

JOTTINGS

from the

ANNALS OF ALEXANDRIA

By James R. Caton

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Legislative Chronicles of
Alexandria

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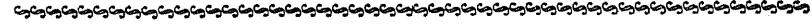
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*Jottings from the
Annals of Alexandria*

LEGISLATIVE CHRONICLES OF
THE CITY OF ALEXANDRIA

By JAMES R. CATON



Alexandria, Va.



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Dear Robert:

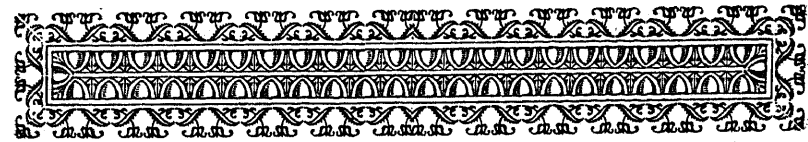
This book is the first
book to be sold. It is
with pleasure that I
send it to who has been
so enthusiastic over its
publication.

Jos. H. Newell

Jottings from the Annals of Alexandria

Compliments of Jos. R. Calton

First Edition



LEGISLATIVE CHRONICLES OF THE CITY OF ALEXANDRIA

By JAMES R. CATON

MY APOLOGY for writing upon the above entitled subject is predicated, first, upon the request of the Hon. Charles C. Carlin, Proprietor of *The Alexandria Gazette*, a paper closely identified with the history of Alexandria for more than a century; second, having been a carrier of *The Gazette* when a boy, and later, in my early manhood, a reporter for its columns of the proceedings of the Courts of Alexandria City and County, when it was edited by the late Edgar Snowden, Jr., and Dr. Harold Snowden; third, because I have resided in Alexandria since December, 1854, and my forebears, paternal and maternal, for at least a century and a half were citizens and residents of Fairfax, Prince William and Fauquier Counties, which have been largely identified with the beginning and development of the town and city of Alexandria, and more or less identified with its history, all of which associations inspired me with the desire to delve into the history of my home town, in this neck of the woods of Virginia.

Before and after I was admitted to the bar of the city and county of Alexandria, I became very much interested in the annals of my home town, and by research have learned much of its history and development, and as well, in the practice of my profession, in this city and adjoining counties, I have gathered material which should be of interest to every resident of our home town, both young and old, all of which I will endeavor to impart in these papers.

It is not my intention to write a history of Alexandria nor to recite my personal experiences in or recollections of the city

which for three-quarters of a century has been the home of my choice. My purpose, however, is to compile in one series of letters or papers every legislative act which involves or refers to Alexandria, and this, I believe, has not heretofore been done. If I stray from this purpose and interpolate a few recollections, I trust I will be forgiven. All references except where otherwise stated are to the various volumes of Virginia Statutes.

CHARTERS AND EARLY GRANTS

The first charter of Virginia, 1606, was granted by James 1st, to Sir Thomas Gates, Sir George Sommers, and others, and gave the right "to make habitation, plantation, and to deduce a colony of sundry of our people into that part of America, commonly called Virginia, and other parts and territories in America, either appertaining unto us, or which are not now actually possessed by any Christian prince or people, situate, lying and being all along the sea coasts, between four and thirty degrees of northerly latitude from the Equinoctial line, and five and forty degrees of the same latitude, and in the main land between the same four and thirty and five and forty degrees, and the islands thereunto adjacent, or within one hundred miles of the coasts thereof," and "all the lands, woods, soil, grounds, havens, ports, rivers, * * * waters," etc. 1 Hening (Va.) Stat. at L., pp. 57, 59.

The second charter of Virginia was granted in 1609, by James 1st to the corporation known as "The Treasurer and Company of Adventurers and Planters of the City of London for the first Colony in Virginia," of "all those lands, countries, and territories, situate, lying, and being, in that part of America called Virginia, from the point of land, called Cape or Point Comfort, all along the sea coast, to the northward two hundred miles, and from the said Point of Cape Comfort, all along the sea coast to the southward two hundred miles, and all that space and circuit of land, lying from the sea coast * * * up into the land, through-

out from sea to sea, west and northwest; and also all the islands, lying within one hundred miles, along the coast of both seas * * * together with all * * * rivers, waters," etc. 1 Hening (Va.) Stat. at L., p. 88.

