

Fredericksburg City Council Minutes 1838

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Saturday Evening January 6th 1838. The Council met at the Council Chamber pursuant to a call by the Mayor.

Present John H Wallace, Mayor

Wm Redd, Recorder

John Goolrick, Peter Spilman, S J Blaydes, Wm Warren, George W Rothrock, John Buck, and Fayette Johnston—Common Councilmen

The Mayor presented a communication from Colo Hugh Mercer on the subject of hogs going at large, representing the same as a serious nuisance to a great portion of the citizens of the Town and that the present ordinances in force on the subject are ineffectual and inoperative.

The following preamble and ordinance entitled “An ordinance more effectually to prevent hogs and goats from going at large within the limits of the Corporation” was passed.

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Whereas it has been represented to the Council that the Ordinances now in force are ineffectual in restraining the owners of hogs and goats, from suffering the same to go at large within the limits of the Corporation, therefore

1. Be it ordained by the Mayor and Common Council of the Town of Fredericksburg that from and after the 15th day of January 1838, it shall be lawful for, and it is hereby made the duty of the Constables of the Corporation to shoot or otherwise kill all hogs and goats going at large within the limits of the town aforesaid.
2. Be it further ordained &c that the property in all hogs and goats so shot or otherwise killed by the Constables of the Corporation, shall be forfeited by the owner or owners thereof and the same shall be vested in the officer killing them, whose duty it shall be to have the forthwith removed from the place where shot or killed.
3. Be it further ordained &c that all ordinances and parts of ordinances coming within the purview of this ordinance, be and the same are hereby repealed.

An Ordinance entitled “An ordinance to prevent dogs from running at large in the Streets of the Town,” was passed in the following words.

1. Be it ordained by the Mayor and Common Council of the Town of Fredericksburg, that from and after the first day of February 1838, it shall not be lawful for the owner or owners of any animal of the dog kind to suffer the same to run at large within the limits of the Town aforesaid. And it is hereby made the duty of the Constables of the Corporation to shoot or otherwise destroy all animals of the dog kind found going at large within the limits of the town, from and after that date, any former ordinance of the Corporation to the contrary notwithstanding.
2. Be it further ordained &c that it shall be the further duty of the officer so shooting or otherwise destroying any animal of the dog kind to have the same so disposed of that it may not become a nuisance to the inhabitants of the town and for every dog so shot or killed, said officer shall be entitled to the same fee as is provided for in a former ordinance to be paid out of the funds of the Corporation upon affidavit made by said officer before any Justice of the Peace for the Corporation [Page 127] of the correctness of his claim.
3. All ordinances and parts of ordinances coming within the purview of this ordinance shall be and the same are hereby repealed.

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

Thomas Curtis' amounting to	\$17.00
Lemuel Thompson's amounting to	\$3.00
Bernard Cole's amounting to	\$1.88

On Motion the Council adjourned

Jno H Wallace, Mayor

A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber January 20th 1838

Present John H Wallace, Mayor

Peter Spilman, Fayette Johnston, Henry T Phillips, John Buck, Jesse Curtis, Stephen J Blaydes, Charles C Wellford, Thomas F Knox, George W Rothrock and William Warren—Common Councilmen

The Mayor stated that he had convened the Council for the purpose of presenting a memorial of a number of the Citizens praying a modification of the Ordinance concerning Dogs, passed January 6th 1838 which on motion of Mr Johnston was ordered to be laid on the table for the present. The Ayes and Noes being taken on the motion to lay the memorial on the table were as follows;

Ayes Blaydes, Buck, Rothrock, Phillips, and Johnston 5

Noes Spilman, Curtis, Warren, Wellford and Knox 5

There being a tie the Mayor gave the casting vote in the affirmative.

On motion the council adjourned till 4 O'clock Friday evening next for the purpose of considering the above named subject.

