

THE
GENERAL ORDINANCE
OF THE
CORPORATION OF FREDERICKSBURG
- MADE AND PASSED -
BY THE MAYOR AND COMMONALTY.
- OF THE -
CITY OF FREDERICKSBURG, VA.,
- AND THE -
ACTS OF ASSEMBLY
RELATING THERETO;
- TOGETHER WITH A BRIEF -
HISTORICAL SKETCH OF THE CITY
FROM ITS FOUNDATION, AND A LIST OF ITS MAYORS.

[By R. B. Berrey Ex Mayor]

Published by Authority of the Mayor and Council.

1883:

TRUE STANDARD PRINTING COMPANY,
Fredericksburg, Va.

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RESOLUTIONS
PROVIDING FOR THE
Codification of the Ordinances, &c.

At a meeting of the Common Council, held in the Council chamber, on Friday night, November 18th, 1881, the following resolutions were unanimously adopted:

1st. That all laws and ordinances, with their amendments, and such as may be passed or amended before completion of the work, be revised, corrected and codified, in a neat and substantial manner, preparatory to their being printed.

2nd. That said Code shall contain an introductory preface of the history and progress of the city from its foundation to the present, to be collected from the best and most reliable historical sources.

3rd. That the historical preface be followed by a correct list of all the Mayors of the city, from its first Mayor to the present, giving dates of election, and expiration of terms of office.

4th. That the list of Mayors be followed by all the original and amended charters granted the city from its foundation to the present.

5th. That said Code when printed shall contain a full and complete alphabetical index of all matters contained therein.

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HISTORICAL PREFACE.

A brief historical sketch of one of the oldest towns in Virginia is here presented, with no other object than to preserve, and authenticate ancient dates and records, and to transmit to posterity such incidents of interest in connection with the history of Fredericksburg, as had not heretofore been published, and could only be obtained from the lips of old residents, who, in all human probability, will soon pass away from among us, and with their going goes also the opportunity of verifying the early traditions of the ancient "Burg." These incidents have been gleaned by careful research from old records, reliable historical sources, and the mouths of living witnesses.

The dates are accurate, the incidents are authentic, and the historical sketch chiefly valuable on this account, circumstances preventing at this time, a more enlarged or pretentious history.

FREDERICKSBURG—ITS FOUNDATION.

Fredericksburg was founded by law in 1727, and named for Frederick, Prince of Wales, father of George II. The preamble of the act establishing Fredericksburg says:

"Whereas, great numbers of people have of late seated themselves and their families upon and near the river Rappahannock, and the branches thereof above the falls; and great quantities of tobacco and other commodities are every year brought down to the upper landings upon the said river, to be shipped off and transported to other parts of the country; and it is necessary that the poorer part of said inhabitants should be supplied from thence with goods and merchandise in return for their commodities; but for want of some convenient place, where traders may cohabit and bring their goods to, such supplies are not to be had without great

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disadvantages; and good houses are greatly wanted upon some navigable part of said river, near the falls, for the reception and safe keeping of such commodities as are brought thither; and for the entertainment and sustenance of those who repair thither from remote places with carriages drawn by horses or oxen: And for as much as the inhabitants of the county of Spotsylvania have made humble supplication to this General Assembly, that a town may be laid out in some convenient place near the falls of the said river, for the cohabitation of such as are minded to reside there for the purposes aforesaid, whereby those peopling that remote part of the country will be encouraged, and trade and navigation may be increased: Be it enacted," &c.

This solemn act of christening, performed by the Lieutenant Governor, Council and Burgesses of the General Assembly, did not incorporate it as a town, nor did it entitle it to a Corporate Council or Hustings Court; it simply gave a name to an already thriving village. At this time Fredericksburg was a substantial town, and continued to thrive. The town originally comprehended fifty acres, and was laid out on what was then called "the lease land." The act of incorporation appointed John Robinson, Henry Willis, Augustine Smith, John Taliaferro, Harry Beverly, John Waller and Jeremiah Clowder, Directors and Trustees, for designing, building, carrying on, and maintaining a town upon the said land. In the year 1732 the seat of justice was, by act of Assembly, removed to Fredericksburg as a more convenient place than Germanna, at which place Governor Spottswood had established the same some years previously. This law was repealed in 1749, and the seat of justice re-established at Germanna.

In 1732, five years after the town was established, Colonel Byrd visited it, and notices it as follows:

"Colonel Willis walked me about his town of Fredericksburg. It is pleasantly situated on the south shore of Rappahannock River, about a mile below the falls. Sloops may come up and lie close to the wharf, within thirty yards of the public ware-houses, which are built in the figure of a cross.

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Just by the wharf is a quarry of white stone that is very soft in the ground, and hardens in the air, appearing to be as fair and fine-grained as that of Portland. Besides that, there are several other quarries in the river bank, within the limits of the town, sufficient to build a large city. The only edifice of stone yet built; is the prison, the walls of which are strong enough to hold Jack Sheppard, if he had been transported thither. Though this be a commodious and beautiful situation for a town, with the advantages of a navigable river, and wholesome air, yet the inhabitants are very few. Besides Colonel Willis, who is the top man of the place, there are only one merchant, a tailor, a smith, an ordinary keeper, and a lady—Mrs. Leviston, who acts here in the double capacity of a doctress and coffee-woman. It is said the court-house and the church are going to be built here, and then both religion and justice will help to enlarge the place."

A church was built in that year (1732), and during the period from the building of the church until 1734, Rev. Patrick Henry, uncle of the great orator, was the minister.

In 1738 a law was passed directing that "fairs should be held Fredericksburg twice a year for the sale of cattle, provisions, goods, wares, and all kinds of merchandise whatsoever." All persons at such fairs, going to or from them, were privileged from arrest and execution during the fairs, and for two days before and two days after them, except for capital offences, breaches of the peace, or for any controversies, suits and quarrels, that might arise during the time. The fairs were continued from time to time, by various acts, until 1769, when the right of holding them was made perpetual, they having proved beneficial both to town and county.

In March, 1739, the trustees found it necessary to have another survey and plat of the town, which was made by William Waller, Surveyor of Spotsylvania county. By this new survey it appeared that the lots and buildings of the town had not only occupied the original fifty acres, but had also encroached upon the lands of Henry Willis and John

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Lewis, and as this gave rise to controversies and threatened law suits, the Lieutenant Governor, Council and Burgesses of the General Assembly passed an act in May, 1742, which was declared to be "for removing all doubts and controversies," and which declared that these lands, belonging to the estate of Henry Willis and to John Lewis, should be held and taken to be part of Fredericksburg, and vested in the trustees and purchasers claiming under them, provided that the trustees should pay to the executors of Henry Willis five pounds, and to John Lewis fifteen pounds. The area of the town as ascertained by this recent survey was not quite fifty-three acres.

The irregularity of the buildings having necessitated an enlargement of the original area of fifty acres, the style of buildings caused serious apprehensions of danger from fire for we find that in 1742, it was represented to the General Assembly that the people were often in great and imminent danger of having their houses and effects burned by reason of the many wooden chimneys in the town, and, therefore, from that time it was made unlawful to build any wooden chimneys thereafter, and unlawful, after the expiration of three years, to use any wooden chimney already built; and, in case the owners did not, within the three years, pull down and destroy these wooden chimneys, the sheriff was authorized to do so.

In the year 1759, the boundaries of the town were again enlarged by the addition of several acres.

In the year 1789, an act was passed by the Legislature empowering the Mayor and Commonalty of the town of Fredericksburg to lease for three lives or twenty-one years, such unimproved parts of the market-house lots as to them shall seem most proper, and apply the rents arising there from for the benefit of the corporation. In the same year an act was passed authorizing the trustees of Fredericksburg Academy to raise, by way of lottery, the sum of £4,000, to defray the expenses of erecting a building on the academy lands for the purpose of accommodating the professors and students.

THE OLD POOR HOUSE.

Fredericksburg continued to grow in population, and

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material prosperity, and in the intelligence and public spirit of its inhabitants, until the year 1775, when the affairs between Great Britain and the America Colonies were verging to a crisis. Her leading citizens were among the very first in Virginia to adopt the principle that the American Colonies ought not only to be exempt from taxation by the Mother Country, but to be free and independent States. The battle of Lexington was fought on the 19th of April, 1775, and on the 20th, Lord Dunmore secretly removed twenty barrels of gunpowder from the public magazine in Williamsburg to the Magdalen man-of-war, anchored off Yorktown. When the news of that battle, and of the removal of the powder reached Fredericksburg, great excitement prevailed. Over six hundred people armed themselves,

assembled at Fredericksburg, and offered their services to defend Williamsburg from Lord Dunmore's threatened attack. After assembling, they dispatched delegates to ascertain the condition of things at Williamsburg. In the meantime, those ardent patriots, Peyton Randolph and Edmund Pendleton, transmitted their advice to the Fredericksburg meeting to abstain, for the present, from hostilities until Congress should decide on a general plan of resistance.

On the receipt of this advice, they held a council, consisting of over one hundred members, who, by a majority of one only, concluded to disperse for the present. They, however, drafted an address, which was almost tantamount to a declaration of independence, in which they firmly resolved to resist all attempts against their rights and privileges, from whatever quarter they might be assailed. They pledged themselves to each other to be in readiness, at a moment's warning, to *re-assemble, and, BY FORCE OF ARMS, to defend the laws, the liberties, and the rights of this or any SISTER COLONY*, from unjust and *wicked invasions*. They then sent dispatches to troops assembled in Caroline, Berkeley, Frederick and Dunmore counties, thanking them for their offer of service, and acquainting them with their determinations. The address was read at the head of each company, and unanimously approved. It concluded with these impressive words,

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"GOD SAVE THE LIBERTIES OF AMERICA."

The resolutions were passed twenty-one days before the celebrated Mecklenburg resolutions in North Carolina, and more than a year before the Declaration of Independence of the American Congress, and indicated the intense patriotic fervor of the people of Fredericksburg at this early period, many of whom bore a heroic part in the subsequent struggle of the Revolution—among the more prominent of whom were General George Weedon, who served on the staff of the Commander-in-chief, with distinction, and subsequently resided here, serving as Mayor, to which office he was elected in 1785; and General Hugh Mercer, who so greatly distinguished himself, and who fell mortally wounded at the battle of Princeton, January 3rd, 1777.

General Mercer, before the war, was a physician, and his house, in which was his apothecary shop, stood on the south west corner of Princess Ann and Amelia streets, where the residence of the late Dr. J. Gordon Wallace now stands.

It was a long frame building, of antique architecture, and a story and a-half in height. His remains now rest in Christ Church, Philadelphia.

General Weedon was an inn keeper, his inn or hotel, in modern parlance, was situated on Main street, between Fauquier and Hawk streets, and was probably the identical house, known to this day as the "Rising Sun Hotel," and is the property of the estate of Dr. John H. Wallace.

This house was the resort of all the notables of the olden time, including General George Washington, and it was in this house that Fredericksburg Lodge, No. 4, A. F. and A. Masons held its lodge meetings for many years.

Colonel Fielding Lewis, who married Elizabeth, a sister of General Washington, resided here on the farm where lies buried Mary, the mother of Washington, now known as Kenmore. Colonel Lewis was proprietor of half the town, and an extensive estate adjoining. He was an ardent patriot, and, during the Revolutionary war, superintended the manufacture of arms in this neighborhood. He was also a magistrate, and represented the county in the Legislature. He died in December, 1781.

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He was the father of Captain Robert Lewis, who was one of President Washington's private secretaries, and subsequently Mayor of Fredericksburg, serving by successive election and re-election from 1821 to the date of his death, February 11th, 1829. Mary, the mother of Washington, for years resided here, and the dwelling which she occupied is now standing on the corner of Charles and Lewis streets; and is at present the residence of William J. Moon, Esq.

It is a plain, substantial one and a-half story dwelling, of the ordinary architecture of that period, and painted white. It is in good repair, and although it has been thoroughly overhauled and

repaired, the distinctive features of architecture and general appearance have been faithfully preserved. She died in this house in 1789, and was buried on a spot which she had selected for her grave, on which is now a part of the Kenmore estate, and which belonged then to her son-in-law, Colonel Fielding Lewis.

Within a few steps of the place where she lies interred is a ledge of rocks, to which she used often to resort for private meditation and devotion. A beautiful monument was erected over her grave by the private munificence of Mr. Silas Burrows, a wealthy merchant of New York. The corner-stone was laid in the year 1833, with an imposing military and civic display, President Andrew Jackson being present and participating.

The monument is yet unfinished, and has been greatly mutilated by relic hunters and others. An appeal for a congressional appropriation to complete and restore the structure, made by bill introduced in the 43rd Congress, by Hon. James B. Sener, was unsuccessful. At this time a bill is pending in Congress, introduced by Hon. George T. Garrison, asking for its completion or rebuilding by the Government. This bill is based upon a strong memorial from the Mayor and Common Council of Fredericksburg, and we have every reason to hope for a favorable consideration of the same, and that an act of justice, which appeals so powerfully to every feeling of patriotic pride and justice, will be consummated.

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By act of Assembly, passed session 1781, Fredericksburg was regularly incorporated and endowed with a Common Council and a Hustings court. The first court organized April 15th, 1782, with the following Justices, Charles Mortimer, William McWilliams, James Somerville, Charles Dick, Samuel Roddy and John Julian, the same being Mayor, Recorder and Aldermen, elected as such March 18th, 1782--in the order named.

An amendatory act, passed session 1782, extended the jurisdiction of the Hustings court, and constituted the same a court of Record, to receive probate of wills and deeds, and grant administrations, &c. In the year 1796, a petition was presented to the General Assembly for leave to build a toll bridge across the Rappahannock, from the lower line of the land of William Fitzhugh, of Chatham.

On the 14th of April, 1798, the citizens of Fredericksburg, in mass-meeting assembled, adopted a series of resolutions deprecating the adoption of any measures by the Government or Congress which may be so offensive to France as to close the door of reconciliation between the two countries, and firmly protesting against a war with France. These resolutions were forwarded to John Dawson, representative in Congress, with the request that he would submit them to the consideration of the House of Representatives.

MASONIC GRAVE YARD.

In the grave yard of Masonic Lodge, No. 4, lie the remains of Lewis Littlepage, who died in this place in 1802. His was a remarkable career, and in addition to his varied services abroad, he held the most distinguished offices under Stanislaus Augustus, King of Poland, among which was that of Ambassador to Russia. When Stanislaus Augustus lost his throne, Littlepage returned to this country, and filled various public offices. He died in the 40th year of his age.

As early as 1796, Fredericksburg was an important commercial centre, and manufacturing enterprises were being developed; iron works and mills, and other industries were successfully prosecuted, and the trade of the town in the general merchandise department was in the hands of public-spirited, energetic merchants, and it would surprise the

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merchants of the present day to read the advertisements and the extent and variety of the stocks of general merchandise kept in that day. The growth and development of trade was gradual and decided in all departments; the leading trade being in tobacco, which up to and during the war of 1812 and 1814 was increased heavily, and necessitated the employment of vessels of great tonnage; and it is a

fact known to citizens now living that three-masted ships were moored at our wharves during the war of 1812.

The first serious drawback occurred in 1807, when a serious conflagration destroyed fully one-half of the town. It was in October of the year named, when the town was almost entirely depopulated, the citizens, old and young, being absent attending the races, just below town—the "Willis Field" farm. The fire broke out in the house of Mr. Stanard, which was on the lot where now stands the residence of George W. Shepherd, Esq. A high wind prevailed, and in an incredible short time the fire swept down to Main street to Henderson's corner, and thence down both sides of the street, destroying every building in its tract; Henderson's house, on the corner of Main and Amelia streets, alone escaping destruction. The Bank of Virginia, which stood on the present site of Shiloh Baptist Church, on Water street, although more than a quarter of a mile from where the fire originated, was the second house to take fire, and was entirely consumed. It is a remarkable fact that one square has never been re-built. Mr. Stanard, at whose house the fire originated, was lying in the house a corpse at the time.

Preparations to rebuild were at once commenced, and buildings of a much more substantial character took the place of those destroyed, and prosperity again smiled upon the old town. A regular and decided increase in population is noted with a marked improvement in local trade; so things progressed with no unusual or startling calamities to disturb the usual serenity of a prosperous town, not bustling, but active, until the year 1822, when the quiet was disturbed by another serious conflagration, not so serious as its predecessor of 1807, but of such a character as to cause great loss of

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property, and to impair temporarily, to some extent, the general prosperity of the town.

FIRE OF 1822.

This fire originated at the corner of Main and George streets, the locality now known as Wellford's corner, and destroyed the entire block of buildings on the west side of Main street, comprising as it did the Commercial Block.

With the energy and enterprise so characteristic of the citizens of the old town at that day, steps were at once taken to re-build the burned district, and there were erected, with an occasional exception, the substantial block of brick edifices which now stand as monuments to the good judgment and excellent workmanship of that early day.

The work of re-building, however, was speedy and complete, and the character of the new buildings were an improvement upon those which they replaced. With the re-building of the burnt district came an unusual degree of prosperity, and for a long period the general peace and happiness of the people were undisturbed.

TRADE.

At this time the trade was chiefly of a local character, the products of the country, extending even beyond the Blue Ridge, were brought to market in wagons, and it was no uncommon sight to see as many as fifty four and six horse teams here at one time. The merchants were men of exalted character and fine business capacity, and the amount of business transacted was, considering times and circumstances, simply enormous.

CHOLERA.

In 1833 when this country was visited and scourged by the Asiatic cholera, Fredericksburg did not escape its share of the prevailing alarm. Lorenzo Dow, an eccentric, itinerant preacher, when on a visit to the town the year previous, had predicted the appearance of the cholera here. A Mr. Selden became much alarmed, and whether from fright or actually contracting the dread disease, he died in the month of June, and the cause of his death was pronounced sporadic or incidental cholera. His was the only case then, and to this day there has been no other, and Fredericksburg has

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enjoyed singular and perfect immunity from epidemics of every kind.

One of the most memorable occasions in the history of Fredericksburg, was the visit of President Jackson and Cabinet on the occasion of the laying of the corner-stone of the Mary Washington Monument, on the 7th of May, 1833. The display—both military and civic—was imposing.

Military from Washington, Alexandria, Fauquier county and United States marines were in line, under command of Colonel John Bankhead, chief marshal. Colonel Joseph B. Hill was architect of the monument.

In the year 1840, Fredericksburg was a prosperous town of about four thousand inhabitants, enjoying a considerable trade in grain, flour, &c., having increased in population in the past decade more than fifteen hundred.

The commercial prosperity of the town even then was not equal to its advantages, but it steadily grew and prospered during the next decade. The completion of a canal extending from the town to a point on the Rappahannock river, a distance of forty miles; railroad facilities and river navigation by sail vessels and steamboats greatly enlarged her commercial advantages, and increased her export trade, and the beginning of the year 1850 found her enjoying a degree of material prosperity, presaging a glorious commercial future. Commencing the year 1850 under circumstances so encouraging, the next decade was expected to exceed in commercial prosperity the previous one. The failure to build a railroad through the section of country from which the bulk of our trade was drawn, and the substitution therefor of a plank road, with the building of the Orange and Alexandria Railroad and the advance of the Baltimore and Ohio Railroad along the upper line of the Shenandoah Valley greatly injured the trade of Fredericksburg by diverting from her a large amount of produce, which was formally brought to town in wagons, and while in 1860 the population had somewhat increased, the general trade of the town was diminished.

1860.

Notwithstanding the fact that Fredericksburg had been

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growing for so many years, and the further fact that she had enjoyed the prosperity which we claimed, and of which we have written, it had attained at this time, only to the very moderate proportions of a population of about five thousand inhabitants. But it was a delightful place nevertheless, with moderate climate, good water, charming society, picturesque surroundings and cheapness of living, and had about it a quiet and chastened dignity of age and respectability which was attractive and impressive.

Such was Fredericksburg when the storm cloud of war burst upon her in 1861.

No attempt will be made in these pages to fully portray the scenes enacted here or the part played by Fredericksburg in the war. The histories already written will suffice for the present, and perhaps the future historian, in calmer moments, will be better enabled to truthfully and more in detail, describe the fiery scenes, the devastation, the trials, sufferings and heroism of the inhabitants—such as were not in the army, the terrible ordeal through which they passed, and the heroism with which they stood the test.

A great change was now about to take place. The quiet of the staid and sober town was about to be broken by the sound of the drum and the tramp of armed men, the activity of commerce had ceased, a spirit of patriotism prevailed, and this patriotism was not demonstrative only, it was deep and real, and was afterward sealed with some of the best blood of our town.

There was no doubt as to the part the citizens of Fredericksburg would take in the war. The two volunteer companies which had been in existence for several years, became the nucleus upon which was formed the 30th Regiment, Virginia Volunteers. This regiment commanded successively by Colonels Cary, Harrison and R. S. Chew, immediately entered upon active service, and performed good service throughout the war. The Fredericksburg Artillery, under Captain Carter M. Braxton, was organized at the beginning of the war, and under its gallant captains, Braxton, Marye and Pollock,

greatly distinguished itself. Some few of our young men entered other branches of the service, and only the

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older men, the women and the colored people were left in the town by the spring of 1862.

On the 19th of April, 1862, the town first fell into the hands of the Federal military forces.

SURRENDER AND OCCUPATION.

On that day a meeting of the Common Council was as held, and a committee, consisting of Mayor Slaughter, W. A. Little, Esq., Dr. J. Gordon Wallace, Thomas B. Barton, Esq., Rev. William F. Broaddus, D.D., John L. Marye, Jr., three members on the part of the Council, and three representing the citizens, was appointed to confer with the commanding officers of the United States forces, relative to the surrender of the town, and to inform him that inasmuch as the forces of the Confederate States have evacuated the town, no resistance can or will be made to its occupation by the United States troops; and to ask such protection for persons and property as was consistent with the rules of civilized warfare; and further to affirm "that the population of this town have been in the past, and are now, in conviction and sentiment, loyal to the existing government of the State of Virginia and Confederate States."

The United States forces took possession of the Stafford hills, which command the town, on this day, the destruction of the bridges connecting the town with the Stafford shore, delayed the actual presence of the troops in town for several days; and it was not until the morning of the 27th, that General Patrick established his headquarters and assumed the provost command in town. Under his government, military rule in Fredericksburg was kindly exercised, and the people were not oppressed; many of the citizens conceived sincere respect for his character, and even at this day many of his acts of kindness and thoughtful consideration are gratefully referred to. This state of affairs continued until after the disastrous result to McClellan's Army, in the Seven Days' battles around Richmond. General McClellan had been superseded in the command of the army by General John Pope, who, upon assuming command, issued a general order, in which he derided the valor and prowess of the Confederate army, saying that he had seen "only the backs of his

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foes," and announcing his purpose to subsist his army by enforced supplies from his enemies. His advance through the counties of Fauquier and Culpeper caused great consternation, by reason of his cruel and unreasonable exactions; many private citizens were arrested upon their refusal to take the oath of allegiance to the United States Government. This changed condition of affairs was speedily and severely felt in Fredericksburg; some of our most prominent and highly esteemed citizens were arrested and sent to Washington, and incarcerated in the Old Capitol Prison. The provost marshal, Captain Mansfield, was charged with too much leniency to the citizens, and was removed; the stores and places of business were closed to prevent the citizens from obtaining supplies. This condition of affairs existed but for a short time. The campaign inaugurated by General Pope, which included the second battle of Manassas, and resulted so disastrously to the Federal army, was speedily followed by the advance of the Confederate armies into Maryland, the capture of Harper's Ferry, with General Miles's whole force of eleven thousand prisoners, and immense military supplies by General T. J. (Stonewall) Jackson, and the fierce and bloody, but undecided struggle between Lee and McClellan, who had been called to command the army after Pope's disastrous failure, on the Antietam, near Sharpsburg, Md.

As the result of these events, the Federal authorities found it necessary to recall from the line of the Rappahannock, which they were unable to hold, the forces then occupying the same, and, in consequence thereof on the 31st day of August, 1862, Fredericksburg was evacuated by the Federal forces; and thus, for a brief time, was she relieved from the presence and rule of the enemy.

EVACUATION SCENES.

The scenes incident to the evacuation are well remembered by many of our citizens to-day, and no further attempt will be made to portray them than is contained in the following gleanings from the MS. Journal used by Mr. Howison in his Past, Present and Future of Fredericksburg: Crowds at the corners of the streets indicated that some unusual excitement

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prevailed, and clouds of smoke rose from the encampments on the Stafford side of the river. Everything indicated an immediate departure; the guards were drawn up in line; the horses and wagons packed at headquarters; cavalry officers rode up and down giving orders; company after company of pickets were led into town from the different roads and joined the regiment at the City Hall; ambulances with the sick moved slowly through the streets. The provost marshal and his adjutant rode by, and in a few moments the command was given to march, and the infantry and cavalry marched down to the bridges, each moving by different streets. This march was quietly made—there was no music, no drum; no voice but the command, except the officers' forward march! The ladies, standing in groups along the streets, found it difficult to repress their exultation. Glad to be relieved of the presence of the enemy, and to be freed from the restraints of their power; glad to be once more within Southern lines, and to be brought into communication with their own dear people; but the great gladness was that the evacuation of Fredericksburg showed that the enemy had been defeated on the upper line, and could no longer hold the line of the Rappahannock. And this gave them strong hope that Virginia might yet be free from the armies of the invader.