The third charter of Virginia was granted in 1611 and 1612, by James 1st to the Treasurer and Company of Adventurers and Planters of the City of London, for the first colony in Virginia, granted "all and singular those Islands * * * situate and being in any part of the ocean seas bordering upon the coast of our said first colony in Virginia" (as described in the last preceding charter) "and being within three hundred leagues of any of the parts heretofore granted to the said treasurer and company," (and in the last patent mentioned) "and being within or between the one and fortieth and thirtieth degrees of northerly latitude, together with all * * * rivers, waters," etc. 1 Hening (Va.) Stat. at L., p. 100.

GRANT BY GOVERNOR OF VIRGINIA TO ROBERT HOWSING

October 21, 1669, Sir William Berkeley, Knight, Governor of Virginia, granted Robert Howsing 6000 acres of land situated upon the freshes of the Potomac river on the west side thereof above the dividing branches of the same, beginning at a red oak standing by a small branch or run of water near opposite to a small island commonly called and known by the name of "My Lord's Island" (now known as "Analoston Island") extending down the Potomac river various courses 3152 poles, making a southwesterly line to a pokecory standing at the north point of a creek named by the English Indian Cabin Creek (now known as "Hunting Creek"), which creek divides this land and the tract of land surveyed for John Matthews, from the said pokecory northwest and by west by the said creek and main branch 520 poles; from thence north 940 poles, finally east 720 poles to the

red oak begun at, including several small inlets and creeks for the said quantity of land.

Within the lines of the "Howsing Grant" is included all that part of the City of Alexandria, included within its corporate limits prior to the annexation of additional territory some years past, and all that part of Arlington County lying east of the east line of the Arlington reservation, and Leesburg Road to the Potomac River. The Howsing grant was conveyed to John Alexander, by deed dated October, 1669, and is recorded in the County of Stafford. Henings Stat. at L., Vol. 2, pp. 229-250. See also *Birch v. Alexander*, 1st Wash. Va. Reports, p. 34.

COUNTY SUBDIVISIONS

The lands including the City of Alexandria prior to annexation of additional territory, and, that portion of Arlington County before mentioned, were from 1653 to 1666 included in the boundaries of Westmoreland County, 1st Hening's Stat., p. 381, which included all the lands from Machoactoke River and upwards to the falls of the great river Potomac above the Necostins town.

The territory included in the Howsing Grant in the early history of Virginia, was a part of Stafford County, which according to Mercer's Abridgement, "Title Counties," is said to have been established in 1675, Hening's Stat. at L., Vol. 2, p. 239, and said county was represented in the House of Burgesses October, 1666, 18th Charles II, by Colonel Henry Mees, Hening's Stat. at L., Vol. 2, page 250, and included within its boundaries the Howsing grant.

By an act of the House of Burgesses, May, 1730, Hening's Stat. at L., Vol. 4, p. 303, the county of Prince William was established on the Heads of Stafford and King George Counties, which provided, that after the 5th day of March, 1731, all the land on the heads of the said counties above Chopawansick Creek

on Potomac River and Deep Run on Rappahannock River, and a southwest line to be made from the head of the north branch of said creek to the head of the said Deep Run, to be divided and exempt from the said counties and be made a distinct county known by the name of Prince William.

May, 1730, 3rd and 4th George II, tobacco warehouses were established at Quantico and Great Hunting Creek, Prince William County, under one inspection.

Henings Stat. at L., Vol. 4, p. 268, and 1732, 5th and 6th George, p. 329.

May, 1742, 15th George II, Henings Stat. at L., Vol. 2, p. 207, the county of Prince William was divided by an act of the House of Burgesses, which divided the county of Prince William into two counties, and that part thereof lying on the south side of Occoquan and Bull Run, and from the head of the main branch of Bull Run by a straight course to the thoroughfare of the Blue Ridge Mountains, known as Ashby's Gap or Bent, shall be one distinct county and retain the name of Prince William County, and all the other part thereof consisting of the parish of Truro shall be one other distinct county and called and known by the name of "Fairfax County," etc., and a court established for said county.

LEGISLATIVE BIRTH OF THE TOWN

In the first act of the Burgesses creating a town on Hunting Creek there is no mention of any name by which the proposed town is to be known. Not for three years after passage of the original act is there a legislative reference to the town of Alexandria. The original enactment was as follows:

An act for erecting a town at Hunting Creek warehouse in the County of Fairfax, October, 1748. Henings Stat. at L., Vol. 6, p. 214.

