd All licenses issued under this Chapter shall expire on the 30th day of April of each year next after the same are issued, and there shall be not abatement from the tax on said license of the same be exercised for less than a year.

4th It shall be the duty of the Commissioner of the Revenue to assess every sample merchant and immediately after such assessment to deliver a certificate of such assessment to the Treasurer, who shall thereupon have authority unless the said assessment is paid to make distress and use all the [Page 241] remedies to collect the same that are given for the collection of other taxes; when the tax shall be paid and not before the person so assessed shall be deemed to be licensed

5th In case of a failure to pay the fine created under this ordinance the person convicted shall be imprisoned and held in custody until the fine is paid, said imprisonment in no case to exceed thirty days.

6th All ordinances and laws and parts of ordinances and laws inconsistent with this ordinance are hereby repealed.

7th This ordinance shall be in force from its passage.

The mayor presented a petition signed by many citizens asking that the ordinance concerning sample merchants be repealed or modified.

Dr Wallace presented a petition signed by a number of Merchants & others praying that no change be made in the license tax upon sample merchants.

Mr Conway stated that as a number of merchants were present he would be glad to have their views upon the subject before them, and on his motion any merchant or other citizen present who desired to address the Council was permitted to be heard.

Mess'rs Edwin Carter, Wm Mills & G W Shepherd addressed the Council in support of the petition for repeal or modification of this ordinance.

Dr Wallace moved that the blanks be filled at \$30 for sample merchants other than liquor and \$50 on sample liquor merchants, seconded

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Mr Conway moved to amend by inserting twenty dollars in place of thirty, which was also seconded

Mr Mason moved that the subject be postponed until the next meeting of the Council which being seconded and the vote taken by Ayes and Noes, it was lost by the following vote

Ayes Mess'rs Mason, Sener, Bowering, & Hunter 4

Noes Mess'rs Conway Wallace, Doggett, Magrath, McCracken 5

The question recurring upon Mr Conway's motion, Mr Mason moved to insert \$10 in place of \$20, which motion be seconded and put to the vote by Ayes and Noes, it was lost by the following vote:

Ayes Mess'rs Mason & Hunter 2

Noes Mess'rs Conway, Bowering, Wallace, Sener, Doggett, Magrath, McCracken 7

The vote was taken upon the Motion of Mr Conway, by Ayes and Noes and it was adopted by the following vote

Ayes: Mess'rs Conway, Mason, Bowering, Sener, McCracken 5

Noes: Mess'rs Wallace, Hunter, Doggett, Magrath 4

Mr Conway moved that the ordinance as a whole be adopted which being seconded and the vote being taken by Ayes and Noes it was adopted as follows

Ayes Mess'rs McCracken, Magrath, Doggett, Sener, Wallace, Bowering, Mason, Conway 8

Noes Mess'r Hunter 1

Mr Magrath moved that the sum of ten dollars be refunded to Mess'rs Tottle & Brown who had recently taken out a Sample Merchant [Page 243] license and for which the sum of \$30 was paid. The Motion was seconded and the vote taken by Ayes & Noes and it was lost

Ayes Mess'rs Doggett & Magrath 2

Noes Mess'rs Conway, Mason, Bowering, Wallace, Sener, Hunter, McCracken 7

On Motion, Mr Sener

Ordered that Chapter XIII or the ordinances be amended in this that the word "five" in the fourth line be stricken out and the word "ten" inserted, so as to read "he shall be fined not less than one nor more than ten dollars."

On Motion, Mr Conway moved,

Ordered that Section 6, Chapter 18 of the ordinances be amended in this that after the word festival in the third line there shall be inserted the words "without the consent of the Mayor, Recorder or some Justice of the Peace of the Corporation"

Mr McCracken moved that the section be repealed which was seconded and put to the vote and carried

The Council then adjourned

Rob't B Berrey, Mayor

[Page 244]

At a regular meeting of the Common Council of the Town of Fredericksburg held at the Common Council on Tuesday September 23rd 1873

Present R B Berrey, Mayor

J G Wallace, P McCracken, C E Hunter, W P Conway, J G Mason, Benj'n Bowering, L O Magrath, H S Doggett, J H Myer

The minutes of the last meeting were read and approved

Mr Conway presented an account of the Fred'g Cemetery Co amounting to twenty dollars which on Motion was referred to the Finance Committee

On Motion, Mr Conway

Resolved that from this date to the 15th day of November next the charge for the use of the Court House for political purposes be fixed at four dollars per night

Mr McCracken called the attention of the Council to the fact that the lock up for prisoners had been broken open and the bunks therein overturned &c but by whose authority it was done he was unable to say, and he desired that the Council take such action in the premises as they deemed necessary.