Several severe explosions followed the blowing up of the two bridges, and as the bright flames seized upon and leaped along the sides and floors of the bridges, the whole horizon was illuminated. The burning continued all night.

A guard was at once organized by the citizens, for the protection of the town against any stragglers or unruly persons who might chance to be prowling about.

With the departure of the Federal troops, came now the desire on the part of the citizens of town and country to meet and greet each other, and also a longing to welcome the appearance of the Confederates, a sight which had so long been denied them. In this, however, they were soon to realize their wish, for on the 2nd day of September, about two hundred people came into town from the surrounding country, and general congratulations ensued; on the evening

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of that day a small force of Confederate cavalry rode into town, and were received with shouts of joy; the ladies lined the streets waving their handkerchiefs, and loudly uttering their welcome.

On the morning of the 4th of September, the soldiers in camp at Hazel Run were treated to breakfast by the ladies, and greatly enjoyed the hot rolls, beef steak and hot coffee, after their long abstinence from such delicacies, and probably from *rations*.

After a brief season of comparative quiet, disturbed only by the general interest felt in the operations of our armies; the condition of the country generally; and the liability to the re-occupation of the town at any time, Fredericksburg was again the subject and recipient of war's horrors in their most appalling form; and for the scenes here depicted we rely chiefly upon extracts from Mr. R. R. Howison's History.

On Sunday morning, the 10th of November, 1862, a company of Federal cavalry, commanded by Captain Ulrich Dahlgren, crossed the Rappahannock River, above Falmouth, and rode rapidly down Main street, with drawn sabres. A small force of Confederate cavalry—Critchler's Battalion—was quartered in town, who, recovering from the disorder into which they were thrown by the sudden and unexpected appearance of the enemy, quickly rallied, and, aided by citizens and Captain Simpson's company, of Colonel Ball's command, attacked the raiders, pursued and drove them across the river, inflicting upon them a slight loss in men and horses.

The Federal army then began to move down from Fauquier and Prince William, through Stafford county, to occupy Fredericksburg.

To Colonel William A. Ball, an experienced officer, who had greatly distinguished himself at the battle of Leesburg and in other encounters, was entrusted by General Lee the duty of holding the town, and of retarding the approach of the enemy, if possible, with the promise of speedy reinforcements.

The divisions of McLaws and Ransom, of Longstreet's corps, with General W. H. F. Lee's brigade of cavalry and a

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battery of artillery were marched hurriedly to this point, and the whole of Lee's army prepared to follow.

On Sunday, November 16th, Colonel Ball's scouts announced the approach of the enemy on three roads—the Warrenton, Stafford Court-house and Poplar. He telegraphed to General Gustavus W. Smith, in Richmond, for re-enforcements. General Smith promptly sent him a battalion of four companies, under Major Finney, from the Forty-second Mississippi. With his small force, which scarcely exceeded five hundred men, the gallant Colonel proposed to engage the enemy, if they sought to cross the Rappahannock near Fredericksburg. Colonel Ball placed his infantry in the mill-race and mill opposite Falmouth, stationed his cavalry in the upper part of Fredericksburg and planted Captain Lewis's battery of four guns and eighty men on the plateau around the residence of Mrs. Fitzgerald, at Little Falls, half a mile above the town.

At 10 o'clock on Monday, the 18th, the Southern scouts were driven across the river by the enemy's cavalry, and several hours thereafter a Federal corps, of twelve thousand strong, appeared on the Stafford Heights, opposite Fredericksburg, and planted their field-batteries, consisting of more than twenty guns.

Lewis's men maintained their ground and replied to the rapid firing of the enemy. The distance was short, less than half a mile; the firing of the enemy was accurate, yet the Confederate fire was kept up, and the Federals, uncertain as to the force opposing them, made no attempt to cross the river.

Colonel Ball, with five hundred men, maintained his front in the face of the twelve thousand, encouraged by General Lee, who telegraphed him, "Hold your position, *if you can*; re-enforcements are hurrying to you."

On Tuesday, the 18th, the enemy's force was largely increased; Burnside's whole force was pouring down to the Stafford hills. They were waiting for pontoon bridges, and did not cross.

Meanwhile General Lee's army was rushing down the roads from Culpeper and Orange to occupy the crest of hills around Fredericksburg. Wednesday, at daybreak, Fitzhugh Lee's cavalry arrived; the next morning General McLaws, with

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his own division and that of General Ransom, was in position, and on the 20th the Commander-in-chief was at hand to direct the movements of the corps of Longstreet and Jackson, which rapidly followed him.

On Thursday, the 20th of November, by request of General Lee, Montgomery Slaughter, Mayor of Fredericksburg, accompanied by the Recorder, William A. Little, and by Douglas H. Gordon, a member of her Council, held an interview with the Confederate Commander-in-chief. It was held at Snowden, the residence of John L. Stansbury, about a mile from town.

On Friday, the 21st, General E. V. Sumner, of the Federal army, sent over a flag of truce with a written message to the Mayor and Common Council of Fredericksburg. General Patrick, the bearer of the message, was met by Colonel William A. Ball, at "French John's" wharf.

General Sumner's letter (the original of which is in possession of Judge M. Slaughter) was as follows:

HEADQUARTERS RIGHT GRAND DIVISION,
ARMY OF THE POTOMAC.

CAMP NEAR FALMOUTH, VA., November 21, 1862.

To the Mayor and Common Council of Fredericksburg, Va.:

GENTLEMEN—Under cover of the houses of your town, shots have been fired upon the troops of my command. Your mills and manufactories are furnishing provisions and material for clothing for armed bodies in rebellion against the Government of the United States. Your railroads and other means of transportation are removing supplies to the depots of such troops. This condition of things must terminate; and, by direction of Major-General Burnside, commanding this army, I accordingly demand the surrender of the city into my hands, as the representative of the Government of the United States, at or before five o'clock this afternoon (5 o'clock P. M., to-day). Failing an affirmative reply to this demand by the time indicated, sixteen, (16 hours) hours will be permitted to elapse for the removal from the city of women and children, the sick, wounded and aged; which period having elapsed, I shall proceed to shell the town. Upon obtaining possession of the town every necessary means will be taken to preserve order, and secure the protective operation of the laws and policy of the United States Government.

I am, very resp'y your ob't servant,

E. V. SUMNER,

Bvt. Major-General U. S. Army Comm'ng.

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Colonel Ball simply stated that before delivering the letter to the civil authorities it must be referred to his commanding military officer. But neither he nor the Mayor gave any intimation of the actual presence of General Lee, with a large part of his army on the ridge in rear of the town. The printed statements heretofore published on that point are all erroneous. General Patrick was obliged to remain in the log house from 10 A. M. to 7 P. M. on the 21st. Meanwhile Colonel Ball, through the proper channels, forwarded the letter to General Lee. At twenty minutes before 5 P. M. the letter was received at his office by Mayor Slaughter, through General J. E. B. Steuart, who communicated, in full, General Lee's decision. With the aid of his advisers, the Mayor prepared a written reply, bearing date "Mayor's Office, Fredericksburg, Nov. 21st, 1862." This reply was to the effect that the communication of General Summer had not reached the Mayor in time to furnish a reply by 5 o'clock P. M., as requested; that it had been sent to him after passing (by General Patrick's consent) through the hands of the commanding officer of the Confederate States forces near the town; that as to the shots complained of in the northern suburbs, they were the acts of the Confederate military force holding the town; that the mayor was authorized to say that the several subjects of complaint would not recur; but that Confederate troops would not occupy the town, neither would they permit the Federal troops to do so. Mayor Slaughter, attended by Dr. W. S. Scott and S. S. Howison, Esq., repaired to the place of meeting, and, at about 7 P. M., delivered the reply to General Patrick.

In view of the threatened bombardment, General Lee advised the inhabitants to remove as rapidly as possible.

The threatened bombardment was not opened the next morning, but it became apparent that the enemy would cross, and the town would be exposed not only to their fire, but to the most terrible desolations of war.

The humane and considerate chief of the Confederate army urged the women and children to remove, and furnished wagons, ambulances, every facility in his power for their aid. Then followed a scene illustrating both the horrors of war

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and the virtues to which it sometimes gives birth. The people of Fredericksburg almost *en masse* left their homes rather than yield them to the enemy. Trains of cars departed full of refugees. Upon the last train the enemy opened a fire of shells; they afterwards explained that it was a mistake. Wagons and vehicles of every kind left the town filled with women and little children, with the few articles of apparel and necessity that could be removed. Many were seen on foot along the roads leading into the

country. Winter had commenced; snow had fallen. Many were compelled to take refuge in cabins, barns and tents scattered through the woods and fields. They were dependent for food on the exertions of their friends and the humane efforts of the Southern army.

A few families remained in Fredericksburg, determined to brave the terrors of war as long as possible.

The hardships and privations incurred by these people, who surrendered their homes and property to destruction rather than yield them into the hands of the enemies of their country, excited the sympathy of the South. A movement to aid them was commenced in Richmond. A committee of relief and treasurer were appointed, and funds were liberally contributed throughout the South, and the soldiers in the field contributed liberally both in food and money. The contributions of people and army continued until more than ninety thousand dollars had been received and disbursed by the committee in Richmond, and nearly an equal sum by Mayor Slaughter.

A number of skirmishes of an unimportant character were soon followed by the grand movement of the enemy. Having at length received his pontoon-bridges, General Burnside prepared to throw his army across the river. At two o'clock on the morning of Thursday, the 11th of December, his troops were in motion, and three signal-guns in General Lee's works sounded a note of warning to the people and the army. The enemy commenced throwing three pontoon-bridges across the river, two at Fredericksburg and one at Deep run, a mile and a quarter below.

General William Barksdale's Mississippi brigade held the

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town. The 17th, aided by the 13th, guarded the upper crossing; the 18th and 21st were near the gas-house. As the enemy neared their unfinished bridge, opposite the town, General Barksdale's men opened a severe musketry fire, picking them off with great rapidity. Hardly had this fire commenced before the enemy's heavy batteries opened the long-threatened bombardment of Fredericksburg. Their field batteries soon followed, and for twelve hours a horrible deluge of shells and shot was poured upon the streets and houses. The few remaining inhabitants fled to their cellars, and sought to save their lives from the storm which was beating their homes to pieces. Many houses were burned; among them were the residence of R. T. Thom, Esq., (in which was located the post-office,) the Bank of Virginia and several other private residences on Main street. General Barksdale's troops resisted the passage of the enemy with stubborn courage. Nine times they attempted to complete their pontoons opposite to the town, and as often were driven back by the fatal fire from the rifle-pits and houses on the bank. But at the bridge, near Deep run, the Confederates were exposed to a sweeping fire of artillery, and, at one o'clock, they were compelled to withdraw. This enabled the enemy to cross below and advance on the town. Under orders General Barksdale's men slowly retired, fighting all the way through the streets and inflicting loss on the foe.

On gaining possession of Fredericksburg, the Federal troops abandoned themselves to pillage and destruction. They entered the stores and dwellings, rifled them of all that could be removed, and wantonly shattered to pieces furniture, mirrors and glassware, ripped open beds and beat out their contents into the yards and streets. All the liquor and wine found was speedily seized.

On Friday, the 12th, the Federal army was drawn-up in line of battle, preparing to advance. Not less than sixty thousand men were on the south bank of the river, with more than a hundred pieces of artillery. The Confederate army sternly confronted them in a line extending nearly six miles. At one o'clock the heavy batteries on each side opened, and, for

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an hour, kept up a brilliant duel of shell and round shot. On the morning of Saturday, the 13th of December, a dense fog hung over the river and the adjoining fields. Under its cover the Federal army advanced.

Then followed the scenes of carnage; advance and repulse of heavy columns, terrific slaughter; deeds of daring, and the final repulse and complete overthrow of the enemy, which have been so often and graphically described, and have made the battle of Fredericksburg memorable in history.

On Monday night, December 15th, Burnside withdrew his army across the river, and then removed his pontoons.

With the opening of the spring of 1864, was inaugurated the most active and bloody campaign of the war in Virginia. This campaign embraced the battles of Mine run, the Wilderness and Spotsylvania Court-house, in which the Federal army, commanded by General U. S. Grant, lost heavily.

Many thousands of the wounded Federals were sent, in ambulances and wagons, to Fredericksburg, where hospitals were established under the charge of United States surgeons.

On Sunday, the 8th of May, a small body of Federal troops, numbering about sixty, all slightly wounded, came into town. They were armed; and the men in the town required their surrender, as prisoners of war, which was done. Other wounded stragglers followed until the number of prisoners amounted to about two hundred, when they were sent to Richmond under a small escort; subsequently this action was the cause of the arrest of a number of our citizens as hostages for the wounded prisoners.

Within the next twenty-four hours, the wounded of General Grant's army, about fifteen thousand in number, were brought into town in ambulances, wagons and all available conveyances. They were attended by a large body of surgeons and assistants of every kind. Private houses and yards were occupied, and ghastly sights everywhere met the eye. Many thousands of the wounded died.

The native population at this time was small, and consisted entirely of women, children and elderly men; even the colored population had become very much reduced. The

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sudden increase of the population by the advent of this large number of sick and wounded, caused great suffering and distress, and during this occupation for the wounded, the suffering, disease and sorrow, endured by the people of Fredericksburg, were greater than any that had previously visited them. Notwithstanding all this, truth demands the record and admission that these scenes of horror were greatly mitigated by many acts of courtesy and considerate aid, on the part of the Federal officers, which are kindly remembered, even at this late day, by many of our citizens, who were participants in the scenes referred to.

FREDERICKSBURG AFTER THE WAR.

General Lee surrendered his army to General Grant on the 9th day of April, 1865, at Appomattox Court-house. The first news received of his surrender came from soldiers returning to their desolated homes, and, with the fatal tidings, came also the feeling that the fate of the Confederacy was sealed. The population of Fredericksburg, at this time, was, to some extent, "cosmopolitan," the native population having, in a large measure, abandoned their homes, and sought residence elsewhere. The trade of the town was conducted by strangers, and there was but little in population, business or general appearance to remind one of the Fredericksburg of *ante-bellum* days.

What a mighty change there had been in the character and condition of the town! Yet there clustered around her hallowed memories, rich with the grandeur of great historic events and with the beauty and nobility of individual character.

As time progressed population increased. The old citizens who had refugeed returned to their homes, young and middle-aged men, who had faithfully served their country and cause in the army, exchanged their weapons of war for the implements of peace, and business began to resume its legitimate channel, and the old town was well nigh restored to its wanted activity and prosperity. The census of 1870, very imperfectly taken, gave Fredericksburg at that time a population of about 4,000. The period of reconstruction, extending through the years 1867, 1868 and 1869, need not be

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further referred to than to express the hope that it may be forgotten and never be classed as a part of Fredericksburg's history.

The foregoing epitome of the history of Fredericksburg must suffice for the present; and as it has been wittily said that, "The people of Fredericksburg have very little respect for any incident, building or locality that does not date back to the Revolution," and are perfectly familiar with everything that has happened since the war, and as nothing of a specially interesting character has occurred which needs to be recorded; this brief review will close with brief references to and descriptions of the newspapers, churches, schools, old houses, old incidents, &c., &c.

NEWSPAPERS.

The first paper established was the *Virginia Herald and Falmouth Advertiser*, by Timothy Green, in 1786. It was, after some years, conducted by Green, Cady and Harrow, and, for a short while, by William F. Gray. Afterwards James D. Harrow, who was a practical printer, conducted it for a number of years under the style of the *Virginia Herald*, with Jesse White as foreman.

In 1851, after Mr. Harrow's death, it was purchased by Major J. Harrison Kelly, who conducted it successfully, as a semi-weekly, until a few years ago, when failing health compelled him to discontinue its publication. A bound volume of this paper, running through the years 1796, 1797 and 1798, is now in possession of Captain S. J. Quinn, and is, by him, highly prized. Its columns have furnished dates and incidents noted in the preceding sketches.

In 1800, another semi-weekly was started, under the name of *The Courier*, by James Walker as editor and proprietor. A file of this paper, running from November, 1800, to November, 1801, in bound form, is in possession of James L. Green, Esq. This file of the *Courier* is only valuable and interesting because of its age and association, a careful perusal of its columns revealing no local incidents and but little general news of the day. The salutatory, in its first number, states that it is the successor and continuation of the paper entitled *The Genius of Liberty*, which had been conducted

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in Fredericksburg by Mr. Robert Mercer, no copy of which has been preserved, so far as is known.

The *Fredericksburg News* was established by Robert Baylor Semple, and, after his death in 1853, was purchased by A. Alexander Little, who conducted it to the time of his death. It is still in successful progress. The *Political Arena* was edited from about the year 1830 to 1845, by William M. Blackford, who afterwards removed to Lynchburg.

The *Christian Banner* was established by Rev. James W. Hunnicutt in 1848, and the publication thereof continued until the 9th of May, 1861, at which time, by force of circumstances not necessary now to explain, its publication was suspended. The *Virginia Baptist*, edited and published by W. R. Powell, J. C. Willis and J. A. Billingsly, suspended operation about the year 1860. The *Democratic Recorder*, established in 1842, was conducted at first by James M. Campbell, who, about the year 1850, removed to Manchester, N. H., and subsequently by Robert B. Alexander, S. Greenhow Daniel and James B. Sener, in the order named. The *Fredericksburg Ledger*, *New Era*, *Virginia Star*, *The Inde[pend]dent*, *Bulletin*, *Recorder* and *The True Standard* are too familiar to need detailed narration. The *Star*, *News* and *Standard* are in successful operation at this time.

CHURCHES.

The history of the Episcopal church, in Fredericksburg, is of peculiar interest by reason of its antiquity. In the year 1732, the first church was erected in Fredericksburg. It was in the parish of St. George, which then embraced the whole county of Spotsylvania. During the period from the building of the first church in Fredericksburg until 1734, Rev. Patrick Henry, uncle of the great orator, was the rector. From that time to the end of the Revolutionary war, only two clergymen need special notice; they were father and son, and both bore the name of James Marye. James Marye, Sr., became rector in 1735 and ministered here until 1767, when he was succeeded by his son, James Marye, who was rector until 1780. From that time until 1813 there is but little to record of a pleasing character. In that year a great change commenced. Rev. Edward C. McGuire, of Winchester, came

to the church first as lay-reader, and, after his ordination, as rector. He continued as rector of the church until the time of his death in 1858, a period of forty-five years. His ministerial labors were greatly blessed and the number of communicants largely increased. In 1849 the new church, which stands on the site of the old one, was consecrated. Some two or three years thereafter this beautiful edifice was greatly damaged by fire, but was speedily and thoroughly repaired, and is, to-day, one of the handsomest church edifices in Virginia.

Since the death of Mr. McGuire, many changes have occurred. Mr. McGuire was succeeded in the rectorship of St. George's church by Rev. A. M. Randolph, now assistant bishop-elect of the diocese of Virginia, and in turn by Revs. M. Maury, E. C. Murdaugh, D. D., R. J. McBryde and J. K. Mason, the present rector.

Trinity church, (an offshoot of St. George's,) under Rev. E. C. Murdaugh, D. D., worshipped in the old Hanover street Methodist church until the completion of their new and handsome church building, on the corner of Hanover and Prince Edward streets.

The Presbyterian church commenced its life, under the labors of Rev. Samuel B. Wilson, who came to Fredericksburg in 1805. Dr. Wilson continued to be pastor until 1840, and has been followed in succession by Messrs. McPhail, Hodge, Lacy, Gilmer and Smith.

The Roman Catholic church was established in 1859, and a neat and substantial church erected. Subsequently a parsonage as added to the church possessions.

Previous to the Revolution, the Methodist church had no existence in Fredericksburg. But in the year 1822, a church building was erected near Liberty town, back of the lot now known as Hurkamp Park. This house was destroyed by fire in 1852. In 1842, the church on Hanover street was erected. In consequence of a division of sentiment between the Northern and Southern Methodists, growing out of the question of slavery, a new church was formed, and in 1852 the M. E. church South, on George street, which had been erected the previous year, was dedicated and occupied. Rev. John

Kobler, a venerable local preacher of the Methodist church, distinguished for his piety and ability, was buried beneath the pulpit of the Hanover over street church.

Since the war, the churches united, have worshipped in George street church, until recently, when the church on Hanover street, having been remodeled, was occupied.

The Baptist church comes into notice as early as the year 1768, when John Waller, Lewis Craig and John Childs, three zealous Baptists, were seized by the sheriff of Spotsylvania, were carried before three magistrates, in the yard of the church building, on the charge of "preaching the gospel contrary to law." They were ordered to jail in Fredericksburg, and, while in jail, they preached through the iron gratings of the windows and door.

Revs. George F. Adams and Samuel Smith faithfully and zealously served the church through a long period of years, and their labors were greatly blessed, and the church prospered abundantly. In 1854, Rev. William F. Broaddus was called to the pastorate made vacant by the removal of Rev. Samuel Smith to another field of labor. The pastorate of Dr. Broaddus was, in every respect, successful, and the erection of the present elegant church edifice is mainly due to his indefatigable efforts and great liberality.

W. H. Williams, for a short time, held pastoral relations with the church. In 1866, Rev. T. S. Dunaway accepted the pastoral call tendered him, and is now serving the seventeenth year of a pastorate, full of blessings in the past and promise for the future.

Two colored Baptist churches are also here, and are well organized. "Shiloh" church having a membership of more than one thousand.

SCHOOLS.

Fredericksburg, in its early days, possessed educational advantages greatly in advance of many larger places. As before noted, in 1796, a lottery scheme was gotten up for the purpose of raising

money to erect school buildings on what is known as the " old Poor house grounds," the present property, of the estate of Alexander Lang. Whether or not this scheme was successful, is not now known, but it is a fact, that

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a male academy was established there by some French refugees, gentlemen of education and refinement, who, after reverse of fortune, caused by banishment from home for political offences, adopted teaching as a means of support. James Madison and James Monroe, both of whom became distinguished statesmen, and rose to the highest honor known in this country, viz.: President of the United States, were students of this academy, as was, also, the distinguished jurist, our late revered fellow-citizen, Judge John Tayloe Lomax, who, in his old age, when President of the Young Men's Christian Association, referred to his connection with that school, by contrasting the teaching of the school of French philosophy of that day, with the instruction of Christian teachers of a later period, showing the advantages of the latter.

The establishment of a female college at "Federal Hill," in the year 1789, was an important event in the history of the town, and, in connection with the male academy, gave to Fredericksburg some distinction as an educational centre.

On the 27th of September, 1796, a fund was created by the sale of lands, &c., which were devised for the purpose by Mr. McPherson, which fund was held in trust by the Mayor and Common Council, for the time being, and afterwards by six trustees, annually appointed, for the benefit of the Charity School of Fredericksburg. For many, many years this fund was employed in maintaining a charity school for boys.

Mr. George W. Rothrock conducted this school for some years, in the small building, on Hanover street, now used by the public schools. Upon the death of Mr. Rothrock, the school was discontinued.

A brief reference to a few of the schools of the early days of Fredericksburg will be of interest, and will recall to many of our older citizens pleasant memories of their youthful days. Probably the most worthy of notice is the female school, taught by the late Rev. Samuel B. Wilson, in which many of the most accomplished ladies in Fredericksburg received their early education. Mr. Wilson was succeeded by Miss Mary Ralls, who was assisted by Mons. Herard,

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whom she afterwards married. Mons. Herard, though he could not speak English, taught writing and French in the school.

Here commenced the education of a large number of girls and boys, who were afterwards well known in the social circles and business pursuits of Fredericksburg, and of many other parts of the United States, and some of them are, today, honored citizens of the old town.

The school of Mr. John Goolrick, in the small brick building now occupied by Thomas Coleman, Esq., and owned by Miss Vass, was famous in its day, and in it were educated some of our present substantial business men and accomplished women. He was assisted in his school by his son, George, who was an accomplished teacher and cultured man, and afterwards succeeded his father in the school, and continued it for many years. Mr. Thomas H. Hanson, for many years the principal of the Fredericksburg Male Academy, was originally from Georgetown, D. C. He was a fine classical scholar, and his school enjoyed a wide-spread reputation as a classical school. The schools conducted by Rev. G. W. McPhail, Messrs. Powell and Morrison, J. J. Halsey, Esq., Professor Richard Sterling and others of a more recent date, were of a high order and fully sustained the reputation of Fredericksburg as a town possessing the most enlarged educational advantages.

The public schools, established in 1870, fostered and sustained by liberal appropriations from city and State, have greatly prospered, and are a credit to the city and a blessing to the rising generation. The schools are graded, and the course of instruction is as yet confined to English studies. For the success, which has so signally attended these schools, they are mainly indebted to the wise

administration of the Board of Trustees, of which Captain J. W. Sener is chairman, and the efficient superintendence of Mr. E. M. Crutchfield, as Principal.

OLD HOUSES AND PUBLIC BUILDINGS.

The oldest houses now in Fredericksburg are the residence of William A. Little, the Washington House and the Rising Sun Hotel. It is impossible to give the order of seniority. Mr. Little has so renewed, extended and adorned his residence

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as to almost destroy its ancient identity. The Washington House, now the residence of W. J. Moon, has been added to, and, from time to time, repaired and improved, but that portion originally occupied by Mrs. Washington, and in which she died, has preserved its original architectural features. It is a small house, having no pretensions to beauty or style. It is situated on the corner of Charles and Lewis streets.