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Whereas it has been represented to this present General Assembly that a Town at Hunting Creek Warehouse on Potomac River, would be commodious for trade and navigation, and tend greatly to the best advantage of the frontier inhabitants. Be it therefore enacted by the Lieutenant Governor, Council, and Burgesses of this present General Assembly, and it is hereby enacted by the authority of the same, that within four months after the passing of this act, sixty acres of land, parcel of the lands of Philip Alexander, John Alexander and Hugh West, situate, lying and being on the south side of Potomac River, about the mouth of Great Hunting Creek and in the County of Fairfax, shall be surveyed and laid out by the surveyor of the said County, beginning at the mouth of the first branch above the warehouse, and extend down the meanders of the said River Potomac to a point called middle point, and thence down the said River ten poles; and from thence by a line parallel to the dividing line between John Alexander's land and Phillip Alexander, and back into the woods for the quantity aforesaid; and the said sixty acres of land so to be surveyed and laid out, shall be, and is hereby vested in the Right Honorable Thomas Lord Fairfax, the Honorable William Fairfax, Esq., George Fairfax, Richard Osborne, Laurence Washington, William Ramsey, John Carlyle, John Pagan, Gerard Alexander and Hugh West, of the said County of Fairfax, gentlemen, and Philip Alexander of the County of Stafford, gentlemen, and their successors in trust for the several purposes hereinafter mentioned. And the said Thomas Lord Fairfax, William Fairfax, George Fairfax, Richard Osborne, L. Washington, William Ramsey, John Carlyle, John Pagan, Gerard Alexander, Hugh West, and Philip Alexander are hereby constituted and appointed directors and trustees for designing, building, carrying on, and maintaining the said town upon the land aforesaid; and the said trustees and directors or any six of them, shall have power to meet as often as they shall think necessary, and shall lay out the said

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sixty acres into lots and streets not exceeding half an acre of ground in each lot; and also set apart such portions of the said land for a market, place, and public landing, as to them shall seem convenient; and when the said town shall be so laid out, the said directors and trustees shall have full power and authority to sell all the said lots, by public sale or auction, from time to time, to the highest bidder so as no person shall have more than two lots, and when any such lots shall be sold, any two of the said trustees, shall and may, upon payment of the purchase money, by some sufficient conveyance or conveyances, convey the fee simple estate of such lot or lots to the purchaser or purchasers; and he or they or his or theirs or assigns, respectively, shall and may forever thereafter peaceably and quietly have, hold, possess and enjoy, free and discharged from all right, title, claim, interest and demand whatsoever of the said Philip Alexander, John Alexander and Hugh West, and the heirs and assigns of them respectively, and all persons whatsoever claiming by, from, or under them, or either of them. *Provided nevertheless*, That the said trustees and directors, after deducting sufficient to reimburse the charge and expense of surveying and laying out the said lots, shall pay or cause to be paid, to the said Philip Alexander, John Alexander, and Hugh West, all the money arising by the sale of the said lots, according to their respective rights therein.

And be it further enacted, by the authority aforesaid, That the grantee or grantees of every such lot or lots to be sold or conveyed in the said town, shall within two years next after the date of the conveyance for the same, erect, build and finish on each lot so conveyed, one house of brick, stone or wood, well framed, of the dimensions of twenty feet square, and nine feet pitch, at the least or proportionably thereto if such grantee shall have two lots contiguous, with a brick or stone chimney; and the said directors shall have full power and authority to establish such rules and orders for the more regular placing the said

houses as to them shall seem meet; and if the owner of any such lot shall fail to pursue and comply with the directions herein prescribed for the building and finishing one or more house or houses thereon, then such lots upon which such houses shall not be so built and finished shall be revested in the said trustees, and shall and may be sold and conveyed to any other person or persons whatsoever, in the manner before directed, and shall revest and be again sold as often as the owner or owners shall fail to perform, obey, and fulfill the directions aforesaid, and the money arising from the sale of such lots as shall be revested and sold as aforesaid shall be, by the said trustees from time to time, applied to such public use for the common benefit of the inhabitants of the said town as to them shall seem most proper; and if the said inhabitants of said town shall fail to obey and pursue the rules and orders of the said directors in repairing and mending the streets, landings, and public wharfs, they shall be liable to the same penalties as are inflicted for not repairing the highways in this colony. And for continuing the succession of the said trustees and directors, until the governor of this colony shall incorporate some other persons by letters patent, under the great seal of this colony, to be one body politic and corporate, to whom the government of the said town shall be committed.