Jno H Wallace, Mayor

Arthur Goodwin, CC

Friday Evening, January 26th 1838, the Council met pursuant to order of adjournment

Present John H Wallace, Mayor

William Redd, Recorder

Stephen J Blaydes, Fayette Johnston, John Buck, Peter Spilman, Henry T Phillips, George W Rothrock, Jesse Curtis and [Page 128] William Warren—Common Councilmen

The memorial laid on the table at the last meeting of the Council being taken up and considered it was thereupon on motion of Mr Redd

Ordered that the Corporation Ordinance concerning dogs passed January 6th 1838 be and the same is hereby suspended in its operation till the 31st March next, The ayes and notes being taken on the motion were as follows

Ayes Blaydes, Buck, Spilman, Curtis, Redd, Phillips, Warren 7

Noes Johnston & Rothrock 2

Present John Goolrick—Councilman

On motion, Mr Goolrick was allowed to record his vote in the negative on the vote to suspend the operation of the above mentioned ordinance passed January 6th 1838

Present Thomas F Knox—Councilman

A motion was made and seconded to suspend the operation of the ordinance concerning hogs and goats, passed January 6th 1838, and the ordinance now in force preventing geese from going at large in the streets, until the 31st March next, which was lost by the following vote

Ayes Blaydes, Buck, Curtis, Knox and Warren 5
Noes Spilman, Redd, Phillips, Rothrock, Goolrick and Johnston 6

A motion was made by Mr Redd and seconded by Mr Johnston to reconsider the vote suspending the operation of the ordinance concerning dogs, passed January 6th 1838, which was carried, and

On a motion to adjourn, the Council adjourned
Jno H Wallace, Mayor
Arthur Goodwin, CC

At a meeting of the Common Council of the town of Fredericksburg at the Council Chamber, January 30th 1838

Present John H Wallace, Mayor
William Redd, Recorder
Thomas F Knox, Henry T Phillips, Jesse Curtis, Peter Spilman, C C Wellford, Geo W Rothrock, John Goolrick, John Buck, and Fayette Johnston—Common Councilmen

The Mayor presented a memorial signed by a number of the citizens of the town praying a repeal [Page 129] or at least a suspension of the ordinance passed the 6th of January 1838 concerning dogs going at large in the streets of the town whereupon.

On motion of Mr C C Wellford, the ordinance passed the 6th of January 1838 restraining dogs from going at large was suspended in its operation until the 31st of March next by the following vote

Ayes Spilman, Curtis, Redd, Wellford, & Knox 5
Noes Buck, Phillips, Rothrock, Goolrick & Johnston 5
There being a tie the Mayor voted in the affirmative

On motion of Mr Curtis the ordinance passed the 6th of January 1838 restraining hogs and goats from going at large in the streets, so far as the same relates to hogs was suspended in its operation till the 31st of March next by the following vote

Ayes Buck, Spilman, Curtis, Redd, Wellford and Knox 6
Noes Phillips, Rothrock, Goolrick and Johnston 4

A motion to suspend the same ordinance so far as it relates to goats until the 31st of March next was passed by the following vote;

Ayes Buck, Redd, Rothrock, Goolrick and Johnston 5
Noes Spilman, Curtis, Wellford & Knox 4
H T Phillips not voting.

Ordered that the ordinance passed July 8th 1837 concerning hogs be and the same is hereby revived.

An a/c of George Aler amounting to one dollar and seventy six cents was passed and ordered to be paid by the Chamberlain.

On motion it was resolved that the voters for Common Councilmen at the coming March election be respectfully requested to name on the back of their tickets the person whom they would prefer to be Mayor of the Town for the ensuing year.

On motion the Council adjourned
Jno H Wallace, Mayor
A Goodwin, CC
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At a meeting of the Common Council of the town of Fredericksburg at the Council Chamber March the 15th 1838

Present John H Wallace, Mayor
William Redd, Recorder

Stephen J Blaydes, Peter Spilman, Jesse Curtis, Fayette Johnston, John Goolrick, John Buck, George W Rothrock, and Charles C Wellford—Common Councilmen

The Chamberlain received from the Mayor the sum of two dollars in full for balance due on account for taxes on Corporation Seal, for the current year, which is ordered to be placed to the credit of the Corporation.

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

Michael Ames' agent	\$7.75
John J Chews'	\$5.75
Bernard Coles'	.75
Stephen J Blaydes	.63
James D Harrows'	11.66
Wm M Blackfords'	8.83
John S Caldwell's'	41.27

Ordered that one half of the amount of taxes charged against the Stage Company for horses & stage property owned by said Company as given to the Commissioner of the Revenue be remitted for the present year.

Present Thomas F Knox—Councilman

Ordered that Lieut Thomas R Rootes have the privilege of erecting posts and railing before his lot on the cross street leading from Commerce Street to the Basin, provided the same are not placed at a greater distance than ten feet from the end of his house.