The venerable old mansion known as Kenmore, at present the residence of Key Howard, Esq., was built by Mr. Fielding Lewis, who married Bettie, the sister of General George Washington, and who was the grandfather of Mrs. McGuire, wife of Rev. Edward C. McGuire, D.D., for many years, and until his death, rector of St. George's Episcopal church.

The handsome residence, erected by Mr. Fielding Lewis, on the lot now occupied by Mr. George W. Shepherd, was destroyed by fire in the great conflagration of 1807. About the year 1815, the dwelling now occupied by Mr. Shepherd was erected by Robert Mackay, a merchant, and subsequently, in 1817 and 1819, Mayor of Fredericksburg.

The old house which stands on Princess Ann street, between Wolfe and Prussia, and near the residence of C. W. Edrington, Esq., was at one time owned by James Monroe, that is, he held a pocket-deed for the same, to qualify him for a seat in the House of Burgesses. His residence, or boarding place, occupied the lot on which, at present, stands the handsome residence of Mrs. James H. Bradley.

The "Sentry Box," at the lower end of Fredericksburg, was the residence of General George Weedon, and afterwards occupied by Colonel Hugh Mercer, son of General Hugh Mercer, of Revolutionary fame, to whom it was devised by General Weedon. It is now occupied by Major W. Roy Mason.

The old Town Hall, under which is the Market-house, and in which the Mayor's court room is located, was erected in the year 1815. It is a substantial structure, well located and well preserved, and, with its two wings, furnishes accommodations for lodge-room, newspaper office and Council Chamber.

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The hand of time and war's devastations have removed some of Fredericksburg's old landmarks, but enough of them remain, at least, to interest and gratify the curiosity of strangers visiting this city.

In 1849 steps were taken looking to the erection of a new court-house, and a committee was appointed by the court to procure plans, and receive proposals for the same. On the 31st of May, 1851, a committee, consisting of Thomas B. Barton, J. J. Chew, John Minor, William Allen and Dr. B. R. Wellford, was appointed to superintend the construction of the building. At the same time the plan presented by James Renwick, Jr., architect, of Baltimore, was adopted, and a contract made with William M. Baggett for the erection of the building. It was completed in 1852, and was then, as it is now, one of the handsomest and most imposing public edifices in Virginia.

SECRET SOCIETIES.

Fredericksburg Lodge, No. 4, A. F. and A. Masons, is supposed to have been organized as early as 1735, though its records of that date have perished. It was at first independent in its organization, but in 1758 its Master, Daniel Campbell, according to a vote of the Lodge, while he was visiting Scotland, procured from the Grand Lodge of that country a charter for No. 4, which bore date 21st July, 1758. In 1787 a charter from the Grand Lodge of Virginia was also accepted for No. 4, but with the express

reservation of all her rights under the Scottish charter. About 1800, for some reasons, political or social, or both, a number of members withdrew from No. 4, and formed American Lodge, No. 63, which, at one time, was very flourishing, and embraced in its membership many of our best citizens. But, during the war, it became extinct, and has never been revived. In the bombardment and subsequent sack of Fredericksburg, all of the records of No. 4 were destroyed or lost, except from 1752 to 1771. The Lodge meetings seem, at first, to have been held in the private houses of prominent members. Afterwards a room for No. 4 was fitted up over the market-house (then standing on Main street), and the meetings were held there from June, 1762, until 1813, when the building was torn

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down preparatory to the erection of the present Town Hall and market-house. Then No. 4 held its meetings at the "Rising Sun Hotel," the old wooden, building still standing on Main street, between Fauquier and Hawk streets. Finally, in 1815, the present Lodge building was erected, which stands on the corner of Princess Ann and Hanover streets. This building has recently been greatly enlarged and improved. It now presents an imposing appearance, and is admirably arranged for the purposes for which it is used. Lodge No. 4 has, at various times, embraced in its membership eminent men—soldiers, statesmen and private citizens. Among the first was the Father of his country, George Washington, who, in this Lodge, received the first degree November 4, 1752, the second degree March 3d, 1753, and the third degree August 4th, 1753. The Bible used in these ceremonies is still held by the Lodge in good preservation. It was printed at Cambridge, by John Field, in 1668. Generals Hugh Mercer and George Weedon were also members. By order of No. 4, and by moneys to the amount of \$5,000, raised by its exertions, a very beautiful and faithful statue of Washington, in Masonic regalia, was wrought out of white marble, by the great Virginia artist, Hiram Powers, while in Rome, Italy. It was safely transported to Fredericksburg, but ere it could be erected the war came on. For safe-keeping, it was sent to Richmond, and there perished in the terrible conflagration of April 3, 1863. Lodge No. 4 furnished five Grand Masters to the Grand Lodge of Virginia, viz.: James Mercer, in 1754; General Robert Brooke, in 1785; Major Benjamin Day, from 1797 to 1800; Oscar M. Crutchfield, in 1841, and Beverly R. Wellford, Jr., (now Circuit Judge of Richmond) in 1877; and No. 63 furnished one, viz.: John S. Caldwell, in 1856.

In 1873, Fredericksburg Royal Arch Chapter was organized, and in 1875 Fredericksburg Commandery, No. 1, of the order of Knights Templar was instituted, of which Colonel R. S. Chew, is Eminent Commander. Thus three Masonic bodies exist in Fredericksburg, each in a flourishing condition, and the three are able to confer all the degrees in ancient York Masonry.

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There are also in Fredericksburg a number of secret fraternities, under the various names of Odd Fellows, Knights of Honor, Knights of Pythias, Royal Arcanum, Good Templars, Sons of Sobriety, Good Samaritans, Working Men's Union, and Mechanics' and Laborers' League, all of which are in a flourishing condition.

FREDERICKSBURG AT PRESENT.

Fredericksburg is pre-eminently and characteristically a Virginia city. Pleasantly situated upon the Rappahannock river, at the head of navigation, and located midway between the capital cities of Washington and Richmond, and, within daily communication with Baltimore, by rail and water, its advantages are sufficient to make it a wealthy and populous inland city.

It has the advantage of two railroads—the Richmond, Fredericksburg and Potomac, (consolidated with the Baltimore and Potomac,) and the Potomac, Fredericksburg and Piedmont, (narrow-gauge,) which runs through the back country as far as Orange Court-house. It has also a line of magnificent steamboats, the Weems line, which connects it with Baltimore. A number of sailing vessels are also constantly employed in transporting the products of our factories, fields, forests and rivers. An excellent graded dirt road, originally a plank road, running through the counties of

Spotsylvania, Orange and Culpeper, affords the people of those counties easy and cheap access to this market.

The water-power of the Rappahannock, at this point, made available by the erection of a magnificent dam, has been harnessed for work, to some extent, but not to a tithe of its very great capacities. It is made to run three flouring mills, a woolen factory and a sumac and bone mill.

Besides these manufacturing establishments, there are, within the city, a large number of manufacturing enterprises, giving employment to a large number of operatives, and about one hundred wholesale and retail mercantile houses, embracing every department of trade; besides, ample hotel accommodations of a superior character. A detailed enumeration of the various enterprises in operation would, more properly, belong to the annual report of the Committee

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on Commerce and Navigation, which embraces statistics of the trade and manufactures of the city. It will be seen, then, that Fredericksburg, with all its quiet ways, and want of bustling activity, is a manufacturing centre of some importance, and, lying, as it does, on the line of travel from North to South, there is no good reason why it may not be a more prominent manufacturing place. It is true that those who estimate a place solely by the number of industrial enterprises which it encourages, or the amount of traffic which comes to it, would not rank Fredericksburg as high as some of the more busy and bustling towns of New England; but those who recognize other agencies besides water-wheels and steam-engines, and other earthly products besides dry goods, groceries and general merchandise, will find much here to admire and interest them. It is true, that with the manufacturing facilities that we possess, we would gladly see more of our industrial enterprises fully developed, but we do not forget that there are better fabrics than those that are manufactured by mechanical appliances. With a climate unsurpassed, an immunity from epidemics, a situation enviable, because of its surroundings, water as pure as ever came from mountain springs, and a more abundant supply promised in the near future, by the erection of city water works, together with a refined and elevated society—if these, with the production of home virtues and home joys, be regarded as valuable in life, then Fredericksburg must take rank much higher than many a place that has more outward show of prosperity.

Some of the institutions which, at present, exist here have not been referred to at all, and some others only mentioned incidentally. The pursuit of gain and the exacting cares of business have not engaged, altogether, the thoughts and attention of our people to the exclusion of things which tend to the comfort and health of the community, and to its intellectual development. For the benefit of the first Hurkamp Park has been located. To this beautiful and delightful spot, well shaded, with gravelled walks, comfortable seats, grassy plats, and all the appurtenances of a well kept park, the tired merchant, artisan and laborer, with wife and child,

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repair in the evening to enjoy the recreation so much needed, and to join in the innocent enjoyments afforded therein. For those whose tastes and inclination lead them to intellectual enjoyment, the Library, Lyceum and Reading Room, located in the North-wing of the City Hall, afford the required facilities.

The commercial prosperity of Fredericksburg is not yet equal to her advantages, but, with a fuller development of her commercial and manufacturing facilities, may we not hope for more prosperous days in the future than have been in the past; for

Reason's whole pleasure, all the joys of sense,
Lie in three words--HEALTH, PEACE and COMPETENCE.

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MAYORS OF FREDERICKSBURG
IN THEIR
CHRONOLOGICAL ORDER

	Term Commenced.	Term Expired.	
Charles Mortimer,	March, 1782.	March, 1783.	
William McWilliams,	March, 1783.	March, 1784.	
James Somerville,	March, 1784.	March, 1785.	
George Weedon,	March, 1785.	March, 1786.	
Charles Mortimer,	March, 1786.	March, 1787.	
James Somerville,	March, 1787.	March, 1788.	
Charles Mortimer,	March, 1788.	March, 1789.	
George French,	March, 1789.	March, 1790.	
Benjamin Day,	March, 1790.	March, 1791.	
William Harvey,	March, 1791.	March, 1792.	
James Somerville,	March, 1792.	March, 1793.	
Fontaine Maury,	March, 1793.	March, 1794.	
George French,	March, 1794.	March, 1795.	
William Harvey,	March, 1795.	March, 1796.	
Fontaine Maury,	March, 1796.	March, 1797.	
William Harvey,	March, 1797.	March, 1798.	William Harvey died in office one day before his term expired, March 19, 1798.
Fontaine Maury,	March, 1798.	March, 1799.	
George French,	March, 1799.	March, 1800.	
David C. Ker,	March, 1800.	March, 1801.	
William S Stone,	March, 1801.	March, 1802.	
David C. Ker,	March, 1802.	March, 1803.	
George French,	March, 1803.	March, 1804.	
Benjamin Day,	March, 1804.	March, 1805.	
George French,	March, 1805.	March, 1806.	
Charles L. Carter,	March, 1806.	March, 1807.	
Charles L. Carter,	March, 1807.	March, 1808.	Re-elected
Charles L. Carter,	March, 1808.	Aug. 11, 1808.	Re-elected, Resigned There is no record between these dates. It is very well established by old residents that Dr. George French was Mayor for two or three years of the time.
Garret Minor,	March, 1816.	March, 1817.	
Robert Mackay,	March, 1817.	March, 1818.	
Garret Minor,	March, 1818.	March, 1819.	
Robert Mackay,	March, 1819.	March, 1820.	
David Briggs,	March, 1820.	March, 1821.	
Robert Lewis,	March, 1821.	February 10, 1829.	Robert Lewis, died in office

Thomas Goodwin,	February 12, 1829.	March, 1829.	Thomas Goodwin, elected to fill unexpired term.
Thomas Goodwin,	March, 1829.	January 15, 1836.	Thomas Goodwin, died in office.
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	Term Commenced.	Term Expired.	
John H. Wallace,	January 20, 1836.	March 22, 1836.	elected to fill vacancy.
John H. Wallace, Benjamin Clarke, Robert Baylor Semple, John L. Marye Jr.,	March 22, 1836. March, 1838. March, 1844.	March 22, 1838. March, 1844. February 8, 1853.	died in Richmond.
John L. Marye, Jr., Peter Goolrick, John S. Caldwell, Peter Goolrick, William S. Scott, Peter Goolrick, M. Slaughter,	February 12, 1853. March 22, 1853. March 21, 1854. March 20, 1855. March 17, 1857. March 22, 1859. March 21, 1860. April 4, 1860.	March 22, 1853. March 21, 1854. March 20, 1855. March 17, 1857. March 22, 1859. March 22, 1860. April 28, 1868.	elected to fill vacancy. Resigned. M. Slaughter, elected April 4, 1860, and was successively re-elected and continued in office until removed by Major General John M. Schofield.
Charles E. Mallam,	April 2, 1868	July 15th, 1869.	appointed by Gen. John M. Schofield, qualified April 2, 1868, and removed by same authority.
William E, Nye,	July 15, 1869.	February 23, 1870.	Appointed by General Canby, July 15, 1869. Resigned February 23, 1870.
Lawrence B. Rose,	February 33, 1870.	June 30, 1870.	elected by Council.
W. Roy Mason, Lawrence B. Rose, Robert B. Berrey, Lawrence B. Rose, Hugh S. Doggett, Hugh S. Doggett, H. S. Doggett, Joseph W. Sener, Joseph W. Sener,	July 1, 1870. July 28, 1870. July 1, 1872. July 1, 1874. April 12, 1877. July 1, 1877. July 1, 1878. July 1, 1880. July 1, 1882.	July 28, 1870. June 30, 1872. June 30, 1874. April 10, 1877. June 30, 1877. June 30, 1878. June 30, 1880. June 30, 1882.	Resigned. Died in office. Appointed by Judge John T. Goolrick. Elected for unexpired term, Re-elected. Re-elected.

By an act of 1782, the term of office was one year, and provided that no person should hold the office for more than one year in any two years, and moreover, provided that the Council should choose, by ballot, out of their own body, one Mayor, &c.

The act of 1821, prescribed that the Mayor shall be chosen either from the Council, or from the body of the citizens. The said Mayor shall be re-eligible from year to year, without limitation.

The act 1871, required the election for Mayor to be held at the general election on the fourth Thursday in May, making the term of office two years from the 1st day of July succeeding the election.

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ACT OF INCORPORATION.

AN ACT, ENTITLED AN ACT, FOR INCORPORATING THE TOWN OF FREDERICKSBURG, IN THE COUNTY OF SPOTSYLVANIA—*Passed Session, 1781.*

Be it enacted, That it shall be lawful for the freeholders and housekeepers, who shall have been resident in the said town three months, next preceding such election, to meet in some convenient place, in the said town, annually, on the third Monday in March, and then and there nominate and elect, by ballot, twelve fit and able men, being freeholders and inhabitants of the town, to serve as Mayor, Recorder, Aldermen and Common Councilmen for the same; and the persons so elected shall, within one week after their election, proceed to choose, by ballot, out of their own body, one Mayor, one Recorder and four Aldermen, and the remaining; six shall be Common Councilmen, whose several authorities as Mayor, Recorder, Aldermen and Common Councilmen, shall continue until the third Monday in March, in the year succeeding, and until others shall be qualified in their stead and no longer, unless where elected. That the Mayor, Recorder, Aldermen and Councilmen, so elected, and their successors, shall and are hereby made a body corporate and politic, by the name of Mayor and Commonalty of the town of Fredericksburg, and by that name to have perpetual succession, with capacity to purchase, receive and possess lands and tenements, goods and chattels, either in fee or any lesser estate therein, and the same to give, grant, let, sell or assign again, and to plea and be impleaded, prosecute and defend all causes and complaints, actions, real and personal and mixt, to have one common seal and perpetual succession. That the person who shall be first elected Mayor of the said town shall, within one week after his election, take an oath or make solemn affirmation before a justice of the quorum in the commission of the peace for the said county of Spotsylvania, for

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the due and faithful execution of his office; and every succeeding Mayor shall be qualified to his office before the Mayor for the time being; and every Recorder, Alderman and Common Councilman shall take the like oath, or make the like affirmation, with respect to their office, before the Mayor for the time being; but no person shall hold the office of Mayor for more than one year in any two years: Provided, nevertheless, where a vacancy shall have happened in the office of Mayor within the year, the person elected for the remainder of that year, may be elected again at the next general election, and until another shall be elected and qualified in his stead.

And be it enacted, That the Mayor, Recorder and Aldermen for the time being, are hereby declared and constituted Justices of the Peace within the limits of the said town; which limits shall extend to low-water mark on the northwest side of Rappahannock river, and half a mile without and around the other limits of the said town, and have the like jurisdiction in all cases whatsoever originating within the limits aforesaid, as the Justices of the County Courts now have. That the Mayor, Recorder and Aldermen, or any four of them, (the Mayor or Recorder being one,) shall have power to hold a Court of Hustings on the third Monday in every month, and hold pleas in all cases whatsoever originating within the limits before described, in the same manner as the County Courts may do; to have the sole power of licensing tavern-keepers, and settling their rates, to appoint a sergeant, who shall have the power of a sheriff, countable, and other necessary officers of Court, and Surveyors of the streets and highways, and to settle and allow reasonable fees allowed the like officers in the County Courts: Provided, that the said officers shall take an oath of office before the said Court of Hustings,

before they shall be allowed to act; and that the Sergeant shall moreover give bond and security for the due performance of his office, which bond shall be made payable to the Mayor for the time being, and his successors, and may be put in suit by the party grieved, in like manner as sheriffs' bonds; and provided always, that in civil cases the Court of Hustings shall not have jurisdiction where

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the demand shall exceed one thousand pounds of crop tobacco, or the value thereof in money at the time of entering the action, unless both parties shall be inhabitants of the town at the time of suing out the first process in the suit.

And be it further enacted, That the Mayor, Recorder, Aldermen and Common Councilmen shall have power to erect workhouses, houses of correction, prisons and other public buildings for the benefit of the town, and to make by-laws and ordinances for the regulation and good government of the said town, and to assess the inhabitants and all property within the actual bounds of the said town for the charges of repairing the streets: Provided, that such by-laws and ordinances shall not be repugnant to, or inconsistent with, the laws and Constitution of the Commonwealth; and the Mayor, Recorder, Aldermen and Common Councilmen shall have power to hold, and keep within the said town, two market days, (the one on Wednesday, the other on Saturday,) in every week, and, from time to time, appoint a clerk of the market, who shall have assize of bread, wine, wood and other things, and generally to do and perform all things belonging to the office of the clerk of the market within the said town. And every person to be elected to any office as aforesaid, and refusing to undertake and execute the same, shall pay the fines following, that is to say: the Mayor, fifty pounds; Recorder, forty pounds; Aldermen, thirty pounds; Common Councilmen, twenty-five pounds; Sergeant, one hundred pounds; Constable, fifty pounds; Clerk of the Hustings Court and Clerk of the Market, each, fifty pounds; Surveyors of the streets or roads, thirty pounds, each, to be imposed by the judgment of the said Court of Hustings for the use of the town, and levied by execution against the goods and chattels of the offender. And in case of misconduct in the office of Mayor, Recorder, Aldermen and Common Councilmen, or either of them, the others, being seven at least, shall have power to remove the offender; and, as to all other officers, the power first appointing shall, or may, at pleasure, revoke. And in case of vacancy in the office of Mayor, Recorder, Aldermen and Common Councilmen,

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the vacancy shall be filled up in the following manner; the Recorder shall succeed the Mayor; the eldest Alderman the Recorder, and so on, according to priority, to be reckoned by the number of votes at the last election; and if a vacancy shall happen among the Common Councilmen, his place shall be filled from the body of the freeholders within the town, by ballot of the Mayor, Recorder, Aldermen and Common Councilmen.

And be it further enacted, That the Mayor, Recorder and two of the Aldermen shall have power, so often as they find occasion, to summon a council of the said town, which shall consist of the Mayor, Recorder, two Aldermen and four Common Councilmen at least; that no law, order or regulation shall be binding and valid, nor shall the same be revoked or altered, or fine imposed for a breach thereof; unless seven members concur therein.

And be it further enacted, That all the property, real and personal, now held and possessed by the Trustees of the said town of Fredericksburg, in law or equity, or in trust, for the use and benefit of the inhabitants thereof, and particularly the charitable donation of Archibald McPherson, deceased, now vested in the Trustees of the said town, in trust, for the education of poor children, shall be, and the same are hereby, transferred and vested in the Mayor and Commonalty of the said town, to and for the same uses, intents and purposes, as the Trustees for the said town now hold the same, any former law, or clause or devise in the said Archibald McPherson's will to the contrary notwithstanding. And in all courts of law and equity, this act shall be construed, taken and held most beneficially and favorably for the said Corporation.

AN AMENDATORY ACT—*Passed Session, 1782.*

And be it further enacted, That the jurisdiction of the Court of Hustings, in the town of Fredericksburg, shall extend one mile without and around the former limits of the said town, on the southside of Rappahannock river, and shall have power to hold pleas in all cases originating within the limits before described, in like manner, and under such limitations, as are directed and prescribed by the act for

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incorporating the said town. That the Court of Hustings, in the said town of Fredericksburg, shall be, and is hereby constituted, a Court of Record, and as such, to receive probate of wills and deeds, and grant administrations in as full and ample manner as the county courts, by law, can or may do: Provided always, *and be it further enacted,* That no will shall be admitted to proof or record in the said court, nor shall the said court grant administration, unless the testator or intestate, as the case may be, was resident within the limits of the jurisdiction of the said court at the time of his or her death; nor shall any deed, whereby lands are conveyed, be admitted to proof or record in the said court, unless such lands lie within the limits as aforesaid. The said court shall have power to appoint a person, skilled in the law, to prosecute therein, for the Commonwealth, and to allow him a reasonable salary for his services, to be levied, annually, by the Corporation, on the inhabitants within the limits of the said town, and that the said inhabitants shall hereafter be exempted from contributing towards paying any part of the salary of the attorney for the commonwealth in the court of the said county of Spotsylvania.

AN ACT CONCERNING THE ELECTION OF MEMBERS OF THE COURT OF HUSTINGS AND COMMON HALL OF FREDERICKSBURG—*Passed December 24, 1806.*

Be it enacted by the General Assembly, That on the, day appointed by law for the next annual election of members of the Common Hall of the town of Fredericksburg, the persons qualified to vote by law for the same, shall assemble and elect, by ballot, eight persons to act as Justices of the Peace for the said town, who shall continue in office during good behavior, any three of whom shall have power to hold a Court of Hustings at the same time and under the same regulations as is now prescribed by law, except in cases of courts for the examination or trial of free persons or slaves charged with felonies, in which cases five of the Justices aforesaid shall be requisite to constitute a court. The said court to have the same powers and jurisdiction as heretofore, and the said Justices to have the same rights and powers as were heretofore granted by law to the Mayor, Recorder and Aldermen

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of the said town; with this exception, however, that they shall not act as members of the Common Hall, nor be authorized to lay any tax for the support of a watch.

And be it further enacted, That on the day aforesaid, and on the same day in every year thereafter, the persons qualified to vote as before-mentioned, shall elect, in manner aforesaid, twelve persons to act as Common Councilmen of the said town, who may continue in office until the next annual election of Common Councilmen, and until others shall be qualified in their stead, and shall have and exercise all the powers and duties heretofore granted to, and exercised by, the Mayor, Recorder, Aldermen and Common Councilmen of the said town, in Common Hall assembled.

The Common Council of the said town, in Common Hall assembled, shall elect one of its members to act as Mayor and another as Recorder. The Mayor shall preside at its meetings, and sign the proceedings thereof; and when from any cause he shall be absent, the Recorder shall preside in his stead.

The Mayor, or in his absence, the Recorder, or any two members of the Common Hall, shall have power, so often as they find occasion, to summon a Common Hall of the said town. In future, seven members shall be sufficient to hold a meeting of the Common Hall.

Vacancies which may happen in the court of the said town shall be supplied in the same manner that such vacancies in the county courts are supplied; and vacancies which may happen in the Common Hall shall be supplied as heretofore.

The qualifications which entitle persons to vote for, or be elected members of, the Court of Hustings or Common Hall, shall remain unaltered by this act.

This act shall be in force from and after the first day of March next.

AN ACT TO AMEND THE CHARTER OF THE CORPORATION OF FREDERICKSBURG—
Passed March 5, 1821.

Whereas, it appears there are great defects and imperfections in the original act, incorporating the town of Fredericksburg, and the several acts amendatory thereof, for remedy whereof—

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Be it enacted by the General Assembly, That the Mayor of the said town shall annually be appointed in the mode now prescribed by law, except that he may be chosen either from the Council, or from the body of the citizens; and when he shall be taken from the Council, the vacancy occasioned thereby shall be filled by the Council. The said Mayor shall be re-eligible from year to year without limitation, and shall keep an office in the said town for the transaction of business, and shall be the keeper of the Seal of the Corporation; he shall, at all times, when the Hustings Court shall not be in session, perform the duties of Justice of the Peace; those duties may, nevertheless, be discharged by any other justice of the said Corporation. The said Mayor shall, moreover, have the superintendence and control of the officers of police and the night watch, according to the laws and ordinances now in force, or which may hereafter be enacted by the Council.

Be it further enacted, That if the person who may be appointed Mayor, pursuant to the foregoing section, shall omit or fail, from any cause, to qualify to his appointment for the space of ten days after his election; or if, after his election, he shall die or resign, then, and in all such events, the said Council may, and it is hereby declared to be their duty, as soon thereafter as they may see fit, to elect some other person in his stead, and may proceed to make a new election from time to time, whenever, for the causes aforesaid, or any of them, it shall become necessary.

