

Fredericksburg Council Minutes 1903

[Page 49]

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Thursday the 15th day of January 1903 at 7:30 o'clock PM There were present Hon M G Willis, Mayor Councilmen E D Cole, G W Wroten, T McCracken, H Dannehl, E W Mills, H L Wallace, L Perry

The meeting was called to order by the Mayor and the minutes of the last regular meeting were read and approved.

Col Cole, Chairman Finance Committee presented the renewed receipt of the Guarantee Company giving security of the official bonds of Capt S J Quinn, Superintendent of the City Water Works and of Mr William Fitzpatrick, Superintendent of the City Gas Works for the year 1903, and said renewal receipts were placed in the hands of the Mayor and he was requested to attach them to the respective original bonds of said Superintendents

And Col Cole presented the following bills which on motion were ordered to be paid, viz;

To W D Scott, H H Wallace and A M Garner the Committee of Citizens on Street Extension for 5 days service each of \$5	\$45.00	
J William Adams 25¢ and to same \$3.05	\$3.30	
R A Kishpaugh	.50	
J P Corbin, postage & typewriting from Oct /91 to date	\$11.28	

Col Cole read a statement made by the Superintendent of City Water Works showing that there was due for water rent by estates to the amount of	\$907.84	
With penalty and interest thereon	\$411.46	\$1,319.30
Due of judgments against individuals		\$937.46
Making in all the sum of		\$2,256.76

And stated there were other claims due the City by sundry parties, and asked that authority be given the Finance Committee to employ an attorney in collecting the same, whereupon

Mr Dannehl moved that the Finance Committee be authorized to proceed at once to collect all judgments in favor of the City against parties for water rent and all other judgments in favor of the City, and also all amounts due the city by estates for water rent, and that said Committee be authorized to employ an attorney for said purpose if in their judgment it be necessary, which was unanimously adopted.

[Page 50]

The Mayor had read the resignation of Mr C W Jones as a member of the Council “to be immediately effective on its acceptance” and

Col Cole moved that the same be accepted and Capt McCracken offered as a substitute that the said resignation lay over until the next regular meeting, and the substitute was adopted.

Capt McCracken, Chairman Light Committee pursuant to resolution passed November 20th last, reported that said Committee did not consider it advisable to make yearly contracts for coal at this time, and asked that the sum of \$4000 be placed to the credit of the Light Committee for the Gas Works, and further stated that the Electric Light Plant was not working to the satisfaction of the Committee and that they could not ascertain the cause and

Col Cole moved that the Light Committee be requested to make a thorough examination of the Electric Light Plant and that said Committee be authorized to employ an expert machinist or electrician if

necessary in such examination, and report the condition of said Electric Plant to the Council as soon as practicable, and at a called meeting if necessary; which was adopted
And Mr Dannehl moved that the sum of \$4,000.00 additional be placed to the credit of the Light Committee which was adopted

Mr Dannehl of Committee on Schools had read a letter from Dr J W Rosebro, President of Fredericksburg College in reference to the progress of the students under City Scholarships which was ordered to be filed.

The Mayor reported dog taxes collected since last report amounting to \$29.35 net, and reported fines collected amounting to \$46.00 and the Treasurer's receipt for said respective sums were read and the Mayor reported the police had done their duty.

Capt McCracken moved that the Ordinance Committee be requested to report an ordinance at the next regular meeting of the Council setting forth some mark or badge to be worn by dogs whose owners have paid the requisite dog tax, which was adopted.

[Page 51]

Col Cole had read an ordinance touching the collection of water rents &c &c and moved that the rules be suspended in order to consider said ordinance, which motion was adopted unanimously and Mr Perry moved that said proposed ordinance be referred to the Ordinance Committee which was adopted

Col Cole stated that the Southern Farm Agency of Lynchburg, Virginia were soon to publish a new catalog of property in this section and that Mr Jno W Allison the local agent for said Farm Agency here had said that they would embody in said catalogues important data concerning this City free of cost and Mr Wroten moved that the matter be referred to the Committee on Public Interest with power to act in the premises and with authority to spend \$15.00 or so much thereof as may be necessary in obtaining susceptible information to be so published in said Catalogue, which was adopted

Mr Dannehl, Chairman of Ordinance Committee pursuant to notice given at December meeting, presented the following ordinance on Plumbing &c &c

“Be it ordained by the Common Council of the City of Fredericksburg

1. That the Superintendent of City Water Works shall by virtue of his office be the Superintendent of Sewers and the inspector of Plumbing of said City.
2. It shall be the duty of the Inspector of plumbing, under the direction of the Committee on Health and Police to sign and issue all notices and certificates to keep a record of his works, including all notices and applications received, violations of these regulations, and all other matter pertaining thereto, and make reports to the Committee on Health and Police. He shall also report any matter requiring immediate attention to the Chairman of the Committee on Health and Police.

He shall inspect all houses in course of erection, alteration, or repair as often as may be necessary and shall see that all the plumbing, drainage, and sewerage work is done in accordance with the provisions of these regulations. All plumbing shall be inspected first when the drain, soil, waste and vent-pipes are run in the building, they shall be left uncovered and the plumber shall report the same at once to the inspector of plumbing for inspection and [Page 52] again when the fixtures are placed in position and the work completed.

It shall be the duty of the Inspector of Plumbing immediately upon notification by the plumber to proceed to inspect and pass upon the work and all inspections shall be made within twenty-four hours after such notification. He shall promptly condemn and order the removal of any defective materials, or any works done as to plumbing for drainage or sewerage work. Upon a complete and satisfactory inspection of any work he shall grant a certificate of approval.

3. On and after the passage of the foregoing ordinance, every person engaged or about to engage in the plumbing business in the City of Fredericksburg as a master or journeyman plumber, or any person coming from other places for the purpose of engaging in the plumbing business in the City of Fredericksburg as a master or journeyman plumber shall appear in person before the said inspector and receive a certificate of registry, upon satisfactory proof that he is a master or a practical journeyman plumber; and no other person than a registered plumber shall be allowed to carry on or engage in the plumbing business or make any connection with any sewer, drain, soil or waste pipe or any pipe connected therewith

No plumber shall be allowed to make a connection to any drain, soil, waste or vent-pipe or any pipe connected therewith nor shall he make any addition or alteration in the sanitary arrangement of any house without first having received a written permit from the Inspector of Plumbing to do so and it shall be the duty of the Inspector of Plumbing to keep a permit book and a record of all permits issued.

4. It shall be the duty of every registered plumber to give immediate notice of any change in his place of business for correction of the register. Upon retirement from business he shall return his certificate to the then inspector.

5. The plumbing and ventilation in every building shall be separate and independent from the roof to the outside of the foundation walls, and in a row of tenements each tenement shall be deemed a separate house; each flat, apartment house, hotel, factory, church, hall, opera house, and stable shall be construed as one building; provided that where a fire-wall in any building divides said building then each part so divided although there be but one entrance shall be separately and independently plumbed; and provided further that private stable may be connected with the house drain.

[Page 53]

That portion of the house-drain which is inside the walls and underneath the building and three feet outside the rear or foundation walls shall be constructed of what is known as extra-heavy cast-iron soil-pipe and extra-heavy fittings, the weight of pipe to be as follows: Standard cast-iron soil pipe may be used where it is in an exposed position

2-inch 5 pounds per foot

3-inch 9 pounds per foot

4 inch 12½ pounds per foot

5-inch 16 7/8 pounds per foot

6-inch 19½ pounds per foot

7-inch 26½ pounds per foot

8-inch 33 pounds per foot

10-inch 44½ pounds per foot

12 inch 53½ pounds per foot

Fittings for pipe are not to be coated inside or out unless by procession of the said Inspector. They shall be securely ironed to the walls, laid in trenches of uniform grade, or suspended to the floor timbers by strong iron hangers to be approved by the inspector. In all cases a clean out connection shall be placed in main drain near exit from building, also in all branch drains near exit into main drain, each of said clean-outs to be placed in an accessible location unless in some other location by the consent of the said Inspector; the size of each of such clean-outs shall be not less than three inches in diameter.

6. All drain and soil-pipe shall have a uniform fall of not less than one-fourth of one inch per foot, toward the sewer and when such grade cannot be obtained a special permit may be obtained from the Inspector of plumbing for a less fall per foot.

7. House-drains when not running into or underlying a building may be of glazed vitrified stoneware pipe, laid at uniform grade of not less than one fourth inch to the foot, the joints to be made with Portland cement mortar composed of one part cement and one part clean, sharp sand, wiped out carefully on the inside and well pointed on the outside; provided that when terra-cotta pipe is used for drain purposes it

shall be carried not less than five feet beyond the wall of any house, cellar or vault, except by a special written permit from said inspector.

8. When any drain-pipe passes through or under the walls of a house a relieving arch shall be turned over it with a clearance of two inches on either side to protect it from breakage by the settling of the wall.

[Page 54]

9. No privy or cess-pool shall be connected with a sewer or house-drain. A running trap, provided with a fresh-air inlet and an accessible clean-out connection shall be inserted into the house-drain inside or outside the foundation wall, and as near said wall as practicable. The fresh-air inlet shall not be less than three inches in internal diameter, connected to the drain on the house side of the trap, on all drains where fixtures are within the building; and shall extend to the external air. All drains shall be run as straight as practicable, changes in direction to be made with regular fittings and all connection shall be made with Y's or sanitary T's.

10. Soil-pipes receiving the discharge from one or more water-closets shall be extra-heavy soil-pipe, except where a pipe is in an exposed position in which case standard cast-iron pipe shall be used (as specified in section 5) and not less than four inches internal diameter, and shall continue of undiminished size not less than two feet above the highest roof of the building, or contiguous property and above and away from any window, or ventilating shaft of a living room and shall be left open at the top.

11. No waste-pipe shall be less than one and one-quarter inches for one fixture, and not to exceed two fixtures; one and one half inches for three fixtures and not to exceed four fixtures. Lead waste shall not be less weight than the grade D. In no case shall the waste pipe from any other fixture connect to the house side or in the seal of the water closet trap; all such construction to be made so that the seal of the water-closet trap will not be disturbed. All waste pipes to be of cast-iron, lead or brass.

12. No refrigerator or other receptacle in which provisions are stored shall be connected with drain, soil, waste, or vent pipe, or discharge on the ground beneath the building, but in every case there shall be an open trapped tray beneath the refrigerator or other receptacles, the waste from which must discharge into a sink or other fixture.

13. Where two fixtures connect into one vent, such connection shall be made with not less than 1½-inch pipe, and for three fixtures not less than 2-inch pipe, and for a water-closet not less than 2-inch pipe for forty feet or less; over forty feet 3-inch pipe must be used; provided that vent pipes of three or more fixtures with waste three or four inches in diameter shall not be less than 3-inch for twenty feet or less; over twenty feet 4-inch.

14. All vent pipes where not vertical must have a continuous slope to avoid trapping of condensation. [Page 55] vent pipes from closets, sinks, bath-tubs, basins, urinals and wash-trays, shall be either lead, cast-iron or galvanized wrought iron pipe, with proper fittings.

Where a fixture is put in and discharge by means of a waste pipe into an open drain, a trap but not vent will be necessary, but the waste-pipe must not exceed fifteen (15) feet in length unless approved by the inspector.

15. No steam exhaust, blow-off pipe, drip or overflow pipes from safes under and water-closet, wash-basin, bath or other fixtures, shall be connected with sewer, drain, soil, waste, vent, or rain-water pipe, when within any building, but must discharge into an open tank or condenser from which a safe connection to the sewer or house-drain may be provided.

16. No sewer, soil-pipe, waste-pipe or ventilation-pipe shall be constructed of brick, earthen-ware or sheet metal (except as provided in section 7) nor shall chimney flues be used for such ventilators.

17. All joints in cast-iron pipe shall be packed with picked oakum and run with melted lead and well caulked

18. Connection of lead pipe with that of iron shall be made with brass or combination ferrules or brass soldered nipples and of a size not less than the lead pipe, with proper nickel joints and caulked or screwed to the iron pipe.

19. Every such bath-tub, basin, water-closet, urinal, wash-tray, and every fixture having a waste-pipe, shall be separately and independently trapped with a water-sealing trap, placed as near the fixture as practicable; traps shall be protected with syphonage and air pressure by a special vent-pipe carried through the roof or connection to the main soil pipe above the highest fixture, and of a size not less than the waste pipe up to and including two-inch over two-inch and not exceeding four inch. Each vent-pipe shall have a trap screen place in it, not more than six inches above where it connects with the trap, and shall extend two feet above the fixture it serves, before connecting to other vent-pipes.

20. All traps must be placed above floors in accessible locations, when practical and no trap shall be place at the foot of a vertical soil or waste pipe, traps with vent couplers must not be placed beneath floors or where they are not accessible. "Newton's" sanitary trap or any no-syphoning traps after being tested to the satisfaction of the Health and Police Committee may be used or repair work in lieu of back vent pipes, when constructed with a wash-basin, sink, bath, urinal or wash tray, which is not more than two feet from a main or direct vent.

[Page 56]

21. Safe, waste drip, or overflow pipes from tanks or cisterns shall be run to some place in open sight; but in no case shall any such pipe connect with drain, soil, waste, vent, or rainwater leader.

22. Every water-closet within a dwelling shall be either encrusted iron or earthenware siphon jet closets or wash out closets with traps and vents to be supplied from tank or cisterns through flush pipes not less than 1¼-inches internal diameter.

23. Water closets must not be located in any sleeping apartment, nor in any room or apartment which has not communication with the external air either by a window or air shaft having an area to open air of at least four square feet.

24. Direct service of a water-closet is always objectionable, and in case a water-closet is on the second or high story of a building it is absolutely prohibited. Wooden wash-trays and sinks are absolutely prohibited in any building. The must be non absorbent material.

25. All material used must be of good quality and free from any defect; the work must be executed in a thorough and workmanlike manner and subject to the approval of the Inspector of Plumbing.

26. All work must be left uncovered for examination

27. Pipes must be concentrated as much as possible and where place within walls or partitions they must if practicable be covered with woodwork fashioned with screws so as to give ready access for inspection and repair or else extra heavy pipe shall be used.

28. Nothing herein contained shall prevent the use of standard wrought-iron soil-pipe with proper fittings, coated inside and outside, as provided for cast-iron pipe, or of the use of standard cast-iron pipe for vent-pipes.

29. The whole system of drain, soil, waste, and ventilation pipes shall be filled with water or subjected to an air pressure of five pounds to the square inch and in all case where only a part of the system has been tested the Inspector shall require an additional test of the whole system and it shall be absolutely tight; and the Inspector shall so certify on the face of the permit, and no plumbing shall be used until such certificate is made by the Inspector. In all buildings erected prior to adoption of this ordinance which may require alterations or additions in drainage, plumbing or ventilation, the owner or agent shall have the drainage, plumbing or ventilation in such alterations [Page 57] done in accordance with the requirements herein set forth.

30. Any person violating any provision of this ordinance, or any requirement made of him by the inspector under the powers of this ordinance shall be liable to a fine of not less than one nor more than ten dollars; every day of failure to conform to such provisions or requirement, after having been so fined, shall be a separate offense.

31. This ordinance shall be in force from and after thirty days after its adoption.

And the same was adopted and on motion the Ordinance Committee was authorized to have 500 copies thereof printed"

And on motion of Mr Wallace the Council adjourned.

M G Willis, Mayor
James P Corbin, Clerk

At a regular meeting of the Common Council of the City of Fredericksburg held pursuant to notice in the Council Chamber of said City on Thursday the 19th day of February 1903 at 7:30 o'clock PM

There were present Hon Marion G Willis, Mayor
Councilman Lawrence Perry

No quorum appearing no meeting was held

M G Willis, Mayor
James P Corbin, Clerk

[Page 58]

At a called meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Thursday the 26th day of February 1903 at 3:30 o'clock PM

There were present Hon M G Willis, Mayor

Major W S Embrey, Recorder

Councilmen E D Cole, G W Wroten, J P Rowe, T McCracken, H Dannehl, E W Mills, M S Chancellor, H L Wallace

The meeting was called to order by the Mayor who stated that it had been called at request of Messrs McCracken, Cole, Dannehl and Rowe

Mr Dannehl of Committee on Schools stated that the Superintendent of Schools of the City, B P Willis, Esq and the Chairman of the School Board A B Bowering Esq were present and asked that they be permitted to address the Council on behalf of the Public Schools of the City, especially as to the cramped and inadequate grade school rooms in south end of the Court House. These gentlemen then each addressed the Council urging that the City build an annex to the Union House School building corner of Caroline and Lewis Street at an approximate cost of \$5,000.00 thus enabling all the white scholars to be in one building with proper room, light and ventilation.

Several members of the Council and the Mayor took part in the discussion of this important subject and Capt McCracken moved that the whole matter be referred to the Finance Committee, including cost, site, advisability &c of the proposed building, which was unanimously adopted, said Committee to report thereon.

And on motion the Council adjourned

M G Willis, Mayor
James P Corbin, Clerk

[Page 59]

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia, held pursuant to notice in the Council Chamber of said City on Thursday the 19th day of March 1903 at 7:30 o'clock PM

There were present Hon M G Willis, Mayor

Maj W S Embrey, Recorder

Councilmen E D Cole, G W Wroten, F H Revere, J P Rowe, T McCracken, H Dannehl, E W Mills, M S Chancellor, H L Wallace, L Perry

The meeting was called to order by the Mayor and the minutes of the January and subsequent meetings were read and approved.

Col Cole called up the resignation of Mr C W Jones which was read at the January meeting and passed by until the next regular meeting of the Council, and moved that it be accepted and a recorded vote being called for was had as follows

For the motion to accept the resignation Messrs Cole, Wroten, Rowe, McCracken, Embrey, Dannehl, Chancellor, Wallace = 8

Against Messrs Revere, Mills, Perry = 3 and the resignation of Mr Jones was declared accepted and Col Cole moved that the Council proceed to an election to fill the vacancy caused by Mr Jones' resignation which was adopted.

Maj Embrey nominated Mr William E Bradley to fill said vacancy and there being no further nominations a ballot was had which resulted as follows

For Mr Bradley 9

For Mr Carter 1 and Mr Bradley was declared elected a member of the Council, was sworn in as such and took his seat in the Council.

Col Cole of Finance Committee presented the following bills

J Willard Adams	A P R coll	\$8.50
R A Kishpaugh	Ord Com	\$17.00
R A Kishpaugh	J P Com	\$4.00

Which on motion were ordered to be paid and

Col Cole presented the following report namely

To the Mayor & Common Council of the City of Fredericksburg, Virginia
Gentlemen,

Condemnation has been had in relation to the parcels of property through which the new streets pass [Page 60] and the following amounts have been decreed by the Court to the owners thereof, viz; To S A Keene \$215.00; To Jno G Hurkamp Co \$25.00; To Geo W Shepherd \$50.00; To Fredericksburg Manufacturing Co \$100.00; to Matthew Garnett \$200.00; to Robert E Lucas \$40.00; to J W Honey \$200.00; to Alice L Wooddy, J E Wooddy and Albert E King in unequal proportions \$110.00; to Henry Miller St, \$200.00 making a total of \$1,140.00

Your Committee further report that T McCracken had before said condemnation accepted the amount assessed by the Committee appointed by the Council to-wit \$25.00 and that W S Embrey had done likewise to-wit \$107.50

Your Committee further report that they entered into a contract prior to the condemnation proceedings with James Goodrick and Alice Goodrick his wife by which it was agreed that the said James and Alice Goodrick would accept the sum of \$400.00 for the two parcels of land to be taken for the opening of Weeden Street and to make a good and unencumbered title to the same, and the said Goodrick's to be entitled to remove the dwelling house and other erections on the lot owned by Mrs Alice Goodrick to the lot of James Goodrick which removal to be made by the first day of February 1903, making the total sum for these parcels of real estate \$1,672.00.

Your Committee recommend that the \$1140.00 decreed in the condemnation proceedings be paid unto Court as there is some question as to the proper disposition of some portion of the fund, and where this payment unto Court is made the titles of the respective parcels of real estate vest in the Corporation of Fredericksburg without any deeds therefore

E D Cole, W S Embrey, T McCracken

Whereupon, on motion, the said report was received and Mr Wroten offered the following which was unanimously adopted.

Resolved by the Council; that the sum of \$1140.00 reported by the report of the Finance Committee as the aggregate amount allowed in the condemnation proceedings for the parcels of land taken for the opening

And had the receipt of the Treasurer for said accounts read, and reported the Police had done their duty.

Col Cole offered an amendment to Section 3 of Chap 38 of City ordinance increasing certain charges for water which lies over till next regular meeting.

At request of Mr Dannehl, Chairman of Ordinance Committee said Committee was given further time to consider certain ordinances referred to it.

And on motion the Council adjourned

M G Willis, Mayor

James P Corbin, Clerk

[Page 63]

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Thursday the 16th day of April 1903 at 8 o'clock PM

There were present Hon M G Willis, Mayor

Maj W S Embrey, Recorder

Councilmen E D Cole, F H Revere, J P Rowe, W E Bradley, T McCracken, H Dannehl, W E Mills, M S Chancellor, H L Wallace, L Perry

The meeting was called to order by the Mayor and the minutes of the last meeting were read and approved.

Col Cole, Chairman Finance Committee presented three bills of the Free Lance-Star Pub Co One for \$4.35 approved by A P Rowe Coll; one for \$1.75 approved by the Mayor and one for #3.0 approved by the Health officer; amounting in all to \$9.10, which on motion were ordered to be paid.
And

Col Cole presented the list of licenses granted in the City with the amounts respectively paid and on motion of Mr Bradley the said list was not read.

And Col Cole then called up the License Tax Ordinance for the year 1903-1904, notice of which was given at the last regular meeting of the Council with amendments thereto, that is to say to

Section 1 Steamboat Companys &c to \$40 and \$10 on each additional boat = adopted unanimously, said Section in full being as hereinafter written.