Ordered that the Sergeant of the Corporation credit the bond of Enoch Harding for rent of the Hay Scales, but the sum of twenty dollars, on account of losses sustained by him, by reason of the scale being out of order for a part of the year.

Ordered that the Clerk of the Council procure a ballot box with a lock and key thereto in which the ballots at the ensuing election for Council men shall be deposited and the same shall not be opened until after the closing of the polls, when it shall be opened and the ballots counted in the presence of the Council and bystanders.

Ordered that the Chamberlain pay the police officers [Page 131] their salaries for the quarter ending the third Monday in this month.

Ordered that Fayette Johnston, George Rothrock, John Buck and Jesse Curtis be a committee any three of whom may act to examine, settle and report upon the accounts of the Sergeant and Chamberlain for the current year.

On motion the Council adjourned till Monday Morning next at 9 o'clock
Jno H Wallace, Mayor
A Goodwin, CC

Monday morning, March 19th 1838, the Council met pursuant to order of adjournment

Present John H Wallace, Mayor

Wm Redd, Recorder

S J Blaydes, P Spilman, J Curtis, Geo W Rothrock, John Buck, Fayette Johnston, C C Wellford, and William Warren—Common Councilmen

The Committee appointed to examine and settle the accounts of the Sergeant and Chamberlain made the following reports which were approved & ordered to be recorded.

“The undersigned appointed a committee on the part of the Common Council have examined the account of the Sergeant of the Corporation for the year 1837 and find the same correctly stated and that by said account there remains to be collected the sum of two hundred and forty two dollars and eighty eight cents for taxes, and the sum of four hundred and seventy dollars and forty six cents for rents for 1837. March 19th 1838

(Signed) Fayette Johnston, G W Rothrock, Jesse Curtis”

“In pursuance of an order of the Common Council of the Town of Fred’g of the 15th Inst. We the undersigned, a committee appointed to examine and settle the account of A Goodwin Chamberlain of the Corporation for the current year do hereby certify that we have examined the same and find it properly stated and supported by proper vouchers, shewing a balance due to the Chamberlain of twelve dollars and forty one cents.

Given under our hands this 19th March 1838

(Signed) Fayette Johnston, G W Rothrock, Jesse Curtis”

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The Sergeant returned Insolvent lists for the year 1837, of Whites amounting to one hundred and seventeen dollars and forty cents, and of free blacks amounting to one hundred and twenty dollars and eighty eight cents.

On motion of Mr F Johnston it was unanimously

Resolved that the thanks of the Board be tendered to Doctor John H Wallace, on his retirement from office, for the faithful and impartial manner in which he has discharged the duties of presiding officer of

the board and Mayor of the town during the period he has filled the several offices, which was responded to by the Doctor in a neat and appropriate speech.

This being the day appointed by law for the election of twelve men to serve as Common Councilmen until the 3rd Monday in March 1839 and until others shall be elected in their stead. A poll was opened for that purpose and the freeholders and housekeepers of the town having been duly notified of such election met at the Council Chamber and deposited their ballots and upon counting the same the largest number of votes were found to be given to the following persons to wit;

Thomas F Knox	213
John Buck	200
Howson H Wallace	196
George W Rothrock	189
Fayette Johnston	186
William Redd	162
Jesse Curtis	155
Alexander K Phillips	148
Peter Spilman	147
John Goolrick	145
Charles C Wellford	138
Albert G Lucas	116

Who were declared duly elected Common Councilmen to serve for one year and until others are elected in their stead.

Ordered that the reports of the Committee on Sergeants' and Chamberlains' accounts and the Resolution expressing approbation of the official conduct of the Mayor be published in the newspapers of the Town.

On motion the Council adjourned

Jno H Wallace, Mayor

A Goodwin, CC

Tuesday evening 20 March 1838

H H Wallace, Peter Spilman, Wm Redd, Jesse Curtis, Thomas F Knox, Albert G Lucas, John Goolrick, Fayette Johnston, John Buck, George W Rothrock, and Alexander K Phillips members elect of the Common Council of the Town of Fredericksburg met at the Council Chamber and severally took the [Page 133] oaths of office before the Mayor.

On motion the salary of the Mayor for the present year was fixed at the sum of four hundred dollars Colonel Benjamin Clark was unanimously elected Mayor of the Town of Fredericksburg for the present year and took the several oaths of office before John H Wallace Mayor for the time being.

The Council then proceeded to the election of Recorder when Fayette Johnston was elected who took the several oaths of office before the Mayor.