And be it further enacted, That when, from sickness or other cause, the said Mayor shall be unable to perform the duties of his office, or in case of his unavoidable absence from town, his duties shall devolve upon, and be discharged by, the Recorder, who shall, in such cases, possess and exercise all the powers and authority of the Mayor.

And be it further enacted, That the Mayor shall henceforth receive for his services a compensation, to be fixed by the Common Council, which shall not be increased or diminished during the time for which he shall be elected to office, which shall be paid out of the funds of the Corporation, in aid of which a tax may be imposed on his official acts.

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Be it further enacted, That the Court of Hustings of the said Corporation shall remain as it is now constituted by law, except that the said Mayor shall preside in the said Court, and in his absence, the Recorder. The said court shall have complete jurisdiction to high-water mark on the opposite side of the Rappahannock river; and in all respects the jurisdiction shall remain as heretofore.

And be it further enacted, That the citizens of the said town shall hereafter be exempted from the payment of levies to the county of Spotsylvania.

And be it further enacted, That the Mayor, Recorder and Common 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.

And be it further enacted, That it shall be the duty of the said Mayor, Recorder and Common Council, and they are hereby authorized and empowered, to provide a sufficient night-watch for the protection and safety of the said town; and for the better execution of this duty, the power and authority now exercised by field officers of the militia, concerning patrols, shall hereafter be vested in, and exercised by, the said Mayor, Recorder and Common Council, over the militia of the said town, who shall hereafter be exempt from patrol duty beyond the limits of the Corporation.

And whereas the true location of the streets of the said town has become uncertain, from want of the permanent marks ascertaining the boundary thereof—

Be it therefore enacted, That John W. Green, John Mundell, George Cox, Silas Wood and David Briggs be appointed commissioners, any three of whom may act, for the purpose of surveying and locating the streets of the said town, according to existing laws, and such authentic ancient surveys as may have been made pursuant to law.

It shall be the duty of said commissioners to ascertain and locate the said streets by metes and bounds, making such alterations therein as they may find expedient, with the

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assent of the proprietors of lots and lands, which may be affected by such alteration, but not otherwise; and to mark the boundaries of the streets by stones, or other permanent limits; and to report a plan thereof, and of the town, with the lots properly numbered, with explanatory notes, to the Mayor, Recorder and Common Council of the said town; which, if approved by them, shall forever thenceforth be taken as the authentic plan of the said town, and be binding on all persons whatsoever; but if, in making such survey, it shall be found that any house has been built, wholly or in part, on any street, such house shall not be considered a nuisance or illegal obstruction of such street; but if such house shall, at any time, perish or be destroyed, it shall not be again rebuilt so as to encroach upon or obstruct such street.

And be it further enacted, That all acts, and parts of acts, coming within the purview of this act, shall be, and the same are hereby, repealed.

This act shall commence and be in force from and after the passage thereof.

AN ACT CONCERNING THE CORPORATION OF FREDERICKSBURG—*Passed February 11, 1829.*

Be it enacted, That hereafter it shall be lawful for the Mayor and Recorder of the said town to take the oath of office before any judge of the General Court, or justice of the peace, who shall certify the same to the Hustings Court of Fredericksburg, to be entered upon the proceedings thereof.

This act shall be in force from and after the passing thereof.

AN ACT EXTENDING THE CORPORATE LIMITS OF THE TOWN OF FREDERICSSBURG— *Passed March 28, 1851.*

The corporate limits of the town of Fredericksburg, in the county of Spotsylvania, as heretofore established by law, shall be, and the same are hereby, extended and enlarged, so as to include, within the same, so much land as lies within the boundary line, described and proposed by the report of Joseph Sanford, John Minor and John Pritchard, a committee appointed by the Common Council of the Corporation of Fredericksburg, to inquire into the expediency of extending

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the limits of said town, which report was adopted by said Council, but, for greater certainty, more particularly set out and described by metes and bounds, bearings and distances, in a survey and plat made by William Slaughter, dated the tenth day of December, eighteen hundred and fifty, and returned with said report. By the said plat the said town, as enlarged by the act of seventeen hundred and fifty-nine, is described by the letters E, F, G, H. The line hereby adopted and made the boundary of said town by this act, is described by the letters A, B, C, D. The said plat is to be filed in the Clerk's Office

of the Corporation Court of Fredericksburg, and shall be held as evidence of the boundary of said town as hereby extended and enlarged. And the said land so taken into the limits, and included within the boundaries of said town, shall be, and the same is hereby, made a part of the town of Fredericksburg, and subject to the same by-laws, rules and regulations, as if the same had been included within the original limits thereof, and shall be subject to the provisions and enactment, of all such acts of the General Assembly of Virginia as have, from time to time, been passed for or concerning the said town and its inhabitants since the same was established as a town.

That the proprietors of the lands and lots hereby added to the town of Fredericksburg, and the persons now or hereafter residing upon or occupying the same, and all persons now or hereafter living within the limits hereby established, shall be entitled to and enjoy all the rights and privileges, and be subject to the same by-laws, rules and regulations, and to the same or like fines, penalties and forfeitures and taxes in relation to the aforesaid lands and lots, and also in relation to their persons and personal property, as persons residing upon or owning or occupying; lands and lots, and other property, or residing within the original or former limits of said town of Fredericksburg: *Provided, however,* That such liability shall not extend to slaves or other personal property usually employed in farming operations without the limits of said town, though found within the same. That so soon after the taking effect of the above section of this act as practical, Hugh S. Scott, William S. Barton, John

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James Chew, Joseph Sanford and John Pritchard, who are hereby appointed commissioners for the purpose, any three or more of whom may act, shall locate and lay out streets as they may deem proper, through and around the land hereby annexed to the original limits of the town of Fredericksburg, determining the width thereof; and the said commissioners shall return a report of their said action, together with a plat or plats of the streets so located and laid out by them, to the Common Council of the town of Fredericksburg, which report and plat or plats, together with a copy of the survey of the limits of the town of Fredericksburg hereby established, shall be delivered by the Common Council of said town, attested by the recorder, to the Clerk of the Corporation Court of Fredericksburg, to be, by him, preserved and kept among the records of his office: *Provided, nevertheless,* That none of the streets so laid out shall be actually opened unless the Common Council of said town of Fredericksburg shall judge it expedient that they should be opened. In the event of its being considered expedient by the said Common Council to open any of the said streets so located, unless the owner or owners of the land through which said street or streets pass shall relinquish his or her or their claim for damages, the Common Council of said town shall pay to such owner or owners such damages as may be adjudged to him or her or them, by three disinterested freeholders of the county of Spotsylvania, thereto appointed and commissioned by the County Court of Spotsylvania, who shall be first duly sworn faithfully to execute the duty required of them: *Provided, however,* That nothing herein contained shall be construed to prevent the owners of land within the corporate limits of said town from opening such streets as they may deem proper upon their own lands.

Be it further enacted, That hereafter it shall not be necessary that either the Mayor or recorder of the Corporation of Fredericksburg shall preside in the Corporation Court thereof; in order to form a Court, but that it shall be lawful for any three of the Justices to hold a Court for said Corporation, except in cases of Courts for the examination of a trial

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of free persons or slaves, charged with felonies, in which cases any five of the Justices of said Corporation shall be requisite to constitute a Court.

This act shall be in force from its passage.

AN ACT AUTHORIZING THE COLLECTION OF CORPORATION TAXES ON REAL ESTATE,
IN THE TOWN OF FREDERICKSBURG—*Passed January 30, 1858.*

Be it enacted by the General Assembly, That the Council of the Town of Fredericksburg shall have authority to require to be sold all real estate, within the Corporation, returned delinquent, for the non-payment of taxes and interest, on which shall not have been paid before the day of sale; and may make such regulations for effecting such sale, and collecting such taxes, interest and charges of sale, as to them may seem expedient. If, however, no such sale be authorized or required, the taxes assessed upon such real estate, for the benefit of said city, shall remain a lien thereon, bearing interest at the rate of ten per centum per annum, from and after the expiration of thirty days from the time when the same shall have been collectable until the same be fully paid.

In all cases in which any tax assessed upon real estate for the benefit of said city, shall be paid, in whole or in part, by the tenant, or out of his or her property, he or she shall be entitled to deduct the same out of the accruing rent, or to recover the amount, so paid, from the owner of real estate, unless it shall otherwise be specially agreed.

In every case of non-residents, where the real property, subject to the tax levied, shall be vacant, and the proprietor thereof shall have no property within the Corporation subject to distress, and sufficient to raise the tax due, it shall be lawful for the officer appointed to collect such tax, in the name of the Corporation, to recover the amount of the tax due from such person or persons, by motion, in a summary way, before any court within this Commonwealth, ten days' notice of such motion being given to the person or, persons chargeable with the amount of such tax.

This act shall be in force from its passage.

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AN ACT TO AMEND THE CHARTER OF THE TOWN OF FREDERICKSBURG—*Approved*
March 23, 1871.

1. *Be it enacted by the General Assembly of Virginia*, That for the better government and well-ordering of the Town of Fredericksburg, it shall be lawful for the residents thereof, qualified to vote for all officers, elective by the people, under the Constitution of this Commonwealth, to elect by ballot, on the fourth Thursday in May, preceding the expiration of their term of office, the following officers: that is to say, one Mayor, who shall hold his office for two years; twelve Councilmen, who shall hold their offices for one year; one City Sergeant, who shall hold his office for two years; one Commissioner of the Revenue, who shall hold his office for two years, and one City Treasurer, who shall hold his office for three years, from the first day of July succeeding their election. Each of the said officers shall have the qualifications required by the Constitution of this State for any elective office therein, and shall, when elected and qualified, as hereinafter provided, have the powers, perform the duties, and be subject to the liabilities and responsibilities prescribed by the general laws of this State by this act, and the by-laws and ordinances of said town.

2. The persons so elected shall, before they enter upon the duties of their offices, respectively, take an oath, or make solemn affirmation, as prescribed by law, before some one authorized to administer oaths, well and truly, faithfully and impartially to do, execute and perform the duties of their several offices, according to the best of their skill and judgment, and file a certificate thereof with the Clerk of the Council: *Provided*, That said oath may be taken, and the fact recorded, before the Council at any meeting, and may be administered by the Mayor or other officer then presiding.

3. That should it so happen that an election of officers as above named, be not made at the time prescribed for all election, then such election may be ordered by the Corporation Court, upon the petition of fifteen or more of the qualified voters of said town, ten days' public notice of the time and place of election being given: and, provided, the list of registered voters, residing within the said town, shall be

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previously revised, as prescribed by law. All officers elected or appointed, under the provisions of this act, shall hold and perform the duties of their respective offices until their successors, or a legal quorum thereof, are elected and qualified.

4. The Mayor shall preside at the meetings of the Council or in his absence, the Recorder, or, in the absence of both, one of the Councilmen chosen by a majority of the Councilmen then present. The Mayor shall, in case of tie, give the casting vote upon all questions to be determined by the Council. He shall be the chief executive officer of the town; shall be clothed with all the powers and authority of a justice of the peace in civil as well as criminal matters arising within the corporate limits; shall take care that the by-laws and ordinances of the town are faithfully executed, and shall exercise all the powers and duties now vested, or which may be hereafter vested, in Mayors of towns of five thousand inhabitants or less. He shall have control of the police of the town, and may appoint special police officers whenever he deems it necessary; shall have power to issue process, hear and determine all prosecutions, cases and controversies arising under any by-laws and ordinances of the town; to impose fines when authorized by said by-laws and ordinances, and issue executions for their collection, saving to the parties the right to appeal to the Corporation Court, which appeal, if the fine or other matter or thing shall exceed the sum of ten dollars, shall be taken in the same time and manner, and upon the same terms, that appeals are now taken by law from judgments of a single Justice of the Peace.

5. The Council shall have power and authority, within the said town, to establish markets, and regulate the same; to alter or improve streets, alleys, walks and bridges, and keep the same in order; to provide for the lighting of the streets, and the protection and repair of street lamps and lamp posts; to provide against and prevent accidents by fire; and for this purpose, to establish and organize fire companies, purchase engines, and provide such wells or cisterns as may be necessary, to supply the issue with water for the purpose of extinguishing fires, to prevent and punish, by reasonable fines, the practice of discharging firearms, and running horses in said

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town; to license and regulate shows and other exhibitions, and the same to tax, in such reasonable extent and manner, as may be expedient and lawful; to lay off public grounds, and provide and take care of public buildings, grounds and cemeteries, and to establish proper regulations for the management of such cemeteries, and charges for the use or sale of lots therein, for the purpose of providing for the decent maintenance of the same; to conduct and distribute water into and through said town; to adopt rules for its own government, and the transaction of its business; to define the powers, prescribe the duties, and fix the term of service and compensation of its appointees, necessary for conducting the affairs of said town, not otherwise provided for by this act; to fix the salary of the Mayor, and all other officers, but no compensation shall be allowed to any member of the Council, except he be acting as Clerk for the Council; and, finally, to make all such by-laws and regulations (not inconsistent with the Constitution and laws of the State or of the United States,) as they may deem necessary and proper for the good government of said town, and the same to enforce, by reasonable fines and penalties not exceeding, for any one offence, the sum of ten dollars, to be recovered, with costs, in the name of the Corporation of Fredericksburg, under the judgment and order of the Mayor, saving appeal, as herein provided, to the Corporation Court, or in default of payment of such fines, the offender may be imprisoned in the town jail not more than thirty days.

6. The Council shall have power to provide a revenue for the town, and appropriate the same, and for that purpose the Commissioner of the Revenue shall make an annual assessment of taxable persons and property within the town, such as is, or may hereafter be, subject to taxation by the revenue laws of this Commonwealth; and also on dogs and other animals running at large.

7. Whenever anything for which a State license is required, is to be done in said town, the Council may require a town license there for, and may impose a tax thereon for the use of the town. The Council may require, from the person so licensed, a bond, with sureties, payable to said town, in

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such penalties, and with such conditions as it may think proper and reasonable, and may revoke such license at any time if the condition of said bond be broken.

8. All fines, penalties and amercements, and other money received and raised by virtue of this act, and not otherwise directed to be applied, shall be at the disposal of the Council, for the use and benefit of said town.

9. That in all suits or prosecutions arising under any by-law, rule or regulation made by the Council of the said town in manner aforesaid, when the constitutionality or validity of such by-law, rule or regulation shall be contested, appeals shall be from the judgment of the Corporation Court of said town to the Supreme Court of Appeals.

10. That anything in the existing act for incorporating the town of Fredericksburg, and the acts amendatory thereof, in conflict with this act, be and the same is hereby repealed.

11. This act shall be in force from its passage.

AN ACT TO AMEND AND RE-ENACT SECTION SIX OF AN ACT, APPROVED MARCH TWENTY-THIRD, EIGHTEEN HUNDRED AND SEVENTY-ONE, TO AMEND THE CHARTER OF FREDERICKSBURG—*Approved March 15, 1872.*

SEC 6. The Council shall have power to provide a revenue for the town, and appropriate the same, and for that purpose the Commissioner of the Revenue shall make an annual assessment of taxable persons and property within the town, such as is or may hereafter be subject to taxation by the revenue laws of this Commonwealth, and, also, on dogs and other animals.

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THE
GENERAL ORDINANCE
-OF THE -
Corporation of Fredericksburg,
- MADE AND PASSED BY -
THE MAYOR AND COMMONALTY
- OF THE -
TOWN OF FREDERICKSBURG.

WHEREAS, It is expedient that the several Ordinances and By-Laws of the Corporation of Fredericksburg should be rendered concise and plain, that omissions and defects therein should be supplied and remedied, and that the whole should be compressed in one general Ordinance, arranged in appropriate Chapters and Sections—

Therefore, Be it ordained by the Mayor and Commonalty of the Town of Fredericksburg, in manner following, that is to say:

CHAPTER I.

OF THE OFFICERS OF THIS CORPORATION AND THE TIME OF THEIR APPOINTMENT.

1. Of the officers.
2. Which and when appointed.
3. Council to fix salaries.
4. Not to act before qualification.
5. Penalty.

1. There shall be for the Corporation of Fredericksburg the following officers, viz.: a Clerk of the Council, a Treasurer, a Commissioner of the Revenue, a Collector of Taxes, a Surveyor, a Clerk of the Market, a Weigher and Measurer of Coal, Salt and Grain, a Measurer and Inspector of Lumber, one Superintendent of Alms-house, two City Scavengers, one Inspector and Gauger, and, at least, two Police Officers.

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2. Such officers, except Treasurer and Commissioner of the Revenue, who are elected under the Constitution and laws of the State of Virginia, shall be appointed by the Council, in the month of July in every year, and oftener, if the Council deem proper, and shall hold their offices at the pleasure of the Council, except that the Collector of Taxes may be elected in the month of July or August.

3. Their compensation shall be fixed by the Council, and shall not be diminished during their continuance in office; but the Police Officers shall not be entitled to any compensation for their services, until the Council shall order the same to be paid by the Treasurer, and the Mayor and Council hereby reserve the right to withhold all compensation and stipend from the Police Officers for neglect of duty.

4. No person, except the Treasurer and the Commissioner of the Revenue, shall act as an officer of this Corporation, under the Mayor and Council, until he shall take an oath, or make affirmation before the Mayor or Recorder, that he will faithfully perform his duty to the best of his knowledge and judgment. And in addition to such oath, the Collector of Taxes shall give a bond to the Mayor and Commonalty of the Town of Fredericksburg, for the sum of ten thousand dollars, with, at least, two sureties, to be approved by the Council, with condition for the faithful discharge of the duties of his office; which bond shall be delivered to the Mayor, and be, by him, deposited in one of the banks of the town for safe keeping. If such bond is not given within thirty days from the time of the appointment of Collector such appointment shall be void.

5. If any person or officer, except the Treasurer and Commissioner of the Revenue, shall act in any of the offices mentioned in the first section of this chapter, before he shall take an oath, or make affirmation as aforesaid, he shall forfeit and pay to the Mayor and Commonalty of the town of Fredericksburg fifty dollars.

CHAPTER II. THE CLERK OF THE COUNCIL AND HIS DUTIES.

It shall be the duty of the Clerk of the Council to attend the meetings of the Common Council, enter correctly all its

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proceedings and countersign the same, draft all Ordinances, attend to the publication thereof; and, in a book to be kept for the purpose, record all Ordinances of the Corporation. The books of such proceedings, and the books of Ordinances, shall, at all times, be open to the inspection of any member of the Council.

To make copies of; or extracts from, anything in said books when and as often as he may be requested so to do by the Mayor or Councilman, or chairman of a committee thereof. To preserve all books, documents and papers, which may at any time come to his hands officially.

CHAPTER III. OF THE TREASURER.

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| 1. Amount of money retained in hand. | 4. To report expenses of ensuing year. |
| 2. To deposit and how drawn. | 5. How moneys are disbursed. |
| 3. When to report. | |

1. It shall be the duty of the Treasurer to receive all moneys payable to the Corporation for public uses, and he shall demand and receive, from the Collector of Taxes, all moneys collected or received for its use. All moneys so received by the Treasurer shall be deposited in one or more of the banks of the town aforesaid, to the credit of the Corporation of Fredericksburg, except that for the payment of demands against the Corporation of small amounts he may keep in his office a sum not exceeding two hundred dollars at any one time.

2. All moneys to be paid by the Corporation shall be paid by the Treasurer out of what is kept in his office, or deposited in bank. What is deposited in bank shall only be drawn therefrom by the check of the Treasurer, or by check of some other person thereto authorized by the Council.

3. He shall keep in a book, to be provided for that purpose by the Council, a true and faithful account of all moneys received by him for the use of the Corporation, and of the manner in which the same shall have been applied; and shall, on or before the Saturday preceding the first day of July, in every year, or oftener if thereto required, lay before the Council, or before their Committee of Finance, an account of all his receipts and disbursements, with vouchers to support the same.

4. The fiscal year of the Corporation of Fredericksburg shall begin on the first day of July, and end on the thirtieth day of June ensuing; and annually on or before the thirtieth day of July, the Treasurer shall render to the Council, or to its Committee on Finance, a statement of the probable expenditures for the year, and a statement of the debt of the Corporation.

5. The funds of the Corporation shall be paid out by the Treasurer as follows:

For repairing and improving streets, upon an order of a majority of the Street Committee.

For repairs to pumps, on an order of a majority of the Water and Pump Committee.

For repairs to public property and gas used in public buildings, on an order of a majority of the Committee on Public Property.

For the expenses of the alms-house, upon orders signed by a majority of the Committee on Poor.

For expenses for park and gas used therein, on an order of a majority of the Committee on Park.

For appropriations to public free schools, on an order of the Board of School Trustees.

For gas, not otherwise provided for, on an order of a majority of the Committee on Gas.

The compensation of the Attorney of the Commonwealth, the compensation of the Clerk of the Corporation Court, Sergeant and Jailor of the Corporation, upon an order of the Court; and the compensation of the Grand Jurors and Petty Jurors, upon orders of the Corporation Court, or a certificate of the Clerk thereof of their services.

The interest and principal of the debt of this Corporation as it may become due and payable.

The salaries of the Mayor, Judge of the Hustings Court and Clerk of the Market, quarterly, upon their receipts.

All other expenses of the Corporation, upon orders of the Council.

His own salary, as Treasurer and Clerk of the Council, he shall be allowed to draw quarterly, upon filing a receipt among his vouchers for the same.

All claims against the Corporation, not authorized by the different committees, shall be referred to the Finance Committee for approval before being submitted to the Council.

CHAPTER IV.

OF POLICE OFFICERS AND THEIR DUTIES.

It shall be the duty of the Police Officers to visit frequently all the streets and public alleys of the town, for the detection of nuisances and obstructions, and all obstructions and nuisances discovered by, or made known to them, to cause to be forthwith removed.

To endeavor to prevent the commission of offences against the ordinances of this Corporation, and against the laws of the State of Virginia, within their jurisdiction.

To endeavor to preserve the peace and keep good order in the town.

To give information to the Mayor of all offences against the Corporation, and of all offences against the State, committed within the jurisdiction of the Corporation Court of Fredericksburg, which shall come to their knowledge, and also the names of the offenders and witnesses, if known to them, and earnestly to enforce the laws of this Corporation.

To summon and attend, in turn, the meetings of the Common Council; and to perform all the duties pertaining to their office in the preservation of the peace, good order and well being of the town, or which may be required by the Mayor, or other officers of the Corporation, and they are to be subject, at all times, to the supervision and control of the Mayor and Council.

CHAPTER V.

OF THE MAYOR AND HIS DUTIES.

It shall be the duty of the Mayor:

To see that the Laws and Ordinances of the Corporation be faithfully executed.

To report to the Council the negligence or misconduct of any of the officers of the Corporation.

To report, quarterly, in writing, to the Council, the manner in which the several police officers, in his opinion, have discharged their duty for the preceding three months.

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To convene the Common Council whenever, in his opinion, it is necessary or expedient to do so.

To preside and preserve order in the meetings of the Council, and sign the minutes of the proceedings.

To lay before the Council, from time to time, in writing, such alterations in the laws of the Corporation as he shall deem necessary and proper.

To review the streets of the town, at least, once in every month, as well as to see that the Police Officers do their duty, as to suggest such improvements or alterations as may, in his opinion, be necessary for the comfort and the preservation of the health of the citizens of the town.

To keep an office in the town in which he may be found every day (Sundays excepted,) from nine o'clock until ten o'clock A. M., and as much longer as the business brought before him may require for its transaction, and to perform, as a Justice of the Peace, such duties as may lawfully be required of him by the Council; and also to keep the Seal of the Corporation, and render, annually, to the Council a just account of the fees received for affixing the same.

CHAPTER VI.

OF THE COMMISSIONER OF THE REVENUE AND HIS DUTIES.

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| 1. When to begin—contents of book. | 7. Penalty for refusing to furnish lists. |
| 2. To note land sold for taxes. | 8. When he shall make lists. |
| 3. Not to assess lands exempt. | 9. Personal property book—contents. |
| 4. Clerk to furnish list of transfers. | 10. Affidavit to books. |
| 5. When tax year begins. | 11. When books to be delivered. |
| 6. What he shall assess and how. | 12. Omissions, how supplied. |

1. The Commissioner of the Revenue shall begin, annually, as soon as the tax bill is laid, and proceed, without delay, to make out a correct list of all the improved lots and parts of lots in the town, with the names of the several owners thereof, opposite thereto, and enter the same in a book to be called the Land Book, in which he shall set forth, opposite the names of the owners, in as many columns as may be necessary, the number of each lot, agreeable to the plan of the town, the value of each lot, with its improvements, and the amount of tax, at the legal rate, and a note of the source of title, in case of transfer. In ascertaining the value, he shall be governed generally by the value as it appears on his land book of the next preceding year. But he shall add the value

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of any addition to, or improvement on, an old building, and of any new building, whenever there is such upon any lot, in his book, and shall, in respect to any land or building, supply any omission in his land book.

2. When real estate is sold for taxes, if it be purchased by an individual, the said Commissioner shall note on his land book the quantity of land sold, and to whom, but shall continue the land or lot upon his said book in the name of the former owner, until the purchaser obtains a deed there for.

3. No tax shall be assessed or collected upon any property exempt by the constitution and laws of the State of Virginia, nor upon any other property which the Council, by resolution, may exempt.