The "North Point" and "Middle Point" designated in the act to establish the town at Hunting Creek were subsequently changed on the original plan of the town, recorded in Liber "H," p. 322, March 27, 1797, in the Hustings Court of the town of Alexandria, in which "North Point" is designated "Point West," and "Middle Point" changed to "Point Lumley," then the southeast end of the town. At this period of the history of the town there was a cove between "North Point" and the outlet locks of the old Alexandria canal which extended inland between these points west of Fairfax Street between Oronoco and Pendleton Streets, into which flowed a stream shown on the original plan of the town, commencing at Pitt Street be-

tween Cameron and Queen Streets, and emptying into the river at the western extremity of this cove, the eastern end of which is still spanned near its outlet into the river, by trestles of the Washington & Ohio Railroad.

FIRST REFERENCE TO "ALEXANDRIA" BY VIRGINIA LEGISLATURE

An act allowing fairs to be kept in the town of Alexandria, 1752, 25th George II, Henings Stat. at L., Vol. 6, p. 286, which provided that two fairs should be kept annually and held on the last Tuesday in May and the last Thursday in October, each to continue for the space of two days for the sale of all manner of cattle, victuals, provisions, goods, wares, and merchandise whatsoever, and that two days next after each of said fairs, all persons coming to, being at, or going from the same, together with their cattle, goods, wares and merchandise, shall be exempt and privileged from all arrests, attachments and executions whatsoever except for capital offenses, breach of the peace or for any controversy, suits and quarrels that may arise and happen during the said time, in which cases processes may be immediately issued, etc. This act was to be in force two years and no longer. The above act was revived in 1755, 28th George II. Henings Stat. at L., Vol. 6, p. 499.

ORIGINAL TOWN PLAN

An authentic record of the original town plan can be gathered from the Corporation Court records which contain the following entries.

Town of Alexandria, William Payne, the surveyor of Fairfax County, is requested in conjunction with George Gilpin and Thomarin Ettrey to have the original plan of the Town of Alexandria inserted in the record book for the Corporation and Town

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aforesaid, together with the minutes of the surveyors relative to the said Town.

Done in Council the 30th November, 1796.

OLIVER PRICE, *Clerk of the Council.*

Each regular and complete lot contains half an acre or eighty square perches.

The courses of Royal, Fairfax and Water Streets is N° 12 E and S° 12W.

The courses of Duke, Prince, King, Cameron, Queen, Princess and Oronoco Streets are N 78° W and S° 78 E., all the streets except Water Street are 66 feet wide and Water Street is 50 feet wide.

All regular lots 5 Chains 17½ links by 3 Chains 37 links is the measure.

Fairfax County

July the 18th, 1749.

By virtue of an Act of the General Assembly, made at the College in the City of Williamsburg, in the twenty-second year of the Reign of our Sovereign Lord George, the second, by the Grace of God, of Great Britain, France and Ireland King, defender of the faith, etc., and in the year of our Lord one thousand seven hundred and forty-eight, Entitled an Act for erecting a Town at Hunting Creek Warehouses in the County of Fairfax.

And pursuant to the directions and order of Richard Osborne, Lawrence Washington, William Ramsay, John Carlyle, Gerrard Alexander and Hugh West, Gentlemen, by the said Act appointed Trustees for the said Town to be called Alexandria. I, the subscriber, did Survey and lay off, sixty acres of land to be for the said Town, and divided the same into lotts, Streets, &c., as per the plan thereof.

JNO. WEST, JR.,
Dept. S. F. C.

A true copy by Daniel Jennings.

Item. The General Assembly in which the Act was made, began the 27th day of October, 1748.

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JOTTINGS FROM THE ANNALS OF ALEXANDRIA

Alexandria, March 27th, 1797.

In obedience to a request of the Corporation of the Town of Alexandria, to us directed as will appear of record in Folio 332 in this Book, we the subscribers have copied from the Surveyors Book of the County of Fairfax, from Folio 29 in said book that plan which we have inserted in the 332 Folio of this Book of Records belonging to the said Town, which with the notes above, contain a just and full copy of the plan and the notes which belong to the plan of said Town, to the best of our knowledge and belief.

WM. PAYNE, *S. F. C.*,
GEORGE GILPIN,
T. ELLERY.

ORIGINAL PLAN OF ALEXANDRIA TOWN

From the foregoing original recorded document it is to be noted that contrary to the popular belief, the streets of the city do not run due east and west or north and south.

In the early days of Alexandria, at high tide, the waters of the Potomac River extended inland in the coves between Point West and Point Lumley and between Point Lumley and Jones Point to the westward as far as the east side of Lee Street. All the land east of the west side of Lee Street within these coves is made land.