On motion the salaries of the following officers were fixed at the following sums viz;

Clerk of the Council fifty dollars

Chamberlain of the Corporation one hundred and fifty dollars

Police officer two hundred dollars

Constables (to act as assistant police officers) each two hundred dollars

Commissioner of the Revenue sixty dollars
Clerk of the Market one hundred dollars
Bellman fifty dollars
Jailor fifty dollars

The Council then proceeded to the election of officers when Arthur Goodwin was elected Clerk of the Council and Chamberlain of the Corporation; John S Caldwell, police officer and Collector of Taxes and rents; Bernard Cole and George Aler assistant police officers; John Metcalfe Commissioner of the Revenue; Matthew D Anderson, clerk of the Market; Jesse White, Bellman; John Goolrick, Surveyor and Geographer of the Corporation; Samuel Phillips, inspector and measurer of wood, lumber &c &c t the wharves; Bernard Cole, Inspector and measurer of wood, lumber, &c &c at the Basin, John B Alexander, Inspector and Measurer of Wood, Lumber &c &c at the Depot; Robert Parrott gauger; and Matthew D Anderson measurer of salt, Grain, Coal &c

Arthur Goodwin, John S Caldwell, John Goolrick, Bernard Cole, George Aler and Matthew D Anderson were severally sworn into office by the Mayor.

On motion it was ordered that a commission of 10pr ct on Taxes and 5 pr ct on Rents be allowed the collector of taxes and rents on all collection made by him.

The following standing Committees were appointed by the Mayor, viz;
On Public Property, John Goolrick, H H Wallace, Peter Spilman, John Buck
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On Pumps, C C Wellford, A G Lucas, Alex K Phillips, Thos F Knox
On Streets, Wm Redd, Jesse Curtis, Geo W Rothrock, Fayette Johnston

On motion the tax for a license on drays and Carts was fixed at five dollars and on Waggon eight dollars and the same is ordered to be collected by the Collector of taxes and rents.

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

At a meeting of the Council on the 29th day of March 1838

Present Benjamin Clark, Mayor

Fayette Johnston, Recorder

John Goolrick, Peter Spilman, Jesse Curtis, Howson H Wallace, Alex K Phillips, and A G Lucus—
Common Councilmen

C C Wellford, a member elect appeared, was qualified and took his seat.
Robert Parrott, gauger, qualified before the Mayor

The Mayor stated that two ordinances had heretofore passed the Common Council on the 6th day of January 1838 prohibiting hogs, dogs, and goats from going at large in the town and that at a subsequent meeting of the Council the said ordinances had been suspended in their operation until the 31st March 1838; and that he had convened the Council for the purpose of taking into consideration the propriety of enforcing, suspending, or repealing the ordinances aforesaid; Whereupon on Motion it was

Resolved that the ordinances passed on the 6th day of January 1838 so far as the same relates to Hogs and dogs be further suspended until the first meeting of the Council in May next &
Be it further resolved that the ordinances in force previous to said ordinances passed on the 6th January 1838 be revived and put in full force from & after the 10th day of April next.

Ordered that the ordinance concerning boys bathing in the River be published in the Newspapers of the Town.

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On motion it was resolved that a committee of five be appointed to take into consideration the propriety of regulating the height and graduation of footways and that they report to the next meeting of the Council, whereupon Mess'rs Phillips, Knox, Buck, Wallace, and Redd were appointed.

Ordered that the Council meet at ½ past 7 o'clock on Wednesday next
Benj Clark, Mayor

The Council met at the Council Chamber this 4th day of April 1838 pursuant to order of adjournment
Present Benjamin Clark, Mayor

Fayette Johnston, Recorder

Peter Spilman, A K Phillips, Thomas F Knox, George W Rothrock, Jesse Curtis, Albert G Lucas, and John Goolrick—Common Councilmen

The official bond of the Chamberlain with R T Thom and John Coakley as securities was submitted to the Board, approved and ordered to be filed by the Mayor.

The Committee appointed at the last meeting of the Council to take into consideration the height and graduation of the sidewalks of the streets made a report which was recommitted to the Committee with directions to draught an ordinance based upon the report; also ordered that Arthur Goodwin and John S Caldwell be added to the said Committee.

On motion, ordered the hereafter there should be regular monthly meetings of the Council on the first Wednesday of each month at ½ past seven o'clock P.M.