4. The Clerk of the Corporation Court of Fredericksburg shall, annually, be allowed a reasonable compensation for furnishing the Commissioner of the Revenue with such a list as is mentioned in the 18th section of the 33rd chapter of the Code of Virginia, so far as may relate to lands in the Corporation.

5. The year, for which taxes on real estate are assessed or imposed by the Mayor and Commonalty of this town, shall be deemed to commence on the first day of February, and there shall, from that day, be a lien on real estate for the taxes assessed thereon within the year so commencing.

6. The Commissioner shall begin, annually, as soon as may be, after his appointment, and proceed, without delay, to ascertain the persons and personal property, and other subjects liable to taxation by the Corporation. To ascertain the same, he can call upon every person in the town having such property in his possession or care, for a list thereof, and upon every person therein chargeable with taxes, for a list of the subjects on account of which he is chargeable, or which is liable to taxation; and he shall endeavor, by asking proper questions, to have in such lists a correct and true statement of the persons, personal property and other subjects liable to taxation, which were in the possession or care of each person on the first day of February preceding. The answers to the Commissioner's questions shall always be on oath.

7. If any person shall, when applied to by the Commissioner

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of the Revenue, refuse to furnish a list, or the means of making out a list, or refuse to swear, or answer untruly, any question lawfully asked of him by the Commissioner in relation to his property or subjects of taxation in his possession or care, such person shall, for every such offence, pay a fine of not less than ten dollars.

8. When the Commissioner, in consequence of the absence or refusal of any person to do what is required of him, is unable to obtain such list, the Commissioner shall proceed to make it out from the best information he can obtain.

9. The Commissioner of the Revenue shall, annually, make a book, (to be called the Book of Personal Property,) in which shall be entered the names of the owners of property, or other subjects liable to taxation, and the names of all the males residing in the town, above twenty-one years of age, the number of horses, carriages, buggies or other vehicles owned by such person, and their value, and, in all other respects, it shall conform to the book prescribed by the First Auditor of the State for the Commissioners of the Revenue for this Commonwealth, so far as the same may be applicable to this Corporation. Opposite the name of each person shall be extended the whole amount of Corporation tax due from him or her.

10. The Commissioner, after completing this land book and book of personal property, shall make two fair copies. At the foot of each copy he shall make and subscribe the following oath: I, A. B., Commissioner of the Revenue for the Corporation of Fredericksburg, do swear that, in making out the foregoing book, I have, to the best of my skill and judgment, faithfully pursued the Ordinances of the Corporation prescribing the duties of the Commissioner of the Revenue. And the justice before whom the oath is taken, shall annex thereto a certificate in the following form: Sworn to before me, C. D., a justice of the peace for the Corporation of Fredericksburg, on the ____ day of ____; which certificate shall be subscribed by the justice. The original of each book shall be retained by the Commissioner so long as he continues in office, and then to be delivered to his successor.

11. The two copies of each book, sworn to as aforesaid,

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shall be delivered by the Commissioner, on or before the fifteenth day of September in each year, to the Treasurer, who shall keep a copy of each book in his office, and deliver the others immediately to the Collector of Corporation Taxes, and, upon the Commissioner producing the receipt of the Treasurer therefor, the Council may order the whole stipend or compensation of such Commissioner to be paid by the Treasurer.

12. If after the delivery of the books aforesaid, the Commissioner ascertain that any merchant or other person, by reason of his beginning business after the usual period of assessment, or from any other cause, is liable for Corporation taxes or licenses, which could not be, or were not, entered on the books, he shall furnish the Treasurer and Collector with a statement showing the name of the person liable for such taxes or licenses, the amount thereof, and on what account.

CHAPTER, VII.

OF THE COLLECTOR OF TAXES AND THE DUTY OF THE COLLECTOR.

1. When to commence and notice.
2. Settlement and insolvent list.

3. When he may distrain.

1. The Collector shall, in every year, so soon as he receives a copy of the Land and Personal Property Books from the Treasurer of the town, give notice for two weeks, in two of the newspapers published in the town aforesaid, where he can be found after the first day of October, to receive Corporation taxes. Whereupon any person may discharge the tax against him on the said tax books, by paying to the Collector the amount of such tax, in conformity with the Ordinance levying said tax, and all taxes received by him in the month of October, shall be paid to the Treasurer every day, and all received by him after said month, shall be paid weekly.

2. On the second Monday in November, in every year, the Collector shall begin to collect the taxes assessed on the Commissioner's books, which are not previously paid, and, from time to time, pay over to the Treasurer all moneys and taxes collected by him for the use of the Corporation, and finally settle his account of collections on or before the 30th

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day of June in each and every year. In such settlement the said Collector shall not have credit for any list of insolvents or absentees, but upon the oath of the Collector that such list is correct and true.

3. The taxes on real estate and personal property, and on all other subjects, (except the tax on drays, carts and wagons, which shall be paid annually, on the first day of April,) shall become due and payable on the second Monday in November in every year, and may be distrained for on and after that date.

CHAPTER VIII.

CONCERNING THE MARKET AND THE CLERK OF THE MARKET.

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| 1. Stalls to be located and rented. | 11. Where fines enure. |
| 2. Two stalls to be reserved. | 12. Must not exchange stalls. |
| 3. When not to buy for re-sale. | 13. No sale on Sunday. |
| 4. No unsound marketing allowed. | 14. Market hours. |
| 5. Clerk to examine and reject. | 15. Alleys leading to market lot. |
| 6. How marketing is to be sold. | 16. Bad language and fighting. |
| 7. Clerk to examine scales. | 17. Clerk to be present and duties. |
| 8. No refuse to be left in lot. | 18. Clerk to prosecute offenders. |
| 9. Charges for sale in market. | 19. Selling in streets in market hours. |
| 10. Penalty for refusal to pay. | |

1. The Committee of Public Property shall, annually, before renting out the Butchers' Stalls in the Market House, fix the distance to which each stall, with blocks, benches and other fixtures, extend out from the side walls, and also assess the amount of rent for each stall for the year; and, after such assessment, the Collector of Taxes shall, at the market house, rent out to the highest bidder, each stall for a year, so that each bid be not below the assessment of the Committee, and shall take bond with good security for the rents, payable in national currency of the United States, to the Mayor and Commonalty of the town of Fredericksburg, on the first day of March ensuing the renting, and deliver such bonds to the Treasurer for safe keeping, until due, and then receive the same again for collection.

2. There shall be two stalls set apart by the Committee on Public Property for the use of the country people, other than butchers, who may bring things into the market-house for sale.

3. If any person shall, during market hours, within the limits of the Corporation, buy any kind of meat, poultry, butter,

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eggs or fish, for the purpose of selling again, he shall pay a fine of five dollars.

4. Any butcher or other person who shall sell or offer for sale at market any unsound meat, fish, fowl, eggs or other unsound article, or any meat which is distempered, shall pay a fine of not less than five nor more than ten dollars, and forfeit what is so sold or offered.

5. The Clerk of the Market shall examine all meats, fish and fowls offered at market for sale, and take possession of such as by the preceding section are prohibited from being so offered, and unless on an appeal by the person offering the same to the Mayor or a justice of the peace, the decision of the Clerk be reversed, the said Clerk shall cause what he so takes possession of to be buried or sold according to its condition.

6. No person selling fruits or vegetables at market, by measure, shall sell the same by any other than dry measure. No person shall buy or sell at market any beef, pork, mutton, veal, shoat, lamb or butter in any other manner than by weight. Every butcher shall keep, in a conspicuous part of his stall, his scales and weights; the scales well balanced and in good order, and the weights correct. Any person violating this section shall pay a fine of not less than one dollar nor more than five dollars.

7. The Clerk of the Market shall, from time to time, examine the scales, balances, weights and measures used by persons at such market to see whether they are sealed according to law, and conform to the preceding section; and also examine butter and other articles sold or offered for sale by weight to see that they are not deficient. And if any person shall refuse to have the same weighed, he shall pay a fine of one dollar. Persons having at market illegal scales, weights or measures shall forfeit the same to the Corporation. In every case in which the Clerk of the Market shall have good cause to believe that anything is forfeited under this section, or under any other section of this chapter, he shall seize the same, and summon the person in possession thereof at the time of the seizure to appear before the Mayor, or some other Justice, at some time within twelve

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hours, to shew cause why the said thing should not be adjudged forfeited.

8. If any butcher, or any other person, leave in the market lot, or throw, or cause to be thrown in the market lot, or in any of the streets of the town, any feet, head or haslets, or any part of a slaughtered animal, or offal of fish, he shall pay a fine of two dollars.

9. No butcher or other person shall rent more than two stalls in any one year, and no butcher or other person, besides those who shall have rented a stall or stalls in the market house, shall sell or expose for sale, in the market house or market lot, any meats or fish of the kind hereinafter named, except upon the payment to the Clerk of the Market the following rates: For each slaughtered bullock, cow or steer, or any part thereof, fifty cents; for each veal, mutton, lamb, hog, shoat or sturgeon, or any part thereof, twenty-five cents.

10. If any person, liable for the payment of the rates aforesaid, shall refuse to pay the same to the Clerk of the Market, upon demand, he or she shall pay a fine of one dollar.

11. All moneys collected for rates under this chapter, shall enure to the Corporation entire, but all moneys collected for fines, under this chapter, shall enure: one-half to the Corporation, and the other half to the Clerk of the Market, who shall keep a regular account thereof, and report and pay over the same weekly to the Mayor, taking his receipt there for.

12. If any butcher shall use any stalls or benches in the market house other than those rented by such butcher, he shall forfeit and pay two dollars for every time he shall so use them, or either of them.

13. No butcher or other person shall sell or offer for sale any meats, vegetables or other thing or things in the market house or market lot on a Sunday. If any person offend against this section he shall forfeit and pay two dollars for every offence.

14. Market hours shall be from daylight to 8 o'clock on every day, except Sunday, between the first day of April and the first day of September, and from daylight to

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10 o'clock on every day, except Sunday, between the first day of September and the first day of April.

15. No horse or vehicle shall be fastened or stand in any of the alleys leading into the market lot; and any person offending against this section shall pay a fine of one dollar.

16. If a person at market use obscene, profane or threatening language, or shall fight thereat, he shall be fined not less than one dollar nor more than ten dollars for each offence.

17. It shall be the duty of the Clerk of the Market to have the market house and market space, or lot, and alleys and steps leading thereto, kept clean, the market scales and weights in good order, to be in market always during market hours, and to weigh all articles bought or sold in market, if desired by the buyer or seller, without fee or reward, and to demand and receive all fees under this section. Also to keep all dogs out of the market house during market hours, and to perform such other duty in relation to his office as may from time to time be required of him by the Mayor and Council.

18. The Clerk of the Market shall prosecute all offenders against this ordinance. To enable him the better to execute his office and preserve order about the market, he shall have the powers of a police officer within two hundred yards around the market in every direction.

19. If the owner or agent of the owner of any meat, fish, butter, eggs, vegetables or other marketing brought into the town, shall offer the same for sale or sell any of the said articles upon any of the streets or elsewhere within the limits of the Corporation, during the market hours of the town, he shall forfeit and pay a fine not exceeding two dollars for each offence, provided that nothing herein shall be so construed as to prevent the sale of any marketing brought into the market house of the town, subject to existing ordinances regulating the same, and provided further, that it shall not apply to sales by merchants of articles bought for sale and sold in their stores in the town, purchased at any time previous to said day.

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CHAPTER IX.

MEASURING AND INSPECTING LUMBER.

1. Must measure and mark.
2. Classification of lumber.

3. Fees for inspecting.
4. Lumber brought on vessels, &c.

1. It shall be the duty of the Measurer and Inspector of Lumber to measure, inspect and mark all lumber, and to inspect and count all shingles that may be brought to this town for sale and delivery at the wharf or elsewhere, and to measure all wood, when called upon so to do, brought to town for sale and delivered at any place in town.

2. He shall divide all plank and scantling into three classes, to be designated first, second and third quality, and all shingles into two classes, to be denominated the first and second quality.

3. The Measurer and Inspector of Lumber shall be entitled to have from the seller of the articles the following fees:

For measuring, inspecting and marking plank and scantling, twenty-five cents for every thousand feet.

For inspecting and counting loose shingles, ten cents for every thousand.

For inspecting and counting bunch shingles, three cents for every thousand; and,

For measuring wood, six cents for every cord.

4. If the owner or consignee of any plank, scantling or shingles, brought to this town in vessels, barges, cars or boats, shall sell and deliver the same before such articles shall have been put in the lumber yard or storehouse of the owner or consignee of the plank, scantling or shingles, without having such plank and scantling first measured, inspected and marked, or shingles inspected and counted by the Measurer and Inspector of Lumber of this Corporation, such owner or consignee shall forfeit and pay twenty cents for every hundred feet of plank or scantling, and fifty cents for every thousand of shingles so sold and delivered.

CHAPTER X.

WEIGHING AND MEASURING COAL, GRAIN, &C.

1. Coal weighed before delivery.
2. Duty of weigher and measurer.

3. Fees for weighing coal.
4. Fees for salt, wheat, &c.

1. If the owner or consignee of any anthracite or bituminous coal brought to this town, shall sell the same and have

it delivered previous to its being deposited in the lot or storehouse of the owner or consignee, without having such coal weighed by the Coal Weigher of this Corporation, allowing 2,240 pounds to the ton, said owner or consignee shall forfeit and pay one dollar for every ton of such coal so sold and delivered.

2. It shall be the duty of the Weigher and Measurer of coal, salt and grain to weigh, or see weighed, all anthracite or bituminous coal brought to this town for sale, and to weigh, or see weighed, or measure or have measured, when called upon to do so, all wheat, corn, oats and rye, also salt and potatoes brought to this town for sale.

3. For his services, as Weigher and Measurer, he shall be entitled to have from the seller of the articles the following fees, viz.:

For weighing anthracite and bituminous coal, eight cents per ton.

4. For measuring, when called upon to do so, all wheat, corn, rye, oats, potatoes and salt, twenty cents for every hundred bushels; the fee to be paid by the party calling in his services.

For weighing, when called upon to do so, any wheat, corn, rye, oats, potatoes and salt, ten cents for every hundred bushels, to be paid by the party calling in his services.

CHAPTER XI.

WEIGHING HAY, FODDER, SHUCKS AND SHEAF OATS, AND OF THE WEIGHMASTER.

1. Scales rented and when.

3. Weighmaster's duty.

2. Weighmaster and qualification.

4. All provender must be weighed.

1. The hay-scales of this Corporation shall be, annually, let in the month of March, publicly, by the Collector of Taxes, to the highest bidder, who shall take bond, with good security, for the rent, payable in national currency of the United States, to the Mayor and Commonalty of the town of Fredericksburg, on the first day of March ensuing; such bond to be left with the Treasurer until due, and then to be received and collected by said Collector, and the amount paid over to the Treasurer.

2. The person renting the hay-scales shall be the Weighmaster

of the Corporation aforesaid, but before he performs any duty as such, shall take an oath before the Mayor or Recorder that he will faithfully discharge the same. He may appoint a deputy or deputies, who shall take the same oath.

3. It shall be the duty of the said Weighmaster to keep the scales clean and perfectly balanced, and to weigh all hay, fodder, sheaf oats and shucks brought to the hay-scales for that purpose, and give a ticket to the owner or person having such provender in charge, with the signature thereto, expressing the gross weight of the wagon or vehicle and hay, fodder, sheaf oats and shucks, weight of the wagon or vehicle, the net weight of the provender, and the date when weighed, for which he shall be entitled to demand and receive from the owner of the provender so weighed by him, three cents for every net hundred pounds thereof. And it shall further be his duty to ascertain the weight of all wagons, carts or other vehicles used in bringing hay, fodder, sheaf oats or shucks to town for sale, once in every three months, and as often as he may be required so to do by a purchaser of any load of hay, fodder, sheaf oats or shucks.

4. If any person shall bring into the town of Fredericksburg any hay, fodder, sheaf oats or shucks, and sell the same without having it weighed at the hay-scales by the Weighmaster or his deputy, he shall forfeit and pay for every load or parcel so sold two dollars, one-half of which shall be to the informer, and the other half to this Corporation, and the buyer of such provender shall also forfeit and pay two dollars for every load or parcel bought by him without being so weighed as aforesaid. But this shall not apply to any resident of the town who purchases such provender, and bales and exports the same.

CHAPTER XII. OF STREETS AND FOOTWAYS.

1. Coal, &c., on streets—how long.
2. Merchants' use of sidewalks.
3. Carpenters' use of streets.
4. Fall of brick wall or chimney.
5. Use of streets by blacksmith, &c.
6. Drays, &c., standing on street.
7. Footways—projection of porches.

8. Vaults under streets.
9. Cellars and vaults.
10. Horse-racks in streets.
11. Of camping and feeding in streets.
12. Of removing sand or gravel.
13. Of changing grade.

1. If any person shall place, or permit to be placed, on any street or public alley of the town of Fredericksburg any

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wood, coal, casks, boxes, merchandise or lumber or other thing belonging to or consigned to him, and shall not remove the same within a reasonable time—not to exceed twenty-four hours after such articles or any of them shall have been first so placed or permitted to be placed, he shall forfeit and pay two dollars for every offence, and for every hour such articles shall remain in the streets over and above twenty-four hours, he shall be fined one dollar.

2. A merchant, grocer or dealer in flour may, in front of his place of business, occupy with his goods, on the day he shall receive the same, one-half of the side-walk, but no more; but, if at any other time, a merchant or other person shall encumber a footway in the town aforesaid with barrels, boxes or other thing, and shall not remove the same within five hours after being required so to do by a police officer, he or she shall forfeit and pay two dollars, provided that nothing in this section shall be construed to apply to persons receiving coal or other fuel for family use, which shall be removed within a reasonable time, *and further provided*, that any merchant, manufacturer or other person shall have the privilege of using four feet of the pavement from the wall of his house, in front of his house or place of business, for the exhibition of his goods, wares or merchandise, in the day time, but at no time shall more than five feet of the pavement be occupied.

3. Any person engaged or about to be engaged in building, repairing, excavating or making any improvements on a house or lot on which materials are to be used, or from which they are to be removed, may deposit materials in that part of the street or public alley in front of his premises, on so much of the carriage way as does not exceed one half of the width thereof, so that the use of the gutter be not obstructed. But where two persons are building or making other improvements hereby authorized, opposite each other on the same street, each shall occupy but one-fourth of the street. And no such deposit of materials shall be made in a street so as to obstruct improvements which the Corporation is making in said street, or for a longer time than is necessary for the work. And a person engaged in repairing a roof,

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wall or chimney of a house on a street or public alley, shall place barriers sufficient to warn a foot passenger against passing such roof, wall or chimney. If he fail to place the same he shall pay a fine of five dollars, and every day on which the failure continues shall be a distinct offence. In no case shall a sidewalk or paved gutter be obstructed under this section, unless it be actually necessary for placing such barriers, or for the execution of the work.

4. If a brick wall or brick chimney on any lot in this town, fall into any of the streets in the town, it shall be the duty of the owner of the bricks of which such wall or chimney was composed, to have the same forthwith removed from the streets, and if such owner fail to do so within forty-eight hours from the time such wall or chimney shall have so fallen, he shall forfeit and pay five dollars, and for every day he shall let such bricks or any part of them remain in the streets after the first forty-eight hours as aforesaid, he shall forfeit and pay five dollars, and if the person who owned such wall or chimney disclaim ownership of the bricks, the same shall be removed by the police officers as soon as practicable, or sold by them for ready money, to be removed immediately, and accounted for, by them, to the Treasurer.

5. If a wheelwright, carpenter, blacksmith or other person shall use any part of the public streets or footways of the town for the purpose of shoeing horses, hooping wheels, making or mending carts, wagons, drays, carriages or other vehicles, or in any way occupying the streets or footways in their respective trades or occupations, without the leave of the Council first had and obtained, he shall forfeit and pay for every offence five dollars.

6. If any person or persons shall suffer his or their dray, cart, wagon, carriage or other vehicle, when not in use, to remain in any street longer than four hours, he or they shall forfeit and pay two dollars for every offence.

7. The footways of the town shall not extend into the streets more than ten feet from the line of the streets, except before the churches and the old Town Hall, where they may be twelve feet wide. Nor shall any porches, steps or cellar-doors, or cellar-ways extend into the footways more than four

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feet from the houses. If any person violate this section in putting up porches, steps, cellar-doors or cellar-ways, he shall forfeit and pay ten dollars; and shall forfeit and pay five dollars for every day that he shall permit any porch, steps, cellar-doors or cellar-ways attached to or adjoining his house to remain in conflict with this section.

8. The Committee of Streets, when a vault is desired under a street may, by writing, grant permission to a person to have the same made; and the person obtaining the permission shall file the same with the Committee of Streets. Such person shall have it made with a substantial brick or stone arch, which shall extend in the street from the front wall of the house before which the vault is, no further than two feet six inches from where the inner edge of the curbstone is, or will be when laid down. The openings to the vault shall not be, more than eighteen inches in diameter, and shall be near the said line, unless, in the opinion of the Committee of Streets, that it is impracticable. It shall be level with the side-walk, as it then is, but may afterwards be removed, if necessary, when the grade of the street is established or changed. It shall be secured with a cast-iron covering, fixed in solid frame of stone or iron, so laid that the upper part of the frame shall be as nearly level with the pavement as it can be, consistently with the turning the water from the opening; and it shall be secured with such bolt or weight as the Committee of Streets may direct; and the person obtaining permission to make a vault shall have the same completed, under the direction of the Committee of Streets, within thirty days, unless further time is allowed by the Committee of Streets.

9. If any cellar or vault, heretofore made, conform neither with this ordinance nor with the ordinances in force at the time of the passage hereof, or, if hereafter, when a cellar or vault is made or repaired, the same be not such as is required by this ordinance, the owner of the house to which the cellar or vault is attached, shall pay a fine of not less than five nor more than ten dollars; and every day that the cellar or vault shall not be as hereby required, shall be a distinct offence. And if the occupier of a house to which a

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vault is attached suffer the same to be open or unfastened at any time, other than when it is opened for putting something therein, or shall then suffer it to be open or unfastened longer than is absolutely necessary for that purpose, or if the owner or occupier of a house, to which a vault or cellar is attached, shall fail, in any respect, to keep in safe and proper order the opening to such vault, or the doors to such cellar, (whether made heretofore or hereafter,) he shall pay a like fine. The suffering a vault to be opened or unfastened as aforesaid, or the failure to keep in safe and proper order such opening or doors, shall be deemed a distinct offence each day or night thereof.

10. If any person shall put up a horse-rack in any of the streets of the town without first obtaining permission of the Mayor, he shall be fined two dollars, and it shall be the duty of the police officers to remove the same immediately.

11. It shall not be lawful for any wagoner, cartman or other person to camp at night, or feed their horses, mules or oxen by day, in any of the streets of the town; and if any person shall offend

herein after being warned by a police officer or citizen, that it is not lawful so to do, he shall be fined for every offence not less than one nor more than five dollars, in the discretion of the justice of the peace before whom the offender is tried.

12. No person shall take any sand, gravel or dirt from any of the streets or alleys of the town. If any person shall offend against this section, he shall be fined one dollar for every offence.

13. Hereafter it shall not be lawful for the owner or occupier of any tenement or lot in the town to raise or in any manner change or alter the graduation of the footway before his or her tenement, without the permission of the Committee of Streets, or a majority of the Street Committee of the Council. Any person offending against this section shall forfeit and pay ten dollars, and shall be moreover liable to a fine of one dollar for every day said footway shall remain so raised, changed or altered, so that the same shall be considered by said Committee an impediment to foot-passengers, or an injury or inconvenience to the owner or occupier of the adjoining tenement.

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CHAPTER XIII.

OF NOISY AND DISORDERLY CONDUCT, AND OF DISORDERLY HOUSES.

If any person shall keep a noisy or disorderly house, or shall be guilty of noisy, disorderly, riotous or indecent conduct within the limits of this town, he shall be fined not less than one nor more than ten dollars.

CHAPTER XIV.

OF SELLING CAKES, FRUITS, CIGARS, &C., IN THE STREETS.

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| 1. Selling in the streets. | 4. Peddler may employ salesman. |
| 2. License to peddle. | 5. Mayor to register name—report. |
| 3. License attached to basket. | |

1. Hereafter it shall not be lawful for any person to carry about in the streets of the town any bread, cheese, cakes, fruits, pies or candy, small beer, soda water or pop, or any cigars or manufactured tobacco for sale, or to sell such articles, or any of them, in any of the streets of the town, without obtaining from the Mayor a license so to do. Every person violating this section shall forfeit and pay five dollars for every offence: *Provided*, that every baker and manufacturer of any of the articles in this section mentioned, who are residents of the town, may carry or employ one carrier or salesman to carry about and sell in the streets any of the articles made or manufactured by such baker or manufacturer without a license.

2. The Mayor of the town is hereby authorized to grant a license for three, six, nine or twelve months from the date of the license to any person over the age of twenty-one years, to carry about in the streets of the town, in a basket, the articles mentioned in the next preceding section, or any of them, and sell the same therefrom, upon payment to the Treasurer of such tax as may be imposed from time to time, by the Mayor and Council, upon such license; but no license shall be granted for less than three months.