Section 9; attorneys at law etc \$15.00 adopted unanimously said section being in full hereinafter written

Section 15 Bill Posters \$25.00 adopted unanimously said section being in full hereinafter written

Section 28 Milk &c &c adding Milk wagons \$5.00 each said section being in full hereinafter written adopted

Note: Mr Dannehl moved to strike out tax on Huck wagons, defeated by recorded vote as follows

For Messrs Dannehl and Perry = 2

Against striking out Messrs Cole, Revere, Rowe, Bradley, McCracken, Embrey, Mills, Chancellor and Wallace = 9 adopted

Section 30. Retail Liquor \$350; Retail Malt \$25 said section as amended being in full hereinafter written

Note: Mr Chancellor moved to put tax on Retail Liquor license at \$500.00 which was defeated by the following recorded vote

For \$500.00 Messrs Chancellor and Perry = 2

Against Messrs Cole, Revere, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills [Page 64] and Wallace = 9

And Mr Dannehl moved to put said tax at \$150 which was defeated by the following recorded vote

For Messrs McCracken, Dannehl, Mills and Wallace = 4

Against Messrs Cole, Revere, Rowe, Bradley, Embrey, Chancellor and Perry = 7

And Mr Mills moved to put said tax at \$250 which was defeated by the following recorded vote
For Messrs McCracken, Dannehl, Mills and Wallace = 4
Against Messrs Cole, Revere, Rowe, Bradley, Embrey, Chancellor, and Perry = 7
And Mr Bradley moved that the said tax be \$350 as amended by the Finance Committee which motion prevailed by the following recorded vote
For Messrs Cole, Revere, Rowe, Bradley, Embrey, Chancellor, and Perry = 7
Against Messrs McCracken, Dannehl, Mills and Wallace = 4
And Captain moved that the Retail Malt license be fixed at \$150 instead of \$25.00 as recommended by the Committee, which motion prevailed by a unanimous recorded vote, and
Section 32. Wholesale dealer desiring to sell by retail &c &c, on motion this section was stricken out by a unanimous recorded vote
Section 34. Merchants license was unanimously amended and is hereinafter written in full
Section 39. Oyster, fresh fish &c &c was unanimously amended and is as hereinafter written in full
Section 41. Peddlers &c was unanimously amended and is as hereinafter set forth in full

Whereupon all the aforesaid amendments and the said License Tax ordinance was adopted by the following recorded vote
For Messrs Cole, Revere, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace and Perry = 11
Against no one; whereupon Col Cole stated that the Committee recommended the adoption of several additional license tax ordinances and moved that the rules be suspended for that purpose, which motion prevailed by a unanimous recorded vote and thereupon
Col Cole offered the following to known Sections 53 to 63 inclusive, No 32 having been stricken out subsequent number changed on
Section 53. Ice Dealers &c as hereinafter fully written
Note: Mr Revere objecting to said Section, it was adopted by the following recorded vote
For Messrs Cole, Rowe, Bradley, McCracken, Embrey, Mills, Chancellor = 7
Against Messrs Revere, Dannehl, Wallace and Perry = 4
Section 54. Kerosene and other illuminating oil as hereinafter fully written, adopted unanimously
Section 55. Job Printing &c &c as hereinafter set forth
Note: Mr Revere objected, and a recorded vote was [Page 65] had as follows
For Messrs Cole, Rowe, Bradley, McCracken, Embrey, Mills, Chancellor, Wallace = 8
Against Messrs Revere, Dannehl and Perry = 3 and said section was adopted
Section 56. Barber Shops &c as hereinafter fully set forth
Note: Mr Dannehl objected and a recorded vote was had as follows
For Messrs Cole, Rowe, Bradley, McCracken, Embrey, Mills, Chancellor = 7
Against Messrs Revere, Dannehl, Wallace, Perry = 4 and said section was adopted
Section 57 Building and Loan Associations as hereinafter set forth
Note: Mr Revere objected and a recorded vote was had as follows,
For Messrs Cole, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace, Perry = 10
Against Mr Revere = 1 and said section was adopted
Section 58 Undertaking &c &c hereinafter fully set forth adopted unanimously
Section 59 Steam and hand laundries, as hereinafter set forth
Note: Mr Revere objected and said section was adopted by the following recorded vote
For Messrs Cole, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace, Perry = 10
Against Mr Revere
Section 60. Electric Light & Power as hereinafter set forth adopted unanimously
Section 61. Marble, Granite & Stone Yards as hereinafter set forth

Note: Mr Dannehl objected and said section was adopted by the following recorded vote
For Messrs Cole, Revere, Rowe, Bradley, McCracken, Embrey, Mills, Chancellor = 8
Against Messrs Dannehl, Wallace, Perry = 3

Section 62. Advertising Distributors as hereinafter set out adopted unanimously

Section 63. Soda Fountain as set forth hereinafter adopted unanimously

Whereupon Col Cole offered the following:

“When any person, firm, or corporation shall by use of signs, circulars, cards or use of City Newspapers advertise any business, it shall be considered prima facie evidence of the liability under the ordinances of this City and they shall be required to take out a license for such business” which was adopted unanimously.

Thereupon the foregoing license tax ordinances were adopted by the following recorded vote, viz;
For Messrs Cole, Revere, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace, Perry = 11

Against nobody and

The said License tax ordinance for the year of 1903-1904

[Page 66]

As amended and added to as aforesaid is in words and figures following to wit;

An Ordinance

Imposing Taxes in the City of Fredericksburg for the support of the City Government, the payment of the interest on the City debt and other expenses and providing for the collection thereof

1. Be it ordained by the Common Council of the City of Fredericksburg in the manner following that is to say, there shall be an annual license tax assessed and paid by all persons and firms in the City engaged in the different descriptions of business, professions and occupations named in this ordinance and enumerated below for the year beginning on the 1st of May of each year and ending on the 30th of April of each year.

The license tax shall be assessed and collected at the following rates and paid on or before the 1st of May of each year.

§1. Any Steam boat company or any person firm or corporation operating a steam board who shall engage in the business of receiving property or persons or both in the City of Fredericksburg to be carried or delivered to a point outside of said City but within the State of Virginia shall pay for doing such business but not including any business of delivering property or persons in the in the City of Fredericksburg from a point without the State of Virginia or of receiving property or persons in the City of Fredericksburg to be delivered at a point without the State of Virginia and not including any business done for Government of the United States, its officers or agents, a license tax of forty dollars (\$40). And if more than one steamboat is so operated ten dollars (\$10) on each additional boat shall be paid.

§2. On every license to any person renting houses, farms or other real estate for compensation or profit, the tax shall be \$15.00

§3. On every agent for the sale of books or maps, or canvasser for any book, newspaper, periodical, magazine, map, engraving, or picture, or solicitor for subscriptions thereto, ten dollars (\$10.00)

§4. On every agent for copying pictures, fifteen dollars (\$15.00)

§5. On the agent of each incorporated insurance company doing business in this city, thirty five dollars (\$35) But this shall not apply to the agent of accident insurance companies doing business in the City, upon whom the tax shall be ten dollars (\$10)

§6. On every agent for hiring labor, ten dollars (\$10)

§7. On every mercantile agent or reporter reporting the financial standing and credit of persons engaged in business, twenty-five (\$25)

§8. On every agent for the sale of real estate, residing or keeping an office in the City, twenty dollars (\$20)

[Page 67]

Attorneys, Doctors &c

§9. On every attorney-at-law, conveyancer, physician, surgeon, veterinary surgeon, osteopath, manicurer, dentist, Optician, oculist, Chiropodist, surveyor, civil engineer, fifteen dollars (\$15)

All persons other than duly licensed attorneys-at-law who for compensation shall prepare deeds, contracts, wills, or other writings shall be deemed conveyancers.

Auctioneers

§10. On every general auctioneer, \$20 whether he derives any compensation for his services or not.

§11. Concession crier, fifteen dollars (\$15)

Billiard Tables, Bowling alleys &c

12. On every license permitting a billiard or Pool Saloon to be kept in the City (whether a charge is made for playing or not) the tax shall be twenty-five dollars (\$25) and each additional table ten dollars (\$10).

§13. On each bagatelle, Jenny Lind or Dexter table ten dollars (\$10) and if said table is kept in the same house with or in any way attached to a bar room, hotel, boarding or eating house, this tax is imposed whether any charge is made by the proprietor thereof for the use of said table or not, and whether said table is used or not.

§14. On every license permitting a bowling saloon or ten-pin alley (whether a charge is made for playing or not) to be kept in this City, the tax shall be ten dollars (\$10) on each alley.

Bill Posters

§15. On every bill-poster ten dollars (\$25)

Bakers and Confectioners

§16. On every person keeping a bakery or manufacturing confectionary, other than merchants, ten dollars

Boarding Houses, Hotels, Eating Houses &c

§17. On every person keeping a boarding house ten dollars (\$10). Any person other than the keeper of a hotel, eating house or restaurant who shall furnish for consumption, board and lodging to any number of persons not less than five, for a period or time of one month or more shall be deemed a boarding house keeper. Any boarding house keeper who shall take boarders for a less period than one month, shall be deemed a hotel keeper.

§18. On every person keeping a hotel, twenty dollars (\$20), but this license shall not cover the right to sell wines, spirituous or malt liquors.

§19. On every person keeping an eating house or restaurant, sixteen dollars (\$16). Any person who shall cook or otherwise furnish for consumption diet or refreshment of any kind for casual visitors at his house and sold for consumption thereon and who is not the keeper of a hotel or boarding house, shall be deemed to keep an eating house or restaurant, but the refreshments herein named shall not consist of wines, spirituous or malt liquor, except where parties

[Page 68] have license to sell the same.

§20. On every person selling upon the street or other public place snacks and such like eatables five dollars (\$5), or \$1.50 per quarter.

Bankers, Brokers &c

§21. On every private banker, two hundred and fifty dollars (\$250). The term "private banker" shall include all persons conducting the business of a stock, note, bond, money or bill broker.

§22. On every pawn broker twenty-five dollars (\$25)

Itinerant Doctors

§23. On every chiropodist, cancer, eye or other itinerant doctor or optician ten dollars (\$10)

Photographic Artists

§24. On every daguerrean or photograph artist, twenty dollars (\$20).

Express Companies

§25. On every express company doing business in the city, done exclusively in the city not including business done to & from points without the State or business done for the Government of the United States its officers or agents \$100, and in default of the payment of the license tax for thirty day after the

same becomes due a penalty of double the assessment of the tax hereby imposed half be incurred and shall be paid by each such defaulting company.

Junk Dealers

§26. On any person trading in any kind of second hand articles, junk, old metals, rages, or other like commodities, thirty five dollars (\$35) and for each canvasser or agent canvassing the city for the purpose of buying junk or other matter for junk dealers or themselves, fifteen dollars (\$15)

Livery Stables

§27. On every keeper of a livery stables forty dollars (\$40)

§28. On every two-horse hack, phaeton, omnibus, carriage, or wagon used for hire, eight dollars (\$8) on every buggy used for hire four dollars (\$4); on every one horse wagon, dray or cart used for hire four dollars (\$4).

On every license for a milk-wagon from which milk is sold or delivered in this City five dollars (\$5)

Liquor Dealers

§29. On every person selling by wholesale wines, ardent spirits, malt liquors, or any mixture thereof, one hundred and sixty dollars (\$160), but where a person sells only malt liquors by wholesale the tax shall be twenty five dollars (\$25).

§30. Retail liquors, including the privilege of drinking where sold, three hundred and fifty dollars (\$350). Retail malt one hundred and fifty dollars (\$150).

§31. On every person distilling or manufacturing ardent spirits, twenty five dollars (\$25); and on manufacturing malt liquors, ten dollars (\$10)

[Page 69]

§32. On every rectifier, twenty five dollars (\$25)

Merchants

§33. On every license to a merchant or mercantile firm, the tax shall be graduated as follows; where the amount of purchases for the year ending April 1st 1903 did not exceed \$2000.00 the tax shall be fifteen

On all purchases over \$2000.00 and not exceeding \$10,000.00 there shall be an additional tax of fifty cents on the \$100.00 of said purchases, and upon all purchases over exceeding \$10,000.00 there shall be paid an additional tax of thirty cents on the \$100.00 of such purchases.

Merchant tailors, lumber merchants, furniture merchants, butchers, green grocers, hucksters, dealers in coal, ice or wood shall be embraced in this section, but dealers in wood, coal or ice paying license tax under this section may peddle the same from vehicles without paying additional tax.

§34. On every commission merchant forty-five dollars (\$45) Every person buying or selling on commission shall be deemed a commission merchant and that whether the articles bought or sold are bought or sold in this city or elsewhere.

§35. Every agent for the sale of musical instruments, sewing machines, fertilizers, or other articles, twenty dollars (\$20)

§36. On every person retailing tobacco, cigars, snuff five dollars (\$5)

Medicines

§37. On every person engaged in the sale on the streets or other public places of patent or quack medicines or any other articles by auction or otherwise or exhibiting the same seven dollars and fifty cents (\$7.50) for each day or night the same may be done. This license shall be a personal privilege, and only be granted by order of the Mayor.

Oysters and Fish

§38. On every person selling oysters or fresh fish (other than duly licensed merchants) five dollars (\$5)

Patent rights

§39. On every person selling patent rights, ten dollars (\$10)

Peddlers &c

§40. On every peddler, one hundred dollars (\$100). Any person who shall carry from place to place any goods, wares or merchandise, and offer to sell or barter the same or actually sell or barter the same in transit or otherwise shall be deemed a peddler.

Railroad Tickets

§41. On every person buying or selling railroad tickets other than the duly authorized agent of some rail road company with a depot in this city, ten dollars (\$10)

Swings

§42. On every proprietor of a revolving swing, flying tournament or
[Page 70]

machine of like nature for each week ten dollars (\$10)

Shooting Galleries

§43. On the proprietor of every shooting gallery five dollars (\$5)

Theaters, Shows, Circuses &c

§44. On every proprietor or lessee of a public or private building to be used for any theatrical or secular performance, panorama, or any other public exhibition show or entertainment, whether [Page 447] any charge for admission thereto is made or not, fifteen dollars (\$15), and no building shall be used for any such purpose until said tax is paid. But this section shall not apply to any exhibition held in any church or building owned or used as a place of worship by any religious congregation in the city.

§45. The specific license tax on every circus, and on the exhibition of a menagerie fifty dollars (\$50) per day. On the outside shows, whether attached thereto or not, five dollars (\$5) each per day; and on every circus parade in the city of Fredericksburg whether a free show or not, fifty dollars (\$50) with the prepayment of which the Mayor shall not issue permit for such parade, provided that when and in case a license tax as hereinbefore provided shall have been paid on a circus, no tax shall be required or exacted on the parade of said circus.

The specific license tax on every show, or exhibition of trained animals, Athletic or acrobatic performances in a tent twenty dollars (\$20) per day. And on every parade in the City of Fredericksburg, whether a free show or not, of every show or exhibition of trained animals, athletic or acrobatic performances, twenty dollars (\$20) with the prepayment of which the mayor shall not issue permit for such parade, provided that when and in case a license tax as hereinbefore provided have been paid on such show or exhibition of trained animals, athletic or acrobatic performances in a tent, no tax shall be required or exacted on such parade.

§46. The specific license tax on any theatrical performance of any kind, professional juggler, necromancer, Negro minstrel shows concerts, lectures or other exhibitions or entertainments of like kind three dollars (\$3) for each exhibition; twelve dollars (\$12) for six consecutive days by the same exhibitor but when such exhibition performance or lecture is held or given for any charitable or literary purpose within the City, and the net proceeds actually applied or bestowed within the City to such charitable or literary purpose, the Mayor shall have power and authority to give a permit for such exhibition, performance or lecture free from all tax or charge; and every license included in the above clause shall be only granted upon the order of the Mayor. And each exhibitor shall pay the city collector the sum of seventy five cents for collecting, provided however that said collector has to leave his regular place of business to make

[Page 71] such collection. Such license tax shall be paid to the city collector before any exhibition is held
Telegraph Companies

§47. Upon every telegraph company having an office in this city thirty five dollars (\$35).

Telephone Companies

§48. On every telephone company having an office in the city, twenty five dollars (\$25)

Dealers in Futures

§49. Every person who shall conduct the business of dealing in what is known as futures in grain or other produce or merchandise, shall pay a specific license tax of twenty five dollars (\$25) and if a similar

business be done in railroad or other stocks or bonds an additional license of twenty five dollars (\$25), but this shall not be deemed as interfering with the stock or bond dealing of regular bankers.

Guarantee Insurance Companies

§50. On every license to a person or firm to act as agent or solicitors for any company guaranteeing official or other bonds, not having its principal or home office the in the City, there shall be a specific license for doing business in this City of twenty dollars (\$20) for each company represented.

Wagon Yards

§51. Every person or persons keeping a wagon yard in this city shall pay upon each such yard so kept a specific license tax of ten dollars (\$10) for each year or fractional part thereof.

Fortune Telling or Palmistry

§52. Fortune telling or Palmistry when charge is made, either for admission or hand reading five dollars (\$5) per week.

Ice Dealers

§53. Any person, firm or Corporation engage in the business of delivering ice from house to house in this City from vehicles or otherwise selling the same in this City shall pay a license tax of twenty-five dollars (\$25)

Kerosene & other Illuminating Oils

§54. Any person, firm or corporation who shall engage in the business of selling to wholesale or retail merchants in this City kerosene oil or other illuminating oil shall pay a license tax of one hundred and fifty dollars (\$150), but this shall apply only to any person, firm or corporation who shall transport such oils in bulk tank cars or through pipes for the purpose of distributing the same this city.

Any person, firm or corporation who shall engage in the business of selling to wholesale or retail merchants in this city kerosene oil or other illuminating oil the same having been transported for distribution in barrels only, shall pay a license tax of seventy-five dollars (\$75)

[Page 72]

Job Printing

§55. Any person, firm or corporation who shall engage in the business of job printing when by hand or foot power, five dollars (\$5), when by other than hand or foot power fifteen dollars (\$15), in addition to the tax on the capital invested.

Barber Shops

§56. Barber shops each ten dollars (\$10) per year for not more than three chairs and one dollar additional for each additional chair

Building and Loan Associations

§57 Building and Loan Associations doing business in the City of Fredericksburg shall be taxed as follows:

The specific license tax upon every such company or association for the privilege of doing any business in this city shall be one hundred dollars (\$100), provident the capital of said company actually paid in whether from paid up stock or partially paid stock is less than \$25,000.00. If the capital paid ni is \$25,000.00 or more the tax shall be one hundred and fifty dollars (\$150)

Undertaking and Embalming

§58. Every person, firm or corporation engaged in the business of undertaking or embalming, twenty-five dollars (\$25)

Laundries

§59. Every person, firm, or corporation engaged in the business of a steam laundry, twenty-five dollars (\$25) and of a hand laundry five dollars (\$5)

Electric Lights and Power

§60. Any person, firm or corporation who shall engage in the business of furnishing electric light or electric power or both one hundred and twenty-five dollars (\$125)

Marble and stone yards

§61. Every person, firm or corporation engaged in the business of keeping a marble, granite, or stone yard or manufacturing or selling grave stones or monuments or erecting monuments, curbing or other stone work shall pay a license tax of fifty dollars (\$50)

Advertising Distributors

§62. Every person engaged in distributing advertisements for other parties that citizens of Fredericksburg, shall be known as “advertising distributors” and shall pay an annual license tax of ten dollars (\$10). By advertising distributors it is intended to designate any person who distributes in the City of Fredericksburg, almanacs, pamphlets or samples of medicine on the streets or from house to house of said City

Soda Fountains

§63. The specific license tax on every soda fountain shall be five dollars (\$5) for one year or fractional part thereof

[Page 73]

General Provisions

§I. Whenever a license shall be especially required by law on any business, profession or employment it shall be lawful to grant a license for said business, professional or employment. Where the ordinance aforesaid does not clearly define and provide for the same, the license may be granted according to the law, which governs in similar cases, and be subject to such restrictions as appertain thereto, and the Mayor of the City may authorize the granting of such license, which shall be deemed a personal privilege.

§II. All other license taxes imposed by this ordinance are subject to a pro rata deduction when the same are issued after the beginning of the year to which this ordinance applies; provided that the tax on the license issued shall always be assess as of the first day of the quarter in which issued and shall cover the period until the 30th April next succeeding.

§III. It shall be the duty of the Commissioner of the Revenue to keep a book in which he shall classify all the branches of business and occupations upon which a license tax is imposed by this ordinance and show the amount of assessment made of each license the name of the person against whom assessed and the person for which said license is issued. At the end of each quarter commencing with that ending on the 30th April 1903, he shall deliver to the Finance Committee extracts from said books showing the entries thereon made during the preceding quarter, properly classified. These extracts shall be certified under oath.

§IV. Any person who shall engage in, or exercise any business, employment or profession without license is required by law or shall in any manner violate the license or revenue laws of the city if as specified fine is imposed for such violations, shall pay a fine of not less than five dollars (\$5) for each offense

§V. Every person or firm commencing business after the first day of May, and who shall fail to obtain a license within ten days thereafter shall be subject to the same penalties as in section IV.

§VI. Every license granted for the unexpired portion of the term heretofore mentioned shall be charged pro rata until otherwise provided. But no license shall be issued for a less sum than two dollars (\$2) nor granted for a longer period than to the first of May 1904.

§VII. When any person, firm or corporation shall be use of signs, circulars, cords, or use of City Newspapers advertise any business it shall be considered prima facie evidence of their liability under the ordinances of this city and they shall be required to take out a license for such business.

§VIII. The City Collector shall at the expiration of each week report to the Treasurer the amount of all money received by him for licenses, and pay the same over to the Treasurer, for which he shall be allowed two and one half percent.

[Page 74]

§IX. The Commissioner of the Revenue shall, before the first of March of each year ascertain the names of persons and firms who are engaged in any of the occupations, professions or businesses named or referred to in this license ordinance. He shall list and keep each list in his office and report copies of such list to the Common Council and Mayor on the first of April annually. He shall assess each person or firm

named in the list with the license tax imposed by the ordinance and he is not authorized to release or discharge any of the persons or firms enumerated in this list who are engaged in the occupation, profession, or business upon which license tax is imposed without a judicial decision in the case.

§X. Should there be an assessment made and not paid, it shall be the duty of the City Collector to make collection by levy and sale of the goods and chattels of the person assessed as is provided by the Act of the General Assembly of Virginia for the assessment levy and collection of taxes. A commission of 5 percent shall be allowed on collections so made from default or persons and such commissions shall be paid by the person or persons in default.

§XI. A discount of five per cent will be allowed on all licenses paid on or before May 15th of each year.

§XII. Be it further ordained that all laws ordinances and resolutions that are in conflict with this ordinance are hereby repealed.

I approve the foregoing License Tax Ordinance, M G Willis Mayor

Major Embrey, Chairman of the Joint Committee on Street Improvement made the following report: which was received

To the Honorable Mayor and Common Council of Fredericksburg

The undersigned Joint Committee on Street Improvements respectfully reports:

That the side-walks generally of the City blocks being paved are in very bad condition and the attention of the Council has been called by the City Engineer Myers to the great importance of laying such sidewalks as are to be newly laid as speedily as possible in view of the fact that the position of the curbing along all said blocks is being changed, leaving a portion of the entire side-walk unpaved and the whole sidewalk in a most unsightly condition and rendering the same unsafe for travel; and further that the new curbing will need the support of a properly paved sidewalk.

Hence your Committee respectfully recommends that the Council take such immediate action as it deems proper to determine the extent of sidewalks to be paved and that bids be invited without unnecessary delay for paving of such side walker in accordance with specifications to be prepared by Engineer Myers, and that said bids shall embrace granolithic pavement and vitrified [Page 75] brick pavement.

W S Embrey, E D Cole, J P Rowe, T McCracken, H H Wallace

And

Mr Dannehl offered the following

“The report of the Joint Committee of Street Improvement having been received and considered by the Council;

Resolved that the Street Committee proceed with delay to inspect the side walks along the six blocks which are to be paved and said Committee shall determine how much, if any, of said sidewalks shall be repaired, and so soon as they have determined this fact, the Joint Committee on Street Improvement shall advertise for bids for the laying of said sidewalks in accordance with the specifications prepared by Engineer Myers, said bids to embrace granolithic paving, vitrified sidewalk paving brick and sidewalks made with paving brick; so soon as said bids are received the Joint Committee shall report same to the Council” which was adopted.