LAND GRANTS PRECEDING THE HOWSING
PATENT

Having referred to the original grants by the crown of England for territory in North America, and to the Howsing grant which included the town at Hunting Creek Warehouse, I feel that it will be a matter of interest to the readers of *The Alexandria Gazette*, to refer to the grants antecedent to the Howsing

+{11}+

grant, before going into further details concerning Alexandria.

In September, 1688, King James II by royal patent granted to Thomas Lord Culpeper, what was called the "Northern Neck of Virginia," described as follows:

"All that entire tract, territory or parcel of land situate, lying and being in Virginia in America, and bounded by and within the first heads or springs of the rivers of Tappahannock al's Rappahannock and Quiriough al's Patawonuck Rivers, the courses of said rivers from their said first heads or springs, as they are commonly called and known by the inhabitants * * * of those parts, and the Bay of Chesapeake, together with the said rivers themselves, and all the islands within the outermost banks thereof, and the soil of all and singular the premises, and all lands, woods, underwoods, timber and trees, ways, mountains, swamps, marshes, waters, rivers, ponds, pools, lakes, water courses, fishings, streams, havens, ports, harbours, bays, creeks, ferries," etc. "To have" and to hold the same unto the said "Thomas, Lord Culpeper, his heirs and assigns forever." *Morris v. United States*, 174, U. S. 223, 224.

Lord Culpeper died without making a will, seized of the lands comprehended in this grant, leaving one child, a daughter, Lady Culpeper, who became seized thereof as his sole heir at law, and who became the wife of Thomas Lord Fairfax.

By act of October 27, 1748, by the Lieutenant Governor, Council and Burgesses, 22nd George II, the grants made by the Crown of England within the bounds of the Northern Neck as then established, and described, as all that territory of land between the rivers Potomac and Rappahannock, and the line marked from the head spring in said river Potomac to the head spring of Rappahannock, commonly called Conway; in which territory many adventurers and planters have taken up great quantities of land, and obtained grants and patents therefor from the Crown, under the seal of the colony, and setting forth: that, Thomas Lord Fairfax, had consented before the King in

council, that the several grants and patents made by the Crown of lands included in the boundaries aforesaid, should be confirmed to the several grantees, their heirs and assigns; to be held nevertheless by the said Lord Fairfax, under like rents, services, etc., as should be paid by and from said grants made by the Crown; and the act then proceeds to confirm all grants and patents whatsoever under the seal of the colony, lying within the limits and boundaries of the letters patent granted to the ancestors of Lord Fairfax, as then settled and determined, theretofore granted by the Crown, should be held and taken to be valid and effectual, and that the grantees, their heirs and assigns, shall hold and enjoy the granted premises respectively, under the rents and services in the grants reserved; to be paid and performed, to Thomas Lord Fairfax, his heirs and assigns forever, any misrecital or defect in the grant notwithstanding.

6th Henings Stat. at L., Vol. 6, p. 198.

Morris vs. United States, 174 U. S., pp. 223-04.

The territory now included in Alexandria City, and Arlington County, was included within the bounds of this grant.

The Constitution of Virginia of 1776, in the twenty-first paragraph thereof, contained the following cession to the State of Maryland and other states bordering on Virginia:

"The territories contained within the charters erecting the colonies of Maryland, Pennsylvania, North and South Carolina, are hereby ceded, released, and forever confirmed to the people of those colonies respectively, with all the rights of property, jurisdiction, and government, and all other rights whatsoever which might at any time heretofore have been claimed by Virginia, except the free navigation and use of the rivers Potomac and Pokomoke, with the property of the Virginia shores or strands bordering on either of the said rivers, and all improvements which have been or shall be made thereon. The western and northern extent of Virginia shall, in all other respects, stand as fixed by the charter of King James the first, in the year one

after be exempted from any future expense of rebuilding, repairing or enlarging said wharf.

May 1782, 6th Year of the Commonwealth, an Act was passed by the General Assembly: that the town of Alexandria, be authorized to impose a tax upon all vessels making use of the wharf belonging to said town (open vessels excepted), to be enforced by such rules and regulations as it may think best, and to apply the proceeds to the benefit of said town, and authorizing the town to extend Water Street (now Lee Street), through said town from north to south as far as its limits extended, also, to lay off Union Street from north to south as far as the limits of the town extended, provided: that the proprietors of the ground through which Union Street may be extended, shall have the liberty of making use of the earth removed in erecting the street.