3. All persons obtaining a license under this chapter shall have a ticket with the owner's name, the signature of the Mayor, and date of the license thereon, attached to each basket containing the articles mentioned in the first section; and every person failing to have a ticket or card attached as aforesaid, shall forfeit and pay one dollar for every day there

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after he or she shall exhibit his or her basket in the streets without the ticket or card required by this section.

4. Every person obtaining a license under this chapter may employ one carrier or salesman, when not acting under it himself.

5. The Mayor shall register the names of the parties obtaining such licenses, and opposite their names put the date of the license, the length of time for which it is issued, and the amount paid, a copy

of which register shall be delivered by him to the Finance Committee, before the end of the fiscal year of the Corporation, or whenever thereto required by the Committee of Finance or its chairman.

CHAPTER XV.
OF TRADING ON SUNDAY.

1. No sale on Sunday.
2. Penalty.

3. Fines to whom paid.

1. No person shall bring into or carry about this town on a Sunday, any fowls, chickens, eggs, fruit, vegetables, meat, or any other thing whatever, for sale or barter.

2. Any person offending against the preceding section shall pay a fine of not less than one nor more than five dollars.

3. The half of the fines imposed under this chapter shall be paid to the police officer making the arrest, and the other half to the Treasurer for the use of the Corporation.

CHAPTER XVI.
OF RIDING AND DRIVING IN THE STREETS, &c.

1. Driving faster than a trot.
2. Runaway in the streets.
3. Fast driving.
4. Holding reins—straining horses.
5. Breaking horse to dray.
6. Driving on footways.
7. Stopping vehicles on footways.

8. Wheelbarrows on footways.
9. Drive to right in passing.
10. Locking wheels on street.
11. Police may order vehicles.
12. Of marketing on streets.
13. Police officers may arrest, &c.

1. No person shall drive any horse or horses, when attached to any dray, cart or wagon, within the limits of this town, faster than a slow trot. Every person violating this section shall forfeit and pay one dollar for every offence.

2. If any horse or horses, attached to any dray, cart or wagon, shall runaway in any street of this town, in consequence of the want of due care and caution on the part of the driver of such horse or horses, such driver shall forfeit and pay five dollars.

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3. If any person shall drive, or cause to be driven, any horse or horses attached to any carriage, buggy, carryall or other vehicle, faster than an ordinary travelling gait, he shall be fined not less than one more than five dollars, at the discretion of the justice before whom the offence is tried.

4. If any person shall wilfully strain any horse or horses in the town aforesaid, or ride or drive any horse or horses in said town, without holding in his hand the bridle and reins, he shall be fined for every offence not less than one nor more than five dollars, in the discretion of the justice by whom the offence is tried.

5. If any person or persons shall put, or cause to be put, any horse or horses to a dray, cart, wagon or carriage of any kind, within the limits of this town, for the purpose of breaking such horses to work, he or they so offending shall forfeit and pay five dollars for every such offence.

6. If any person shall wilfully drive any horse, horses, mules or oxen, or ride or lead any horse or mule on any foot-way of the town aforesaid, he shall forfeit and pay one dollar for every such offence.

7. If any person shall stop any horse, or dray, cart, wagon, carriage, buggy or other vehicle on any of the footways of this town, where the streets intersect each other, he shall forfeit and pay one dollar.

8. If any person shall roll any hand-cart or wheelbarrow on the footways of the town, or any part of them, he shall forfeit and pay fifty cents.

9. Any driver of a vehicle meeting another vehicle in a street shall reasonably drive to the right hand, so that each may pass the other without interference. And when in a street a vehicle is overtaken by another vehicle, the driver of the former shall bear to the right, and the driver of the latter shall bear

to the left until the latter shall have passed. In no instance shall a driver of a carriage, wagon, dray, cart or other vehicle stop the same in the middle of the street, or opposite to an intersecting street, but he shall always stop the same as near to the sidewalk as he can without being on it or in the gutter. A driver violating this section in

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any respect, shall pay a fine of not less than one dollar nor more than five dollars.

10. If any driver of a wagon shall, in any street of the town, except on that part of William street or on that part of George street, which lies between Princess Ann and Caroline streets, drive such wagon with a wheel locked after being forbid so to do by any citizen or police officer, or if any driver of a wagon, dray or cart, whether licensed or not, shall wantonly crack his whip in the streets, to the annoyance of others, such driver shall pay a fine of one dollar.

11. Any police officer of the town may order any vehicle standing on a street to be removed as may seem to him most convenient for persons passing by. If a driver fail to obey such order, he shall pay a fine of two dollars.

12. If any driver of a cart, wagon or vehicle containing marketing for sale, shall remain with the same and expose said marketing for sale in any of the streets or at the corners of the streets of the town, and fail to remove after due notice to do so, he shall forfeit and pay not less than one nor more than five dollars for each offence.

13. When any of the offences mentioned in this chapter is committed in the presence of a police officer, he may arrest the offender and carry him forthwith before the Mayor of the town, or some other justice.

CHAPTER XVII.

OF DISORDERLY CONDUCT AT PUBLIC MEETINGS, &C.

1. Disorder at public gatherings.

2. Exhibitions to employ police.

1. Any person who shall, at any public meeting of the citizens of the town, or at any lawful exhibition or show held within the limits of this town, interrupt or annoy the people there assembled, by loud talking, whistling or singing, or exclude others from participating in the enjoyment of such representations and exhibitions by standing up amongst the people there assembled, or in any other way disturb the harmony and good order of such assemblages, shall pay a fine of not less than one nor more than five dollars, at the discretion of the justice before whom the offence is tried. And it shall be the duty of the police officers to attend such

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meetings and shows, and to suppress all riotous conduct tending to a violation of this chapter, or a breach of the peace; and they are hereby required to take the offender or offenders before a justice of the peace, that he or they may be dealt with according to law.

2. Every exhibitor of a public show, or exhibition of any kind, held in this town for pay, shall employ at least two police officers of the Corporation to keep order, and pay them one dollar each for their services for each exhibition; and on failure of any exhibitor so to employ such police officers, and to pay them as aforesaid, he shall forfeit and pay the sum of ten dollars. But this section shall not apply to any show, exhibition or performance in a room for which a license by the year is taken out, as provided in chapter thirty-eight, section one.

CHAPTER XVIII.

DISCHARGING FIREARMS, FLYING KITES, &C.

1. Of discharging firearms.

4. Raising balloons.

2. No annoying amusement.

5. Indecent figure or writing.

3. Of flying kites.

6. Of throwing stones, &c.

1. If any person shall fire a cannon, musket, gun, pistol or other firearm in the town, unless in the execution of some law, or by a soldier in a military parade in celebration of some festival, or cause an explosion of gunpowder in the streets, he shall forfeit and pay two dollars.

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2. It shall not be lawful for boys to assemble in any street of the town and play at any game of amusement which shall annoy the citizens near them, or impede persons in their passage along the streets or footways, under the penalty of one dollar for each boy so assembled and engaged, to be paid by the father, guardian or master, as the case may be, of such boy or boys.

3. It shall not be lawful for any person to raise or fly any kite in any of the streets of the town. Every person offending against this section shall forfeit and pay two dollars for every offence.

4. It shall not be lawful for any person or persons to raise or cause to ascend any balloon or balloons from any lot or street within the limits of this town, without the consent of the Mayor, in writing, first had and obtained. Every person offending against this section shall forfeit and pay for every offence five dollars.

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5. If any person shall draw any indecent figure, or write any vulgar or obscene words upon any house, railing or paling in the town aforesaid, he shall forfeit and pay two dollars for every offence.

6. It shall not be lawful for any person to throw any stone or other missile in any of the streets of the town. Any person offending against this section shall forfeit and pay not less than one nor more than five dollars for every offence.

CHAPTER XIX.

OF RAILROAD ENGINES AND CARS IN THE STREETS.

1. Speed of four miles per hour.

4. When to ring bell.

2. Stopping trains on streets.

5. Minors jumping on trains.

3. Of obstructing streets or water.

6. Police to arrest offending minors.

1. If the officers, agents or employees of any railroad company shall cause any locomotive to be propelled upon any railroad or rail track in any street of this town, or shall cause any car, carriage or other vehicle to be drawn across any of the streets of this town at a rate greater than four miles per hour, such company shall forfeit and pay ten dollars.

2. If the officers, agents or employees of any railroad company shall stop, or caused to be stopped, any locomotive, car or other vehicle used on railroads, in any street in the town, such company shall forfeit and pay five dollars, and shall also forfeit and pay five dollars for every hour such locomotive, car or vehicle shall remain in any of the streets of the town.

3. If any railroad company shall, in constructing or altering the track of any railroad in the streets of this town, obstruct the free use of the streets for wagons, drays, carts, carriages or other vehicles, or obstruct the free passage of water through the gutters of the streets, such company shall pay a fine of ten dollars, and shall also pay a fine of five dollars for every day the railroad or the track of the railroad shall remain in such condition.

4. During the passage through or across the town of any locomotive or train of cars, it shall be the duty of the company owning the railroad on which such locomotive or cars are running to cause a bell attached to such locomotive or cars to be rung, and for every failure so to do, such company shall forfeit and pay ten dollars.

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5. It shall be unlawful for any minor to climb or get, or attempt to climb or get, upon any railroad car or machinery while in motion within the limits of this Corporation, and the parent or guardian of any minor who shall be convicted of violating this section shall be fined not less than five nor more than ten dollars.

6. It shall be the special duty of every policeman who shall at any time be in any street where railroad cars shall be in motion, to vigilantly observe them, and to arrest any minor who may violate section five of this chapter, and promptly report such violation to the Mayor, before whom the parent or guardian shall be summoned to appear and show cause, if he or she can, why he or she should not be fined in accordance therewith.

CHAPTER XX.

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OF KEEPING FOOTWAYS IN ORDER.

1. Keeping footways in order.

1. It shall be the duty of the owners of lots in this town to keep the footways in front of their respective lots in good order and condition, and paved with brick or stone or covered with good sharp sand, or such other material as may be approved by the Committee of Streets.

2. If the surface of any part of the footway shall become broken or so uneven as to retain water, or be disagreeable to walk on, or in any way out of order, it shall be the duty of the police officers to notify the owners in front of whose lot the footway may need repairing or filling up, to have the same done, and in case such improvement is not made within ten days after such notice, the Committee of Streets shall cause such footways or parts of footways to be repaired, filled up and graded at the expense of the owners of lots who fail or refuse to put the footways in front of their lots in good order after notice so to do. Such expenses to be recovered by warrant in the name of the Mayor and Commonalty of the town of Fredericksburg, with the cost of the proceeding.

2. Of repairing footways.

CHAPTER XXI.

NEW BUILDINGS AND ENCLOSURES, AND THE DUTY OF SURVEYOR.

1. New buildings—duty of surveyor.

2. Fees of surveyor.

1. If any person intending to erect a new building or

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place any old one on the line of any street, or enclose any un-improved lot or square in the town of Fredericksburg, and shall give reasonable notice thereof to the Surveyor of the Corporation, specifying the time and place, when and where such building is about to be erected or placed, or enclosure put up, it shall be the duty of the Surveyor to attend at such time and place, and ascertain and distinctly mark the line or lines of the lot or and the range of the street or streets where such building is to be erected or old one placed, or enclosure to be put up.

2. For such services he shall be entitled to demand and have from the person calling on him for them the following fees: For ascertaining the range of one street and marking the line thereof, two dollars; for two streets, three dollars; for three streets, four dollars; and for four streets, four dollars and fifty cents, provided such services are required to be done at the same time and for the same person and at the same square; otherwise two dollars for every line surveyed and marked by him shall be charged.

3. If any person shall hereafter attempt to erect any new building, or place any old one, or cause the same to be done, or cause any enclosure to be put within twenty inches of the line of any street or streets of the town, without having the line of such street or streets ascertained and marked off by the Surveyor of the Corporation, such person shall forfeit and pay fifty dollars. And it shall be the duty of the Surveyor, if he have notice thereof, to mark and designate the line or lines of the streets where such buildings are about to be erected or placed, or enclosure put up, and he shall be entitled to demand and have the same fees from the party so building, placing and enclosing as if he had been called upon by him or them to perform such services; and in making such survey, if he shall find any street or streets encroached upon, he shall report the same to the Mayor without delay, in order that such buildings or enclosure may be removed as an obstruction in the streets. But this section shall not be construed to render it necessary for a person to call upon the Surveyor when putting up an enclosure or repairing an old one, if the corners of the lot or square had been previously built on and are distinctly marked.

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CHAPTER XXII.

IN RELATION TO DIVIDING FENCES.

In every case in which the owner of an improved lot in the town shall be desirous of having a new fence erected between his said lot and any improved lot adjoining thereto, and the owner of the said adjoining improved lot shall not agree to pay his share of erecting such fence, the Mayor shall, on application of the party wishing to have a new fence put up, appoint three discreet freeholders of the

town to view the premises, and under their hands to say whether a new fence to divide the lots of such parties is necessary or not, and the decision of the said freeholders, or a majority of them, shall be binding on the parties. And the party desirous of having a new fence put up may proceed to have it erected, and on the completion thereof, shall recover by warrant, from the owner of the adjoining lot, one-half of the cost of such fence, with the cost of such proceeding: Provided that the cost of the said fence be estimated as a fence formed of good posts and rails, with undressed pailing, and not exceeding six feet high.

CHAPTER XXIII.
OF STOVES AND CHIMNEYS, SHAVINGS IN BUILDINGS,
AND FIRES IN THE STREETS, &C.

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| 1. Stove pipes—protection. | 4. Carrying fire on the streets. |
| 2. Burning out chimneys. | 5. Making fire in market lot. |
| 3. Removing combustible materials. | |

1. All stoves now set up, or which may hereafter be set up in this town, shall have the pipes leading there from, conveyed into a stone or brick chimney, or be otherwise so secured as to be safe from the danger of communicating fire to the building in which it is put up or to any adjacent building. If any person shall offend against this section, he shall forfeit and pay ten dollars, and moreover forfeit and pay five dollars for every day his or her stove shall be used afterwards without being secured and fixed as by this section directed.

2. If any person shall fire his chimney or suffer it to take fire in fair and dry weather, he shall forfeit and pay five dollars.

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3. Every person now building or repairing, or that may hereafter build or repair, any house in this town, shall every day whilst such building or repairing is being carried on, remove, or cause to be removed, to some place of safety, all chips or shavings or other combustible things, before the close of each day, from such building; and every person failing so to do shall forfeit five dollars, and shall also forfeit and pay five dollars for every day such chips, shavings or other combustibles shall remain in such building after having been notified by a police officer to remove the same.

4. If any person shall carry fire about in the streets of the town without having the same secured under cover, or shall fire on the streets any paper, straw or other thing, he shall forfeit and pay for every offence one dollar.

5. If any person shall make a fire in the market house or market lot, or put any fire in either place, he shall forfeit and pay five dollars.

CHAPTER XXIV.
INJURING PUMPS, TREES, SPRINGS AND LAMP POSTS.

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|--------------------------------|-----------------------------------|
| 1. Depredating on pumps. | 5. Watering streets from pumps. |
| 2. Injuring trees. | 6. Who may suspend their use. |
| 3. Pruning and removing trees. | 7. Injuring lamp posts and lamps. |
| 4. Injuring springs. | |

1. If any person shall willfully break or move from its place the handle of any pump in the town, or choke any such pump, by conveying into it any brick, stone or other substance, or remove the cap from any pump in the town, or in any manner injure any one of them, he shall, for every offence, forfeit and pay five dollars, and shall be moreover liable to this Corporation for the expense incurred in repairing the same. And if the offender be under twenty-one years of age, such expense shall be recovered, with costs, from the parent, guardian or master, as the case may be, of such minor offender, if he shall not voluntarily pay the same.

2. If any person shall willfully break, bark, belt or otherwise injure any tree or trees now set in the streets of the town and court-house lot, or that may hereafter be set or planted in any street of the

town or court-house lot of this Corporation by the sufferance or permission of the Council, he shall pay a fine of not less than two nor more than ten

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dollars, in the discretion of the justice by whom the offence is tried; and, in case of fines under this or the other preceding section, be not paid forthwith, the justice shall commit the offender to the jail of this Corporation for six days, unless the fines and costs be sooner paid.

3. The Committee on Streets shall have the authority to prune and trim any and all trees now planted or set out in the streets or on the sidewalks of the town, or that may be hereafter planted or set out, and to cut down or remove any such tree that may be, by them, regarded dangerous or an obstruction, and no tree shall hereafter be set out in the streets of the town without the permission of said Committee first obtained.

4. If any person shall willfully throw any stone or filth of any kind into or within fifteen feet of any spring within this Corporation, or in any way deface or injure the wall around any such spring, he shall forfeit and pay a fine of five dollars, and be liable to the Corporation for the expense incurred in repairing the same.

5. It shall not be lawful for any of the pumps of the town to be used for the purpose of watering the streets, unless the person or persons so using them, shall keep the same in proper repair or order during such usage. Any person violating this ordinance shall forfeit and pay not less than one dollar nor more than two dollars for each offence.

6. If the Mayor shall deem it necessary he may, at any time, suspend the use of the pumps for the purpose named in the fifth section of this ordinance.

7. If any person or persons shall willfully or negligently injure or destroy any lamp post, pillars or lamps, in the streets of this town, he or they shall forfeit and pay a fine of not less than five dollars nor more than ten dollars; and, in any event, shall pay the expense of renewing or repairing the same; and it shall be the duty of the Mayor to collect the said amount of repairs by warrant or otherwise.

CHAPTER XXV.

CONCERNING STALLIONS.

If any person shall hereafter put, or cause to be put, any stallion or jackass to a mare or jenny, within the limits of

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the town of Fredericksburg, or shall exhibit either in the streets of the town, he shall forfeit and pay for every offence not less than one dollar nor more than ten dollars.

CHAPTER XXVI.

OF SHOPS BEING KEPT OPEN, AND WAGONS, &C., BEING USED ON SUNDAY.

1. Keeping open on Sunday.

2. Using drays, &c., on Sunday.

1. If any persons not being an apothecary, livery stable keeper, keeper of an ice house or keeper of an ordinary shall keep his or her store, shop or place of business open on Sunday, at any time of the day, such person shall forfeit and pay five dollars for every offence.

2. If any dray, cart or wagon be found in use (except in cases of necessity) on a Sunday, the driver thereof shall pay a fine of two dollars; and every person employing the same shall pay a like sum.

CHAPTER XXVII.

INDIAN CORN MEAL TO BE SOLD BY WEIGHT, &C.

All Indian corn meal which shall hereafter be sold in this town, shall be sold by weight, and at the rate of fifty pounds to the bushel; and if any person shall sell in this town any Indian corn otherwise than by weight as aforesaid, he shall forfeit and pay for every such offence the sum of two dollars; one-half of which fine shall go to the informer, and the other half to the Corporation.

CHAPTER XXVIII.

OF USING THE COURT-HOUSE AND RINGING THE BELL.

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Except for such purposes as are authorized by law, the court-house of this Corporation shall not be used by any person or persons, nor shall the court-house bell be rung at any time, by any person, except in cases of fire or on court day, without the permission of the Mayor. Every person violating this chapter shall be fined not less than one nor more than ten dollars, in the discretion of the justice who shall try the case.

CHAPTER XXIX.
BARBERS AND BARBER SHOPS.

1. Must close on Sunday.
2. Police to enforce ordinance.

1. It shall not be lawful for any barber in this town to

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open his shop for the purpose of plying his trade on the Sabbath day, nor shall any barber, in any public place, ply his trade on Sunday; and any person who shall be found acting in the capacity of a barber in any public place on the Sabbath day, shall be subject to a fine of not less than five nor more than ten dollars, in the discretion of the justice who shall try the case.

2. It shall be the duty of the police officers to see that this ordinance is enforced; and one-half of the fines imposed thereunder shall enure to the officer making the arrest.

CHAPTER XXX.
HOGS, HORSES, &C., GOING AT LARGE IN THE STREETS.

1. When not to go at large.
2. When not to be penned.
3. Horses, &c., at large.
4. Cows and calves at large.

1. It shall not be lawful hereafter for hogs, shoats or pigs to go at large in the streets of the town, except in the months of June, July, August, September and October, and then only when each hog, shoat or pig shall have had its nose or snout so clipped or split that it cannot root; and all hogs, shoats or pigs found going at large in the streets in any month of the year, other than those in this section mentioned, or shall be found going at large even in those months, without being disabled as aforesaid, shall be liable to be caught by the police officers of the town, and when so caught they shall be forfeited to this Corporation. And the police officers are hereby directed to catch all hogs, shoats or pigs going at large contrary to this chapter, and sell the same at the place where caught to the highest bidder, for cash. One moiety whereof shall go to the officer who caught and sold the animal, and the other moiety shall be paid over to the Treasurer for the use of this Corporation.

2. It shall not be lawful hereafter for any hogs, shoats or pigs to be kept in pens or houses, in this town, during the months of June, July, August, September and October. If any person offend against this section, he shall forfeit and pay two dollars; and every day that a hog, shoat or pig shall be confined as aforesaid, in the months aforesaid, shall be a distinct offence.

3. It shall not be lawful for any person to turn loose in the

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streets of the town any horse, mare, mule, bull, goat, sheep, geese or ducks, or suffer or permit the same to run at large in the streets of the town. Any person offending against this section shall forfeit and pay one dollar for every offence; and every such animal found going at large shall be presumed to be going at large by the permission or sufferance of its owner.

4. It shall not be lawful for any person to suffer his or her cow or calf to run at large in any of the streets or alleys of this town between the hours of sunset and sunrise, under a penalty of a fine of one dollar.

CHAPTER XXXI.
CONCERNING DOGS.

1. Must get license—penalty
2. Must apply first of October.
3. Obtaining a dog—apply in ten days.
4. Stray dogs on lots.
5. Mayor to report taxes and fines.
6. Collars and medals.
7. Mayor to keep a book.
8. Forging license and medals.

9. When dogs to be killed.

1. It shall be the duty of the Mayor on the first day of September, in every year, to give public notice for thirty days, by hand bills, printed and posted in town, that all persons owning or intending to keep any animal of the dog or canine species, to come forward and take out a license for the same from him. After the expiration of the time in said notice mentioned, all persons found with a dog or dogs, or harboring one or more dogs on his, her or their premises, without the required license, shall be fined five dollar for every dog so owned, kept or harbored, one-half of which fine shall go to the informer, and in case of the refusal to pay said fine, the offender shall be committed to the chain-gang for not less than ten nor more than thirty days.

2. Every resident of the town owning or in the possession of a dog or dogs shall apply to the Mayor, within thirty days from the first day of September in each year, for a license to keep said dog or dogs, and it shall be the duty of the Mayor, upon such application and the payment of the annual tax imposed by law upon the particular kind of dog for which a license is asked, to issue and deliver to the applicant said license to expire on the thirtieth day of September next succeeding its date.

3. It shall be the duty of every resident of the town, who

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shall come into the possession of a dog or dogs, within ten days after coming into such possession, to apply to the Mayor and obtain from him a license to keep such dog or dogs, which license shall be granted to him in the same manner, upon the same terms, and to expire at the same time as prescribed in the foregoing section.

4. Every resident of the town who shall knowingly permit any dog to remain on his or her premises for fifteen consecutive days, shall be considered the owner or possessor of said dog within the meaning of this ordinance.

5. It shall be the duty of the Mayor on or before the first day of January, April, July and October in each year to pay to the Treasurer all taxes and fines received by him by virtue hereof, and to take his receipt therefor, and it shall be his duty to lay before the Council at the October meeting in each year an account of said taxes and fines, showing when, from whom and how much received by him during the year.

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 time of issuing the same, a brass medal, marked C. F., and bearing the year in which the license was issued in figures, and a leather collar to be worn by each dog so licensed; and the Mayor may, in addition, at any time, at his discretion, 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 continuance of such proclamation, without the required muzzle, the owner thereof shall be fined one dollar, and failing to pay the fine and to muzzle the animal, it shall be killed.

7. The Mayor shall keep a book in which shall be entered the names and residence of the owner of each dog so licensed and the amount of tax paid by each and the date of payment, which book shall be open for the inspection of the public.

8. Any person or persons who shall forge, counterfeit, imitate or falsely use any license, certificate or brass medal issued or procured by the Mayor for the purposes of this ordinance, shall be fined not less than five nor more than ten dollars, one-half of which shall go to the informer.

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9. All animals of the dog kind which shall be found running at large in the town, upon which the license tax has not been paid, shall be seized by any police officer and killed; and one dollar shall be allowed said officer in each such case.

10. If the Mayor shall have sufficient proof that any dog in the town has bitten any person, or any dog has annoyed any person or persons by running after them in the street in a vicious manner, he shall order such dog to be immediately killed by a police officer, whether the license has been paid on

said dog or not; and if the owner of such dog shall conceal it, or cause it to be concealed, so that the order of the Mayor cannot be executed, such owner shall forfeit and pay two dollars for every day such dog shall be kept concealed, and failing to pay said fines such person shall be sent to the chain-gang for a term of not less than thirty nor more than sixty days.

CHAPTER XXXII.

LICENSING DRAYS, CARTS AND WAGONS.

1. All drays, &c., to be licensed.
2. Bonds to be given.
3. When license begins.
4. License transferable.
5. Mayor to keep a register.
6. Drays, &c., must have numbers.
7. Police must be furnished with list.
8. Mayor's fee for license.
9. Rates of drayage.

1. No dray, cart or wagon shall be used or employed, directly or indirectly, in the town of Fredericksburg, for hire, unless the owner or keeper thereof obtain from the Mayor of this Corporation a license to use the same.