The Mayor made a statement explanatory of the matter, referred to by Mr McCracken and he desired if in accordance with the views of the Council that the whole subject be referred to a Special Committee for investigation

The Mayor called Mr Conway to the chair

On Motion Mr Conway

Resolved that the subject of the [Page 245] breaking open the lock up house for prisoners reported by Mr McCracken be referred to the Public Property Committee with the request that the matter be thoroughly investigated and report of same be made in writing at the next regular meeting or a called meeting of the Council

The Council then adjourned
Rob't B Berrey, Mayor
[Page 246]

At a called meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Saturday Oct 25th 1873
Present R B Berrey, Mayor
J W Sener, Recorder
W P Conway, R H Coakley, J G Mason, Benj'n Bowering, J G Wallace, W A Little, J H Myer, L O Magrath
[no minutes for this meeting]
[Page 247]

At a regular meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday October 28th 1873
Present R B Berrey, Mayor
J W Sener, Recorder
J G Wallace, J H Myer, Benj'n Bowering, W P Conway, L O Magrath, C E Hunter, P McCracken
The minutes of the last meeting were read and approved

Mr Conway stated that the Finance Committee were not prepared to report at the present meeting upon the account of the Fred'g Cemetery
Present: H S Doggett, J G Mason

Mr Sener, Chrmn of the Public Property Committee to whom was referred the subject of the breaking open of the "Lock up" or station house, submitted a written report to the effect that the breaking open &c was ordered by the Mayor owing to the absence of the officer having the key of the premises and for reasons stated by the Mayor to the Council.
The Mayor requested the Recorder to take the Chair; Mr J W Sener, Recorder in the Chair

Dr Wallace submitted the following which was seconded
The report of the Committee having been presented and the subject of the same fully discussed, Resolved that the Committee be discharged from its further consideration and the matter indefinitely postponed.
The vote being taken by Ayes & Noes it was adopted by the following votes
[Page 248]
Ayes Mess'rs Conway, Bowering, Wallace, Mason, McCracken, Sener 6
Noes Mess'rs Myer, Doggett, Magrath, Hunter 4

Mr Conway submitted the following which was adopted
Resolved that it is the sense of this council that the Lock up be put in order under the supervision of the Public Property Committee and continued in use for the purpose originally designed by the Council by its ordinance on the subject

Mr Sener, a member of the Board of Trustees of Public Schools stated that the Public Schools of the Town were working well and the number of scholars on the Rolls reported at 360 and the daily average attendance good.

Mr Bowering stated that Mr Manuel was present and desired to be heard in reference to the enclosing of "Mint Spring lot" by Mr A K Phillips

On Motion, Mr Manuel was permitted to be heard

On Motion, Mr Doggett, the subject of the enclosing Mint Spring Lot was referred to the Street Committee for investigation and report at the next meeting.

The Council then adjourned

Rob't B Berrey, Mayor

[Page 249]

At a regular meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday November 25th 1873

Present

A quorum of the Council not being able to attend the regular meeting was postponed until Tuesday, Dec'r 2^d 1873

At a called meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday December 2^d 1873

Present R B Berrey, Mayor

J G Wallace, P McCracken, R H Coakley, H S Doggett, J H Myer, C E Hunter, W A Little

The minutes of the last meeting were read

Present: L O Magrath, J G Mason, Benj'n Bowering

Mr Bowering, Chrmn of the Street Committee stated that the committee to whom was referred the matter of the enclosing "Mint Spring" lot was unable to report at this present meeting and asked for further time

On Motion, Dr Wallace, Further time was granted the Committee to make their report