Mr Bradley offered the following

Resolved by the Council that in the event of an election being held in Fredericksburg between the first day of May 1903 and the first day of May 1904, on the question of granting or not granting a liquor license therein, at which election a majority of the votes cast shall be against liquor license, the Corporation of Fredericksburg shall refund to all persons who shall have paid the Corporation Liquor license for said year a ratable proportion of said license only charging for the period from the first day of May 1903 to the date of such election, which was adopted by a unanimous recorded vote eleven members voting for said resolution.

A bill of Magrath & Chesley and Henry G Chesley against the City being for damage done to Sligo farm in construction of sewer amounting to \$100 was presented and on motion was referred to the Finance Committee for investigation, said Committee to report back to the Council

Col Cole presented a petition signed by numerous citizens asking that Prince Edward Street be extended across the tracks of the R F & P and P F & P Railroads for the benefit of the walking, driving, and general business public, and on motion of Mr Bradley said petition was referred to the Street Committee to ascertain and report to the Council the approximate cost of the extension asked for.

Mr Rowe, Chairman of Alms and Alms-house Committee stated that three children viz; Junis Pritchard, Irene Pritchard and [Page 76] Stella Newton who had been inmates of the Alms-House had been duly delivered to the custody of the "Children's Home Society of Virginia" at Richmond Virginia.

Mr Bradley, Chairman of Schools Committee presented a letter dated 2:24:1903 to Mr Jones former chairman of said Committee from Dr J A Rosebro, President of Fredericksburg College setting forth a report of the students holding City Scholarships in said College, which satisfactory and which was ordered to be filed.

The Mayor reported fines to April amounting to \$53.00 and reported the police had done their duty and the Treasurer's receipt for said \$53 was read.

Mr Chancellor had read a letter from Mr E T O Myers, Jr stating that he was instructed "by the Street Paving Committee" apply for authority to use the Fire plugs and City Sprinkler wagon in connection with the street paving, and on motion the letter was referred to the Water Committee with power to act. And then on motion of Col Cole the Council adjourned

M G Willis, Mayor
James P Corbin, Clerk
[Page 77]

At a called meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Friday the 8th day of May 1903 at 7:00 o'clock AM
There were present Hon M G Willis, Mayor
Maj W S Embrey, Recorder
Councilmen E D Cole, G W Wroten, J P Rowe, W E Bradley, T McCracken, H Dannehl, E W Mills, M S Chancellor, H L Wallace, Lawrence Perry

The meeting was called to order by the Mayor who stated that it had been called to consider the report of the Joint Committee on Street Improvement, whereupon

Maj Embrey, Chairman of said Joint Committee presented the following report
"To the Mayor & Common Council of Fredericksburg

The Joint Committee on Street Improvement respectfully report that they opened the bids in relation to the paving of side-walks and in relation to cellar doors on May 6th 1903 and they herewith return all of said bids for the information of the Council

Four members of the Joint Committee respectfully recommend that the side-walks be laid with granolithic as the most durable and the most economical, as well as giving finish to our work of Street improvement such as no other material will afford, viz

W S Embrey, E D Cole, H H Wallace, J P Rowe

Two members of the Joint Committee respectfully recommend that the side-walks be laid with standard bricks, that being the cheapest material, viz;

T McCracken, B J Marshall

The Committee returns herewith the report of Engineer Myers in relation to the advantages of granolithic pavement.

Respectfully submitted,
W S Embrey, May 8, 1903

Engineer Myers' report is as follows

To the Joint Commtee on Street Imprt Fredericksburg, Va
Gentlemen

The bids received show the following cost for side-walk in front of a thirty foot house, side walk twelve feet wide as a basis of comparison.

Granolithic compared with Standard Brick;

Granolithic \$53.33; Standard Brick \$39.20; difference \$14.13

[Page 78]

Granolithic compared with vitrified brick

Granolithic \$53.33 Vitrified Brick \$46.00 Difference \$7.33

Vitrified Brick compared with Standard Brick

Vitrified Brick \$46.00 Standard Brick \$39.20 Difference \$6.80

Economy: Owing to wear and unequal settlement of standard bricks they will require renewal in less than one-third the time of granolithic. Owing to unequal settlement of vitrified bricks they will require renewal in less than one-half the time of Granolithic. Therefore Granolithic is the most economical.

Cleanliness: Granolithic has a hard smooth line surface with very few joints & will wash clean by rain or hose more readily than brick of either kind. Bricks have numerous joints and a comparatively rough surface likely to retain dust even when the pavement is washed.

Appearance: This of course is favor of granolithic.

Coolness: Granolithic absorbs less heat than bricks, this in this climate is important

Pipe renewals: Pipes should be renewed before pavement is laid, but in case of unforeseen necessity to cut the side-walk it can be done & is done daily, which slightly more expensive than with brick the whole cost is trifling in any case. When restore the condition will be better and less apt to give trouble than with brick of either kind.

Future Considerations: Owing to the almost universal adoption of Granolithic as a side-walk material the manufacture of paving brick for this use will probably diminish. That of Portland Cement is becoming daily more common. Consequently paving brick for side-walks will become scarce and costly and Granolithic will become cheaper. I predict that in less than five years Granolithic sidewalk will be cheaper in first cost that brick sidewalk.

Therefore let us set the example now so that we may have not only most economical but the best as a standard for the City

Yours Respectfully,

E T O Myers, Jr CE May 8, 1903

The aforesaid bids are as follows (from memo filed)

Bidder	Gran	Vitd Brick	St'd Brick	Cellar Doors
W D Southerland, Richmond Va	\$1.55			\$2259.00
Richmond Iron Works, Richmond				\$3768.00
J R Gowins & Co, Richmond, Va	\$1.40	\$1.15	\$0.98	\$2788.45
J A Gude, Richmond, Va	\$1.331/3	1.23	1.20	\$2900.00
[?]tesop & Pierce Newport News	\$1.81			\$2835.00

[Page 79]

J McDonnell, Fredericksburg	\$1.65	\$1.48	\$1.48	\$2699.85
Chas Gasser, Richmond, Va	\$1.38		\$1.08	

And on motion of Mr Dannehl was received and then

Mr Chancellor presented a petition signed by sundry persons representing property abutting on the Streets of the six squares to be paved, assessed at \$202,610.00 asking that the bids for “granolithic” paving of the sidewalks be not considered.

By request Mr E T O Meyers Jr, Civil Engineer addressed the Council and also Mr St George R Fitzhugh by like request in favor of granolithic pavement for sidewalks, and by like request Mr S S Bradford addressed the Council against paving the sidewalks with granolithic.

Col Cole moved that the recommendation of the majority of the Joint Committee of Street Improvements be adopted;

And Capt McCracken moved as a substitute that the recommendation of the minority of said Committee in said report be adopted.

Whereupon a recorded vote was called for on Capt McCracken’s substitution and was had as follows
For Missrs Wroten, McCracken, Mills, Wallace = 4

Against Messrs Cole, Rowe, Bradley, Embrey, Dannehl, Chancellor, Perry = 7 and the substitute was declared defeated, whereupon a recorded was had on Col Cole’s motion to adopt the recommendation of the Majority of sd Joint Committee which resulted as follows

For Messrs Cole, Rowe, Bradley, Embrey, Dannehl, Chancellor, Perry = 7

Against Messrs Wroten, McCracken, Mills and Wallace = 4 and Col Cole’s motion was declared adopted.
Whereupon

Col Cole offered the following

“Resolved by the Council that the Joint Committee on Street Improvement are hereby directed to accept the bid of J A Gude for laying of granolithic pavement on the side walks of the six blocks that are to be paved, and to proceed with said work without delay, said bid being \$1.33-1/3 per square yard of granolithic pavement.

And it is further directed that the Joint Committee shall accept the bid of J McDonnell, viz; \$2,699.85 for celler door work on the pavements and that that work proceed without delay; and that all of said work shall be done under the supervision of the Joint Committee on Street Improvements as per plans and specifications for said paving and cellar door work furnished by City Engineer E T D Myers Jr” and
[Page 80]

A recorded vote being had on said resolution resulted as follows

For the Resolution Messrs Cole, Wroten, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace, Perry = 11

Against no one, and the resolution was declared adopted

I approve the foregoing resolution M G Willis, Mayor

Col Cole moved that the rules be suspended for general business, which motion was unanimously adopted and Mr Dannehl offered the following

Resolved by the Council that the Finance Committee be and the same are hereby authorized upon the written request of the Joint Committee on Street Improvement to issue warrants on the Treasurer of the City payable out of the fund known as the Street Improvement Fund, in payment for work in paving the road-way of the six blocks now under contract, said account thus checked out not to exceed \$10,000.00 as the same may be required, the said Finance Committee reporting their disbursements from time to time to the City Council.

And said resolution was adopted by the following recorded vote, viz; Messrs Cole, Wroten, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace, Perry = 11, being unanimous and was declared adopted.

I approve the foregoing M G Willis, Mayor

Maj Embrey, Chairman of Street Committee asked a further appropriation of \$150.00 to be used in spreading the dirt hauled from the blocks being paved to other street where needed, which on motion of Mr Bradley was granted.

Mr Bradley presented an ordinance regulating signs to which was referred to the Ordinance Committee for report thereon.

Mr Perry presented a petition signed by sundry parties, asking that the curbing on the east side of Main Street between George and Hanover Streets be raised to conform to the buildings which on motion of Capt McCracken was laid on the table.

A petition of Mrs E C L Ficklin, owner of the Rappahannock Electric and Power Company asking that the [Page 81] License tax of \$125.00 imposed by the License Tax ordinance for the year 1903-1904 be reduced to \$25.00, was read and on motion of Capt McCracken referred to the Finance Committee for consideration and report back to the Council.

Col Cole moved that the Mayor fill the vacancy on the Joint Committee on Sewerage and Street Improvement occasioned by the death of Hon Horace F Crismond, which was adopted and the Mayor named Mr David Hirsh to fill said vacancy on said Joint Committee.

And on motion the Council adjourned,

W G Willis, Mayor

James P Corbin, Clerk

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Thursday the 21st day of May 1903 at 8 o'clock PM

There were present Hon M G Willis

Councilmen E D Cole, G W Wroten, F H Revere, J P Rowe, W E Bradley, T McCracken, H Dannehl, E W Mills, M S Chancellor. Lawrence Perry

The meeting was called to order by the Mayor and the minutes of the last regular and called meetings were read, corrected and approved.

Capt McCracken stated that his honor the Mayor and several members of the Council had engagements for this evening that they did not feel at liberty to pass by, and moved that the Council do now adjourn until Friday evening May 22nd at 8 o'clock PM which motion was adopted without a dissenting vote, and the Council adjourned till said time

E D Cole, President

James P Corbin, Clerk

[Page 82]

At an adjourned meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to adjournment on the 21st Inst in the Council Chamber of said City on Friday the 22nd day of May 1903 at 8 o'clock PM

There were present Hon M G Willis, Mayor

Major W S Embrey, Recorder

Councilmen E D Cole, G W Wroten, F H Revere, J P Rowe, W E Bradley, T McCracken, H Dannehl, E W Mills, M S Chancellor, H L Wallace and L Perry

The meeting was called to order by the Mayor

Col Cole of Finance Committee reported the unexpended amount of the Street Improvement Fund to be \$12,641.32

And presented three bills of the Free Lance-Star Co for \$1.75, \$3.50, and \$3.00 respectively which on motion were ordered to be paid.

And a bill of J W Thomas, amounting to \$4.35 for shoes &c furnished on the order of the Sergeant of this City for prisoners confined in Jail, was referred to Finance Committee with power to act

Judy Alvin T Embrey presented on behalf of the Southern Bell Telephone and Telegraph Co, who desire to enter this city for business, a draft of the ordinance and contract desired by said and filed exhibits, all of which on motion of Mr Perry was referred to the Ordinance Committee

Maj Embrey, Chairman of Street Committee presented a petition of Michael Long asking the privilege to erect a swinging gate across alley adjoining his place of business (the Central Hotel, 712 Main Street) at his expense, said gate to be removed at his expense at any time the Street Committee may see fit, said request being agreed to by his next door neighbor, which on motion was referred to the Street Committee with power to act, and

Maj Embrey presented a letter from Mr E T D Myers Jr, CE recommending "that Princess Anne Street roadbed be paved with granite spalls for a distance of 31 feet northwardly from North side of Commerce Street and eighty feet southwardly from South line Commerce Street" estimating cost to be about six hundred dollars" which on motion of Mr Bradley was referred to the Joint Committee of Street Improvements with power to act, and

Maj Embrey presented the following report

"To the Honorable Mayor and Common Council"

[Page 83]

Gentlemen,

At the last regular meeting of the City Council a petition for opening Prince Edward Street across the P F & P Railroad yard and across the R F & P Railroad was presented and the same was referred to the Street Committee to look into the advisability of same and also the cost of same;

And the Chairman of the Street Committee begs leave to make the following report:

We have carefully examined the said petition and I think in the first place it would be detrimental to the interest of the citizens at large of the City to destroy the trackage room of the P F & P R R as it would necessitate the moving of the turn-table, also the water-tank, and render the engine-house worthless, and I am satisfied that to condemn the land the damages that would arise from passing the said Street through said railroad yard would likely cost the city between three and four thousand dollars and I cannot see that there would be more than two or three people benefitted by such opening of said street;

Therefore I beg leave to report adversely.

From what I know about said land I am satisfied the City has no just claims, but if the Council think otherwise I would ask that the Street Committee be directed to have our City Attorney to examine the records and give us a written opinion as to the rights of the several parties interested and that we report same to this Council for their consideration.

Respectfully submitted

W S Embrey, J P Rowe, Committee

And Mr Dannehl moved that the report be adopted and

Col Cole presented a minority report which is as follows

A minority of the Street Committee to who was referred the petition of citizens applying for the opening of Prince Edward Street across the Narrow Gauge Rail Road, so as to make the said Prince Edward Street an open thoroughfare the entire length, begs to offer the following report.

Whereas it is established by the official maps of the City of Fredericksburg that for many years prior to the construction of the P F & P R Railroad (or Narrow Gauge) Prince Edward Street was open and in use

as a Street from the Southern boundary of the City of Fredericksburg or from a point near the said Southern boundary to Prussia Street, and

[Page 84]

Whereas, it is apparent from the records kept in the office of the Clerk of Corporation Court of Fredericksburg that there is no title to the ground formerly occupied by the said Street vested in any other party or parties whomsoever and

Whereas the said street is now the property of the City of Fredericksburg, and has belonged to the City for many years, and most certainly since the year 1867, and

Whereas, the citizens are entitled to the free and undisputed use of all the streets of this City for all lawful purposes;

Therefore it is recommended by your Committee that Prince Edward Street be ordered to be opened between Prussia Street and Frederick Street, and that the Street Committee be instructed to see that all parties whose structures or enclosures encroach upon the said Prince Edward Street, South of Prussia Street, remove the same within 120 days from this date

E D Cole, May 22, 1903

Whereupon,

Mr Dannehl moved that the majority report of the Street Committee be adopted

And

Mr Perry moved as a substitute that the minority report be adopted and a recorded vote was had on said substitute as follows

For Messrs Cole, Revere, Bradley, McCracken, Mills, Chancellor, Wallace, Perry = 8

Against Messrs Wroten, Rowe, Embrey and Dannehl = 4 and the minority report was declared adopted

Mr Dannehl, Chairman of Ordinance Committee presented the ordinance concerning awnings and signs which had been referred to said Committee at a previous meeting which was read and

Mr Bradley moved to amend the same by striking out in the second clause of the 1st section the words "Shall be extended to the curb line of the street" and in lieu thereof to insert the words "supported by posts at or near the curb, said posts shall be removed and suspended iron frames be substituted therefore", and a recorded vote being had of said amendment resulted as follows

For Messrs Cole, Wroten, Revere, Rowe, Bradley, Embrey, Chancellor, Perry = 8

Against Messrs McCracken, Dannehl, Mills, Wallace = 4 and the said amendment was declared adopted

The said ordinance as amended was read and is as follows

"Be it ordained by the Mayor and Common Council of Fredericksburg,

[Page 85]

1. That no awning shall be hereafter erected without a written permit from the Committee on Streets. All awnings hereafter erected shall be made of suspended iron frames project from the house front towards the curb line of the Street and be covered with clean canvas extending below the frame not more than six inches in front, and when erected shall not be at the lowest point nearer than seven feet from the sidewalk. No wooden frames for awnings shall be permitted on the six blocks of City upon which granolithic pavement is to be laid, and all iron frames for awnings now on said six blocks supported by posts at or near the curb, said posts shall be removed and suspended iron frames be substituted therefore, and all awnings on said six blocks shall be covered with clean canvas and kept in good condition, and shall not be at the lowest point nearer than seven feet from the side walk.

All persons putting up or allowing to remain an awning in violation of this ordinance shall pay a fine of not less than five nor more than twenty-five dollars, and the awning and frame work shall be removed by order of the Mayor.

All awnings heretofore or hereafter erected in this city shall be subject to removal by the Council.

2. Any person employed in business in this City may put up a sign, attached to the building in which he is doing business, made of tin which does not extend over the sidewalk more than two feet and which is not

less than eight feet above the sidewalk. But no person shall maintain, erect, or cause to be maintained or erected any signs or sign boards projecting over the City sidewalks or streets other than the sign herein allowed. Any person violating the provisions of this section shall pay a fine of not less than five dollars and not more than twenty-five dollars and the sign or sign board so hung or placed in violation of this section shall be removed by order of the Mayor.

3. This ordinance shall be in force on and after thirty days from its passage.”

And said ordinance was adopted as read by the following unanimous recorded vote

For Messrs Cole, Wroten, Revere, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace, Perry = 12

I approve the foregoing ordinance Mayor

And Mr Dannehl was granted further time on other ordinances before said Committee

[Page 86]

Mr Bradley, Chairman of School Committee read a letter from Dr Rosebro, President of Fredericksburg College which was filed

Mr Revere, Chairman of Fire Committee had read a letter from Mr Jno H Robinson, Chief of Fire Department, stating 2 shut off nozzles and 4 reducers were needed in said Department and that the nozzles on hand needed repairs, and asking that some means be devised for getting the reels and truck to fires.

On motion of Mr Bradley the letter was referred to the Fire Committee with instructions to buy the nozzles and reducers and have repairs suggest made in accordance with said letter and that said Committee be requested to report to the Council as to the best way of getting Reels and Truck to fires.

The Mayor reported fines since last reported \$47.00 and the Treasurer’s receipt for said amount was read and also reported that the police had done their duty.

Col Cole offered the following

“Resolved by the County that the profile setting forth the grades for the six blocks to be paved heretofore adopted by the Joint Committee on Street Improvement and returned by said Committee to the Council are accepted by the Council and are ordered to be filed and recorded as the established grades”

A recorded vote being called for on said resolution was had as follows

For Messrs Cole, Wroten, Revere, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace, Perry = 12 and the resolution was declared unanimously adopted.

Mr Chancellor, Chairman of Water Committee requested Capt S J Quinn, Supt of City Water Works to make a report on behalf of the Water Committee

Whereupon said Superintendent made an oral statement setting forth the needs of the City in the matter of its water supply, Viz; the need of a new & larger pump & pump house & additional pipes to reservoir and an engine and boiler for supplementary pumping at low stage of water, the enlargement of the Reservoir and better supply of water in sections of the City where such supply is deficient.

And thereupon, Mr Dannehl moved that the report made by Capt Quinn [Page 87] Supt of City Water Works be referred to the Committee on Water and the Committee on Finance who shall fully inquire into all matters mentioned by said superintendent and that said Committees shall also report on means of improving the water supply in those sections of the City where is same is deficient, and said Committees shall report on the several improvements in detail as to each, and shall report at a called or requested meeting of the Council as is their judgment seems best, which motion was adopted.

Col Cole, Chairman Finance Committee reported that the said Committee deemed it inexpedient to make any change in the License Tax on Electric Light & Power Companies, and moved that the lighting of the Council Chamber and Office of City Water Works by the Rap Elect Light & Power Co be referred tot eh Public Property Committee with power to act.
And the Council then adjourned

E D Cole, President
James P Corbin, Clerk

At a called meeting of the Common Council of the City of Fredericksburg, Virginia, held pursuant to notice in this Council Chamber of said City on Friday the 12th day of June 1903 at 8 o'clock PM
There were present Hon M G Willis, Mayor
Major W S Embrey, Recorder
Councilmen E D Cole, G W Wroten, W E Bradley, T McCracken, H Dannehl, E W Mills, M W Chancellor, H L Wallace, L Perry

The meeting was called to order by the Mayor, who stated in [it] had been called at the request of Councilman Embrey, Chancellor and Cole
Whereupon, Maj Embrey asked that the paper which he handed to the Clerk of the Council should be read, by Mr Fitzhugh, which was done.

Whereupon Maj Embrey moved said paper be adopted by the Council and signed by every member of the Council for publication, which motion was seconded by Mr Wroten and unanimously adopted by the Council, and signed by every member present except Messrs McCracken [Page 88] Dannehl and Mills who were at their request excused from voting.
Thereupon Mr Chancellor moved that the Mayor and City Attorney be requested to add their signatures to said paper, which was seconded by Mr. Wallace
The Mayor declined the suggestion and Mr Chancellor's motion was not put. Mr Fitzhugh then signed the paper as City Attorney and said original paper was filed with the archives of the Corporation.
And on motion the Council was adjourned
E D Cole, President
James P Corbin, Clerk

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia, held pursuant to notice in the Council Chamber of said City on Thursday the 18th day of June 1903 at 8 o'clock PM
There were present Hon M G Willis, Mayor
Maj W E Embrey, Recorder
Councilmen E D Cole, G W Wroten, F H Revere, W E Bradley, T McCracken, H Dannehl, E W Mills, M S Chancellor, H L Wallace and L Perry.

Mayor Willis stated that pursuant to an Act of the General Assembly of Virginia approved May 20th 1903 it was incumbent on the Council to elect one of its members as President who shall be its presiding officer. Whereupon, Mr Bradley suggested that the Mayor take the Chair temporarily which was done.

And Mr Bradley then moved that the reading of the minutes be postponed which was adopted.
And Mr Bradley then moved that the City Attorney be requested to examine the law and report to the Council the legal manner in which the Council should proceed under the Act of the General Assembly approved May 20, 1903 touching on the matter of its presiding officer, which motion was adopted.
And then Mr Bradley moved that the Council adjourn till 4 o'clock tomorrow afternoon, when it shall

[Page 89] convene to hear the report of the City Attorney and transact other business, and a recorded vote being called for on said motion to adjourn as aforesaid was had as follows,
For the motion Messrs Cole, Wroten, Revere, Bradley, Mills & Chancellor = 6
Against the motion Messrs McCracken, Embrey, Dannehl, Wallace, Perry = 5
And the motion was declared adopted and
The Council adjourned till 4 o'clock tomorrow afternoon
E D Cole, President
James P. Corbin, Clerk

At an adjourned meeting of the Common Council of the City of Fredericksburg, Virginia, held on Friday the 19th day of June 1903 in the Council Chamber of said City at 4 o'clock PM pursuant to adjournment on yesterday.