2. Before such license shall be issued, there shall be paid to the Collector of Taxes such tax as may be imposed by the Council of the town on said licenses, and the applicant for such license shall moreover give a bond, payable to the Mayor and Commonalty of the town of Fredericksburg, in the sum of one hundred and fifty dollars, with surety, to be approved by said Mayor, and conditioned for the faithful delivery of all articles which may be entrusted to the driver of such dray, cart or wagon, during the time of such license, on which bond suits may be brought from time to time in the name of the Mayor and Commonalty of the town, for the benefit of any person injured by any breach of the condition of such bond, until damages shall be recovered equal to the penalty of the bond.

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3. The time for which a license shall be issued, under this chapter, shall be until the first day of April next after the same is issued.

4. A person obtaining such license may transfer the unexpired term thereof, provided the transfer be evidenced by the endorsement on the license, and provided the assignee give such bond as is mentioned in this chapter.

5. The Mayor shall keep a register of all drays, carts or wagons, and the names of persons obtaining such licenses, and the names of the persons paying the same, and for what. These things shall be stated in the license, where one is required, and the owner of every dray, cart or wagon so licensed shall have painted thereon, if it be a wagon, on the side, and if it be a, dray or cart, on the shaft, its number and the initials of its owner's name, in large and legible figures and letters, so that the same may be easily read.

6. If the owner of any cart, dray or wagon shall use or employ the same for hire, or permit the same to be done, without having obtained a license therefor, or shall fail to have painted thereon the number and initials, as required by the next preceding section, he shall forfeit and pay for every offence five dollars; and in every instance in which a dray, cart or wagon shall be used for hire in the town aforesaid, it shall be deemed to have been done with the permission of the owner of such dray, cart or wagon.

7. A copy of the register of drays, carts and wagons kept by the Mayor, and a copy of the list of those who shall have paid to the Collector of Taxes, the license on the same for the year, shall be delivered by the Mayor, on the second day of June, in every year, to the police officers for the more ready detection of violations of this section.

8. From every person to whom a license is or may be issued under this chapter, the Mayor shall be entitled to a fee of twenty-five cents.

9. The rates of drayage shall be forty cents for a dray or cart and eighty cents per load for a wagon to and from the wharves, until changed or altered by an ordinance of the Council; and if the owner or driver of any dray, cart or wagon demand and receive more, he shall be fined one dollar

for every offence; and if the driver of any cart, dray or wagon shall refuse to work for any person, when unemployed, he shall forfeit and pay one dollar.

CHAPTER XXXIII.
GAS AND WATER PIPES.

1. Rules for laying pipes.

2. Penalty for violation.

1. Any incorporated company or individual who may make use of any street or sidewalk in the town of Fredericksburg, for the purpose of laying down therein, the main pipes or any branches therefrom, for the distribution of gas or water, or for the purpose of removing or repairing the said pipes or branches, shall cause the opening so made in the streets or sidewalks to be filled up and well rammed within forty-eight hours after the work has been commenced: Provided, however, that should said company or individual be prevented from completing the aforesaid work in the aforesaid time, by the occurrence of rain, they shall be allowed twenty-four hours for the purpose, after the rain shall have ceased: Provided that all openings shall be made secure at night against injury to man or beast.

2. Any incorporated company or individual failing to conform to the preceding section, shall pay a fine of not less than five dollars nor more than ten dollars, in the discretion of the justice by whom the offence is tried.

CHAPTER XXXIV.
THE ALMS-HOUSE AND POOR.

1. Board to provide for the poor.

5. Must conform to State laws.

2. May employ steward, &c.

6. Fuel—advertise for bids.

3. Paupers to be kept at alms-house.

7. Supplies—how paid for.

4. Board to prescribe rules.

8. Expense not exceed appropriation.

1. There shall be appointed by the Council, annually, in the month of July or August, one Superintendent of the Alms-house of the Corporation, who shall remain in office until the next annual appointment, unless sooner removed by the Council, who, in conjunction with the Committee on Poor, shall constitute a board, who shall have charge of the Alms-house and poor of the town. The Council shall have power to remove said officer at any time for cause, and appoint his successor.

2. The Board may employ a steward, physician and nurses

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when necessary, who shall receive such compensation for their services as the Board may deem reasonable.

3. All paupers of this Corporation shall be kept at the Alms-house, unless for good reasons, in the judgment of the Council, exceptions as to this provision may be made, and such as are able to work, shall be made to do so.

4. The Board may prescribe rules and regulations for the government of the Alms-house, and the discipline of the persons therein.

5. In respect to all matters not especially provided for in this chapter; the proceedings of the Board shall be in accordance with the laws of the State of Virginia.

6. The Board shall advertise, as they may deem best, for proposals to furnish the Alms-house and poor with fuel, specifying the kind and amount, at least twice a year, and the contract for furnishing the same shall be given to the lowest responsible bidder. The wood so contracted for shall be measured by the Corporation Measurer, and the coal shall be weighed at the Corporation Scales.

7. All the expenses of the Alms-home and paupers otherwise provided for, shall be paid by the Treasurer, upon an order signed by a majority of the Committee it on Poor.

8. The sums so paid on account of such expenses within the fiscal year, shall not exceed the amount appropriated for that purpose within said year, unless, by a resolution of the Council, an additional sum shall be appropriated.

CHAPTER XXXV.

OF NUISANCES.

1. Carcasses removed by owner.
2. Decayed matter not allowed.
3. Of stagnate water.
4. Non-residents owners of lots.
5. Offensive lots, hog pens, &c.
6. Hog pens—distance from neighbor.
7. Offensive pens, &c.—complaints.
8. Throwing rubbish in streets.
9. Throwing fish brine in streets.
10. Dirty water in the gutters.
11. Dirty water near pumps.
12. Cleaning fish, &c., at pumps.
13. Soap and candle factories.
14. Cows standing on footways.

1. If any horse, dog, cow or other animal die within the limits of the town, and the owner of such animal, at the time of its death, shall not immediately remove it one mile beyond the limits of the town, or bury it two feet below the surface of the ground, he shall forfeit and pay five dollars.

2. If any person shall keep in his or her storehouse, warehouse, cellar, lot or other place, any fish; beef, pork or any

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animal or vegetable substance, after it has become putrid or offensive, he shall forfeit and pay two dollars, and shall moreover forfeit and pay two dollars for every day such things shall be kept, after having been required by a police officer to remove the same.

3. Every person owning or occupying a lot on which there may be a sunken place holding stagnant water, neglecting to fill up or drain the same within three days after notice so to do by a police officer, shall forfeit and pay two dollars for every day after the first three days he shall neglect to fill up such place or drain the same.

4. Upon its being alleged by a citizen or an officer of police, to the Mayor or any other justice, that ground in this town owned by a non-resident thereof, and not occupied by any person residing thereon, is subject to be covered by stagnant water, or that such owner permits or suffers any offensive or unwholesome substance to accumulate or remain thereon, reasonable notice of such allegation shall be given by the said Mayor or justice to the said owner, or his agent, if any he has; and in case he has no such agent, by publication for not less than four weeks in a newspaper printed in said town. The said Mayor or justice shall communicate to the Council the fact of such allegation and notice, that they may cause such ground to be filled up, raised, or drained, or cause such substance to be covered or removed therefrom, and to collect the expense of so doing from the owner or owners, occupier or occupiers, or any of them, by distress and sale, in the same manner in which taxes levied upon real estate for the benefit of said town are authorized to be collected.

5. If the owner or occupier of any lot in this town shall suffer a necessary, hog pen or cow house on the lot so owned or occupied by him, or shall suffer the lot itself, or any part of it, to become offensive to the occupiers of a dwelling on an adjacent or neighboring lot, or to persons passing on the footway next to the lot where such necessary, hog pen or cow house is, he or she shall forfeit and pay five dollars; and every day that such necessary, hog pen, cow house or lot shall remain offensive, after notice from a police officer to cleanse and purify the same, shall be a distinct offence.

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6. If any person shall put up on any lot in this town, a necessary, hog pen, cow house, within twenty feet of a dwelling house on an adjacent or neighboring lot, or within ten feet of a street he or she shall forfeit ten dollars, and moreover forfeit and pay ten dollars for every day after the first that such necessary, hog pen or cow house shall stand in such position.

7. Upon its being alleged by any citizen or any police officer, to the Mayor of the town, or any other justice, that a necessary, hog pen or cow house is placed in such a situation as to be offensive to the occupiers of a dwelling house or an adjacent or neighboring lot, the said Mayor or justice shall cause the owner of the lot on which such necessary, hog pen or cow house is to be summoned to appear before him, and upon proof of the allegation, shall order such necessary, hog pen or cow house to be removed. And unless such removal be effected within forty-eight hours, the Mayor or some other

justice shall, from time to time, cause the said owner to be summoned to appear before him, and shall fine him five dollars for every forty-eight hours, after the first, that there may be a failure to effect such removal.

8. Every person who shall cast, place or lay any rubbish, oyster-shells, filth, dirt, shavings, stable manure or offal of any trade, business, or occupation; or any rubbish from buildings, cellars or back yards, or any refuse or dirt from coal or firewood, or ashes, or any obnoxious or offensive matter, substance or thing whatsoever into, or in any public square, place, street, lane or alley in the town or cause the same to be done, except when the same may have been removed from his, her or their premises for immediate removal, the same to be removed within twenty four hours, shall forfeit and pay the sum of one dollar for every such offence; and after due notice, the further sum of one dollar for each and every day the same shall remain in such place.

9. If the owner or occupier of any lot in town shall let any soap-suds, dye water, dish-water, fish brine or other dirty water run from his or her lot, into any of the streets, and thence along before the dwelling or other house on an adjoining lot, he or she shall forfeit and pay one dollar for every such offence.

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10. If any person shall throw, or cause to be thrown, any soap-suds, dye-water, dish-water or other dirty water into any of the gutters of the public streets, without the consent of the person before whose lot such waters will run, he shall forfeit and pay for every such act one dollar.

11. If any person shall throw any water at and around any of the public pumps, except in the drain leading from the pump, he shall forfeit and pay one dollar.

12. If any person shall clean any fish or vegetables, or wash any clothes at any of the pumps of the town, he or she shall pay a fine of fifty cents.

13. If any person or persons shall use any building in this town for a soap or candle factory, other than those now occupied for such purposes, without first obtaining permission of the Council, he or they shall forfeit and pay ten dollars, and shall moreover for forfeit and pay ten dollars for every day such building shall be so used after the first offence.

14. If the occupier of any lot in this town, owning a cow, shall suffer such cow to stand on the footways immediately on the front or rear of the lot so occupied by him or her, or to the annoyance of persons passing on the footways, he or she shall forfeit and pay one dollar, and every day after the first that he or she shall suffer his or her cow so to stand, shall be a distinct offence.

CHAPTER XXXVI.

CONCERNING THE SAFE-KEEPING OF GUNPOWDER AND THE POWDER MAGAZINE.

1. Powder stored in magazine.

3. Mayor to examine on report.

2. Amount allowed in store.

4. Keeper of magazine—fees.

1. All powder brought within the limits of this Corporation by land, and into the port or harbor, in any vessel other than a vessel of war, shall be stored in the public magazine; if brought by land as aforesaid, it shall be carried directly to the magazine; if brought into the port or harbor as aforesaid, it shall be carried to said magazine within one hour after it shall have been discharged from the vessel, unless within that time it be carried beyond the limits of the town: Provided the quantity thus brought in shall exceed the weight of thirty pounds; and that for any violation of the

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provisions of this section, the owner of the powder in question, the person who shall receive or take charge of it when brought in, and the owner, master and consignee of the vessel concerned in said violation, as the case may be, shall be severally liable to a penalty of five dollars for each twenty-five pounds of powder so brought into town, to be recovered by warrant before any justice of the peace of this Corporation, with costs for the use of the Corporation.

2. No person or persons shall keep, in any house, any quantity of powder exceeding thirty pounds at any one time, under the penalty of five dollars for every pound above that quantity.

3. The Mayor, or any justice of the peace, is hereby authorized, as often as he shall be informed, upon oath, of probable cause to suspect any person or persons of concealing or keeping within the Corporation, any quantity of powder over and above thirty pounds as aforesaid, to issue a search warrant, to examine into the truth of such allegation or suspicion, and to search any place whatever therein.

4. A fee of twenty-five cents shall be paid to the, keeper of the magazine for each keg or part of a keg of powder therein deposited, and he shall have the right to refuse the delivery thereof until the said fee shall be paid.

CHAPTER XXXVII.

CONCERNING THE SALE OF REAL ESTATE FOR TAXES.

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| 1. Publish delinquent lots. | 9. Purchase may be assigned. |
| 2. To sell if tax not paid. | 10. To redeem with costs, &c. |
| 3. Sales in separate lots. | 11. Sale when no arrears—remedy. |
| 4. Collector must not purchase. | 12. Section 7, chapter 39 of Code. |
| 5. Collector to furnish receipt, &c. | 13. If no bids, city to purchase. |
| 6. May redeem—what time. | 14. To redeem from city. |
| 7. Lots sold to be surveyed. | 15. Penalty for neglect. |
| 8. When deed given. | |

1. The Collector of Corporation Taxes shall, annually, after the first day of January, and before the January term of the Corporation Court, cause to be published, twice a week for four weeks, in one of the papers printed in the town of Fredericksburg, a list of the real estate in this Corporation on which the taxes are unpaid to said date, mentioning the amount due on each lot or part of a lot, and the name of the party assessed therewith, and describing such lot or part of a lot, as it is entered in the book of the Commissioner of the

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Revenue, and shall also post a copy of the said list on the front door of the Court-house of said Corporation, on the first day of the January term of said court. To which list, so printed and published, a notice shall be added that the real estate therein mentioned, or as much thereof as shall be sufficient to satisfy the taxes on the same, with interest and charges of sale, and a commission of five per centum to the Collector, will be sold at public auction, between the hours of 10 o'clock A. M. and 3 o'clock P. M., at the February term of the Corporation Court thereafter, at the front door of the said Court-house.

2. If the said taxes, interest and commission be not previously paid, the said Collector shall proceed to make sale accordingly, and the sale may be adjourned from day to day until completed.

3. The sale shall be of each lot separately, or of such undivided interest therein as shall be sufficient to satisfy the taxes thereon, with the interest, charges of sales and commission as aforesaid.

4. The Collector conducting said sale shall not, directly or indirectly, purchase any real estate so sold, under a penalty of ten dollars, for the use of the Corporation; recoverable before any justice of the peace, and the sale shall moreover be void.

5. The Collector shall furnish to the purchaser of any real estate a memorandum and receipt similar to those mentioned in the 11th section of the XXXVIII chapter of the Code of Virginia, and shall make out a list of the sales like the list required by the 13th section of the XXXVIII chapter of said Code, with the words Corporation of Fredericksburg in the caption thereof, and return the same within thirty days to the Treasurer of this Corporation, and for which receipt the Collector shall be entitled to receive from the purchaser of each lot, or part of a lot, twenty-five cents.

6. Real estate sold for Corporation taxes may be redeemed within the time and manner prescribed by the 16th section of the XXXVIII chapter of the Code aforesaid, except that the payment authorized by the 17th section of the said chapter of the said Code, instead of being to the Clerk of the Court, shall be to the Treasurer of this Corporation.

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7. The purchaser of any real estate so sold, and not redeemed within two years, his heirs or assigns shall have the quantity purchased, surveyed or laid off, at his or their expense, by the Surveyor of the Corporation, the said survey to commence on either of the lines of the lot, at the option of the purchaser, so as not to include the improvements on the same, if it can be avoided. A plat and certificate of every such survey shall be delivered to the Treasurer, and if the Council, upon examination thereof, find it to be correctly made, in conformity with this section, it shall order the same to be recorded.

8. After the expiration of the said two years, the purchaser of any real estate so sold, and not redeemed, shall obtain from the Treasurer of the Corporation a deed conveying the same, in which shall be set forth all the circumstances appearing in the Treasurer's office in relation to the sale. For every deed executed under this chapter, the Treasurer shall be entitled to one dollar, which the purchaser shall pay him on the delivery of the deed.

9. When the purchaser has assigned the benefit of his purchase, the deed may, with his assent, evidenced by his joining therein, or by a writing annexed thereto, be executed to his assignee. If the purchaser shall have died, his heirs or assigns may move the Court of this Corporation to order the Treasurer to execute a deed to such heirs or assigns.

10. If no such deed or order of Court be made under this ordinance within one year after the expiration of the said two years, the former owner, his heirs or assigns, may, after such year, and before such deed or order is made, redeem the land by paying such amount, with such additional taxes and such interest as is mentioned in the 16th section of the XXXVIII chapter of said Code, together with the costs of the survey or report, (and interest there-on,) if any shall have been returned to the Treasurer. The payment under this section may be made to the Treasurer.

11. When the purchaser of any real estate sold for taxes, his heirs or assigns, shall have obtained a deed therefor under this ordinance, and within sixty days from the date of such deed, shall have caused the same to be recorded in the

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Clerk's office of the Court of this Corporation, such estate shall stand vested in the grantee in said deed, as it was vested in the party assessed with the taxes, (on account whereof the sale was made,) at the commencement of the year for which the said taxes were assessed, notwithstanding any irregularity in the proceedings under which the said grantee claims title, unless such irregularity appear on the face of the proceedings. And if it be alleged that the taxes, for the non-payment of which the sale was made, were not in arrears, the party making such allegation must establish the truth thereof, by proving that the taxes were paid.

12. The 27th section of the XXXVIII chapter of the Code shall be deemed a part of this ordinance, and have the same effect as if it were here repeated.

13. When a parcel of real estate is offered for sale as aforesaid by the Collector, and no person present bids such sum as is required by the 3rd section, the Collector shall purchase the same on behalf of the Corporation, for the taxes thereon and charges of sale. A list of the real estate so purchased by the Corporation shall be made out by the Collector, and after being verified by him on oath, shall, within thirty days, be delivered by him to the Treasurer, who shall make out a copy thereof and deliver it to the Commissioner of the Revenue, and credit the Collector with the amount for which the said real estate may have been so purchased, but not with any commission thereon. There shall be no right to such credit unless the said list be so delivered on or before the expiration of the said thirty days.

14. The previous owner of any real estate so purchased for the Corporation, his heirs or assigns, or any person having a right to charge said real estate for a debt, may, until a further sale thereof, by authority of the Council, redeem the same by paying the Treasurer the amount for which such real estate was so purchased, with such additional sum as would have accrued for taxes thereon if the same had not been purchased by the Corporation, and interest at the rate of ten per centum per annum on the

former amount from the date of the purchase, and on the additional sums from the first day of December in the year in which the same

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would so have accrued. When real estate so purchased is redeemed, the Treasurer shall certify the fact to the Commissioner of the Revenue.

15. If the Collector of Taxes shall fail to comply with the duties as devolved upon him by this ordinance, so that no sale be made, he shall not be entitled to a credit for such taxes as shall be delinquent upon such real estate as might have properly been sold, if he had properly discharged his duty under the same.

CHAPTER XXXVIII. TO REGULATE THEATRICAL AND OTHER

1. License for performances, &c.

3. May suspend license.

2. Mayor may grant license.

4. Penalty for violation.

1. No person or persons shall, within the limits of this town, exhibit, play or perform any theatrical or dramatical performance, entertainment or show, or public exhibition for gain, without a license for the purpose from the Mayor, for which the Mayor may demand a fee of fifty cents. And the amount tax shall be paid to the Treasurer of this Corporation in accordance with the ordinance levying taxes for that year. But, no tax shall be required on a performance from a lecturer on a literary or scientific subject; or from a mechanic or artist exhibiting a work of painting or sculpture or work of production of his own invention or art, or a model illustrating such invention or art. And the Mayor, in his discretion, may dispense with the tax in the case of a performance exhibition or show for a religious or charitable purpose; and he may, in his discretion, refuse license, or revoke the license of any improper theatrical or dramatical performance, entertainment, exhibition or show.

2. When, in any case mentioned in the preceding section, the tax shall have been paid or dispensed with, the Mayor may grant a license to exercise the privilege for which the tax is paid or dispensed with. Such license shall state what amount of tax (if any) is paid, to whom the license is granted, what privilege may be exercised under it, in what house, room or place, and for what time.

3. In any case, the Mayor may defer issuing, or after issuing,

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may suspend a license for any performance, exhibition or show until the house or room in which the same is to be is examined by three freeholders of the town, appointed for the purpose by his warrant, and until he is satisfied by their report, in writing, that such house or room has doors and openings of such number and so arranged, as in case of fire, to afford facilities for escape, and that the same is sufficiently strong and safe. Every such report shall be filed by the Mayor in the Treasurer's office.

4. If any person shall engage in or permit anything for which a tax or license is required by this ordinance, without paying such tax and obtaining the Treasurer's receipt there for, or without having a license therefor, he shall pay a fine of not less than ten dollars for every such offence, and if the tax shall not have been paid, be liable also for the same, which shall be recoverable forthwith. One-half of such fine shall go to the informer, the other half to the Treasurer for be use of this Corporation.

CHAPTER XXXIX.

AN ORDINANCE RELATING TO CONTRACTS FOR WORK AND SUPPLIES.

All contracts made in pursuance of the ordinances of this Corporation for work, labor or supplies, amounting to twenty five dollars, or more, by the Council Committees, officers of the corporation or members of the Committees of the Council, constituted or appointed for the management or control of Corporation affairs, shall be let to the lowest responsible bidder, and every contract made in violation of this ordinance shall be void; and the officers of this Corporation and members of such Council Committees consenting to such violation, shall be liable to a fine not exceeding ten dollars, to be recovered by warrant for the use of the town: Provided that nothing herein shall apply to any order passed by the Council.

CHAPTER XL.
OF LICENSES TO PEDDLERS.

1. Must obtain license.
2. Penalty for violation.
3. Mayor to issue license.

1. It shall not be lawful hereafter for any person to carry

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from place to place within the limits of this Corporation, any goods, wares or merchandise, and offer to sell or barter the same, without first obtaining a license there for. Any person or persons so found offering to sell or barter, or selling or bartering shall forfeit and pay not less than the license tax for each offence, to be recovered by law. The police officers shall see to the execution of this chapter, and they shall be allowed one-half of all fines recovered under and in virtue hereof.

2. In case of failure to pay the fines for violation of section first of this chapter, the person or persons convicted shall be imprisoned and held in custody for thirty days.

3. The Mayor is authorized to grant the license under this chapter, upon the evidence of authority to sell or barter under the laws of the State of Virginia, and of the receipt of the Treasurer of the payment of the license.

CHAPTER XLI.
PROHIBITING TRESPASSING UPON THE CORPORATION COURT-HOUSE LOT.

1. Trespassing on burying grounds.
2. Animals sold if not redeemed.

1. It shall not be lawful hereafter for any horses, mules, cows, hogs or other animals, to trespass in the Corporation burying grounds or the Court-house lot. Any animals so found trespassing shall be seized and held, and the owner or owners shall forfeit and pay two dollars in every case for every animal so offending, and one dollar for every two hours such animal shall remain seized and in the possession of the officer or officers so seizing and holding, after due notice to the owner of seizure. It is made the duty of he police officers to see to the execution of this chapter, and they shall be allowed one-half of all fines recovered under and in virtue hereof.

2. The fines and costs imposed under section first of this chapter shall be paid within five days, otherwise the animal or animals seized and held be sold at public outcry to satisfy the same, and the residue, if any, shall be paid over to the owner of the animals so sold.

CHAPTER XLII.
HOW FINES ARE RECOVERED AND DISPOSED OF.

1. How fines recovered.
2. Who are liable for minors.
3. Levy and sales for fines.
4. Trial of minors—notification.
5. Mayor to return fines.

1. All forfeitures, fines and penalties for violation of this

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ordinance, or any by-law of this Corporation, or for failing to comply with any order of the Mayor of this town, or other justice, given an pursuance of any ordinance or by-law of this Corporation, except in cases where it is otherwise expressly provided, shall be to the Mayor and Commonalty of the town of Fredericksburg and recoverable by prosecution before the said Mayor or any other justice, with the costs of such prosecution.

2. Minors shall be prosecuted for breaches of this or any ordinance of this Corporation in the same manner and to the same effect as persons of lawful age. In the case of minor, not an indentured apprentice, the judgment for the forfeiture, fine or penalty may, in the discretion of the Mayor or justice who shall try the case, be given either against the minor, father or guardian. And if the offender be an indentured apprentice, the judgment may be either against the master or apprentice, in the discretion of the justice by whom the offender is tried. For any violation of an ordinance or by-law of this Corporation by a married woman, the prosecution shall be against her husband, and the judgment

shall be against him for the fine, forfeiture or penalty annexed to the offence of which she shall be adjudged guilty.

3. When judgment shall be rendered for any forfeiture, fine or penalty under this or any other ordinance or any by-law of this Corporation, and the same shall not be immediately paid, with the costs of trial, the Mayor, or other justice rendering the same, shall issue execution thereon, to be levied of the goods and chattels of the person against whom such judgment is rendered, directed to any Constable of this Corporation, returnable in fifteen days, before the justice issuing the same. The officer who may levy such execution, shall sell the property thereby taken, at public auction, for cash, before the front door of one of the auction rooms of this town, or at the Market-house in this town, after posting notice of the time and place of sale at the Market-house, at least five days before the day of sale, to satisfy said execution and all costs attending the levy and sale thereof.