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

Wednesday May the 2nd 1838. At a regular meeting of the Common Council of the Town of Fredericksburg

Present Benjamin Clark, Mayor

Fayette Johnston, Recorder

John Goolrick, H H Wallace, P Spilman, Jesse Curtis, A K Phillips, Geo W Rothrock, John Buck, Wm Redd, C C Wellford and Albert G Lucas—Common Councilmen

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The Commissioner of the Revenue having returned a list of Taxable persons and property it was on motion

Ordered that the taxes on Persons and Property for the present year be as follows, viz;

On real estate four per cent on the annual value thereof

On each white male inhabitant of the Corporation, above the age of sixteen years one dollar and twenty five cents

On each slave, male or female above the age of twelve years, one dollar and twenty five cents

On each free Negro or Mulattoe male or female, above the age of sixteen years, one dollar and twenty five cents

On each horse, one dollars and fifty cents

On each carriage, Cariole, Gig, Phaeton, or pleasure carriage of every description of the value of one hundred dollars and under, two dollars

On each over and above the value of one hundred dollars, two per cent on the value thereof

On motion ordered that Lieut Thomas R Rootes be allowed the privilege of erecting a portico on the north side of his dwelling, opposite the residence of the late John Chew, provided the said Portico do not extend more than four feet from said Dwelling, on the footway and that the same shall be open on either side, so as to be no impediment in the way of the foot passengers.

Ordered that the Chamberlain have credit in his account with the Corporation for the sum of twelve dollars and seventy eight cents being amount paid for the redemption of old Corporation notes, which were burnt by order of Council.

On motion ordered that the Chamberlain write to the Auditor of the State and ask his construction of the Act of Assembly exempting certain property of the Richmond, Fredericksburg and Potomac Rail Road Company from taxation and also make enquiry whether the Corporate authorities of the City of Richmond have laid taxes on the same.

An ordinance in the following words was read and passed viz;

And ordinance concerning footways

Be it ordained by the Mayor and Common Council of the Town of Fredericksburg and it is hereby ordained by the authority of the same, that hereafter it shall not be lawful for the owner or occupier of any tenement or unimproved lot in the town aforesaid to raise or in any manner change or alter the graduation of the footway before his or her tenement or lot, without the permission of the Street Commissioners, or a majority of them first had and obtained. Any person offending [Page 137] herein shall be liable to a fine of five dollars to be recovered before any Justice of the peace for the town aforesaid with costs upon the complaint of any two or more of the said street commissioners; and shall moreover be liable to a further fine of one dollar to be recovered in like manner for every day the footway before his or her tenement or lot shall remain so raised changed or altered as that the same shall be considered in the opinion of said Commissioners, and impediment to the foot passengers or an injury or inconvenience to the owners or occupiers of the adjoining tenement or lot.

2. All fines accruing for violations of this ordinance shall be paid to the Chamberlain for the use of the Corporation by the Justice of the peace imposing the same.

3. This ordinance shall be in force from and after its passage.

On motion the ordinance passed the 6th day of January 1838 so far as the same relates to hogs was unanimously repealed.

On motion, the ordinance concerning dogs, passed the 6th day of January 1838 was repealed by the following vote;

Ayes John Goolrick, H H Wallace, P Spilman, J Curtis, A K Phillips, Geo W Rothrock, John Buck, Wm Redd, C C Wellford & A G Lucas 10
Nay, Fayette Johnston

On motion the Council adjourned
Benj Clark, Mayor

At a meeting of the Common Council of the Town of Fredericksburg May the 12th 1838.

Present Fayette Johnston, Recorder

P Spilman, C C Wellford, A G Lucas, John Buck, Wm Redd, Jesse Curtis, and John Goolrick—Common Councilman.

The Recorder stated the Council had been convened for the purpose of considering a communication from Charles Goodwin of Baltimore on the subject of negotiating a loan for the Corporation authorized by an Act of the Legislature passed the 12th Feb'y 1835.

Whereupon it was ordered that J Curtis, C C Wellford and Wm Redd be a committee to correspond with Charles Goodwin, asking him to obtain what information he can, as to the lowest rate of interest for which a loan of \$25,000 for the Corporation can be had [Page 138] also of the same can be had for a term of years not less than twenty and also what charge he would make for negotiating the said loan.

Present Benjamin Clark, Mayor

Ordered that the Committee on Public Property be directed to have the enclosure around the Court House lot repaired in a neat and substantial manner.