There were present Councilmen E D Cole, G W Wroten, F H Revere, W E Bradley, T McCracken, H Dannehl, E W Mills, M S Chancellor, H L Wallace, L Perry

On motion of Capt McCracken (which motion was put by the Clerk) Col Cole temporarily took the chair and called the meeting to order

"The opinion of the City attorney was then called for touching on the change made by the Act of the General Assembly approved May 20th 1903, in relation to the presiding officer of the Council, he stated that so much of the Charter of the City as provided that the Mayor should preside over the Council and in his absence the Recorder, has been repealed by said Act, and in lieu thereof this Act provided that the Council should elect a President and a Vice-President of its own body to preside over the Council; but that said Act did not repeal that provision of the Charter which provided that in the absence of the Mayor the Recorder should be ex officio Mayor"

Whereupon Capt McCracken moved that the Council go into the election of a President and Vice President, which was carried and

Mr Perry nominated for President of the Council Colonel E D Cole, and there being no further nominations a ballot was had which resulted in the unanimous election of Col Cole as President of the Council (Mr Wroten [Page 90] being in the Chair and it was so declared; whereupon Col Cole took the Chair and

Mr Chancellor nominated Mr George W Wroten for Vice-President and Mr Wroten nominated Capt McCracken, who declined and a ballot was had and Mr Wroten was unanimously elected Vice President of the Council and so declared.

The minutes of the last regular and called meetings were then read, approved and signed by the President. Mr Perry presented his resignation as a Councilman from the Lower Ward which was read and on motion of Mr Wroten, was accepted.

Capt McCracken moved that the Council proceed to elect a man to fill the unexpired [term] of Mr Perry resigned which was adopted and

Mr Wroten, nominated Mr T N Brent, there being no further nominations, a ballot was had and Mr T N Brent was unanimously elected a member of the Council to fill the unexpired term of Mr Perry, and the President appointed Messrs McCracken and Wrote a committee to inform Mr Brent of his election, said Committee retired and soon thereafter appeared with Mr Brent who was duly sworn in and took his seat as a Councilman.

Col Cole, Chairman, Finance Committee, stated that the Joint Committee on Street Improvement had an unexpended balance in Treasurer's hands of \$8,240.28,

On motion of Mr Bradley the Finance Committee was instructed to renew the note for \$3,000.00 due today for six months without interest, which was carried.

Col Cole presented a bill of R A Kishpaugh for printing amounting to \$.75, and a bill of J P Corbin for typewriting and postage amounting to \$12.92, both of which were on motion ordered to be paid and Col Cole presented the receipt of the Treasurer to the Mayor for fines to June 18th \$61.00 and dog tax \$8.00 and on motion the usual fee was allowed the Mayor of said Dog Tax, and

Col Cole reported that the "Gas Improvement Committee" had expended \$204.11 in excess of the appropriation made for new gas pipes & laying same, and on motion said excess of expenditure was ordered to be place to the credit of said Committee.

[Page 91]

Mr Wroten, Chairman of Public Property Committee reported an expenditure of \$35.04 in excess of appropriation, on motion of Mr Dannehl the report was received and ordered to be file, and on motion of Mr Chancellor the sum of \$35.04 was ordered to be place to the credit of the Public Property Committee.

Mr Chancellor, Chairman Water Committee, requested that Capt S J Quinn, Supt of City Water Works should read the report of said Committee which was the same as said Superintendent's report to said Committee, which was done and report show total collections for year from Water Works \$7503.36
Interest on Water bonds & expenses of said Works \$3625.96
Net revenue pd Treasurer \$3877.40

And as to expenditures in pipes, repairs to system &c the annual appropriation of \$1200 was exceeded by the sum of \$25.96, which sum of \$25.96 was on motion of Mr Bradley ordered to be placed to the credit of Water Committee

Said Supt also reported for said Committee & the Finance Committee under resolution adopted by the Council May 22nd last and Mr Bradley moved that the report be returned back to the Water & Finance Committee to make recommendations touching the report and to recommend ways and means for carrying it into effect and report to the Council which was adopted.

At their request and on the motion of Mr Bradley, Messrs Chancellor and Wallace were excused and thereupon they retired.

Mr Bradley of Alms & Alms House Committee, reported that said Committee had a balance to its credit with the Treasurer of \$226.52

On motion of Capt McCracken the [report was] received and ordered to be filed.

Mr Mills of Committee on Health & Police reported expenditures in excess of appropriation of \$43.50, and on motion of Mr Bradley the sum of \$43.50 was ordered to be place to the credit of said Committee and that the report was received and filed.

Mr Revere, Chairman of Fire Department Committee reported a balance of appropriation on hand of \$34.60 and on motion the report was received and filed.

[Page 92]

Mr Dannehl presented and had read a letter from Mr W E Price on Lower Main Street with request for permission to construct a sink and on motion of Mr Dannehl the said letter was referred to the Health and Police Committee.

Mr Bradley moved that the Council do adjourn until the 1st day of July 1903 at 8 o'clock to receive the report of the Finance Committee and transact and business that may come before it, which was adopted and, thereupon the Council adjourned.

E D Cole, President
James P. Corbin, Clerk

At an adjourned meeting of the Common Council of the City of Fredericksburg, Virginia, held in the Council Chamber of said City, on the 1st day of July 1903 at 8 o'clock PM

There were present Col E D Cole, President
George W Wroten, Vice President
Maj W S Embrey, Recorder
Councilmen J P Rowe, M S Chancellor, H L Wallace, T N Brent (also Messrs Mills, Dannehl and McCracken who appeared later)

The meeting was called to order by the President.

Maj Embrey, Chairman of Street Committee presented the annual report of said Committee showing that there had been expended on Streets the sum of \$139.13 over and above the amount appropriated and on motion of Mr Wroten the said sum of \$139.13 was by a unanimous recorded vote place to the credit of the said Committee, and recorded vote being as follows

For Messrs Cole, Wroten, Rowe, Bradley, Embrey, Chancellor, Wallace, Brent = 8
Against no body

The Vice President then took the chair and Col Cole, Chair of the Finance Committee presented the following bills

Bill of Free Lance-Star Co	\$2.00
Bill for expenses of Messrs Fitzhugh & Willis to Richmond about Mercer Monument	\$4.75

Which on motion were ordered to be paid.

Also presented a bill of 3 judges and two clerks of Election at the Upper and Lower Wards at the local option [Page 93] election held in the City on June the 30th last, at \$5.00 per day making \$50.00 in all and Mr Bradley moved that the sum of \$3.00 a day be allowed said Election Officers, and a recorded vote being called for was had as follows

For Mr Bradley's motion Messrs Cole, Bradley = 2

Against Messrs Wroten, Rowe, Embrey, Chancellor, Wallace, Brent = 6 and the motion was defeated and on motion the said bill amounting to \$50.00 was ordered paid.

Col Cole then presented the annual report of the Finance Committee for the year ending June 30th 1903, which embraced the detailed report of the Collector of City Taxes and a detailed report of the Treasurer covering the general account and the separate report of the sewer fund

The collector's report showed total collect by him to be \$34,862.06

And

The Treasurer's general report show

Balance on hand last year of	\$7,116.64
Receipts from Water	\$7,503.36
Receipts from Gas	\$9,230.65
Receipts from Taxes	\$21,924.05
Receipts from Licenses	\$10,522.83
Receipts from del real estate pd before sale	
Receipts from Fines	\$561.15
Receipts from Dog tax	\$273.75

Receipts from sundries	\$67.50
Making Total receipts amounting to	\$57,460.65
And shows expenditures amounting to	\$45,055.63
Leaving a balance in the hands of the Treasurer of	\$12,405.02

It will be seen that the balance on hand exceeds that of last year by \$5,288.38, and will with the July Water Rents, if judiciously used be sufficient to meet all the ordinary expenses of the City until the October taxes shall have become due and payable.

The Treasurer's report of the Sewer tax and charge for Sewer connections shows

Receipts from Sewer tax to be	\$1,468.42
Receipts from charges for sewer connection	\$808.16
Making a total of	\$2,276.58
And disbursements amounting to	\$1,948.42
Leaving a balance on hand of	\$328.16

The report of the Finance Committee contained also the report of the Auditing Committee which states that the books of the Treasurer, the Collectors of City Taxes, the Superintendents of the City Water Works and Gas Works have each been examined by them and found correct [Page 94] and supported by proper vouchers.

The Finance Committee also report the debt of the City to be as follows

Bonded Debt		
7% bonds	due 1906	\$119,420.00
5% Water Bonds	due 1906	\$30,000.00
4% Bridge Bonds	due 1920	\$25,000.00
4% Gas Bonds	due 1920	\$25,000.00
4% Sewer Bonds	due 1931	\$18,000.00
4% Electric Light Bonds	due 1931	\$12,000.00
4% Street improvement Bonds	due 1931	\$20,000.00
Making a total bonded debt of		\$249,420.00

And the floating debt to be

Note dated June 17, 1903 at 6 months without interest	
At the Conway, Gordon & Garnett National Bank	\$3,000.00
Approximate cost of paving side walker to become due to J A Gude	\$6,000.00
Approximate cost of iron cellar doors to be due J M O'Donnell	\$3,000.00
Making total floating debt of	\$12,000.00

And

The amount due the Corporation by the estate of the late R W Adams, ex-City Treasurer is \$4,604.72 with interest, and the matter is in the hands of attorneys for settlement

And

The sinking fund is reported to be \$180.00, which is on account of sewer bonds

The report is signed by E D Cole and W S Embrey and on motion the report was received

Col Cole read the

Annual Appropriation Bill and the Tax bill for 1903-1904 both of which were on motion received and will be taken up at a future meeting.

Mr Bradley moved that the Finance Committee be instructed to have the report & bills published at a cost not exceeding \$60.00 which was adopted
(Messrs Dannehl and Mills appeared)

Mr Bradley offered the following

“Resolved by the Common Council of the City of Fredericksburg [Page 95] that the Finance Committee is hereby authorized to check in the current funds of the City in the hands of the City Treasurer for such amounts of money from time to time as in the judgment of the Committee can be safely spared towards the reduction of the floating debt of the City, and said Finance Committee shall apply the same to said reduction as they shall deem the same expedient.”

And on motion it was received for action at a future meeting.

Maj Embrey, Chairman Street Committee asked for an additional appropriation of one hundred dollars to be used in grading and spreading the surplus dirt hauled from the side walks and dumped where needed in the Streets and on motion of Mr Wroten by a unanimous recorded vote it was ordered that \$100 be placed to credit of Street Committee for said purpose, those voting being Messrs Cole, Wrote, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent.

Mr Rowe that the Council go into the election of officers for the ensuing year, which was adopted Mr Chancellor moved that the salary of the Clerk of Council be fixed at \$125.00 a year the same as last year which was adopted. And Mr Bradley nominated Mr James P Corbin for Clerk and he was elected by ballot without opposition.

An application of Mr A P Rowe for re-election as Collector of City Taxes was read and he was elected to said office by ballot without opposition.

Mr Bradley moved that the election of City Surveyor be passed by, which was adopted

Mr Bradley moved that the salary of the Clerk of Market be fixed at \$75.00 the same as last year and it was adopted. And Mr Bradley nominated Mr Samuel Fitzhugh for Clerk of the Market and he was so elected by unanimous ballot.

The application of Mr R H Carmichael for re-election as City weigher, measurer & inspector was read and he was elected by unanimous ballot.

(Capt McCracken appeared)

[Page 96]

The application of Mr J W Ball for re-election as Superintendent of the Alms-house was read and he was elected by a unanimous ballot the salary having been first fixed by motion at \$150.00 a year, the same as last year.

The applications of Messrs James A Stone for Upper Ward, and James Shelton for Lower Ward Scavengers were read and they were respectively elected by ballot without opposition.

The applications of Messrs Charles A Gore and Wallace N Tansill for Upper Ward and Messrs William R Hall and John H Robinson for Lower Ward, as policemen for the City were read and the salaries of the four policemen having been fixed by motion at \$40 per month the same as last year, a ballot was had and the said four policemen were re-elected respectively without opposition.

Mr Bradley moved that the salary of the Superintendent of Electric Light Plant be fixed at \$50.00 per month which was adopted. And Mr Bradley moved that the Superintendent of the Electric Light be elected for 3 months but afterwards withdrew it

And Mr Wroten moved that the Council proceed to elect a Superintendent of the Electric Light Plant for one year, which was adopted by the following recorded vote

For Messrs

Cole, Wroten, Rowe, McCracken, Embrey, Mills, Chancellor & Wallace = 8

Against Messrs Bradley, Brent = 2 (Mr Dannehl not voting)

Whereupon Mr Wroten nominated Mr Bowie G Wills and there was some discussion as to Mr Mills efficiency

And Mr Dannehl moved that the nominations be not closed until next Monday evening the 6th Instant

And Mr Wallace moved as a substitute that nominations be now closed and the substitute was adopted by the following recorded vote

For substitute Messrs Cole, Wroten, Rowe, McCracken, Mills, Chancellor, Wallace = 7

Against Messrs Bradley, Embrey, Dannehl, Brent = 4

And a ballot being had Mr Bowie G Mills was elected without opposition as Superintendent of the City Electric Works for the ensuing year.

Mr Mills moved that the Light Committee be requested to thoroughly investigate the management and conduct of the City Electric Light Plant and report the opinion of said [Page 97] Committee as to the management of said Plant and whether the same is efficient or not

On motion the Council adjourned until Monday next July the 6th at 8 o'clock PM

E D Cole, President

James P Corbin, Clerk

At an adjourned meeting of the Common Council of the City of Fredericksburg, Virginia held in the Council Chamber of said City on Monday the 6th day of July 1903 at 8 o'clock PM

There were present Col E D Cole, President

G W Wroten, Esq, Vice President

Councilmen J P Rowe, W E Bradley, H Dannehl, M S Chancellor, T N Brent, and (Terence McCracken)

The meeting was called to order by the President

Mr Bradley moved that the annual Tax Bill for the year 1903-1904, which was read and received on the 1st of July, be adopted, said Tax Bill is as follows, viz:

The Tax Bill for the City of Fredericksburg for the year 1903-1904

Be it ordained by the Common Council of the City of Fredericksburg, Va

That the following taxes on personal property real and personal shall be assessed, levied and paid for the year 1903-1904 for the support of the municipal government, public schools, for the poor, for the lighting of the Streets, to pay interest on bonds, and to provide a sinking fund for the redemption of the City debt, viz:

1st On every male person over 21 years of age not legally exempt fifty cents

2nd On all real and personal property, income, toll bridges, monied capital, in any business, investments in bonds in or out of the State, and stock in incorporated companies, on every (\$100) one hundred dollars \$1.25

3rd On any property taxed by the State and not included in the foregoing, the tax shall be the same at that fixed by the State.

4th A deduction of five percent shall be made on all taxes paid on or before the 15th day of October next. [Page 98]

5th On all taxes remaining unpaid on and after the 15th day of October next, there shall be added 5 percent and interest from that date till paid, and the Collector shall proceed to collect the same in the manner prescribed by law and the ordinances of the City.

6th Taxes imposed by this ordinance shall be payable in National currency of the United States and in the coupons of the seven per cent bonds matured or maturing on the 1st day of November next there after, and in coupons of other bonds of the city which have matured.

And

Be it ordained by the Common Council of the City of Fredericksburg;

1st That the following tax on the real estate of the City be assessed, levied, and paid for the year 1903-1904 to be known as the Sewer Tax, viz; a tax of 10½ cents on the \$100 of value be laid on all real estate of the City, which tax shall be due and payable on the 1st day of October next.

On all sewer taxes remaining unpaid after the 15th of October next there shall be added five per cent interest from said 15th of October until paid, and the Collector shall proceed to collect the same in the mode prescribed by law and the ordinances of this City.

2nd The said Sewer tax shall not be subject to the deduction of 5 percent on taxes paid on or before the 15th of October as provided in relation to the general taxes of the City, nor shall it be payable in other than National currency of the United States.” (approved by the Mayor July 7, 1903)

And it was adopted by the following recorded vote

For Messrs Cole, Wroten, Rowe, Bradley, Dannehl, Chancellor and Brent = 7

Against no one

And Mr Bradley moved that the Appropriation Bill for the year 1903-1904 which was read and received on the 1st day of July be adopted, said Annual Bill is as follows; viz;

Annual Appropriations

Be it ordained by the Common Council of the City of Fredericksburg;

1. That the following appropriations be made for the year ending June 30, 1904

Interest on \$119,420.00 7 percent bonds	\$8,359.40
Interest on \$30,000.00 5 percent water bonds	\$1,500.00
Interest on \$25,000.00 4 percent bridge bonds	\$1,000.00
Interest on \$25,000.00 4 percent gas bonds	\$1,000.00
Interest on \$18,000.00 4 percent sewer bonds	\$720.00
[Page 99]	
Interest on \$12,000.00 4% Electric Light Bonds	\$480.00
Interest on \$20,000.00 4% Street Improvement Bonds	\$800.00
Sinking Fund on above bonded debt, viz;	
on \$119,420 7% bonds	\$1,194.20
on \$30,000.00 5% bonds (water)	\$300.00
on \$25,000.00 4% bonds (bridge)	\$250.00
on \$25,000.00 4% bonds (gas)	\$250.00
on \$18,000.00 4% bonds (sewer)	\$180.00
on \$12,000.00 4% bonds (Elec Light)	\$120.00
on \$20,000.00 4% bonds (St Imp)	\$200.00
	\$2,494.20
Alms House	\$1,200.00
Police	\$1,920.00
Salaries	\$4,550.00
Public Property	\$1,000.00
Streets	\$1,500.00
Light, Gas	\$5,000.00
Light Electric Plant	\$3,000.00
Public Schools	\$2,800.00
Water	\$1,200.00

Health & Police	\$100.00
Fire Department	\$100.00
Contingencies	\$6,000.00

2. That it shall not be lawful for the Treasurer to pay any amount in excess of appropriations aforesaid, and it shall be his duty to notify the Common Council at the next meeting thereafter if any of these appropriations are exhausted and not to pay any orders on bills until further appropriations are made to meet them.”

And it was adopted by the following vote:

For Messrs Cole, Wrotten, Rowe, Bradley, Dannehl, Chancellor, Brent = 7

Against no one

Mr Bradley moved that the resolution presented by him which was read and received by the Council on the 1st of July be adopted, said resolution is as follows, to wit;

“Resolved by the Common Council of the City of Fredericksburg that the Finance Committee is hereby authorized to check in the current funds of the City in the hands of the City Treasurer for such amounts of money from time to time as in the judgment of the Committee can be safely spared towards the reduction of the floating debt of the City, and said Finance Committee shall apply the same to said reduction as they shall deem the same expedient.”

[Page 100]

For Messrs Cole, Wrotten, Rowe, Bradley, Dannehl, Chancellor, Brent = 7

Against no one

Col Cole called attention to the fact that there was standing water on the lands of Mr Rowe, Yates and Hurkamp bordering on the Paper Mill canal north of Commerce Street and moved that the matter be referred to the Ordinance Committee with request to have prepared and ordinance in accordance with the Act of the General Assembly of Virginia, approved February 18, 1898, entitled “Act to protect the health of the City of Fredericksburg” and report same to the Council as soon as practicable, which motion was adopted.

Col Cole brought up the matter of the Sewer on Main Street from the Railroad to the Gas House and estimated the cost at above \$2,000.00

(Mr McCracken appeared)

And Mr Bradley moved that the matter be referred back to Finance Committee for further report which was adopted.

Mr Bradley moved that the rules be suspended on which motion a recorded vote was had as follows

For suspending the rules Messrs Cole, Wrotten, Rowe, Bradley, Dannehl, Chancellor, Brent = 7

Against Capt McCracken and the rules were suspended

On motion of Mr Bradley the Council adjourned

E D Cole, President

James P Corbin, Clerk

[Page 101]

At a called meeting of the Common Council of the City of Fredericksburg, Virginia, held pursuant to notice in the Council Chamber of said City on Thursday the 9th day of July, 1903, at 8 o'clock PM

There were present Col E D Cole President

G W Wrotten, Vice President

Maj W S Embrey, Recorder

Councilmen Rowe, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace, Brent

The meeting was called to order by the President who stated it had been called by request of the Ordinance Committee,
Whereupon Mr Dannehl, Chairman of Ordinance Committee presented two ordinances which had been referred to said Committee; one amending and re-enacting Section 3 of Chapter 37 concerning charges for water with the opinion that the existing charges for water be not changed, and the other touching the collection of water charges.

And Mr Bradley moved that the rules be suspended to consider said amendment and ordinance and a recorded vote was had as follows

For suspension Messrs Cole, Wroten, Rowe, Bradley, Embrey, Dannehl Mills, Chancellor, Brent = 9
Against Mr McCracken

And Mr Bradley moved that the said amendment be adopted and Capt McCracken moved to amend Mr Bradley's motion by making said amendment operative on January 1st 1904 which was lost by the following recorded vote

For Messrs McCracken, Dannehl, Mills, Wallace = 4
Against Messrs Cole, Wroten, Rowe, Bradley, Embrey, Chancellor, Brent = 7

Whereupon the amendment to section 3, Chapter 38 of the City Ordinances by the by the following recorded vote

For Messrs Cole, Wroten, Rowe, Bradley, Embrey, Chancellor, Brent = 7
Against Messrs McCracken, Dannehl, Mills, Wallace = 4 said amendment as adopted is as follows

“Be it ordained, that Section 3 of Chapter 37 (page 97 of City Ordinances) be amended and re-enacted so as to read as follows:

3. In addition to the rent levied by sections one and two of this ordinance there shall be levied and collected on each and bath tube used on any premises \$3.00
On each additional tub used thereon \$2.00

[Page 102]

On each and every water closet used on any premises \$3.00
On each and every fountain, the opening not to exceed 1/8th of an inch, restricted to sprinkling hours \$5.00

On each and every lawn spray, the opening not to exceed 1/8th of an inch, restricted to sprinkling hours \$5.00

On Bar-rooms	\$10.00	On Restaurants	\$10.00
On Bakeries	\$10.00	On Barber Shops	\$6.00
On Slaughter houses	\$10.00	On Livery Stables	\$15.00
On Bottling Beer	\$10.00	On Wagon-Yards	\$8.00
On Brick Yard	\$10.00	On Gas Engines	\$15.00
On Wood-Yard Engines	\$15.00	On Exchange Hotel	\$40.00
On Dannehl Hotel	\$35.00	On other Hotels	\$20.00

On Builders: 1000 bricks, 10 cents; 100 yards of plastering 25 cents

Provided that the Committee on Water in its discretion shall have authority to place meters on any places of business above mentioned an charge meter rates for water sued therefor.”

And Mr Chancellor offered the following

“Resolved that the Committee on Water be and it is hereby instructed to prepare a list of those who paid the increased price of water as arranged by them on the first of last January which was unauthorized by

this Council, to-wit, on bar-rooms, restaurants &c with the amount paid by each one respectively, and when the list is completed and certified to by said Committee as correct it be placed in the hands of the City Treasurer, who is hereby authorized and instructed to refund the several amounts to the parties designated on said list.”

And it was adopted by the following unanimous recorded vote

For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent

And Mr Dannehl offered the following ordinance, to wit:

“Be it ordained by the Mayor and Common Council of Fredericksburg

1st That the Committee on Water be and hereby is empowered to cut the City water off from the property on which the annual rent of \$4.00 has not been paid, thirty days from the day it was due. But the Committee is only to exercise this power in the interest of the City.