4. In all cases of the trial of a minor, the father or guardian

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of such minor shall have notice of the trial, if such father or guardian be a resident of this town.

5. On third Friday of every month, the Mayor shall return to the Treasurer an account of fines imposed by him within the month. On the same day each Constable and Police Officer shall render to the Treasurer an account of the fines collected by him, within the said month, and pay the same over to the Treasurer, who shall submit said statement to the Council at each regular meeting.

CHAPTER XLIII.

AN ORDINANCE TO PREVENT THE SALE OF INTOXICATING LIQUORS ON SUNDAY.

No bar-room, saloon or other place for the sale of intoxicating liquors shall be opened, and no intoxicating bitters or other drink shall be sold in any bar-room, restaurant, saloon, store or other place, within the limits of this town, from twelve o'clock on each and every Saturday night of the week until sunrise of the succeeding Monday morning; and any person violating the provisions of this ordinance shall be punished by fine of not less than ten dollars.

CHAPTER XLIV.

AN ORDINANCE TO PREVENT CRUELTY TO ANIMALS.

1. Cruelty and penalty.

2. Police to enforce ordinance.

1. If any person cruelly beat, torture or abuse any horse or other beast, whether his own or that of another, within the limits of this Corporation, he shall be fined not less than one nor more than ten dollars; one-half of which fine shall go to the informer and the other half to the benefit of the Corporation.

2. It shall be the duty of the police officers to see that this ordinance is strictly enforced.

CHAPTER XLV.

CITY GAUGER AND INSPECTOR, AND HIS DUTIES.

1. Gauger to be appointed.

4. Disputes of quantity—remedy.

2. To provide instruments—duties.

5. Gauger's fees.

3. Persons defacing brands, &c.

6. Gauger to qualify.

1. There shall be appointed by the Council a competent person, who shall be called Inspector and Gauger.

2. It shall be the duty of the Inspector and Gauger so

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appointed to provide himself with the most approved instruments for ascertaining the capacity of a barrel, hogshead, cask or other vessel, and the quantity or proof of spirituous liquors; and when called upon for that purpose, shall attend with the same, in any part of the city, and there gauge and ascertain the contents of any barrel, hogshead, cask or other vessel, and examine the quality and proof thereof, and mark on such barrel, hogshead, cask or other vessel, near the bung, the capacity of spirituous

liquors in wine and proof gallons, together with the ullage, and if not spirituous liquors, the capacity shall be mark in wine gallons only.

3. If any person shall alter, deface or change any of the marks or characters made by the Inspector and Gauger aforesaid, thereby to deceive and defraud the purchaser of distilled spirits, wine or other liquid merchandise so gauged and inspected, he shall, for each offence, pay a fine of not less than five dollars nor more than ten dollars, together with the costs of prosecution.

2[4]. Any person may buy, sell or otherwise dispose of any foreign or domestic liquors in casks, or other liquid merchandise in this city without having the same gauged or inspected; but in cases of difference between buyer and seller, as to quantity or quality of such liquid, either party may call in the Inspector and Gauger, and his judgment shall bind the parties; the party in error paying the Inspector and Gauger's fees.

5. The Inspector and Gauger shall, for his services, be entitled to demand and receive from the person or persons employing him as aforesaid, compensation as follows: For gauging and inspecting each barrel, hogshead, cask or other vessel, the sum of fifty cents.

6. The person so appointed Inspector and Gauger shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, faithfully and impartially, to execute the duties of his office.

CHAPTER XLVI.

CITY SCAVENGERS AND THEIR DUTIES.

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| 1. Scavengers—how elected—bond, &c. | 4. Spilling and leaving—penalty. |
| 2. Duty of Scavengers. | 5. Night soil, &c.—by whom removed. |
| 3. Scavengers' fees—by whom paid. | |

1. There shall be elected by the Council, annually, two officers

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to be known as " City Scavengers"—one for the Lower Election District and the other for the Upper Election District—whose duties, obligations, responsibilities and compensation shall be as hereinafter declared and defined. But before the parties so elected shall enter upon the duties of their said offices they shall each enter into bond, with security, to be approved by the Mayor, in the penalty of \$500, payable to the Mayor and Commonalty of Fredericksburg, with condition for the faithful performance of the duties of their respective offices.

2. Said officers shall be, at all times, under the supervision and direction of the Mayor, to whom they shall promptly report all violations of this ordinance that may come to their knowledge; and they shall, at all times, have the right to enter the lots and premises in the Corporation to inspect the condition of the privies, sinks, &c. in their respective districts. It shall be their duty by themselves or their agents, to cleanse each of the privies, sinks, &c. in their respective districts in this Corporation, and to remove there from the night soil and other deposits at east once in every month from the first day of December until first day of April, and twice every month from first day of April until thirtieth day of November, except as hereinafter provided; such cleansing and removals to be made during the night between the hours of 11 P. M. and day break—to convey by decent and appropriate method the night soil, &c. so removed, and deposit the same at such place or places as may be approved by the Mayor; to deodorize the privies, sinks, &c. so cleansed, and to keep constantly deodorized and disinfected the night soil, &c. in the place or places where deposited by them as aforesaid, in such manner as may be approved by the Mayor.

3. Said officers shall have and receive for their services, in addition to the night soil, &c., so removed by them, the sum of twenty cents per month for the months commencing on first day of December and ending thirty-first day of March, and thirty-three and one-third cents per month for the months commencing first day of April and ending the thirtieth day of November, to each privy, &c., used by a family

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or household of six persons or less, and a proportionate increase of pay for each additional person beyond six. The charges for such work shall be paid for by the occupant of the lot or premises on which the service is rendered, and may be collected by said officers by distress and sale, as taxes for the benefit of the city are authorized to be collected, and if paid by the owner of the lot or premises, said owner shall have like remedy for collecting against the tenant or occupant. *Provided*, that said fees and dues provided to be paid to the City Scavengers shall be paid and collected in monthly installments as herein before set forth for each month, and there shall be no claim against the owner of any lot for the said dues, to the City Scavengers, unless the same is presented and prosecuted against him within thirty days after the installment is due.

4. If the said officers or their agents, in removing the night soil, shall spill and leave any of it on the lots or in the streets or alleys of the city, or violate this ordinance in any of its provisions, they shall be liable to a fine of not less than one dollar nor more than ten dollars for each separate offence.

5. From and after the first day of September, 1878, it shall not be lawful for any one, except the City Scavengers or their agents to remove or have removed from any of the lots or premises in the Corporation the night soil, &c., accumulated in the privies, boxes, &c. But any person desiring to have his privy, box or sink cleansed of the night soil, &c. oftener than once every two weeks, may call upon and require the said City Scavenger of his district to cleanse his privy, box, &c., and remove the night soil there from as often as he may wish, for which additional service he shall pay at the same rate as for the regular service herein before provided, or as may be agreed upon with said officer; and it shall be the duty of said officer to respond promptly to any call so made on him. Any person violating this section shall be fined not less than one dollar nor more than ten dollars for each separate offence.

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CHAPTER, XLVII.

AN ORDINANCE RELATING TO HINDRANCES AND OBSTRUCTIONS AT RAILROAD STATIONS BY PORTERS, HACK DRIVERS, &C.

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| 1. Not to obstruct way to station. | 4. Duty of Mayor, &c. |
| 2. Loud outcry or clamor at station. | 5. Penalty of violation. |
| 3. Not to go into car soliciting custom. | |

1. That it shall be unlawful for any agent or porter of any hotel or boarding house, or for any owner, agent or driver of any hack or other vehicle, or for any other person at any terminal station of any railroad in this Corporation, to throng or obstruct the way to such station so as to hinder or prevent the free and unimpeded access to or departure from such station by passengers carried or to be carried on the cars of said railroads, or those attending or receiving them at said stations.

2. It shall be unlawful for any person at any such stations to make any unnecessarily loud outcry or clamor, or to solicit custom or employment in a tone louder than a conversational one, or to take hold of any passenger, person, clothing, baggage or property, unless previously requested by such passenger to do so.

3. No such porter, agent, owner or driver of any hack or other vehicles, or other person, shall go into or upon any such car for the purpose of soliciting custom or employment, *unless less previously authorized to do so by the proper person having charge of same.*

4. It shall be the duty of the Mayor to designate the limits, not less than ten feet from every such railroad station, within which it shall not be lawful for any such hotel porter, or agent, or owner, or driver of any hack or other vehicle, to come for the purpose of soliciting custom or employment for half an hour after the arrival of any such railroad train of cars; and the policemen are specially charged to enforce this ordinance.

5. Any person violating any of the provisions of this ordinance, and the employer of any such person so violating the same, if the keeper of a hotel or boarding house, or owner of a hack or other vehicles, shall, on conviction before the Mayor

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or any Justice of the Peace of this Corporation, be fined not less than one nor more than five dollars.

CHAPTER XLVIII.

PUBLIC FREE SCHOOLS.

1. How Public schools—how divided.
2. How sustained.
3. How managed.
4. Board of Trustees—how constituted.
5. To elect officers and adopt rules.
6. Duty of City Treasurer.

1. There shall be inaugurated and maintained within the town of Fredericksburg a system of Public Free Schools, as provided for by the Constitution and laws of the Commonwealth; and in order to put said system in operation, and organize schools there under, the town shall be, and is hereby, divided into two School Districts, the centre of George street being the dividing line—that portion of the town lying north of said George street shall be known as the North or Upper District, and that portion south of said George street shall be known as the South or Lower District.

2. Said schools shall be maintained and the expense thereof paid by such appropriations as may be annually made by the City Council, the State of Virginia and such donations as may be made by the friends of education within or without the State, and such further appropriations as may be made from any other source or sources to the Board of School Trustees for said purpose.

3. Said schools shall be managed and conducted by a Board of Trustees, with such principals and teachers as they may deem necessary and shall appoint; the Board reserving the right to dispense with the services of any and all said principals and teachers at any time during the school term.

4. The Board of Trustees shall be elected or appointed in such manner as the State law shall prescribe, and shall consist of six members, three from each district, and shall hold office for a term of three years, provided that it be so arranged that the terms of office of two members thereof; one from each district, shall expire each year, and, provided further, that such members shall always be eligible for re-election.

5. The Board of Trustees may elect such officers, and adopt such rules and regulations for the organization of said Board, and for the government of said schools as will, in

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their judgment, conduce to interest and efficiency thereof, not inconsistent with the Constitution and laws of Virginia in reference to Public Free Schools.

6. It shall be the duty of the City Treasurer to take charge of all funds appropriated for or donated to said schools and disburse the same by order of the Board of Trustees.

CHAPTER XLIX.

MANUFACTORIES--THEIR EXEMPTIONS, PASSED MARCH 11, 1872.

AMENDED JANUARY 26, 1876.

1. Capital to be exempt from taxation.
2. Exemption—to what applied.
1. All capital used and employed in manufacturing enterprises within the Corporate limits of Fredericksburg in excess of the sum of ten thousand dollars, shall be exempt for the period of ten years, from the date of its organization and use, from all municipal taxation by this Corporation.
2. This said exemption shall only apply to enterprises in manufacturing, which shall be commenced, organized and operated within five years from the passage of this act, and to new and additional capital invested in enterprises already existing and in operation, but shall not extend to dwelling houses, tenant houses and stores connected with said manufacturing establishments.

CHAPTER L.

FUNDING THE BONDED DEBT OF THE CORPORATION.

1. Corporation to issue bonds.
2. Bonds used for funding debt.
3. Corporation to pay interest.
4. Sinking fund to be created, &c.
5. Duty of Finance Committee.
6. Coupons receivable for taxes.
1. In pursuance of the provisions of an act of the General Assembly of Virginia conferring said authority, this Corporation shall issue new bonds, bearing seven per cent interest, payable semi-

annually, either coupon or registered, non-taxable by this Corporation, said coupons to be receivable at maturity for all taxes and other dues to said Corporation; said bonds to be issued in denominations of one hundred (\$100,) five hundred (\$500) dollars and one thousand (\$1,000) dollars, to be payable thirty (30) years after date.

2. That the said bonds shall be used for funding the existing debt of this Corporation by exchanging said new bonds for said old existing debt in the proportion of two new bonds of

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\$100 for three old bonds of like amount, said bonds to be dated on the first of May and first of November.

3. That this Corporation pledges its credit to the payment of the semi-annual interest and coupons to become due on said new bonds promptly at maturity, either in current funds or by retiring the same in payment of taxes.

4. And also that a sinking fund of one per cent. per annum on said new bond issued shall be created to retire said debt at maturity, and that the Mayor and Common Council shall cause to be levied, annually, a tax sufficient to pay said coupons and interest of the new bonds, and to provide said one per cent. for said sinking fund.

5. That the Finance Committee of this Corporation, in conjunction with the Treasurer, be authorized to carry out the provisions of this ordinance.

6. That the Collector of Taxes of this Corporation for each year, in the months of September and October, shall receive said coupons and interest on the new bonds, which may fall due on November first, for all taxes and dues to this Corporation.

CHAPTER LI.

PROHIBITING THE BUYING AND SELLING OF CORPORATION COUPONS BY CORPORATION COLLECTORS.

1. Duties of collecting officers.

3. Penalty for violation.

2. Officer's books—to whom opened.

1. It shall not be lawful for any Collector, Deputy Collector, or other officer charged with the collection of the public revenues of this Corporation, to convert any moneys received by him into coupons, directly or indirectly, by purchase, exchange or otherwise; but such collecting officers shall account to the Treasurer of the Corporation in money, or by check or draft, for money, for all revenue received by them in money; nor shall it be lawful for any such collecting officers to purchase such coupons for the purpose of sale thereof or to sell the same during his continuance in office.

2. Every such collecting officer shall preserve, upon the books of his office, a statement showing the amounts received by him in such coupons, and the names of the parties from whom received, which shall be open to the inspection

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of the Mayor, Treasurer or any member of the Council, and shall accompany every settlement made by him with a sworn statement of the aggregate amount collected in coupons.

3. Any officer violating this ordinance, or the provisions thereof, shall forfeit his office.

CHAPTER LII.

HURKAMP PARK--RULES AND REGULATIONS FOR THE GOVERNMENT OF THE SAME.

1. Hurkamp Park—where situated.

6. Throwing stones &c.—penalty.

2. Rules and regulations.

7. Chasing animals &c.—penalty.

1. Discharging fire-arms—penalty.

8. Profane language, &c.—penalty.

2. Dogs in Park—penalty.

9. No spirituous liquors allowed.

3. Pulling flowers, &c.—penalty.

10. Swings prohibited.

4. Committing nuisance—penalty.

11. Penalty for climbing trees.

5. Defacing benches &c.—penalty.

12. Breaking or injuring trees.

- 13. When gate to be opened, &c.
- 14. Intoxicated persons—not allowed
- 15. No gambling allowed.
- 16. No fire allowed in Park.

- 17. Climbing over walls.
- 3. Police to attend in Park.
- 4. Fines to go to Park Committee.

Section 1. The square, in this city, bounded by George street on the south, Commerce street on the north, Prince Edward street on the east and the old Methodist and Masonic Lodge, No. 63, burial grounds on the west, and now opened as a Public Park, shall be known and designated as "Hurkamp Park."

Sec. 2. The following shall be the rules and regulations for its government and conduct, to wit:

ARTICLE I. If any person shall discharge any fire-arms within the Park, such person shall forfeit and pay the sum of two dollars for each offence.

ART. II. Dogs are prohibited in the Park, and if any person having a dog with him in the enclosure, refuses, when requested, to take him out, such person shall forfeit and pay a fine of one dollar.

ART. III. If any person shall pull or injure any flower, whether wild or cultivated, cut or break down any tree or bush planted or growing therein; break shrubs, or branches of any tree or bush, or bark trees or injure shrubbery or plants, such person shall forfeit and pay not less than one dollar nor more than ten dollars for each offence.

ART. IV. If any person shall commit any nuisance, or any offence against decency or good morals, such person shall forfeit and pay not less than one dollar nor more than ten dollars for each offence.

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ART V. If any person shall write upon any bench, statuary, ornament or any property, or in any manner cut, deface or mutilate the same, such person shall forfeit and pay not less than one dollar nor more than five dollars.

ART. VI. If any person shall throw any stone or other missile, or any rubbish of any kind into the Park, such person shall forfeit and pay not less than one dollar nor more than three dollars for each offence.

ART. VII. If any person shall chase, set snares for, or catch any hare, squirrel, bird or other living thing placed or allowed therein, or shall rob any bird's nest of its eggs or young birds, such person shall forfeit and pay not less than one dollar nor more than ten dollars for each offence.

ART. VIII. If or any person shall curse and swear, use abusive language, or behave in a violent or disorderly manner in the Park, such person shall forfeit and pay not less than one dollar nor more than ten dollars for each offence.

ART. IX. If any person shall introduce any spirituous or malt liquors into the Park, either for his own use or for sale, and shall use or sell, or furnish to another the same, with or without compensation, such person shall forfeit and pay not less than two dollars.

ART. X. If any person shall attach a swing to any tree within the Park, without the permission of the Committee Park, such person shall forfeit and pay not less than one dollar for each offence.

ART. XI. If any person shall climb any tree, or walk upon or injure the grass within the Park, he shall forfeit and pay one dollar for each offence.

ART. XII. If any person shall break or otherwise injure the enclosure of the Park, such person shall forfeit and pay one dollar for each offence, in addition to the cost of repairing such injury.

ART. XIII. The gate shall be opened and closed, and the gas lighted and extinguished, in the Park, at such hours as the Committee on Park may direct.

ART. XIV. No person in a state of intoxication shall be allowed to remain in the Park, and if such person shall refuse to go out after having been ordered out by the Keeper,

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or other person having authority, he shall forfeit and pay one dollar for each offence.

ART. XV. Gambling and playing at cards are prohibited under penalty of five dollars, to be forfeited and paid by each of the parties to the game.

ART. XVI. If any person shall make a fire on the grounds of the Park for any purpose, without authority from the Committee on the Park, he shall forfeit and pay three dollars for each offence.

ART. XVII. If person shall climb over, or walk upon the walls enclosing the Park, he shall forfeit and pay a fine of not less than one dollar nor more than three dollars for each offence.

SEC. 3. In order that these rules and regulations shall be rigidly enforced, it shall be the duty of the police officers to attend the Park, alternately, on such nights as it may be opened to the public, to detect, arrest and bring to trial all offenders against said rules and regulations, and said police officers shall light and extinguish the gas therein; this police service shall be performed under the direction of the Mayor.

SEC. 4. The fines imposed and collected for violations of the foregoing rules and regulations, shall be placed to the credit, and subject to the order of, the Committee on Park.

CHAPTER LIII.

AN ORDINANCE TO PROHIBIT BATHING IN THE RIVER OPPOSITE TO THE TOWN, &C.

1. No bathing in Corporation.

2. Police to inform.

1. Hereafter it shall not be lawful for a person to strip and bathe in the river opposite to the town or in that portion of the canal or race west of the town, and within the limits of the Corporation, before dark. Any person offending against this ordinance shall, on conviction, forfeit and pay the sum of not less than one dollar nor more than five dollars for each offence, to be recovered by warrant; one half of the fines imposed and collected under this chapter, shall enure to the Corporation, and the other half to the officer furnishing the information.

2. It shall be the duty of the police officers to inform against all offenders.

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CHAPTER LIV.

OF STANDING COMMITTEES.

There shall be appointed by the Mayor in the month of July the following standing committees, each to be composed of three members of the Council—viz.: A Committee on Finance, a Committee on Public Property, a Committee on Streets, a Committee on Water and Pumps, a Committee on Ordinances, a Committee on Commerce and Navigation, a Committee on Gas, a Committee on Schools, a Committee on Poor, a Committee on Park and a Committee Health. The Committee on Finance shall attend to the finances of the Corporation, and recommend to the Council the way and manner of raising the means to meet the expenses and claims against the Corporation, and shall examine and report to the Council all claims against the Corporation, not authorize by the several committees.

CHAPTER LV.

OF THE CONSTRUCTION OF THIS ORDINANCE.

In the construction of this the following rules shall be observed:

First. The word "justice" shall be construed as if the words "of the peace for the Corporation of Fredericksburg" followed it.

Second. The word "town or city" shall be construed as if the words "of Fredericksburg" followed it.

Third. The words "this town or this city" shall be construed to mean "the town or city of Fredericksburg."

Fourth. The words "this Corporation" shall be construed to mean "The Mayor and Commonalty of the city of Fredericksburg."

Fifth. A word importing a singular number only, may extend and be applied to several persons and things, as well to one person or thing; and a word importing the masculine gender only, shall extend and be applied to females as well as males.

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CHAPTER LVI.
OF THE SEAL OF THIS CORPORATION.

The Seal heretofore provided and used shall continue to be the Seal of the Mayor and Commonalty of the town of Fredericksburg. Such Seal may be affixed by the Mayor to such of his official acts as may require the Seal of this Corporation to authenticate the same. And for every such attestation a tax of one dollar shall be paid to the Mayor for the use and benefit of this Corporation, and fifty cents as a fee to the Mayor.

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RULES AND REGULATIONS
FOR THE

GOVERNMENT OF THE COMMON COUNCIL OF FREDERICKSBURG.

RULE I. The Council shall meet on the third Friday in every month, at 8 o'clock in the evening, except when otherwise ordered, and also meet at any other time to which it may adjourn, or be regularly called or convened. If seven members fail to attend within half an hour after the time appointed for the meeting, the Clerk shall enter on the journal the names of those attending, and the adjournment for want of a quorum.

RULE II. Every resolution or proposition moved shall be in writing, and shall be seconded before the question is taken; and, if carried, the name of the mover shall be entered on the journal.

RULE III. If the Council direct any matter to be the special business of a future meeting, the President shall, at such future meeting, so soon as the proceedings are read and signed, announce such special business, and it shall have priority over all other business.

RULE IV. A member shall rise and address himself to the President, and be recognized by him as entitled to speak before he proceeds. After being so recognized, the member (except when called to order by the President or another member) shall not be interrupted during the time allowed him. No member shall speak more than ten minutes at any one time without permission of the Council, unless he be a Chairman of a Committee, in explanation of a report or ordinance, when he shall be allowed, if he desires it, fifteen minutes; nor shall any member speak more than twice upon the same question without such permission.

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RULE V. Every question, first made and seconded, shall be decided before a second is received, unless disposed of by the *previous* question; the previous question may be called at any time, three members concurring.

RULE VI. On the decision of any question, the yeas and shall be entered on the journal, if required by any member.

RULE VII. All appointment to places of profit or trust, to which any compensation or salary is annexed, shall be made by ballot, the persons intending to be balloted for being first put in nomination.

RULE VIII. The officer presiding at the Council, shall have the nomination of the members of all committees; and his nomination shall be conclusive, unless objection is made by some member present, in which case the Council, if it so determine by vote, shall make said nomination.

RULE IX. All notices to members to attend Council, either by adjournment or regular call, shall be delivered to the member himself, or left in writing at his dwelling house or counting room by the police officers.

RULE X. All debate shall be regular, decent and without altercation or personal invective; it must also be pertinent to the question.

RULE XI. The presiding officer shall not allow any one to speak longer or more frequently than these rules permit. He shall, in this and all other matters, preserve order, and decide any question raised concerning it; but any member may appeal from his decision to the Council, which may affirm or reverse such decision.

RULE XII. All applications to the Council shall be in writing, except where otherwise allowed, and be delivered to the Mayor previous to the time of meeting, or communicated through one of the members.

RULE XIII. It shall be the duty of the Clerk, at each meeting of the Council, to lay before the Council a list of the unfinished business; and it shall be the duty of the person presiding to call over the same before any new business is entered upon.

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RULE XIV. All spectators are to remain without the bar, where they are to conduct themselves in a quiet and orderly manner.

RULE XV. No ordinance shall be amended, suspended or repealed, except by ordinance regularly introduced and passed.

RULE XVI. Every member present when a question is put to the vote shall, unless interested, or excused from voting by the Council, vote on one side or the other of such question.

RULE XVII. After a member has, at any meeting, been entered as present, he shall not, without leave of the Council, absent himself from such meeting until its adjournment.

RULE XVIII. The proceedings of the last meeting of the council shall be read at the opening of the next session. And after the errors appearing therein (if any) are corrected, the same shall be signed by the person presiding at such meeting.

RULE XIX. No question decided by the Council, shall be again brought forward during the year for which the Council was elected, unless on a motion for reconsideration, there be in favor of such reconsideration votes equal to or greater than the majority of the members present when the question was before decided.

RULE XX. All business unfinished at the expiration of the year for which the Council was elected, shall be considered laid on the table, and may be acted on thereafter, at the pleasure of the Council.

RULE XXI. Any rule herein adopted may, at any particular time, be suspended for a special purpose, by a vote of two-thirds of the members present at that time.

RULE XXII. When an ordinance which may have repealed another shall itself be repealed, the previous ordinance shall not be revived without express words to that effect.

RULE XXIII. Any member of the Council absent from the Council at the time fixed for their meeting, without sufficient

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excuse, shall be fined, at the discretion of the Council, not to exceed one dollar.

RULE XXIV. No new ordinance or amendment to an existing ordinance shall be considered until the next regular meeting, after such ordinance or amendment may have been introduced.

RULE XXV. No business shall be transacted at any special meeting of the Council, except such as is designated in the summons convening the Council in said special meeting.

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