Ordered that the Council adjourn
Benj Clark, Mayor
A Goodwin, CC

At a called meeting of the Common Council the 22nd June 1838

Present Benjamin Clark, Mayor

John Buck, A K Phillips, Jesse Curtis, George W Rothrock, H H Wallace, Wm Redd, Peter Spilman and A G Lucas—Common Councilmen

A letter from James E Heath Esq'r Auditor of the State in reply to information requested by an order of the board on the 2nd day of May 1838, submitted by the Chamberlain & also a letter from Chs Goodwin of Baltimore in reply to a communication from a committee appointed at the last meeting of the Council submitted by Mr Curtis, were read and ordered to be filed by the Clerk of the Council

Ordered that the Chamberlain do pay the police officers of the Corporation their salaries for the quarter ending the 19th Inst.

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

George Aler's for killing dogs &c	\$5.38
Thomas Curtis' for supper for guards 2 nights	\$11.50
Bernard Coles' for killing dogs	\$5.50

Present, Thomas F Knox—Councilman

Ordered that A K Phillips and A G Lucas be a Committee to enquire into the propriety of erecting a town clock at the expense of the Corporation, and also ascertain what would the probable cost of a clock and make report thereon as soon as they can obtain the necessary information.

Ordered that the Mayor have the tables in the [Page 139] Council Chamber newly covered with oil cloth or baize as he may think fit.

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a monthly meeting of the Council at the Mayor's office August 1st 1838

Present Benjamin Clark, Mayor

Fayette Johnston, Recorder

John Goolrick, Jesse Curtis, John Buck, George W Rothrock, Wm Redd, A K Phillips and C C

Wellford—Common Councilmen

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

George W Rothrock, viz \$7.06

Michael Glassells for \$2.00

Wm Taylors for repairs to Cannon Carriage for \$50.90

Ordered that the Committee on public property take charge of the Brass Cannon belonging to the Corporation with a view to its preservation from exposure to the weather &c

The following ordinance entitled “an ordinance for the better regulation of the Market was read and adopted.

1. Be it ordained by the Mayor and Common Council of the Town of Fredericksburg; that from and after the tenth day of August 1838 Market hours shall commence at sunrise and continue until 9 o'clock from the first day of April to the first day of September, and until 10 o'clock from the first of September to the first day of April, in every year. And it shall be the duty of the Clerk of the Market at sunrise of each day to open the Market by ringing a bell to be provided for that purpose, and he shall not permit any person or persons under any pretense whatever to bargain for, buy or sell any article of provisions previous to such time of opening the Market.

Any person or persons who shall offend herein by bargaining for, buying or selling any article of provision before the Market is opened by the Clerk of the Market shall forfeit and pay the sum of five dollars, to be recovered by warrant with costs before any justice of the peace of the Corporation which [Page 140] warrant it shall be the duty of the Clerk of the Market or any Constable of the Corporation to procure and prosecute in the name of the Chamberlain of this Corporation

2. And be it further ordained that no person shall carry, or cause to be carried into the Market House, or Market space, any butter, poultry, eggs or provisions of any kind, which shall not be intended for sale in Market; and all articles of provision so carried to market in violation of this section, shall be forfeited and it shall be the duty of the Clerk of the Market and the Constables of the Corporation, to seize and sell the same for the benefit of the Corporation.

3. Be it further ordained that no huckster or other person who usually purchases to sell again, or butcher, shall either directly or indirectly purchase or contract to purchase, receive or contract to receive in market

during market hours a greater quantity of provisions than what shall be sufficient for the use of his or her family; and any person who shall offend herein, shall forfeit all such surplus of provisions and shall moreover forfeit and pay for every such offense a sum not exceeding five dollars at the discretion of the justice of the peace before whom the warrant shall be tired, to be recovered by warrant as aforesaid.

4. Be it further ordained that it shall not be lawful for any butcher to sell any meat or any article of provision in any of the streets of the town after market hours; any butcher so offending shall forfeit and pay for every such offense the sum of two dollars to be recovered by warrant as aforesaid.

5. All ordinances and parts of ordinances within the purview of this ordinance are hereby repealed. This ordinance shall be in force from & after the 10th day of August 1838.

Ordered that fifty copies of the proceeding ordinance & the ordinance regulating the Market &c passed the 23rd June 1829 be printed and the same be stuck up in different places in the Market House and Market space by the Clerk of the Market, he always having a copy of the same with him during the Market hours.