2nd That no person shall permit any other person to draw or carry water from his hydrant without the written permit of the City Superintendent [Page 103] of Water. In case of violation of this rule the said Superintendent is authorized to cut off the water from the property of the violator.

3rd Where a person chargeable with the City Water under section 3 and 4 of Chapter 37 of the City Ordinances is the owner in whole or in part of the premises where said water is used the charges for the use of water under said sections shall be a lien on the interest of such person in said premises until the same is paid.

4th These provisions shall in no way effect the existing ordinance relating to lien or property for delinquent water rents.

5th That the Superintendent of the City Water be and he is hereby required to make suitable effort by personal application to collect water rents in default before said water is cut off as hereinbefore provided, unless the delinquent does not reside in this city in which latter case the said Superintendent is to notify non-resident delinquents by letter thirty days before cutting of the water from such delinquent property.

6th For any violations of the provisions of this ordinance a fine of not less than \$1.00 and not more than \$5.00 shall be imposed.”

And it was adopted by the following recorded vote

For Messrs Cole, Rowe, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace = 8

Against Messrs Wroten, Embrey, Brent

The report of the Water and Finance Committee touching improvements to the City Water Works and water supply, said matter having been referred to said Committees on the 19th of June last was offered and on motion referred back to said Committees for fuller and further report.

At Col Cole’s request Capt McCracken moved that the rules be suspended to consider a matter of special interest to the City, and the rule were suspended by the following recorded vote;

For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace and Brent = 11

Against no one.

The Vice – President in the Chair

[Page 104]

Col Cole offered the following

“Resolved: that a special Committee consisting of three members of the Council be appointed by the Presiding Officer of the Council, with instructions to report at the next regular meeting of this body

1st What State and Municipal Legislation exists for the proper police and control of the licensed liquor saloons of this City and for the proper police and control of drunkenness in this City

2nd What legislation, if there is not sufficient in existence at this time is necessary for the proper police and regulation of such licensed liquor saloons and of drunkenness in this City.”
Which was adopted and the Vice President appointed the following Committee thereunder Col E D Cole, Maj W S Embrey, and Mr William E Bradley.

On motion of Col Cole the Council adjourned
E D Cole, President
James P Corbin, Clerk

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Thursday the 16th day of July 1903 at 8 o'clock PM
There were present Cole E D Cole, President
G W Wroten, Vice President
Major W S Embrey, Recorder
Councilmen Rowe, Bradley, McCracken, Mills, Wallace, Brent

The meeting was called to order by the President and the minutes of the regular meeting in June and all subsequent meetings to date were read, approved and signed by the President
(The Vice-President presiding)

Col Cole, Chairman Finance Committee presented a bill of the Free Lance-Star Publishing Co \$4.50 which on motion was ordered to be paid.
And he also presented the receipt of the Treasurer to the Mayor showing amount of fines paid in to be be \$35.00, which receipt was on motion ordered to be filed.
[Page 105]

(The President presiding)
Capt McCracken, Chairman Light Committee asked further time in which to make the report called for by motion of Mr Mills on the 1st July touching the management of the Electric Light Plant, which on motion of Mr Wallace was granted.

(Mr Wroten in the Chair “V-Pres”)

The Clerk reported that all ordinances and resolutions requiring the approval of the Mayor had been submitted to him and that with the exception of one, he had approved them all.
That the Mayor had returned the ordinance adopted by the Council on the 9th day of July 1903 in relation to enforcing collection of water rents and delegating discretionary powers to the Water Committee as to cutting off the water with the following endorsement, viz;
“The within ordinance does not meet my approval, I therefore veto same. Given under my hand this 14th day of July 1903. M G Willis, Mayor”

Whereupon
Mr Bradley moved to reconsider the said ordinance and upon such reconsideration the recorded vote follows
For the adoption of the said Ordinance; Messrs Cole, Rowe, Bradley, McCracken, Embrey, Mills, Wallace = 7
Against Messrs Wroten and Brent = 2
And the said ordinance not being approved by two-thirds of all the members elected to the Council was defeated and the Mayor's veto was sustained.

Col Cole, Chairman of the Special Committee appointed on the 9th Instant to report to the Council what State and Municipal Legislation exists for the proper police and control of the Licensed liquor saloons &c of this City, and what, if any, new legislation thereon is needed, made a report and recommended the passage of an ordinance submitted with said report, both of which were read, and received, and ordered to lie over till next regular meeting, and on motion of Mr Embrey the Finance Committee was instructed to have said report and proposed ordinance published for the benefit of the Public.

Col Cole called attention to disorder at night on the Free Bridge and suggested that an Electric Light be placed on the Bridge and
Moved that the Light Committee be requested to have [Page 106] an Electric Light placed about midway of the Free Bridge if in the judgment of said Committee it was feasible to do so, which motion was adopted.

Col Cole stated that complaint had been made of disorder in the narrow alley leading from Main to Princess Anne Street adjoining Michael Long on Main and Mr McCracken of Princess Anne and Capt McCracken moved that the matter be referred to the Street Committee to determine whether or not the Council have power to close said alley, and if so to close the same if in their judgment it be advisable to do so.

On motion the Council adjourned.

E D Cole, President

James P Corbin, Clerk

At a called meeting of the Common Council of the City of Fredericksburg, Virginia, held in the Council Chamber of said City on Monday August 10th 1903 at 8 o'clock PM
There were present Col E D Cole, President
G W Wroten, Esqr Vice President
Councilmen Revere, Bradley, Embrey, Dannehl, Chancellor, Wallace, Brent

The meeting was called to order and the President stated it had been called by request of the Ordinance Committee, whereupon

Mr Dannehl, Chairman of Ordinance Committee present the following report, to-wit:

To the City Council of Fredericksburg

The undersigned Committee on Ordinances to whom was referred a telephone ordinance asked for by the Southern Bell Telephone and Telegraph Company and also a proposed contract which said Company is willing to execute if it should acquire a franchise from this City, respectfully reports

That the proposed ordinance was inadequate for the protection of the City, and your Committee returns herewith an Ordinance for the consideration of the Council, which conforms to the requirements of the new Constitution, and to the Act of the General Assembly of April 7, 1903

[Page 107]

The new Constitution authorizes the City to make adequate provision by way of forfeiture of the grant, or otherwise, to secure efficiency of public service at reasonable rates, and the maintenance of the property in good order throughout the term of the grant.

Your [Committee] was informed by the Attorney for said Company that the Company would not accept any franchise from the City which contained the above mentioned clause of forfeiture, hence your Committee has sought to safe-guard the City as far as it could be requiring a bond as set out in said ordinance. Your Committee deem it proper to state that they are informed that the said Company has a contract with the owners of the Telephone Company now operating in this City, under which said owners are to sell their plant to said Southern Bell Telephone and Telegraph Company so soon as said last named

Company obtains a franchise from this City, and hence if the ordinance herewith returned shall be adopted by the Council and accepted by the said Company there will be but one Telephone Company serving the City and that Company refuses to consider any franchise which restricts them in any manner as to the rates which they shall charge, other than their general stipulation that the rates shall be reasonable, and the further stipulations in the contract which they tender fixing the charges for the first year and assuming the obligation to continue the same charges after the expiration of the first year for from one to five years to any person making a contract with them within six months from their acceptance of the ordinance obliging him to pay such charges for such period as shall be named in the contract, which latter proposition is not likely to be availed of, as no one would care to make a contract for a longer term than the current year.

The Committee is informed that the Telephone rates in Richmond, Va., are as follows:

Unlimited business phones	\$6.00 per month
Limited business phones	\$4.00 per month
Unlimited residence phones	\$3.00 per month
Limited residence phones	\$2.00 per month

Respectfully submitted

Henry Dannehl, H Lewis Wallace, T McCracken, ordinance committee”

And on motion of Mr Dannehl the said report was received and ordered to be spread upon the minutes of the Council which is accordingly done. Whereupon,

[Page 108]

Mr Dannehl offered the following (which embraces the ordinance referred to the foregoing report) to-wit

Resolved by the City Council of Fredericksburg, Virginia

That the following ordinance proposing to make the grant of a telephone and telegraph franchise be advertised once a week for four successive weeks in the Free Lance newspaper published in Fredericksburg

An ordinance authorizing the _____ Company to use the public roads, streets and highways of the City of Fredericksburg for the purpose of placing poles and fixtures to support electrical conductors thereon, and regulating the manner of using the streets for such purpose.

Section 1. Be it ordained by the Council of the City of Fredericksburg, Virginia that permission be and the same is hereby granted to the _____ Company its successors and assigns, for a period of thirty years (30) to erect, operate and maintain lines of telephone and telegraph, including the necessary poles, fixtures and electrical conductors upon, along and over the public roads, streets and high-ways of the City of Fredericksburg, Virginia, as its business may from time to time require subject to the provisions, conditions and restrictions hereinafter mentioned, proved that all poles shall be neat symmetrical and painted.

Said poles to be straight and with bark taken off entirely set in the ground and repainted from time to time when required by the Street Committee

Section 2. That the work of erecting poles shall be done on such streets and high-ways and in such manner as may be approved from time to time by the Committee on Streets, the work to be done under the supervision of said Committee and the _____ Company shall replace and properly re-lay and keep in repair any part of any side-walk or street that may be displaced by reason of the erection of such poles, and upon the failure of the Company so to do after two days notice in writing shall have been given by said Committee to said Company or to any agent of said Company in Fredericksburg, the City may repair such portion of the side-walks as may have been disturbed by said Company, and collect the costs so incurred from said Company. Upon notice for the City or any Committee of the Council that a local improvement, or gas, sewer or water main, or branch thereof is to be is to be constructed, or repaired, in such manner as will necessitate the moving or altering of the poles or wires or other appurtenances of said

Company, the said Company shall move or alter the same at its own expense, so as to permit the construction of the improvement where ordered and should said Company or Corporation omit to comply with such notice the poles, wires, and appliances may be altered or moved by the City, and the cost thereof recovered [Page 109] from said Company or Corporation.

Section 3. In consideration of the rights and privileges herein granted said Company shall provide one cross arm on each pole for the free use of police and fire alarm system of the City of Fredericksburg, Virginia. The said Company shall furnish not less than four telephones unlimited service free and six telephones unlimited service at any time when called for by the by the City Council at a cost not exceeding ten dollars a year each, such telephones to be placed in such city offices as the City Council may designate.

Section 4. Said Company shall at all times be subject to the City Ordinances now in existence, or which may be hereafter passed relative to the use of the public streets and high-ways by telephone and telegraph companies.

Section 5. Said Company shall indemnify the City of Fredericksburg, Virginia against and assume all liabilities for damages which may arise or accrue to the City of Fredericksburg, Virginia from an injury to persons or property from the doing of any work herein authorized or the neglect of said Company, or any of its employees., to comply with any ordinance relative to the use of the streets of said city, and the acceptance by the Company of this ordinance shall be an agreement by it to pay to the City of Fredericksburg, Virginia any sums of money for which the City may become liable from or by reasons of such injury.

Section 6. This ordinance shall be of no force or effect until the said _____ Company shall file with the Clerk of the City Council of Fredericksburg a written acceptance of each and every provision of this ordinance, nor shall said ordinance have any force or effect unless such acceptance is filed, and the bond herein required is deposited within sixty days from the date when this ordinance shall take effect.

Section 7. The _____ Company hereby agrees and binds itself to establish a first class telephone plant within the City of Fredericksburg, and to maintain the same in good order throughout the term of the grant and to furnish the citizens of Fredericksburg with efficient telephone service at reasonable rates during the said period of thirty years, and that said company shall commence the work necessary to construct such plant to render such service within sixty days after the passage of this ordinance, and to render such service within five months after the passage of this ordinance, and upon the acceptance of this ordinance by said Company it shall deposit with the City Treasurer of the City of Fredericksburg the bond of said Company payable to said City with security to be approved by the City Council of Fredericksburg in the sum of one thousand dollars, which bonds shall be in the words and figures as follows:

[Page 110]

Know all men by these presents; That we _____ are held and firmly bound until the Mayor and Commonalty of the Town of Fredericksburg in the sum of one thousand dollars, to the payment whereof, well and truly too be made to the said Mayor and Commonalty of the Town of Fredericksburg, we bind ourselves, and each of us, jointly and severally, firmly by these present, and we hereby waive the benefit of our homestead exemption as to this obligation. Sealed with our seals and dated this _____ day of _____ 1903.

The condition of the above obligation is such, that whereas the said _____ has agreed and bound itself to establish a first class telephone plant within the City of Fredericksburg, Virginia and to maintain the same in good order throughout the term of thirty years from the _____ day of _____ 1903, and to furnish the citizens of Fredericksburg with efficient telephone service at reasonable rates during said period of thirty years, now therefore if the above bound the _____ shall faithfully keep and perform said obligation, agreement and understanding on its part then this obligation to be void or otherwise to remain in full force and virtue.

(Seal)

(Seal)

And said _____ Company further agrees and binds itself that in the event judgment in favor of said City of Fredericksburg, being recovered on said bond the said _____ Company will without delay, upon the entry of such judgment, execute a new bond to the said City of same Tenor and effect, and for the same amount, as the bond upon which judgment was obtained with security to be approved by the City Council as aforesaid, and will deposit the same forthwith with the City Treasurer of said City. And the said _____ Company further agrees and binds itself that whenever, and as often as judgment in favor of said City shall be rendered on any bond executed under this section, the said _____ Company will without delay, upon the entry of such judgment execute a new bond of same tenor and effect and for the same amount as the former bond with security to be approved by the City Council as aforesaid, and will forthwith deposit the same with the City Treasurer of said City.

The lone intent and object of this provision being to provide for and insure that the City shall never during the term of thirty years be without ample security for the faithful performance by said Company of the aforesaid obligation undertaking and agreement on its part touching the efficiency of its telephone service at reasonable rates, and the maintenance of its property in good order throughout the term of the grant.

[Page 111]

If the said _____ Company shall fail to comply with the premises and requirements set forth in this section of this ordinance in relation to the bond of said Company and its renewals whenever judgment is recovered thereon, the Council may declare any and all privileges and franchises authorized or granted by this ordinance forfeited.

The said _____ Company by the acceptance of this ordinance or the exercise of any of the privileges herein granted binds itself and agrees that the rates of charges for telephone service in the City of Fredericksburg shall not be higher than those charged by said Company generally in other Cities having approximately the same population in this or in any other State.

Section 9. All the obligations, undertakings and agreements assumed by the _____ Company under this ordinance by its acceptance of the same shall be assumed and performed by its successors and assigns, and such successors and assigns shall be subject to all the provisions of this ordinance as if they had originally accepted said ordinance in the place and stead of said _____ Company

Henry Dannehl, H Lewis Wallace, T McCracken

Bids are invited for said franchise proposed to be granted in the foregoing ordinance at 12 o'clock M on the 10th day of September 1903. Said bids to be delivered to the presiding officer of the Council upon the hour and day named in open session of said Council.

The City shall have the right to reject any and all bids and the same is hereby expressly reserved.

So soon as the terms of the proposed ordinance are approved by the Mayor, the Clerk of the Council will have the foregoing resolution published as therein directed. (Approved by the Mayor August 10, 1903)

And it was adopted by the following recorded vote

For Messrs Cole, Wroten, Revere, Bradley, Embrey, Dannehl, Chancellor, Wallace, Brent = 9

Against no one.

At Col Cole's request, Mr Chancellor moved that the rules be suspended for the Council to consider borrowing \$1000 – to be used for account of Street improvement and the motion to suspend the rules was adopted by the following unanimous recorded vote, viz;

For Messrs Cole, Wroten, Revere, Bradley, Embrey, Dannehl, Chancellor, Wallace, Brent = 9

[Page 112]

Against no one.

Whereupon Mr Bradley offered the following

“Whereas the Chairman of the Finance Committee had reported to the Council that the City is indebted for Street paving in the sum of \$3,000.00 and that there is not sufficient funds in the City Treasury not otherwise appropriated to meet this indebtedness;

Resolved by the Council; that the Finance Committee be and they same are authorized to borrow the sum of one thousand dollars and to execute the obligation of the City therefore, and said Committee shall place said \$1000.00 in the hands of the City Treasurer to the credit of the Street Improvement Account. Said money shall be borrowed for the period of 90 days.”

And said resolution was adopted by the following unanimous recorded vote;

For Messrs Cole, Wroten, Revere, Bradley, Embrey, Dannehl, Chancellor, Wallace, Brent = 9

Against no one. (approved by the Mayor Aug 11th 1903)

On motion, permission was granted to Capt Revere to retire.

On motion of Mr Bradley the Council adjourned.

E D Cole, President

James P Corbin, Clerk

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia, held pursuant to notice in the Council Chamber of said City on Thursday the 20th day of August 1903 at 8 o'clock PM

There were present Col E D Cole, President

Geo W Wroten, Vice President

Councilmen W S Embrey, F H Revere, J P Rowe, W E Bradley, T McCracken, H Dannehl, E W Mills, M S Chancellor, T N Brent.

The meeting was called to order by the President and the minutes of the last regular meeting and subsequent meetings were read approved by the Council and signed by the President.

(The vice president presiding)

Col Cole, Chairman Finance Committee presented the receipt of the United States Fidelity and Guaranty Company renewing the bond of A P Rowe, Collector of City Taxes, and it was on motion ordered that said renewal receipt be placed in the hands of the Mayor to be by him deposited with said Collector's bond in the National Bank of Fredericksburg for safe-keeping.

[Page 113]

And Col Cole reported that pursuant to resolution of the Council passed on the 10th Inst authorizing the Finance Committee to borrow the sum of \$1000.00 for ninety days, that said sum had been borrowed from the National Bank of Fredericksburg and the net amount of said loan, viz; \$985.00 had been turned over to the Treasurer of the City and placed to the credit of the Street Improvement Account. And on motion of Mr Rowe the action of the Finance Committee was confirmed.

And Col Cole reported that there was now to the credit of the Street Improvement account in the Treasurer's hand the sum of \$367.99.

And Col Cole stated that in the matter of the delinquent City taxes on the property corner of Princess Anne and Hawke Streets [lot] 171 & part of 172, standing in the name of Forbes & Wellford on the Land Books, the Finance Committee had made a rebate of the interest and penalty on said delinquent tax and had authorized the Treasurer to receive & receipt for the sum of \$80.56 in full of said delinquent taxes, and on motion of Mr Bradley said action of the Finance Committee was endorsed by the Council.

And Col Cole presented the following bills viz;

Bill of Dr J Ed Tompkins	for	\$11.00
Bill of Registrars of Lower Ward	for	\$39.60
Bill of Registrars of Upper Ward	for	\$39.60
Bill of J Willard Adams 15 frames C cords for		\$5.00
Bill of Free-Lance Star Pub Co clean lots		\$4.00
Bill of Free-Lance Star Pub Co tax books		\$10.00
Bill of Free-Lance Star Pub Co Com Cords		\$2.50
Bill of Free-Lance Star Pub Co Notice reg		\$5.00
Bill of Free-Lance Star Pub Co Franchise		\$33.00

All of which on motion were ordered to be paid

And Col Cole presented the Treasurer's receipt to the Mayor for \$105.50 for fines collected

Mr Dannehl, Chairman of Ordinance Committee presented an amendment to the ordinance concerning dogs which was read and ordered to lie over

Capt McCracken, Chairman of Light Committee asked further time in which to make the report called for by action of the Council taken on July 1st in relation to the management of the Electric Light Plant was request granted

Mr Bradley offered the following;

“Resolved that the Light Committee be instructed to ascertain and report to the Council the approximate cost of introducing an incandescent system for Electric Lighting in this City in connection with the present Arc Light Plant now owned and operated by the City” which was adopted

And Mr Dannehl offered the following

“Resolved that the Committee on Public Interest be requested to inquire and report to the Council on the matter of the use of the Streets and alleys of the City by any person, Corporation, or firm doing a business of electric lighting without the consent of the Council” which was adopted.

Mr Bradley, Chairman Committee on Schools offered the following

“Resolved that the Committee on Schools be empowered to continue the Scholarships in the Fredericksburg College for the coming year under the same conditions and regulations as governed it last year”

And Mr Embrey moved that the said resolution lie over until the next meeting of the Council, which motion was adopted by the following recorded vote;

For Messrs Cole, Wroten, McCracken, Embrey, Mills, Brent = 6

Against Messrs Revere, Rowe, Bradley, Dannehl, Chancellor = 5

Mr Bradley moved that the proposed ordinance in relation to control of licensed liquor dealers read at eth regular meeting in July be taken up, which was adopted, and said ordinance was read and on motion of Mr Bradley was considered by sections.

Whereupon Capt McCracken moved to amend Section 1 by inserting the word “plainly” after the words “condition is”, and striking the word “shall” after the word “apparent” and substituting the word “may” therefore, which amendment to section 1 was adopted by the following recorded vote, viz;

For Messrs Wroten, Revere Rowe, McCracken, Embrey, Dannehl, Mills, Chancellor, Brent = 9

Against Messrs Cole, Bradley

Capt McCracken moved to amend Section 2 by inserting the word “plainly” after the words “persons so” and to strike out all of said Section 2 after the words “for such day”, which amendment was adopted by the following recorded vote, viz

For Messrs Cole, Wroten, Revere, Rowe, McCracken, Embrey, Dannehl, Mills, Chancellor, Brent = 10
Against Mr Bradley

And Section 3 was adopted by the following recorded vote viz;

For Messrs Cole, Revere, Bradley, McCracken, Embrey, Dannehl, Chancellor, Brent = [8]

Against Messrs Wroten, Rowe, & Mills = 3

[Page 115]

And Capt McCracken moved to amend Section 4 by striking out the word “eleven” before the word “o’clock” and substituting the word “twelve” therefore, and Mr Chancellor moved to amend Capt McCracken’s amendment by striking out the whole of Section 4, which was lost by the following recorded vote

For Messrs Wroten, Rowe, Dannehl, Mills, Chancellor = 5

Against Messrs Cole, Revere, Bradley, McCracken, Embry, Brent = 6

And thereupon Capt McCracken’s amendment was adopted by the following recorded vote

For Messrs Wroten, Revere, McCracken, Embrey, Dannehl, Brent = 6

Against Messrs Cole, Rowe, Bradley, Mills, Chancellor = 5

And Capt McCracken moved to amend Section 5 by inserting after the words “cut off or obstructed’ the words “at any time when the sale of liquor is prohibited by law”, and after the words “for each” to omit the words “day that he permits such obstruction to be erected, maintained or used” and in lieu thereof insert the word “offense” which amendments were adopted by the following recorded vote

Fore Messrs Wroten, Revere, Rowe, McCracken, Embrey, Dannehl, Mills, Chancellor, Brent = 9

Against Messrs Cole, Bradley = 2

And Section 6 was adopted by the following recorded vote

For Messrs Cole, Wroten, Revere, Rowe, McCracken, Embrey, Dannehl, Mills, Chancellor, Brent = 10

Against Mr Bradley = 1

And Section 7 was adopted by the following recorded vote

For Messrs Cole, Wroten, Revere, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Brent = 11

Against no one.