Mr Doggett, Chrmn of the Pump Committee called the attention of the Council to the necessity of locating a pump for the convenience of citizens at the upper end of Town near the Woolens Factory and stated that the citizens in that locality were urgent [Page 250] but the Committee preferred to bring the Motion to the Notice of the Council before taking any action. Whereupon on Motion of Dr Wallace, the subject was referred to the Committee on Pumps with direction to examine into the matter and report in full at the next meeting of the Council

The Mayor presented an account of T F Knox, J Sullinger, Chs Wallace, judges and M B Rowe and James Taylor, clerks of election at the upper ward for services at the election held November 4th 1873 amounting to \$35, and on Motion, Dr Wallace ordered that the sum of sixty five dollars be appropriated and paid for the services of the judges and clerk of election held in Novem'r 1873 at the upper & lower wards and for carrying the returns to Spotsylvania Court House

Dr Wallace submitted the following which was adopted,

Resolved that the amounts due for Rent of the Court House by parties using the same under the resolution passed by the Council September 23^d 1873be and the same are hereby remitted

Mr Magrath submitted the following which was seconded

Resolved that a Committee of three of the Council be appointed to enquire and report to the Council what action should be taken upon the resolution of the Council passed July 24th 1873 in relation to the Fred'g Orange & Charlottesville Rail Road and that said Committee report at a meeting to be held on Tuesday next [Page 251]

Dr Wallace submitted the following as a substitute for Mr Magrath's resolution which was seconded

Whereas the Fred'g Orange & Charlottesville Rail Road Co has failed to comply with its contract to complete the Rail Road to Orange C House:

Resolved by the Common Council that the Board of Public Works be requested to carry out the laws of the Legislature and proceed forthwith to enforce the forfeiture prescribed in the acts of the said Legislature

The vote being taken upon the substitute by Ayes and Noes, it was lost by the following vote

Ayes Mess'rs Wallace & Myer 2

Noes Mess'rs McCracken, Little, Doggett, Coakley, Hunter, Mason, Bowering, Magrath 8

The question recurring upon the resolution offered by Mr Magrath and being put to the vote it was adopted

The Mayor appointed Mess'rs Magrath, Mason, & Doggett as the Committee

The Council then on Motion adjourned until Tuesday next 9th Inst

Rob't B Berrey, Mayor

[Page 252]

At an adjourned meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday December 9th 1873

Present R B Berrey, Mayor

J W Sener, Recorder

W P Conway, J G Wallace, Benj'n Bowering, J H Myer, L O Magrath, C E Hunter, W A Little

The minutes of the last meeting were read and approved

Present: H S Doggett, R H Coakley, J G Mason

Mr Conway, Chrmn of the Finance Committee presented the following accounts which were passed and ordered to be paid Viz

C W Edrington amt'g to \$8.00

Fred'g Ledger for advertising \$2.50

A A Little for advertising \$5.00

Mr Conway of the Finance Com; to whom was referred the account of the Fred'g Cemetery Co, stated that the Committee were yet unable to report and asked for further time, which on Motion was granted

The Mayor stated that Mr John Howison, Supt of Public Schools was present and desired to make a statement, and on motion Mr Howison was permitted to be heard

Mr Howison stated that a vacancy occurred in the Board of Trustees by the expiration of the term of Mr J W Sener, and requested that the Council elect a suitable person to fill the vacancy and recommending the re-election of Mr Sener.

The Council then proceeded to the election when Mr Joseph W Sener was nominated and [Page 253] unanimously elected a Member of the Board of Trustees of Public Schools for the ensuing year term

Mr Mason from the Special Committee appointed by the Council at its last meeting to whom was referred the subject of the resolution in reference to the F & O & C Rail Road, submitted at the request of the Chairman of the Committee the following report;

Your Committee to whom was referred the consideration of what action should be taken by the Council in reference to the F O & C R R by resolution adopted the 2nd day of December 1873 beg respectfully to report as follows:

Just after the adjournment of the last meeting of your body, at which said resolution was passed they ascertained by published notice in one of the Richmond papers that the Board of Public Works had before the action of the Council proceeded under Statute to enforce the forfeiture provided for in the act in force, March 26th 1873 and had pursuant to said act called a Meeting of the Stockholders of the F & G R R as it

stood at the date of its dissolution to be holden in the Court House of this Corporation at 12 M on the 5th day of January 1874 and your Committee having ascertained that Colo W D Coleman, Secretary of said Bd of P Works was here for the purpose of take possession of the property forfeited, south and obtained an interview with him on the 5th day of December 1873 for the purpose of ascertaining definitely the facts connected with the transactions of said Board in reference to said Road. Your Committee ascertained from Colo Coleman that he had in behalf of said Board of P W taken possession of said road and the property belonging to said Company so far as it could be found [Page 254] including the Road – Road bed with about 17 miles of track thereon, the Depot ground, and buildings thereon in this Town, a lot of Rail Road ties (about 10,000) along the Road, some 149 kegs of spikes, and about 313 tons of iron, most of which is here about the Depot, and the balance at Quantico, that and inventory of the entire property had been made by Colo Coleman and all turned over by him to Colo C M Braxton to be held by Colo Braxton as Custodian for said Bd of P W until the organization of the F & G R Rd Co (see copy of statement by Colo B herewith filed)

The Statement was kindly furnished by Colo Braxton, Your Committee deeming that the object really desired by the Council to wit: the enforcement of the forfeitures and the provision for the meeting of Stockholders &c of F & G R Rd had been provided for by said Bd of P W, in the action of which they fully concur, did not consider it necessary to proceed further in the matter, But they respectfully recommend that proxies be appointed to represent the interest of the Corporation at the meeting to be held on the 5th proximo. Your Committee also recommend that inquiry be instituted as to the ownership of the articles named in the schedule which Colo Braxton declines to surrender, and also as to whether there be not other property belonging to said Company which is fairly and justly forfeited under the law.

Respectfully submitted

L O Magrath

H S Doggett

J G Mason

On Motion, Mr Sener

The report of the Committee was received and the Committee discharged

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Dr Wallace moved that the appointment of proxies to represent the Stock of the Corporation in the F & G R Rd Co at the meeting of Stockholders to be held on 5th proximo be postponed until the next regular meeting of the Council which was seconded

Mr Conway moved as a substitute that the Council proceed to the election of proxies at the present meeting which was seconded and the vote taken by Yeas & Noes and it was carried by the following vote

Yeas Mess'rs Magrath, Doggett, Coakley, Hunter, Mason, Bowering, Myer, Little, Conway 9

Noes Mess'rs Sener, Wallace 2

On Motion, Mr Conway

Resolved that the Council proceed to elect three members of this body as proxies to represent the Stock of the Corporation in the Fred'g & Gordonsville Rail Road Co in the Meeting of Stockholders of said Company to be held in Fredericksburg on 5th January next

The following members were nominated and balloted for viz, Mess'rs Conway, Bowering, Mason, Wallace, Magrath, & Doggett and upon the first ballot Mess'rs J G Mason, L O Magrath and H S Doggett having received the highest votes were declared elected as proxies to represent the Stock of the Corpo in the F & G R Rd Co in the meeting of Stockholders to be held on 5th January next.

Mr Sener called the attention of the Council to the fact that numbers of destitute travelers were passing through town averaging about five a day; these persons he said obtained lodging at night in the Station house, but were compelled to seek food from citizens by going from house to house [Page 257] and he

thought that an appropriation should be made by the Council for the purpose of relieving these people and some places designated where they could obtain meals, and thus relieve the citizens of the tax imposed upon them in supplying their wants.

After much discussion of the subject Mr Doggett submitted the following which was seconded
Resolved that the overseer of the poor of this Corporation be requested on the order of the Mayor to supply at some eating house which he may be able to arrange with for that purpose, meals of victuals to travelers who are unable otherwise to obtain food, and who may obtain permission of the Mayor to lodge in the Station House at night and Charge the same to his a/c as overseer of the poor of the Corporation
Mr Conway moved as a substitute that the whole subject be referred to a committee to inquire into the law and report at a subsequent meeting of the Council, which was also seconded and being put to the vote it was lost.

The question recurring upon the resolution of Mr Doggett and the vote taken thereon it was adopted

The Council adjourned

Rob't B Berrey, Mayor

[Page 257]

At a regular meeting of the Common Council of the Town of Fredericksburg held at the Council Chamber on Tuesday December 23rd 1873

Present R B Berrey, Mayor

C E Hunter, J G Wallace, W P Conway, J H Myer, Benj'n Bowering

A Quorum not being present the Council stood adjourned

R W Adams, C C