Ordered that the Council do now adjourn

Benj Clark, Mayor

A Goodwin, CC

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At a called meeting of the Common Council of the Town of Fredericksburg at the Council Chamber August 23rd 1838

Present Fayette Johnston, Recorder

Peter Spilman, Howson H Wallace, John Buck, Jesse Curtis, Albert G Lucas, George W Rothrock and Wm Redd—Common Councilmen

The Recorder stated that the object the Mayor had in view in convening the Council was to take into consideration some parts of the ordinance for the better regulation of the Market passed the 1st August 1838

Present, Benjamin Clark, Mayor

A motion, made by Mr Redd to rescind the ordinance passed the 1st August 1838 for the better regulation of the Market was rejected by the following vote;

Ayes, H H Wallace and Wm Redd 2

Noes, John Buck P Spilman, J Curtis, G W Rothrock, F Johnston & A G Lucas 6

The following ordinance repealing the fourth section of the ordinance entitled “An ordinance for the better regulation of the Market” was read and passed, viz;

Be it ordained by the Mayor and Common Council of the Town of Fredericksburg, that so much of the ordinance passed the 1st August 1838, entitled “An ordinance for the better regulation of the Market” as prohibited butchers rom selling any meat or other article of provision in the streets of the town aforesaid after Market house, be and the same is hereby repealed.

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a meeting of the Common Council of the Town of Fredericksburg at the Council Chamber the 25th August 1838, called by the Mayor
Present, Benjamin Clark, Mayor
Peter Spilman, John Goolrick, John Buck, Wm Redd, George W Rothrock, A G Lucas and Thomas F Knox—Common Councilmen

The Mayor stated he had convened the Council at the instance of many petitioners of the Town on the subject pray that an ordinance may be passed requiring the sale of Indian Corn Meal by weight instead of measurement, Whereupon [Page 142] the following ordinance entitled “An ordinance concerning the sale of Indian Corn Meal” was read and passed.

Whereas it has been represented to the Council that the present mode in use of selling Indian Corn Meal by measurement is liable to abuses and that the sale of the same by weight would be preferred by a large portion of the inhabitants of the Town, therefore,

Be it ordained by the Mayor and Common Council of the Town of Fredericksburg, that all Indian Corn Meal which shall hereafter be sold in this Town shall be sold by weight and fifty pounds be allowed to the bushel and any person or persons who shall sell or offer to sell in the Town aforesaid any Indian Corn Meal otherwise than by weight as aforesaid, shall forfeit and pay for every such offense the sum of five dollars to be recovered by warrant, with costs, before any justice of the peace of the said town, half of which fine shall go to the informer and the other half to the use of the Corporation.

This ordinance shall be in force from and after the 10th day of September 1838

On motion the monthly meetings of the Council was suspended until the meeting in October next & on motion the Council adjourned

Benj Clark, Mayor
A Goodwin, CC

At a regular meeting of the Common Council of the Town of Fredericksburg at the Council Chamber October 3rd 1838

Present Benjamin Clark, Mayor

Fayette Johnston, Recorder

Wm Redd, Peter Spilman, Geo W Rothrock, Howson H Wallace, John Buck, A G Lucas, & Jesse Curtis—Common Councilmen

Ordered that the Chamberlain pay the Police Officers their salaries for the quarter ending the 19th Ultimo

A motion was made by Mr Redd to rescind that part [Page 143] of the Market Ordinance passed the 1st day of August 1838 fixing the hour of opening the Market at sunrise, which was with his consent on motion of the Recorder laid on the table for consideration at the November meeting of the Council.

A motion, made and seconded to purchase of Colonel Wm F Gray, a copy of the *Virginia Herald* from its first establishment to the [blank] day of [blank] was put and lost

On motion the Council adjourned

Benj Clark, Mayor
A Goodwin, Clk Council

At a regular meeting of the Common Council of the Town of Fredericksburg at the Council Chamber the 7th of November 1838

Present Benjamin Clark, Mayor

Fayette Johnston, Recorder

John Buck, H H Wallace, Peter Spilman, Jesse Curtis, George W Rothrock, Thomas F Knox and C C Wellford—Common Councilmen

On motion the Collector of taxes &c is directed to credit the account of Richard Williams for taxes due on house now occupied by him, by the sum of three dollars for overvaluation of annual value of said house by the Commissioner of the Revenue