And Section 8 was adopted by the following recorded vote

For Messrs Cole, Wroten, Revere, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Brent = 11

Against no one.

Capt McCracken moved that the said Ordinance, as amended and which reads as follows, to wit
“Be it ordained by the Common Council of the City of Fredericksburg

1. That any person found in the streets of this City or within one mile of its corporate limits under the influence of intoxicating drink or drug to such an extent that his condition is plainly apparent may be arrested by one of the Police Officers of this City and after he is sober, shall be tried therefore and if found guilty fined not less than one dollar.

2. Any officer willfully failing to arrest such persons as plainly under the influence of intoxicating drink or drug on the streets of the City shall be suspended from duty on e day for each offense with a forfeiture of pay for such day.

3. Any licensed liquor dealer who shall harbor in his place [Page 116] of business any person so under the influence of intoxicating drink or drug shall be fined for each offense the sum not less than \$1.00 nor more than \$5.00

4. All licensed liquor dealers shall close their places of business between twelve o'clock post meridiem and five o'clock ante meridiem of the succeeding day and are prohibited from selling or disposing of all intoxicating drinks during such specified hours, and for the willful breach of this section by any such licensed liquor dealer or his agent she shall be fined not less that ten nor more than one hundred dollars.

5. No licensed liquor dealer shall erect, maintain or use any screen, shade partition or other obstruction to his windows or front doors in his place of business whereby a full, free and each public view from the streets into such place of business may be cut off or obstructed at any time when the sale of liquor is prohibited by law and on a willful violation of this ordinance he shall be fined not less than \$1.00 for each offense.

6. That the Committee on Public Property is directed to provide a suitable place of detention for all persons arrested under this ordinance until they can be brought to trial.

7. That no person or persons shall loaf or stand idle on the streets in front of any place of business of such licensed liquor dealer or in the neighborhood thereof and it shall be the duty of the police officers to see that this section is executed.

8. This ordinance shall take effect from its passage. “

Be adopted and said motion prevailed by the following recorded vote, viz

For Messrs Wrotten, Revere, Rowe, McCracken, Embrey, Dannehl, Mills, Brent = 8

Against Messrs Cole, Bradley, Chancellor = 3

(The Vice President presiding)

Mr Chancellor Chairman of Water Committee presented a report made by Capt Quinn Supt of Water Works embracing the estimated cost of a sewer “on lower Main Street from the Railroad to just below the Gas House” which cost is estimated to be for Main pipe laid & 3 man holes

	\$923.25
Laterals 6” laid	\$223.56
Total	\$1146.81

And reported 49 buildings on the line of sewer

And Mr Mills moved that the matter be referred to the Finance and Water Committees with power to advertise for bids for said sewer work according to the plans and specifications of Engineer Davis and report said bids at the next meeting of the Council, and [Page 117]

Mr Bradley moved as a substitute that the matter be laid over till the next meeting of the Council and asked for a recorded vote thereon which was had as follows

For Messrs Bradley, Embrey, Chancellor =3

Against Cole, Wrotten, Revere, Rowe, McCracken, Dannehl, Mills, Brent = 8 and the substitute lost and Mr Mills motion was adopted by the following recorded vote

For Messrs Cole, Wrotten, Revere, Rowe, McCracken, Embrey, Dannehl, Mills, Brent = 9

Against Messrs Bradley, Chancellor = 2

A letter form the Clerk of the City School Board stating that the terms of M G Willis from the Upper Ward and A B Bowering from the Lower Ward, as School Trustees had expired and Hon M G Willis and A B Bowering of the Upper & Lower Wards respectively were nominated to succeed themselves as School Trustees and a ballot being had they were unanimously so elected.

Mr Mills offered the following.

“Resolved by the Common Council of Fredericksburg, Virginia; That the Committee on Water be and are hereby directed to purchase two drinking fountains for horses and place them at such points in the City as they deem are suited for the convenience of the public” and moved that the resolution be referred to the Water Committee with power to act, the cost of said fountains not to exceed \$100.00, which motion was adopted.

On motion the Council adjourned.

E D Cole, President

James P Corbin, Clerk

At a called meeting of the Common Council of the City of Fredericksburg, Virginia held in the Council Chamber of said City on Thursday the 10th day of September 1903 at 12 o'clock M

There were present Col E D Cole, President

George W Wroten, Vice President

Councilmen Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace

The meeting was called to order by the President who stated it had been called to receive bids for telephone franchise [Page 118] and Col E D Cole, President of the Council caused to be read aloud the bid of the Southern Bell Telephone and Telegraph Company this day submitted for the franchise hereinafter set forth, passed by the Council on August the 10th 1903, and then inquired if any further bids there were, and there being none, did declare the bidding closed.

Whereupon, it was moved by Mr Henry Dannehl and seconded by Mr W S Embrey, that said bid of the Southern Bell Telephone and Telegraph Company be accepted as the highest and best bid, which motion being put the recorded vote on which was as follows

For Messrs Cole, Wroten, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace = 9

Against no one, which motion was declared carried and the bid of the said Southern Bell Telephone and Telegraph Company was accepted, and the said franchise was awarded to said Southern Bell Telephone and Telegraph Company;

And on further motion of Henry Dannehl seconded by J P Rowe, the said ordinance as hereinafter set forth was then introduced and passed by the following recorded vote (Mr McCracken having appeared, and Mr Bradley having retired by leave of the Council), viz;

For Messrs Cole, Wroten, Rowe, McCracken, Embrey, Dannehl, Mills, Chancellor, Wallace = 9

Against no one; and is passed is as follows to-wit;

An ordinance authorizing the Southern Bell Telephone and Telegraph Company to use the public roads, streets and highways of the City of Fredericksburg for the purpose of placing poles and fixtures to support electrical conductors thereon, and regulating the manner of using the streets for such purpose.

Section 1. Be it ordained by the Council of the City of Fredericksburg, Virginia that permission be and the same is hereby granted to the Southern Bell Telephone and Telegraph Company its successors and assigns, for a period of thirty years (30) to erect, operate and maintain lines of telephone and telegraph, including the necessary poles, fixtures and electrical conductors upon, along and over the public roads, streets and high-ways of the City of Fredericksburg, Virginia, as its business may from time to time require subject to the provisions, conditions and restrictions hereinafter mentioned, provided that all poles shall be neat symmetrical and painted.

Said poles to be straight and with bark taken off entirely set in the ground and repainted from time to time when required by the Street Committee

Section 2. That the work of erecting poles shall be done on such streets and high-ways and in such manner as may be approved from time to time by the Committee on Streets, the work to be done under the supervision of said Committee and the Southern Bell Telephone and Telegraph [Page 119] Company shall replace and properly re-lay and keep in repair any part of any side-walk or street that may be displaced by

reason of the erection of such poles, and upon the failure of the Company so to do after two days notice in writing shall have been given by said Committee to said Company or to any agent of said Company in Fredericksburg, the City may repair such portion of the side-walks as may have been disturbed by said Company, and collect the costs so incurred from said Company. Upon notice for the City or any Committee of the Council that a local improvement, or gas, sewer or water main, or branch thereof is to be constructed, or repaired, in such manner as will necessitate the moving or altering of the poles or wires or other appurtenances of said Company, the said Company shall move or alter the same at its own expense, so as to permit the construction of the improvement where ordered and should said Company or Corporation omit to comply with such notice the poles, wires, and appliances may be altered or moved by the City, and the cost thereof recovered from said Company or Corporation.

Section 3. In consideration of the rights and privileges herein granted said Company shall provide one cross arm on each pole for the free use of police and fire alarm system of the City of Fredericksburg, Virginia. The said Company shall furnish not less than four telephones unlimited service free and six telephones unlimited service at any time when called for by the by the City Council at a cost not exceeding ten dollars a year each, such telephones to be placed in such city offices as the City Council may designate.

Section 4. Said Company shall at all times be subject to the City Ordinances now in existence, or which may be hereafter passed relative to the use of the public streets and high-ways by telephone and telegraph companies.

Section 5. Said Company shall indemnify the City of Fredericksburg, Virginia against and assume all liabilities for damages which may arise or accrue to the City of Fredericksburg, Virginia from an injury to persons or property from the doing of any work herein authorized or the neglect of said Company, are any of its employees., to comply with any ordinance relative to the use of the streets of said city, and the acceptance by the Company of this ordinance shall be an agreement by it to pay to the City of Fredericksburg, Virginia any sums of money for which the City may become liable from or by reasons of such injury.

Section 6. This ordinance shall be of no force or effect until the said Southern Bell Telephone and Telegraph Company shall file with the Clerk of the City Council of Fredericksburg a written acceptance of each and every provision of this ordinance, nor shall said ordinance have any force or effect unless such [Page 120] acceptance is filed, and the bond herein required is deposited within sixty days from the date when this ordinance shall take effect.

Section 7. The Southern Bell Telephone and Telegraph Company hereby agrees and binds itself to establish a first class telephone plant within the City of Fredericksburg, and to maintain the same in good order throughout the term of the grant and to furnish the citizens of Fredericksburg with efficient telephone service at reasonable rates during the said period of thirty years, and that said company shall commence the work necessary to construct such plant to render such service within sixty days after the passage of this ordinance, and to render such service within five months after the passage of this ordinance, and upon the acceptance of this ordinance by said Company it shall deposit with the City Treasurer of the City of Fredericksburg the bond of said Company payable to said City with security to be approved by the City Council of Fredericksburg in the sum of one thousand dollars, which bonds shall be in the words and figures as follows:

Know all men by these presents; That we The Southern Bell Telephone and Telegraph Company are held and firmly bound until the Mayor and Commonalty of the Town of Fredericksburg in the sum of one thousand dollars, to the payment whereof, well and truly too be made to the said Mayor and Commonalty of the Town of Fredericksburg, we bind ourselves, and each of us, jointly and severally, firmly by these present, and we hereby waive the benefit of our homestead exemption as to this obligation. Sealed with our seals and dated this [blank] day of [blank] 1903.

The condition of the above obligation is such, that whereas the said Southern Bell Telephone and Telegraph Company has agreed and bound itself to establish a first class telephone plant within the City

of Fredericksburg, Virginia and to maintain the same in good order throughout the term of thirty years from the [blank] day of [blank] 1903, and to furnish the citizens of Fredericksburg with efficient telephone service at reasonable rates during said period of thirty years, now therefore if the above bound, the Southern Bell Telephone and Telegraph Company shall faithfully keep and perform said obligation, agreement and understanding on its part then this obligation to be void or otherwise to remain in full force and virtue.

(Seal)

(Seal)

And said The Southern Bell Telephone and Telegraph Company further agrees and binds itself that in the event judgment in favor of said City of Fredericksburg, being recovered on said bond the said Southern Bell Telephone and Telegraph Company will without [Page 121] delay, upon the entry of such judgment, execute a new bond to the said City of same Tenor and effect, and for the same amount, as the bond upon which judgment was obtained with security to be approved by the City Council as aforesaid, and will deposit the same forthwith with the City Treasurer of said City. And the said Southern Bell Telephone and Telegraph Company further agrees and binds itself that whenever, and as often as judgment in favor of said City shall be rendered on any bond executed under this section, the said Southern Bell Telephone and Telegraph Company will without delay, upon the entry of such judgment execute a new bond of same tenor and effect and for the same amount as the former bond with security to be approved by the City Council as aforesaid, and will forthwith deposit the same with the City Treasurer of said City.

The lone intent and object of this provision being to provide for and insure that the City shall never during the term of thirty years be without ample security for the faithful performance by said Company of the aforesaid obligation undertaking and agreement on its part touching the efficiency of its telephone service at reasonable rates, and the maintenance of its property in good order throughout the term of the grant.

If the said Southern Bell Telephone and Telegraph Company shall fail to comply with the premises and requirements set forth in this section of this ordinance in relation to the bond of said Company and its renewals whenever judgment is recovered thereon, the Council may declare any and all privileges and franchises authorized or granted by this ordinance forfeited.

The said Southern Bell Telephone and Telegraph Company by the acceptance of this ordinance or the exercise of any of the privileges herein granted binds itself and agrees that the rates of charges for telephone service in the City of Fredericksburg shall not be higher than those charged by said Company generally in other Cities having approximately the same population in this or in any other State.

Section 9. All the obligations, undertakings and agreements assumed by the Southern Bell Telephone and Telegraph Company under this ordinance by its acceptance of the same shall be assumed and performed by its successors and assigns, and such successors and assigns shall be subject to all the provisions of this ordinance as if they had originally accepted said ordinance in the place and stead of said Southern Bell Telephone and Telegraph Company”

[Page 122]

And said bid is as follows

Richmond, Va September 10th 1903

Col E D Cole, Presdt of City Council Fredericksburg, Virginia

Dear Sir:

Referring to your advertisements for bids for an ordinance passed August 10th 1903 by the City of Fredericksburg, Va granting certain rights, privileges etc, to construct, operate and maintain lines of telephones in the City of Fredericksburg, Va., we beg to submit a bid of fifty dollars (\$50.00) for the ordinance above referred to, and herewith enclose certified check No. 1345 on the Planters National Bank of Richmond, Va., for Fifty Dollars (\$50.00)

Yours Respectfully

Southern Bell Telephone and Telegraph Company

By F E Montague, Superintendent

In case the franchise is awarded my Company, we agree to connect Fredericksburg with the lines of the American Tel & Tel Co
Southern Bell Tel & Tel Co
By F E Montague, Supt

And on motion of Mr Embry the Council adjourned.
E D Cole, President
James P Corbin, Clerk
[Page 123]

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Thursday the 17th day of September 1903 at 8:00 o'clock PM

There were present Col E D Cole, President
G W Wroten, Esqr Vice-President
Major W S Embrey, Recorder
Councilmen F H Revere, J P Rowe, W E Bradley, H Dannehl, E W Mills, M S Chancellor, H L Wallace, T N Brent

The meeting was called to order by the President and the minutes of the last regular and called meetings were read, approved and signed by the President
(The Vice-President in the Chair)

Col Cole, Chairman Finance Committee presented the receipt of the Treasurer to the Mayor for \$50.00 being the amount of the bid for and another receipt of the Treasurer to the Mayor of \$33.00 being cost of advertising the franchise granted to the Southern Bell Telephone and Telegraph Company on September 10th 1903 and presented Treasurer's receipt to the Mayor for \$94.50 being for fines collected since the August report.

And presented bill of the Journal Pub Co for legislation notices of \$4.00 which on motion was ordered to be paid.
And Col Cole stated there was to the credit of the Street Improvement Fund the sum of \$102.77 and stated further that there had been expended out of the general fund for account of Street Improvements for sidewalks & cellar doors the sum of \$5,756.92.

Mr Dannehl, Chairman of Ordinance Committee introduced an ordinance empowering the Mayor to appoint special police for places of entertainment during performances &c which was referred to the Ordinance Committee and ordered to lie over the usual time.
And Mr Dannehl presented the following amendment to Section 6, Chapter XX (Page 76) of City Ordinances which was read at the last regular meeting and ordered to lie over viz;
"Be it ordained by the Common Council of the City of Fredericksburg: That Section 6 Chapter XX (page 76) of the City Ordinance be amended and re-enacted so as to read as follows, viz;
Sec 6. It shall be the duty of the Mayor to procure and furnish to all persons taking out a license as herein prescribed, at the [Page 124] time of issuing the same, a metal tag, marked CF and bearing the year in which the license was issued in figures, and a leather collar to be worn by each dog so licensed. At any time, at his discretion the Mayor may, by proclamation, declare that all of said animals as above licensed shall be properly and securely muzzled and if any such animal of the dog kind shall be found running at

large during the continuances of such proclamation without the required muzzle, the owner thereof shall be fined one dollar and failure to pay the fine and to muzzle the animal, it shall be killed.”

And it was adopted by the following recorded vote

For Messrs Cole, Wroten, Revere, Bradley, Dannehl, Mills, Chancellor, Wallace, Brent = 9

Against Messrs Embrey, Rowe = 2

And Mr Dannehl moved that the tax on dogs for the year beginning October 1st 1903 be the same as last year viz; on dogs \$1.00, on bitches \$1.50; which motion was adopted by the following recorded vote

For Messrs Cole, Wroten, Revere, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent = 11

Against no one.

Mr Mills, Chairman on Committee on Public Interest, to which Committee was referred the inquiry on the matter of the use of the streets by any person &c doing a business at Street Lighting without the consent of the Council made the following report, viz;

We the undersigned Committee on Public Interest pursuant to the resolution of the Council passed August 20th 1903, a copy of which is returned herewith, beg leave to report that so far as their investigation has gone they find and so report that Mrs E C L Ficklin, under the name of the Rappahannock Electric Light and Power Co is using the streets and high-ways of the City with her electric line without any franchise therefore, but we your Committee believe under the implied contract of the Council.

About 1886 the Rappahannock Electric Light and Power Co entered into a contract to furnish the City with Arc Lights wherewith to light the Streets and without any express franchise therefore, but with the consent of the Council necessarily implied, erected its line in the City of Fredericksburg.

The said Company contract with the City continued for a number of years and were after the old Company's plant was sold at public auction and purchased by the said Mrs E C L Ficklin the City continued the contract for public lighting until it erected its own plant. Since the erection of the City's plant Mrs Ficklin has continued the use of and occupancy of the streets and high-ways with and for her line to furnish [Page 125] incandescent lights to private parties and electric power for fans, motors, etc. Your Committee report that Mrs Ficklin is a large taxpayer and pays a heavy license for conducting her said business and has paid the same for 1903, and while your Committee must report that the said Mrs Ficklin occupies the streets, alleys, etc of the City without a franchise or express consent of the Council they are of the opinion that she does so with the implied consent of the Council, and the Committee of Public Interest would recommend that in view of the fact that the Council will be asked for a franchise under the new law for the conduct of her said business by Mrs Ficklin that at this time no action under this report be at present taken.

E W Mills, F H Revere, W S Embrey, Committee

And on motion the said report was received and the recommendation contained therein “that at this time no action under this report be at present taken” was adopted.

Mr Bradley, Chairman of Committee on Schools called up the resolution offered by him at the regular meeting in August, which is as follows viz;

“Resolved: that the Committee on Schools be empowered to continue the ten scholarships in the Fredericksburg College for the coming year, under the same conditions and regulation as governed it last year.” And moved the same be adopted, and presented and had read a resolution of the Businessmen's Association of this City, endorsing said resolution and asking its adoption by the Council, if the City has the legal right to do so, and also presented a petition signed by 37 business men and firms asking that the contract be renewed.

A recorded vote was called for and has as follows

For continuing the City's contract with Fredericksburg College Messrs Rowe, Revere, Bradley, Dannehl, Mills, Chancellor, Brent = 7
Against Messrs Cole, Wroten, Embrey, Wallace = 4, and Mr Bradley's resolution was adopted.

Mr Bradley proposed the following

"Whereas the Chairman of the Finance Committee has reported to the Council that the City is indebted for street paving in the sum of \$4,000.00 and there is not sufficient funds in the City treasury not otherwise appropriated to meet this indebtedness.

Resolved by the Council; that the Finance Committee be and [Page 126] the same is authorized to borrow the sum of four thousand dollars and to execute the obligation of the City therefor and said Committee shall place said \$4,000 in the hands of the City Treasurer to the order of the Street Improvement Account. Said money shall be borrowed for the period of 90 days, and it was agreed to by a unanimous recorded vote as follows

For Messrs Cole, Wroten, Revere, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent = 11; Against no one and under the law lies over for future and further action thereon.

Col Cole stated that the City owned about 50 tones on iron grating for which it had no use and that several offers had been made therefore.

And Mr Bradley offered the following

"Resolved by the Council; that the Finance Committee be instructed to dispose of said 50 tons of iron grating on the best terms obtainable"; which was adopted by the following recorded vote

For Messrs Cole, Wroten, Revere, Rowe, Bradley, Embrey, Dannehl, Chancellor, Wallace, Brent = 10
Against Mr Mills = 1

The following letter was presented and read

I am instructed by the Supt of City Schools Mr B P Willis, to inform you that he made a mistake in reporting the term of office of Mr A B Bowering, Trustee of Schools as expiring on the 4th of last April. He should have reported the name of James T Layton, and I am requested to ask you to elect his successor to serve three years from 4th April 1903 to April 4th 1906, and to declare the election of Mr Bowering at your last meeting null and void.

Very Respectfully, S J Quinn, Clerk School Board, Sept 17th 1903

Whereupon Col Cole moved to go into the election of a School Trustee from the Lower Ward which was adopted and Col Cole nominated Mr James T Layton for said office and a ballot being had Mr James T Layton was elected without opposition to succeed himself as a School Trustee for Lower Ward for the term ending on the 4th day of April 1906.

Col Cole presented a franchise and ordinance granting the use of the streets &c for electric lighting and furnishing electric power in the City; which read and will lie over till the next regular meeting of the Council.

Mr Bradley offered the following, viz;

"Resolved that the Street Committee be instructed to buy [Page 127] a street sweeper on the best terms "price not to exceed \$300.00" which was adopted by the following recorded vote to wit;

For Messrs Cole, Wroten, Dannehl, Revere, Rowe, Bradley, Embrey, Mills, Chancellor, Wallace, Brent = 11; Against on one. (approved by the Mayor Sept 22, 1903)

Col Cole presented the following bids for constructing the Lower Main Street Sewer from the present sewer near R F & P R R to the Gas House, being 2650 feet 8 inch and 780 feet of 6 inch sewer pipe & 3 man holes

E J Cain & Co	\$1,373.00
George H. Heflin	\$1,197.50

And Mr Bradley proposed that the bid of Mr George H. Heflin for putting in Sewer from the Railroad to the Gas House for the sum of \$1197.50 be accepted by the Council, provided that the work be done under the supervision of the Chairman of the Water Committee and the Superintendent of the City Water Works, and that the work shall be begun not later than the 15th day of October 1903, and it is expressly understood that the work be done under the plans and specifications made by Engineer Davis, and that said Heflin shall be required, when the work is finished to leave the road-way of the Street in as good condition as it was when the work began and that said Heflin shall be required to give bond in the sum of \$500.00 conditional for the faithful performance of the contract.

Which proposition was accepted by the following recorded vote

For Messrs Cole, Wroten, Revere, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace and Brent = 11; against no one

A letter from Mr H H Johnston in relation to alleged damages done to his business and property at the northwest corner of Commerce and Princess Anne streets was read and referred to the Finance Committee.

And on motion of Mr Bradley the Council adjourned

E D Cole, President

James P Corbin, Clerk

[Page 128]

At a called meeting of the Common Council of the City of Fredericksburg, Virginia, held pursuant to motion in the Council Chamber of said City at 7:30 o'clock PM on Wednesday the 7th day of October 1903

There were present Col E D Cole, President

G W Wroten, Vice President

Councilmen, J P Rowe, W E Bradley, W S Embrey, H Dannehl, E W Mills, M S Chancellor, H L Wallace and T N Brent.

The meeting was called to order by the President who stated that was called "to consider resolution and bond of the Southern Bell Telephone & Telegraph Co; Heflin contract for sewer and \$4000 appropriation for Street Improvement."

Whereupon Judge Embrey on behalf of the Southern Bell Telephone and Telegraph Co filed with the Clerk of the Council the acceptance by said Company of the Ordinance and franchise awarded said Company on September the 10th 1903, and said acceptance was read by the Clerk and is as follows, viz; Atlanta, Ga, September 23rd 1903

To the Honorable Common Council of the City of Fredericksburg, Va
Gentlemen,

In pursuance with Section Six (6) of the ordinance entitled "an ordinance authorizing the South Bell Telephone and Telegraph Company to use the public road, streets, and highways of the City of Fredericksburg for the purpose of placing poles and fixtures to support electrical conductors thereon and regulating the manner of using the streets for such purpose" which was adopted by the Common Council

at their meeting held on the 10th day of September, 1903, this Company hereby respectfully files with the Clerk of the Common Council of Fredericksburg, Va its acceptance.

Yours Respectfully

Southern Bell Telephone and Telegraph Co

By W T Gentry, Vice President

And Judge Embrey presented the bond conditional for the faithful performance of said franchise by said Company in the penalty of \$1000.00 with the Virginia Trust Co as surety, which bond was on motion of Mr Wallace accepted by the following recorded vote

For Messrs Cole, Wroten, Rowe, Bradley, Embrey Dannehl, Mills, Chancellor, Wallace, Brent = 10

Against no one, and the President was directed to file said bond [Page 129] with the City Treasurer.

Mr Wroten moved that the rules be suspended for the purpose of taking action on an ordinance touching the franchise of the Rappahannock, Fredericksburg and Piedmont Telephone Company and also touching the Southern Bell Telephone and Telegraph Company's privileges as the successor of said Rap, Fred'g & P T Co., and the rules were suspended by the following recorded vote

For Messrs Cole, Wroten, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent = 10;
against no one.

Whereupon Judge Embrey by leave presented the following, viz;

An ordinance to authorized the Rappahannock, Fredericksburg & Piedmont Telephone Company (doing business in the Town of Fredericksburg, under an ordinance granting certain rights to said Company passed the 15th day of March 1895) to sell all of its telephone lines, poles and wires and property in the streets and alleys of the Town of Fredericksburg or elsewhere in said Town to the Southern Bell Telephone and Telegraph Company and to authorize the Southern Bell Telephone and Telegraph Company to acquire, maintain and operate the same and to relieve each of said Companies, its successors or assigns form all liabilities, claims, conditions, penalties, and forfeitures which have accrued or may accrue under the provisions of the aforesaid ordinance, and to extinguish the franchise of the said Rappahannock, Fredericksburg, and Piedmont Telephone Company, heretofore granted by aforesaid ordinance or any other ordinance of the said Town of Fredericksburg.

Be it ordained by eh Council of the Town of Fredericksburg;

Section 1. That the Rappahannock, Fredericksburg & Piedmont Telephone Company (a corporation operating under a certain ordinance passed by the Council of the Town of Fredericksburg, passed the 15th day of March 1895 granting certain rights to the said Rappahannock, Fredericksburg & Piedmont Telephone Company, is or are, hereby authorized to sell, assign, transfer, and convey to the Southern Bell Telephone and Telegraph Company, all the lines of telephone, poles, and wires now owned by said Rappahannock, Fredericksburg & Piedmont Telephone Company, located in or upon the streets and alleys of the Town of Fredericksburg, or elsewhere in said Town, and all or any parts of its other property situated in the Town of Fredericksburg or elsewhere. And the said Southern Bell Telephone and Telegraph [Page 130] Company is hereby authorized to acquire said telephone lines, poles, wires, and other property, and to maintain and operate said lines or such parts of them as it may desire in the streets and alleys of the said Town of Fredericksburg as a part of its telephone and telegraph system in same manner as though the said lines and property had been originally erected by the said Southern Bell Telephone and Telegraph Company under and by authority of an ordinance granting certain rights to said Company adopted the 10th day of September 1903 by the Council of the Town of Fredericksburg, and, if it shall see fit, to take down the said lines of telephone and the said poles and wires.

Section 2. So soon as the said lines of telephone and other property shall have been so acquired by the Southern Bell Telephone & Telegraph Company the said Rappahannock, Fredericksburg, & Piedmont Telephone Company and its successors and assigns shall stand released and forever discharge of and from

and said Southern Bell Telephone & Telegraph Company shall hold said telephone lines, poles, wires and other property free and clear from all liabilities, claims, obligations, duties, demands, forfeitures, or penalties that have accrued or may or might accrue to the Town of Fredericksburg or which the said Town is or might become entitled to claim the benefit of, or which are or might in any enforceable under or by virtue of the provisions of the aforesaid ordinance of the Council of the Town of Fredericksburg passed the 10th day of March 1895, or under any other ordinance of said Town of Fredericksburg.

Section 3. So soon as the telephone lines, poles and wires above mentioned have been transferred to and acquired by the Southern Bell Telephone & Telegraph Company, all the franchises heretofore granted by the Town of Fredericksburg to the said Rappahannock, Fredericksburg, & Piedmont Telephone Company or to its successors, shall be deemed to be ipso facto released and extinguished, but not until then.

Section 4. This ordinance shall be in force from its passage.”

And on motion of Mr Dannehl seconded by Mr Chancellor said ordinance was unanimously adopted by the following recorded vote, viz;

For Messrs Cole, Wroten, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent = 10;
against no one.

Mr Bradley offered the following which was proposed by him at a meeting of the Council held on the 17th of September last, viz;

Resolved that the bid of Mr George H. Heflin for putting in Sewer on Lower Main Street from the Railroad to the Gas House for the sum of [Page 131] [eleven] hundred and ninety-seven dollars and fifty cents (\$1197.500 be accepted by the Council, provided that the work be done under the supervision of the Chairman of the Water Committee and the Superintendent of the City Water Works, and that the work shall be begun not later than the 15th day of October 1903, and it is expressly understood that the work be done under the plans and specifications made by Engineer Davis, and that said Heflin shall be required, when the work is finished to leave the road-way of the Street in as good condition as it was when the work began and that said Heflin shall be required to give bond in the sum of \$500.00 conditional for the faithful performance of the contract, and shall take effect when said bond shall have been approved by the Water Committee, which Committee is hereby authorized to act in the matter of said bond.

And, it was adopted unanimously by the following recorded vote, viz;

For Messrs Cole, Wroten, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent = 10
against on one.

Mr Bradley offered the following which was proposed by him at the meeting of the Council held on 17th September last, viz;

“Whereas the Chairman of the Finance Committee has reported to the Council that the City is indebted for street paving in the sum of \$4,000.00 and there is not sufficient funds in the City treasury not otherwise appropriated to meet this indebtedness.

Resolved by the Council; that the Finance Committee be and [Page 126] the same is authorized to borrow the sum of four thousand dollars and to execute the obligation of the City therefor and said Committee shall place said \$4,000 in the hands of the City Treasurer to the order of the Street Improvement Account. Said money shall be borrowed for the period of 90 days.

And it was adopted unanimously by the following recorded vote viz;

For Messrs Cole, Wroten, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent = 10
against on one.

Mr Wallace moved that the rules be suspended to entertain a matter of sewerage, which was adopted by the following vote, viz

For Messrs Cole, Wroten, Rowe, Bradley, Embrey, Dannehl, Mills, Chancellor, Wallace, Brent = 10
against on one.

Whereupon (the Vice President presiding)

Colonel Cole on behalf of himself and Mr A P Rowe asked that the city construct a sewer on the east side of Washington [Page 132] Avenue from a point a little north of Hawke Street along said Avenue and connect with the sewer at the head of Fauquier Street at its junction with said Avenue, the total cost of said sewer and construction to be borne by said E D Cole & A P Rowe.

And on motion of Mr Wallace the matter was referred to the Water Committee with request to report at next meeting of the Council.

And on motion of Mr Chancellor the Council adjourned.

E D Cole, President

James P. Corbin, Clerk

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia held in the Council Chamber of said City on Thursday the 15th day of October 1903, at 7:30 o'clock PM

There were present Col E D Cole, President

G W Wroten, Esqr Vice President

Major W S Embrey, Recorder

Councilmen, Revere, Rowe, Bradley, McCracken, Dannehl, Mills, Chancellor, Brent

The Meeting was called to order by the President and the minutes of the last regular & called meetings were read and approved and signed by the President.

(The Vice President presiding)

Col Cole, Chairman Finance Committee presented the following bills

Free Lance newspaper \$5.00

Free Lance newspaper \$14.75

Free Lance newspaper \$5.40

Kishpaugh, R A \$10.00

Kishpaugh, R A \$1.25

Fredericksburg Journal \$1.75

Genthers \$27.75

Robinson & Hall, Police Officers in re Bums \$19.30

Which on several motions were ordered to be paid, the last mentioned sum of \$19.30 to be paid from contingent fund, and not out of the appropriation for Police

And Col Cole reported that the Finance Committee had borrowed \$2,000 from the National Bank of Fredericksburg and \$2000 from the Conway, G & G Bank and had [Page 133] turned the net amount of \$3940.00 over to the Treasurer to the credit of Street Improvement Co, pursuant to resolution of the Council passed October 7th 1903 and produced the Treasurer's receipt therefor

And reported fines collected by the Mayor since Sept report \$87.50 with the Treasurer's receipt therefore, and a letter from the Mayor reporting that the Police had done their duty.

And Col Cole presented the Treasurer's receipt to the Commissioner of the Revenue for the Real Estate and Personal Property Books of the City for the Year 1903, and

Capt McCracken moved that the Treasurer be directed to pay to A B Bowering, the Commissioner of the Revenue of the City, the sum of \$350.00 being his salary for the year 1903, which was adopted by the following recorded vote;

For Messrs Cole, Wroten, Revere, Rowe, Bradley, McCracken, Embrey, Dannehl, Mills, Chancellor, Brent = 11; Against no one.

(The President in the Chair)

Mr Chancellor, Chairman of Water Committee presented the following report on the Washington Avenue sewer referred to it said

Your Committee on Water to whom the matter of running a sewer from Fauquier to Hawke Street for Col E D Cole and A P Rowe's new houses on the east side of Washington Avenue, beg to make the following report;

Your Committee recommends that the sewer be run by the Supt of Sewers, S J Quinn and the cost of same be paid by Messrs Cole and Rowe; and we further recommend that they be relieved from the \$2.00 per year Sewer connection charge for a period of 5 years and said sewer shall be the property of the City of Fredericksburg.

And on motion said report was received and adopted.

Capt McCracken, Chairman of Light Committee made a report pursuant to resolution of the Council adopted August 20th 1903 touching the approximate cost of introducing an incandescent light system in connection with the City's Arc Light Plant which in part is as follows;

Estimated cost	\$3,500.00	
Int on this at 4%	\$140.00	
Additional expense at station	\$700.00	
Wear & Tear	\$200.00	
Cost of additional 45 HP necessary to run 600 lights	\$405.00	\$1,445.00
[Page 134]		
Income from 600 lights @ 40¢ pr month \$4.50 a year	\$2880.00	
Profit to City		\$1,435.00

And on motion of Mr Dannehl the report was received.

The Clerk reported the following veto of the Mayor of the resolution adopted by the Council on the 17th of September 1903, continuing the City's agreement with Fredericksburg College

"To the Common Council &c &c

Gentlemen

I regret that I feel it my duty under my oath to support the Constitution and laws of Virginia to whom the resolution having the effect of an ordinance passed by your body on the 17th Inst directing in its result the sum of four hundred and fifty dollars to be appropriated from the Treasury of the City of Fredericksburg to be used as a consideration for a contract on the part of the City, to be paid to the Fredericksburg College for the education at this College of ten scholars, residents of this City.

For the best information I can obtain, I am forced to the conclusion that the Common Council has no right to make an "appropriation of the public funds for the purpose of sending scholars to any school or institution of learning not owned or exclusively controlled by the State or some political division thereof"; except that it may make appropriations "to non-sectarian schools of manual, industrial, and technical training" (see section 141 of the Constitution of Virginia).

The purpose of the proposed appropriation is for the education at an institution of learning of ten scholars and I am forced to the conclusion that the Council has not right to appropriate public funds for such purpose. I cannot see that this positive inhibition of the Constitution can be avoided by the proposed contract.

While the City of Fredericksburg can make a contract to the extend of its powers given it by the Charter, not inconsistent with the Constitution, it cannot make a contract the carrying out of which is prohibited by the Constitution; and as public money must be used to consummate the execution of the proposed contract and as the Constitution says you shall not appropriate public money for any institution of learning, if the provision of the Constitution can be avoided by such means, then the Council could appropriate public moneys for any illegal purpose under the guise of a contract.

I therefore think that the setting aside of four hundred and fifty dollars for the special use of consummating a contract [Page 135] not authorized by law (such setting aside of said amount being positively prohibited by the Constitution) illegal, and I herewith return said resolution, having the effect of an ordinance with my veto, to the Clerk of the Council; but in differing form the majority of the Council I do not intend directly or indirectly to reflect on the conscientious conviction of any member of the body who may differ from me.

Given under my hand as Mayor of the City of Fredericksburg this 22nd day of September 1903
M G Willis, Mayor”

And thereupon Mr Bradley, Chairman of Committee on Schools presented a communication from Mr St Geo R Fitzhugh written at the request of said Committee and it was read and it was agreed that it be recorded, it is as follows.

To the Committee on Schools of the City Council

Gentlemen,

You ask for my opinion as to the power of the City Council to renew a contract with the Fredericksburg College, which the Council has heretofore renewed from year to year for a number of years with apparently the substantial acquiescence and sanction of the taxpayers of the City.

His honor the Mayor in his veto of the resolution of the Council renewing this contract bases his objection to the resolution on what he conceives is its conflict with the 141 section of our new Constitution which provides that “no appropriation of public funds shall be made to any school or institution of learning no owned or exclusively controlled by the State or some political subdivision thereof.”

It may be proper for me to state that I was not consulted by the Mayor as to the legality or constitutionality of the resolution which he vetoed, and knew nothing of his veto until I read it in the Star. I regret not to be able to concur in this veto, since I do not think that the clause of our new Constitution which he invokes to sustain his veto has any application to this case.

In 1902 after the new Constitution went into operation I advised the City Council that the above mentioned clause in our Constitution did not cover the question of its contract with the College, any more than it covered the question of the annual appropriations by the Council to the Gas Committee to purchase coal.

The money in case of the Gas Committee goes to coal mines in West Virginia or Pennsylvania but is not in any sense an appropriation to such coal mines.

Neither in my judgment is the appropriation of \$450 to the Committee on Schools to pay for ten scholarships in the [Page 136] Fredericksburg College an appropriation to said College.

I did not know at that time that the Supreme Appellate Court California had construed a similar provision in its Constitution exactly in accordance with the views I then expressed to the City Council.

My attention was called recently to the California case by my friend Judge Embrey who had the volume containing the report of the case in his law library.

The California Constitution contained this provision “no money shall ever be appropriated or drawn from the State Treasury for the use or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a State institution, nor shall any grant or donation of property ever be made thereto by the State.”

The Congress of the United States incorporated the World’s Fair Association into a private corporation, and the legislature of California appropriated the sum of \$200,000. “to meet the expenses of erecting buildings and maintaining an exhibit of the products of the State of California at the World’s Columbian Exposition at Chicago.:

This large appropriation was expected in erecting a splendid building and placing in it exhibits of the products of California in another State and on the grounds of a private Corporation over which the State of California had no control whatever.

It was claimed that this was an appropriation to a private corporation over which the State of California had not control whatever, and hence was forbidden by the plain inhibition of the Constitution.

The Court in an unanimous opinion held that the Constitution was not exceeded.

The Court said “even if it could be said with any degree of certainty that the private corporation (of the World’s Fair) will increase its receipts because of the fact that the State is to place its products on exhibition, or that it may derive a benefit from the rent of the ground to the State, or realize other profits still this would not effect the question we are considering or bring the appropriations within the prohibition of the section of the Constitution above quoted, as it is apparent that the main object of the statute appropriating \$300,000 is not to confer such incidental benefit but rather to promote what is assumed to be a matter of public converse and for the public good.”

Hence as to the question of constitutionality of the resolution appropriating \$450 to the College, the Council must decide between the construction placed on the constitutional provision by his [Page 137] honor the Mayor, and that of the Supreme Court of California.

The question of constitutionality being out of the way, the only other question is whether such use of the public funds is outside of the lawful scope of municipal authority and discretion, the statutes about school funds having not bearing on the question.

In order to answer this question we must look to the City Charter to ascertain its powers.

Our City charter provides that the Council “shall have full power, and they are hereby authorized to assess a tax on the inhabitants and property within the actual limits of the said town for the purpose of repairing streets, and such other expenses and charges as to them may seem necessary and proper, and for the improvement, convenience and well being of the Town.”

These are very broad powers and leave much to the discretion of the Council. How much I cannot say, but I can say with entire confidence that the power to make the proposed contract with the College is sustained by much stronger reasons than was the power to take \$1000 in the Stock of a private agricultural corporation, operating outside of the City limits, and much stronger than is the authority to appropriate public funds in the interest of the Battlefield Park for strictly speaking the funds of the City must be expended for purposes within the City limits unless an Act of the Legislature authorize their expenditure outside.

The promotion of education is one of the highest duties of all government, State and Municipal, and I take it that the Courts would give a liberal construction to our charter in order to sustain a provision made in good faith in the interest of education within the City of Fredericksburg.

It will be unfortunate for the future of our City if the Council shall embarrass itself with new legal and technical questions, whilst conscientiously seeking to use the City funds for the best interests of the whole community.

Respectfully,

St Geo R Fitzhugh, Oct 14th 1903

And the recorded vote taken on sustaining the veto of the Mayor was as follows

For sustaining the veto Messrs Cole, Wroten, McCracken, Embrey = 4

Against Messrs Revere, Rowe, Bradley, Dannehl, Mills, Chancellor, Brent = 7 and the veto was sustained [?]

The clerk reported a certified order of the Corporation Court of [Page 138] this City entered on the 25th day of September, wherein the said Court declines “to permit the qualification of M G Willis as School Trustee” he having failed to qualify in the time prescribed by law.

And Col Cole moved that the Council proceed to elect a School Trustee for the Upper Ward, which was adopted and Col Cole nominated Mr James R Rawlings and Mr Bradley nominated Mr H H Johnston, and

a ballot being had Mr James R Rawlings was declared duly elected as School Trustee for the Upper Ward for the term ending 3rd day of April 1906.

Col Cole presented a petition signed by sundry business men asking that the matter of opening Prince Edward Street across the railroads be acted on and Mr Bradley offered the following
“Resolved that the Street Committee be instructed to ascertain through the counsel of this City our right to open Prince Edward Street extended over the tracks of the P F & P R R and R F & P R R and report same to next meeting of this Council” which was adopted

Col Cole, Chairman Finance Committee to which was referred the letter of Mr H H Johnston for investigation and report offered the following with request that it be spread upon the records, viz
To the Finance Committee of the City Council,
Gentlemen,

In view of the recent action of the Council in paving a limited number of blocks in the City, including both road bed and sidewalks; and in view of the change of the existing physical grade of that portion of the streets here paved, which was rendered absolutely necessary by the improvement, you ask my opinion as to where, and to what extent the city incurs any liability to abutting lot owners for damages by reason of changes of grade of street, under our new Constitution.

The new constitution provides that the General Assembly “shall not enact any law whereby private property shall be taken or damaged for public use, without just compensation.”

Our former Constitution provided that the General Assembly “shall not pass any law whereby private property shall be taken for public use without just compensation.”

Under this former Constitution which provided only for just compensation to the owner for taking private property for public use, and was silent as to any damage that might [Page 139] be inflicted on property not actually taken, our Court have uniformly held that to entitle the private owner to compensation there must be an actual invasion of his property- a trespass upon it, or an appropriation of it to public use. There must have been that which amounted to a deprivation of the owner of his property, and merely consequential injuries however great resulting from loss or serious impairment of some right or easement incident to the use or enjoyment of his property, there being no actual violation of it, were not covered by the Constitutional prohibition.

Our new Constitution as we have seen forbids both the taking and the damaging of private property for public use without just compensation.

This is a most important addition to the former provision for the protection of private property, and what effect will be given by our Supreme Court of Appeals to this change in the Constitution it is difficult to predict with any great certainty, as it has, as yet had no case before it involving this question.

This tone, that within the last thirty years many of the States have made similar changes in their organic law, and there are a number of decisions in those states interpreting the word ‘damaged’ introduced into their constitutions, but there is a notable lack of harmony in the opinions of these Courts and grave conflict between many of them. They substantially agree however that under this change in the Constitution, a property owner who has built a house on a lot abutting on a street in conformity with the existing physical grade of such street can under certain conditions recover damages from a city for injury to his real estate caused by a change in the grade of street though such lot is neither taken or trespassed upon by the City, but the owner only deprived of certain rights held to be incident to the ownership of the lot, which were very generally ignored by the Courts under former Constitutions.

These Courts now hold that property holders bordering on streets have, as an incident to their ownership of such property, a right of access by way of the streets, which cannot be taken away or unilaterally impaired by the City, without incurring legal liability for damages to the extent diminution of the market value of the real estate thereby occasioned.

The great majority of streets in cities and towns have originally been dedicated to public use by the owners of lands without any other compensation, than the increase in market value which is expected to be given to such lands by reason of the establishment, grading, and paving of such streets by the municipal authorities.

If the municipality has originally acquired the streets by purchase or condemnation, the abutting owner of land must have been compensated at the time for such future alterations of the natural [Page 140] grade of the land as would be reasonably necessary to adopt the street to easy and safe passage over its entire length, and breadth, and to enable the city to properly drain and pave its streets such alterations must have been in the contemplation of the land owners when the municipality acquired the right to open and improve the streets.

And whether the streets were acquired by dedication, or by condemnation, or purchase, and whether the fee in the streets is in the adjoining land owner, or in the municipality, they are under the control of the City as the agent of the state whose highways they are, and the City is invested with a large discretion as to their improvement, which the Courts will not interfere with except in cases of flagrant abuse of power; and it would seem that it is not every change of grade made in a street which may in effect impair the value of the lot in its vicinity which would amount to a legal injury to the property. Such ordinary and reasonable changes in the streets, as may reasonably be supposed to have been in the contemplation of the adjoining owners of the land when the streets were originally acquired, so as to adopt them to the convenient use of the public, cannot furnish ground for claim to compensation. The lot owner holds it subject to such inconveniences and even injury as may result from the right and duty of the municipality to improve the streets in any ordinary and reasonable mode deemed wise and beneficial to the public by the power of the authorities.

When, then, will private property be held to be damaged for public use by a change in the grade of the street with the meaning of our new Constitution, so as to entitle an abutting lot owner to compensation? I take it that all the following elements must concur to entitle a lot owner to recover damages.

1. It must appear that be reason of the change of grade there has been some direct physical disturbance of a right, either public or private which the lot owner enjoys in connection with his real estate, and which gives to it an additional value, and that by reason of such disturbance he has sustained a special damage with respect to said real estate, differing in kind from that sustained by the public generally.
2. The injury complained of must be to some right held as a necessary incident to the ownership of his lot—wholly apart from the business which happens at the time to be carried on upon said lot; and the injury cannot consist of injury to, or loss of business, nor of personal inconvenience in the conduct of business, however great.
3. The injury must not be temporary in its character, but permanent, and substantial. It must be positive and visible, [Page 141] the natural and necessary result of the change of grade and of such certain character that compensation therefore may be ascertained at the time the work is being done.
4. The injury must be in excess of what was in the contemplation of the parties to be original dedication or condemnation of the street and for which the law presumes that the land owner was then compensated, either in money or in benefits to the adjoining land, by reason of the opening and future improvement of the street.
5. The injury complained of must have diminished the market value of the abutting property, so that it is not worth as much, for any purpose, in the market, after the completion of the improvement, as it was before the grade of the street wand sidewalk was changed, and both paved.