Present: Alex K Phillips, Albert G Lucas, Wm Redd—Common Councilmen

The Mayor presented to the Council a paper containing the proceedings of a meeting of the Citizens of the Town on Saturday evening the 3rd Inst, requesting the Council to repeal so much of the ordinance regulating the Market as prohibits the buying and selling provisions in the Market before sunrise, which being read by the Clerk it was, on Motion

Resolved that the Council understanding the said meeting of the Citizens to have been thinly attended do not consider the proceedings of the same sufficient evidence of an indication or wish on the part of a majority of the voters of the town for the repeal of that portion of the ordinance requested [Page 144] by said meeting.

Resolved that said paper be laid on the table.

The ayes & noes being called for on the passage of the foregoing resolutions, were

Ayes, John Buck, A K Phillips, Jesse Curtis, G W Rothrock, C C Wellford, F Johnston & T F Knox 7

Noes, Wm Redd, P Spilman, A G Lucas and H H Wallace 4

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC

At a called meeting of the Common Council of the Town of Fredericksburg at the Council Chamber
November 16th 1838

Present Benjamin Clark, Mayor

Howson H Wallace, Jesse Curtis, John Goolrick, Wm Redd, Peter Spilman, G W Rothrock, John Buck, A K Phillips, Thomas F Knox and A G Lucas—Common Councilmen

The Mayor stated that he had convened the Council for the purpose of taking into consideration a petition of a large number of the Citizens of the Corporation praying a repeal or modification of the Market Ordinance.

On motion made & seconded, Ordered that the Chamberlain refund to Mr F J Ballard and Thomas B Barton Esq'r the sum of five dollars each, being amount of fines of which they were convicted before the Mayor for a violation of the Market Ordinance.

Present: Fayette Johnston, Recorder

Mr Johnston on taking his seat, having been notified of the passage of the preceding order, requested to have his vote recorded in the negative, which was granted.

The Petition of the Citizens referred to by the Mayor having been read,
An ordinance repealing part of the Ordinance passed the 1st August 1838 entitled “An ordinance for the better regulation of the Market” was passed in the following words & figures, viz;
Be it ordained by the Mayor and Common Council of the Town of Fredericksburg that so much of the ordinance passed the first of August 1838 entitled “An ordinance for the better regulation of the Market” as directs that the Market hours shall commence at sunrise, be and the same is hereby repealed.
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A motion was made and seconded to repeal all ordinances of the Corporation relating to the Market which was lost.

Ordered that the Chamberlain of the Corporation refund to all persons who have been convicted of fines since the passage of the Market Ordinance (passed the 1st Aug 1838) for violations of the Market Ordinances & who have paid the same, the respective amount paid by them. The Chamberlain to be guided in his payments by information to be derived from the Mayor.

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

At a monthly meeting of the Common Council of the Town of Fredericksburg at the Council Chamber the 5th of December 1838
Present, Benjamin Clark, Mayor
Fayette Johnston, Recorder
Jesse Curtis, Geo W Rothrock, John Buck, Peter Spilman, A G Lucas, & C C Wellford—Common Councilmen

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

Jno Coakley’s a/c for 1 Davis’ Criminal Law for Mayor’s Office	\$7.00
Bernard Coles’ a/c amounting to	\$2.38
Geo Alex a/c amounting to	\$2.88

On motion it was ordered that the Chamberlain pay to the Police Officers their salaries for the present quarter when the same becomes due.

On motion it was ordered that the Measurers & Inspectors of Wood, Lumber &c &c be authorized to appoint assistants who being first approved of by the Mayor & sworn shall be authorized to discharge all the duties of the Measurers and Inspectors.
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On motion, it was ordered that the Mayor, George W Rothrock & Peter Spilman be appointed to represent the Stock of the Corporation at a called meeting of the Stockholders of the Rappahannock Canal Company on the [blank] day of December Instant & make a report to the Council of the proceedings of said meeting.

Present, Thomas F Knox—Councilman

On Motion, it was ordered that the Mayor write to the Principal Agent of the Mutual Assurance Society of Virginia & enquire if said Society will contribute from its funds towards defraying the expense of laying iron pipes for conducting water from the Basin along the principal streets of the Town, for the purpose of affording an abundant supply of water on occasions of fire.

On motion the Council adjourned

Benj Clark, Mayor

A Goodwin, CC