If the lot owner is entitled to recover any damages at all from the City by reason of the change of grade of street what is the measure of damage?

The measure of damage is the difference between the market value of the real estate as it was before the grade was changed and as it now is, after the grading and paving of the street and sidewalk and completed in case there has been any diminution in market value by reason of such improvement, taking into

consideration the injury, if any, done to the real estate, by the change, and as an offset thereto any enhancement of the market value of the property by reason of the improvement.

The damage will be measured by the decrease, if any, in the actual pecuniary value of the property.

If the money value of the real estate be not diminished, the lot owner can recover nothing. The real estate may no longer be adapted to the purpose for which it was used prior to the improvement, but if it will command as much in the market for any purpose as it would have brought prior to the change of grade and the consequent improvement of the street and sidewalk there is contemplation of law, no damage done to the property, and the owner is as well off after as before the change.

Where a City restricts its improvements to limited portions of its business thoroughfares, such favored districts derive a large advantage over that accruing to the City at large, in the greater enhancement of the values along the line of such improvements, whilst the cost of these improvements must under our new Constitution, so far as the roadway of the streets is concerned be borne equally by the taxpayers of the entire city, hence it would seem unjust [Page 142] to permit those abutting on these improvements to take the benefits of the increase in the value of their real estate and in the facility for transacting business, and yet charge the City with damages which are more than offset by these benefits.

This the law will not permit, and though one abutting land owner may be more fortunate than his neighbor, and may derive nothing be benefit from the improvement, yet another who incurs injury cannot complain, if the benefits equal his injury, and his property will bring as much or the market now, as it would have brought before the improvement.

Whereupon Mr Dannehl offered the following

Resolves by the Council that the letter of Mr H H Johnston addressed to the City Council, and the opinion of the City Attorney be and the same are referred to the Joint Committee on Street Improvements with instructions to examine the property of Mr Johnston and report as speedily as possible to the Council whether in the judgment of said Joint Committee the said property has been damaged in the light of the above mentioned opinion.” Which resolution was adopted.

Mr Chancellor, Chairman of Water Committee stated that Mr George W Heflin declined to accept the contract awarded to him on the 7th of October Inst for constructing the Lower Main Street Sewer for a lump sum.

And Mr Bradley moved that said contract be reconsidered which was adopted.

And Mr Mills offered a modified form of contract with said Helfin for constructing said Lower Main Street sewer which was approved and it calling for the expenditure of more \$1,000.00, was delayed for final motion at a future meeting.

Col Cole presented a Street Railway ordinance & franchise which was referred to the Ordinance Committee after being read by the Clerk.

Capt McCracken offered the following

“Resolved that one hundred dollars or so much thereof as may be need be place to the credit of the Street Committee to purchase and put in place granite [Page 143] corner blocks on the four corners of Main & Wolfe Streets and Main and Prussia Streets and on the two corners on the east side of Princess Anne Street at its intersection with Prussia Street, said corner blocks to be place on the grades as established by E T D Meyers Jr, Engineer, which was adopted.

And on motion the Council adjourned

E D Cole President

James P. Corbin, Clerk

At a special meeting of the Common Council of the City of Fredericksburg, Virginia held in the Council Chamber of said City on Friday the 23rd day of October 1903 at 7:30 o'clock PM
There were present Col E D Cole, President
Councilmen F H Revere, W E Bradley, T McCracken, H Dannehl, E W Mills, M S Chancellor, H L Wallace, T N Brent.

The meeting was called to order by the President who stated that it had been called to consider the contract proposed on the 15th Inst with Mr Geo W Heflin for the construction of the Lower Main Street sewer.

Whereupon Mr Chancellor offered the following

Resolved that the Water Committee be authorized to award the contract for building sewer and laying 2650 feet of 8 inch pipe at 35 cents and 780 feet of 6 inch pipe at 25 cents and constructing three man-holes at \$25.00 each on the Lower Main Street Sewer to Mr George W Heflin;

And it is expressly understood that said sewer work shall be done in according to the plans and specifications of Mr Davis, Engineer;

Said Water Committee is further empowered in case the proper completion of said sewer and laterals shall require a greater number of feet of pipe than is named above then that they shall pay Mr Heflin pro rata for such additional work;

And it is understood that said contractor shall leave the road-bed of the street when the work is finished in as good condition as it was when the work was begun;

And said Committee shall not award said contract to said Heflin until he shall file a bond in the penalty of \$500.00 conditional for the faithful performance of said work with security to be approved by said Committee, and said work shall be done [Page 44] under the supervision of the said Water Committee and the Superintendent of the City Water Works And shall be begun not later than November 1st 1903.

Which was adopted by the following recorded unanimous vote

For Messrs Cole, Revere, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace, Brent = 9; Against no one. (Approved by his Honor the Mayor the 24 day of October 1903)

Col Cole moved that the Treasurer of the City be authorized to pay out of any Sewer Funds in his hands or those of the Water Committee not exceeding the sum of twelve hundred dollars (\$1200) for carrying into effect the contract just awarded to Mr Heflin; and when the said sewer work is finished the Water Committee will make a full and detailed report to the Council of the expenditure therefore.

Which motion was adopted by a unanimous recorded vote as follows

For Messrs Cole, Revere, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace, Brent = 9;
Against no one.

Mr Dannehl, Chairman of Ordinance Committee moved that the rules be suspended to consider an ordinance touching the appointment by the Mayor of special policemen, which was read and referred to said Committee on September 17th 1903, and the motion was adopted by the following recorded vote
For Messrs Cole, Revere, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace, Brent = 9;
Against no one.

Whereupon Mr Dannehl then offered the following

“Be it ordained by the Common Council of Fredericksburg, Virginia

That the Mayor of the City, on application of the owner of any place of public amusement, or whenever in his discretion deems it advisable so to do, may appoint one or more special policemen to preserve order and keep the peace at any place of public amusement and entertainment or at any place where any show, concert, festival, or any entertainment or amusement is being held; and that said special policemen so appointed shall have full power to arrest and commit any one guilty of any disorderly conduct or of any

other offense at in or about said place—provided however, that the compensation and pay of said policemen so appointed shall be provided for and met by the owner of said place or by the party or parties carrying on the said entertainment etc “

And it was adopted by the following recorded vote

For Messrs Cole, Revere, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace, Brent = 9;

Against no one. (approved by his Honor the Mayor Oct 24, 1903)

And on motion of Col Cole the Council adjourned

E D Cole, President

James P Corbin, Clerk

[Page 145]

At a regular meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Thursday the 19th day of November 1903 at 7:30 o'clock PM

There were present Col E D Cole, President

Geo W Wroten, Esqr Vice President

Major W E Embrey Recorder

Councilmen J P Rowe, W E Bradley, T McCracken, Henry Dannehl and T N Brent

The meeting was called to order, the minutes of the last regular & subsequent called meetings were read, approved and signed by the President.

(The Vice President presiding)

Col Cole, Chairman of Finance Committee presented the following bills against the City, which on several motions were ordered to be paid.

Free Lance-Star Pub co	Electoral Board	\$4.00
Free Lance-Star Pub co	Tax ads	\$.75
Judges & Clerks of Election	\$3.00 each	\$30.00
Genther's	100 dog collars	\$9.25
George Hohmer	repair to Elec Bd seal	\$1.00
Wheeler's bill	buggy furnished officer Hall in re Bums	\$1.25
St Geo R Fitzhugh, City Atty	Professional services	\$575.00

And Col Cole presented a statement of the Mayor showing that he had collected & turned over to the Treasurer dog tax amounting to \$350.00 and the Treasurer's receipt for same was read

And Col Cole presented a statement of fines collected by the Mayor since last report amounting to \$102.00 and the Treasurer's receipt for said amount was read and a further report of the Mayor stated that the Police had done their duty.

May Embrey, Chairman Street Committee made a verbal report on the work done on the Streets recently opened and on the judicious use made by the Committee of the earth removed from the streets recently paved. And said that the Committee was not prepared to report on the opening of Prince Edward Street across the tracks of the Railroads.

Capt McCracken moved that the old curbing, rubbish etc taken from the old pavements be turned over to the Street Committee to dispose of or use for City as they see fit which was adopted.

Mr Bradley moved that the resolution of the Council adopted [Page 146] on the 17th of September 1903, authorizing the Finance Committee to sell the iron grating &c be reconsidered and said motion was adopted by the following recorded vote

For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Embrey, Dannehl, Brent = 8

Against no one

And Mr Bradley moved that said iron grating be turned over to the Street Committee to be used at crossings which was adopted.

Maj Embrey, Chairman of the Joint Committee of Street Improvement made the following report, viz;
To the Honorable City Council of Fredericksburg

The undersigned Joint Committee of Street Improvements respectfully report

That the cost of curbing and laying the road-bed with granite spalls as per bill of J A Gude approved by E

T S Myers, Jr Engineer \$25,322.55

That he has been paid on account \$20,742.80

Leaving balance still due of \$4,579.75

Of this amount \$844.08 has been held back for 90 days from October 21st 1903

leaving amount now due Gude \$3,735.67

The engineering bills of Dickinson and Myers embracing the laying of Gas Mains and laterals and paving road-beds and side walks amount to \$2,141.05

Which amount has been paid in full

The amount placed to the credit of Street Improvement with the City Treasurer was \$25,108.33

This sum was realized as follows:

Net proceeds of \$20,000.00 of 4 per cent City bonds negotiated \$20,183.33

Net proceeds of \$5,000.00 of short time notes of the City \$4,925.00

\$25,108.33

Of this amount placed to the credit of Street Improvement as aforesaid, viz \$25,108.33

The following amounts have been checked out

For curbing and road-bed paving \$20,742.80

For Engineering \$2,141.05

For advertising, cutting trees and other incidentals \$413.00 \$23,296.85

Leaving a balance to the credit of the Street Improvement of \$1,811.48

[Page 147]

This amount deducted from \$3,735.67 now due Gude as shown above will leave

Now due him \$1,924.19

Amount held back for 90 days \$844.08

Total \$2,768.27

Your Joint-Committee further reports;

That the cost of granolithic side-walk pavement as per bill of J A Gude approved by Engineer Myers is \$6,495.47 which amount has [been] paid in full

That the cost of laying rain conductors under side-walks as per bill of E J Cain & Co and approved by Engineer Myers, is \$408.22 which amount has been paid in full

That the cost of work on cellar doors, ventilators, etc and miscellaneous work as per bill of J W McConnell approved by Engineer Myers is \$3,111.15
 Which amount has been paid in full \$10,014.84

The total cost of Street Improvement as shown by the foregoing items is	\$37,801.44
As follows;	
Curbing and the paving of road-bed	\$25,322.55
Engineering work	\$2,141.05
Rain conductors etc under side walk	\$408.22
Work on cellar doors, etc	\$3,111.15
Paving sidewalks	\$6,495.47
Advertising for bids, cutting trees, etc	\$413.00

Of this \$37,891.44 there has been paid \$33,311.69
 Leaving a balance of \$4,579.75

Which amount is due to J A Gude on account of road-bed paving
 As hereinbefore stated there is still in the hands of the City Treasurer to the credit of Street Improvement a balance of \$1,811.48 which sum deducted from the \$4,579.75 which the City still owes Gude will leave a balance due by the city of \$2,768.27

Of the \$33,311.69 which has been paid, there was paid out of the fund to the credit of Street improvement \$23,296.85
 and out of the City Treasury \$10,014.84

[Page 148]

Recapitulation

Total cost of Street Improvement		\$37,891.44
Cost of curbing and road-bed paving	\$25,322.55	
Cost of side-walk paving	\$10,014.84	
Advertising, cutting trees & other incidentals	\$413.00	
Cost of Engineering	\$2,141.05	
	\$37,891.44	\$37,891.44

W S Embrey

And Capt McCracken moved that the said report be received and adopted, which motion was adopted by the following recorded vote
 For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Embrey, Dannehl, Brent = 8
 Against no one

Capt McCracken moved that the Finance Committee be authorized to have the said report of the Joint Committee published as a cost not exceeding \$35.00, which was adopted.

And Maj Embrey, Chairman of Joint Committee made the following report
 To the City Council

The Joint Committee on Street Improvement to whom was referred the question of whether the Store property of H H Johnston has been damaged by the lowering of the pavement in front of said property, be leave to report that in the judgment of this Committee the market value of said property has been increased by said improvement and has not been damaged.

W S Embrey, E D Cole, T McCracken, H H Wallace, B J Marshall, David Hirsh, J P Rowe

And Mr Bradley moved that the report be received and adopted which was carried.

And Capt McCracken moved that the said report be published by the Finance Committee which was carried.

Mr Dannehl, Chairman of Ordinance Committee asked further time to report on Electric Light & Power, and Street Railway [Page 149] ordinances which request was granted

Capt McCracken, Chairman of Light Committee presented a report signed by said Committee, made pursuant to resolution of the Council on July 1, 1903, in reference to the management of the City Electric Light Plant, which in part is as follows.

“It is forced to report that it considers the management not entirely efficient” The Superintendent, all things considered, has done fairly well, but your Committee is of opinion that he lacks that technical knowledge of electricity and machinery that is essentially necessary to a successful conduct of a plant such as ours.”

On motion of Maj Embrey the report was received & ordered to be filed.

And then Capt McCracken presented the resignation in writing of Mr B G Mills as Superintendent of the City Electric Light Plant to take effect on January 1st next.

And Mr Embrey moved that the resignation be accepted which was adopted.

And Mr Bradley moved that the Light Committee be requested to investigate and recommend to the Council some suitable man to fill the position of Superintendent of the City Electric Light Plant and that the Light Committee be authorized to advertise, as in their judgment may seem proper for such a Superintendent in making such investigation, which was adopted.

Capt McCracken moved that a Committee of three members of the Council be appointed, who, together with the President of the Council and the City Attorney, shall constitute a Committee to act jointly with a Committee of the Business Men’s Association of this City in urging the claims of this City and section for the improvement and deepening of the Rappahannock River for navigation to meet the increased demands of trade, which was adopted

And the President appointed the following Committee; Capt T McCracken, Major W S Embrey and W E Bradley, Esqr

And Mr Bradley moved that said Committee appointed under the foregoing motion of Capt McCracken be requested to see the Secretary of War and urge the repair of the National Boulevard leading to the National Cemetery, which was adopted

[Page 150]

Mr Bradley moved that his Honor the Mayor of this City and the Public Interest Committee of the Council be added to the said Committee just named by the President which was carried.

Capt McCracken submitted an ordinance in reference to spitting on sidewalks &c &c which was referred to the Ordinance Committee

Col Cole stated that the floating debt of the City was	\$10,768.27
As follows Amount due Mr Gude	\$2,768.27
Note at G G & G National Bank due Dec 19	\$3,000.00
Note at National Bank of Fredericksburg due Jan 12	\$2,000.00
Note at National Bank of Fredericksburg due Jan 10	\$2,000.00

Note at National Bank of Fredericksburg	\$1,000.00	
	\$10,768.27	\$10,768.27

And Col Cole offered the following

“Resolved that the Finance Committee and is hereby authorized and directed to borrow the sum of \$2,768.27 for the purpose of paying the balance due for Street Improvement and to execute the note of the City, therefor, and said Committee is authorized to renew all notes for money borrowed by the City until the same are paid in full”

Which was agreed to on a unanimous recorded vote as follows

For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Embrey, Dannehl, Brent = 8

Against no one

Mr Dannehl presented and had read a petition of Messrs Strasburger & Son in reference to a sign that extends out too far over the pavement, which on motion of Maj Embrey was laid on the table.

And on motion the Council adjourned

E D Cole, President

James P Corbin, Clerk

[Page 151]

At a Special Meeting of the Common Council of the City of Fredericksburg, Virginia held pursuant to notice in the Council Chamber of said City on Tuesday the 24th of November 1903 at 10 o'clock AM

There were present Col E D Cole, President

Maj W S Embrey, Recorder

Councilmen, J P Rowe, T McCracken, H Dannehl, E W Mills, M S Chancellor, H Lewis Wallace, T N Brent

The meeting was called to order and the President stated that it was called “to act on resolution to borrow money proposed and agreed to on November 19th 1903”

And thereupon the Clerk read the said resolution which is as follows

“Resolved that the Finance Committee and is hereby authorized and directed to borrow the sum of \$2,768.27 for the purpose of paying the balance due for Street Improvement and to execute the note of the City, therefor, and said Committee is authorized to renew all notes for money borrowed by the City until the same are paid in full”

And Mr Dannehl moved that the said resolution be adopted and a recorded vote being had thereon as follows, viz;

For Messrs Cole, Rowe, McCracken, Bradley, Dannehl, Mills, Chancellor, Wallace, Brent = 9; against no one, the resolution was declared adopted. (sent to Mayor and approved by him Nov 24,1903)

Col Cole stated that the bill of J W Thomas for clothing furnished prisoners in Jail be direction of the City Sergeant amounting to \$4.35, which was referred to the Finance Committee with power to act, was a bill against the State and that the same had been allowed to said Sergeant by the Corporation Court.

And on motion the Council adjourned

E D Cole, President

James P Corbin, Clerk

[Page 152]

At a regular meeting of the Common Council of the City of Fredericksburg held pursuant to notice in the Council Chamber of said City on Thursday the 17th day of December 1903 at 7:30 o'clock PM
 There were present Col E D Cole, President
 G W Wroten, Esqr Vice President
 Councilmen, J P Rowe, W E Bradley, T McCracken, H Dannehl, E W Mills, M S Chancellor, H L Wallace, T N Brent

Meeting was called to order and the minutes of the last regular and called meetings were read, approved and signed by the President
 (Vice President presiding)

Col Cole, Chairman of Finance Committee stated that acting under the resolution of the Council passed on the 19th of November last directing said Committee to borrow the sum of \$2,768.27, the Committee had overlooked a balance already to the credit of the Street Improvement Co and had borrowed in excess of \$968.00, which was now to the credit of said Street Improvement Co and asked said action to be ratified.

And Capt McCracken offered the following, viz;

Resolved that the action of the Finance Committee in borrowing the excess sum of \$968.00 be approved by the Council and that the said sum of \$968.00 so borrowed and now to the credit of the Street Improvement Committee be transferred to the general fund of the City, and that said sum of \$968.00 be used by the said Finance Committee in curtailing the note of the City for \$3000.00 to become due at the Conway, Gordon & Garnett National Bank on the 19th of December 1903”

And said resolution was adopted by the following recorded vote, viz;

For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace, Brent = 10;
 against none

And Col Cole presented the bill of the Free Lance-Star Pub Co for printing report of Joint Com on Street Improvement amounting to \$15.00, which on motion was ordered to be paid.

And reported statement of the Mayor of fines collected \$33.50, the Treasurer's receipt for same being read.

Capt McCracken moved that the Street Committee be and they are hereby instructed to give the Street Sweeper, recently bought by the City, a thorough trial at an early day, and to notify the part from whom said Sweeper was bought of the time of [Page 153] said trial and said Committee shall report to the Council the result of said trial, which motion was adopted.

Mr Chancellor, Chairman of Water Committee submitted a report of the cost of the Lower Main Street Sewer as follows

Main Sewer	2617 feet	@35¢ per ft	\$915.95
Laterals	858 feet	@25¢ per ft	\$214.50
Man holes	3	@ \$25.00	\$75.00
Total			\$1,205.45
From which deduct 3 manhole covered furnished by the Committee			\$24.00
Leaving total paid Mr Heflin contractor			\$1,181.45

There are 44 buildings on the line chargeable with sewer

And on motion of Mr Bradley the report was received and filed

Mr Dannehl, Chairman Ordinance Committee, presented the following ordinance viz;

“Be it ordained by the Common Council of the City of Fredericksburg

That it shall be unlawful for any person to expectorate upon or throw fruit skins or peelings on the sidewalks or floors of public halls.

Any violation of this section shall subject the offender to a fine of not less than one nor more than five dollars.

It shall be the duty of the police to have copies of this section posted on conspicuous public places

This ordinance shall take effect on and after 60 days from its passage”

And a recorded vote on said ordinance was had as follows

For Messrs Cole, Wroten, Bradley, McCracken, Dannehl, Brent = 6

Against Messrs Rowe, Mill, Chancellor, Wallace = 4 and the ordinance was declared adopted (see reg Jany meeting)

The Ordinance Committee was granted further time on the Electric Light and Street Railway franchise ordinances.

Capt McCracken, Chairman of Light Committee, presented & had read a copy of the advertisement published for the City Electric Light Plant, and also a list of 24 applicants for said position.

Mr Bradley moved that the salary of the Superintendent of the City Electric Light Plant be fixed at Seventy five dollars (\$75.00) a month, on and after January the 1st 1904, which motion [Page 154] was adopted by the following unanimous vote.

For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace and Brent = 10; against no one

And Mr Bradley moved that the Council proceed to elect a Superintendent of the City Electric Light Plant which was adopted

And Mr Bradley asked if the Light Committee would recommend some one from the aforesaid list of applicants for said office and Capt McCracken recommended Mr S S Brooke, Jr and thereupon Mr [Bradley] nominated said S S Brooke, Jr to be Supt of said Electric Plant for the unexpired term of Mr Mills resigned and there being no further nominations, a called ballot was had and Mr Brooke having received a unanimous vote was declared elected Superintendent of the City Electric Light to fill the unexpired term from January 1st 1904.

Capt McCracken then presented and had read as a report of the Light Committee on the condition of the City Gas Works, a letter to him from the United Gas Improvement Company and

On motion of Mr Dannehl said report (letter) was referred to the Light Committee and the Finance Committee jointly for consideration and report thereon to the Council which motion was adopted unanimously

Mr Chancellor, Chairman Water Committee moved to go into the election of Superintendent of City Water Works which was carried.

He then moved that the salary of Superintendent of Water Works be fixed as the same as last year, which was adopted by the following unanimous vote

For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace, Brent = 10; against no one.

Whereupon the application of Capt S J Quinn for said Superintendency was read and a ballot being had he was elected by a unanimous vote Superintendent of the City Water Works for the year 1904 and was so declared.

Capt McCracken moved that the Council proceed to elect a Superintendent of the City Gas Works, which was adopted

And Mr Rowe moved that the salary of Superintendent of City Gas Works [Page 155] be fixed at the same as last year which was adopted by the following recorded vote

For Messrs Cole, Wroten, Rowe, Bradley, McCracken, Dannehl, Mills, Chancellor, Wallace, Brent = 10;
against no one.

Whereupon the application of Mr William Fitzhugh for said Superintendency was read and a ballot being had he was elected by a unanimous vote Superintendent of the City Gas Works for the year 1904 and it was so declared

And on motion of Mr Wroten, the Council adjourned

E D Cole, President

James P Corbin, Clerk