This wharf still belongs to the City of Alexandria, and is now occupied by the Wm. A. Smoot Company, Incorporated, under lease from the city.

Recently the writer took a stroll in that part of the city, to verify my recollections, and not having been in that section for the last twenty years, I was surprised at the number of business houses and manufacturing enterprises located therein. In fact, the whole surroundings had been changed.

THE TOWN OR CITY NAME

The town, when first established at Hunting Creek Warehouse, by the Act of 1748, had no name other than given in the title of the act, namely, "Town at Hunting Creek Warehouse." This act was not an act incorporating the town, but expressly sets forth the Trustees named therein, should govern the town, until "The Governor of the Colony shall incorporate some other persons by letters patent under the great seal of the colony, to be a body politic and corporate, to whom the government of said

town shall be committed." Until its actual incorporation, the town was governed by trustees named in the Act, and their successors in office.

As we have previously noted, the first time the name of "Alexandria" appears in the legislative history of the town, is found in the Act of October, 1752, providing for holding fairs in the "Town of Alexandria." I have found nothing in legislative history at least, designating the town by the name of "Belle Haven," or by any other name, than Alexandria. Tradition, however, is, at sometime, it was known as "Belle Haven."

THE FIRST TOWN CHARTER

The first act of incorporation of the "Town of Alexandria" was passed by the General Assembly of Virginia, October, 1779, 4th of Commonwealth, 10th Hen. Stat. at L., p. 172, which briefly stated, provides: The free-holders and housekeepers residing within the town three months next preceding, shall meet at some convenient place in the town yearly on the second Tuesday in February, to nominate and elect by ballot twelve fit and able men, from the inhabitants of the town, to serve as Mayor, Recorder, Aldermen and Common Councilmen, who within one week after election, shall choose out of their own body by ballot, one Mayor, one Recorder, and four Aldermen, and the remaining six to be Common Councilmen, whose authority shall continue for one year, and until their successors are chosen and qualified, and no longer, except such as shall be re-elected; that the Mayor, Recorder, Aldermen and Common Councilmen, so elected, and their successors, shall be a body corporate and politic by the name of "Mayor and Commonalty of the Town of Alexandria," and by such name to have perpetual succession, with capacity to purchase, receive and possess real and personal property in fee or lesser estate, and to dispose of the same; to plead and to be impleaded, prosecute and defend all causes, complaints,

requires the owners and purchasers of such lots to drain the water so as to render them capable of improvements by building thereon or turning the same into meadow grounds in such manner as the trustees approve, and each lot owner was required to pay to the trustees his proportion of the expense thereof. It was provided, also, that owners or purchasers of lots failing to pay their share of the cost of such improvements should forfeit their lots in the marsh, and title thereto should revert to the trustees, with power of sale, and the proceeds applied to such use for the common benefit of the inhabitants of the town, as the trustees deemed proper. 7th Henings Stat. at L., 1756 to 1763, p. 604.

October, 1784, an Act was passed by the Lieutenant Governor, Council and Burgesses, repealing all previous acts limiting the time within which purchasers of lots should improve the same, but should be at liberty to build thereon when they should think fit. 8th Henings Stat. at L., p. 614.

EARLY ROAD LAWS

February, 1772, an Act was passed by the Lieutenant Governor, Council and Burgesses, reciting that the roads leading from the northwestern parts of this colony of Virginia to the town of Alexandria and Calchester, in the County of Fairfax, by means of the great number of wagons using the same, were rendered almost impassable, and the ordinary method of keeping them in repair under the law then established, was not only insufficient but exceedingly bothersome to those employed therein. For remedy thereof it was enacted that the county of Fairfax, Loudoun, Berkley and Frederick respectively, be authorized and required to levy and assess for three years next ensuing on the inhabitants of Fairfax County, the sum of forty-five pounds, of Loudoun fifty-five pounds, of Berkley fifty pounds, and Frederick, twenty-five pounds, to be collected as other levies, and paid to Thomas Mason, Francis Peyton, John Hough, Israel

Thompson, Bryan Fairfax, William Ramsay, Alexander Henderson, Edward Payne, John Vestal, as Trustees to carry the act into execution. 8th Henings Stat. at L., p. 547.

THE CITY WHARF

February, 1772, an Act was passed by the Lieutenant Governor, Council and Burgesses, requiring owners and proprietors of marsh lots at their own expense, to drain the same in such manner as the trustees of the town directed, within two years from date of act under the penalty of forfeiture and sale of their lots, but, providing that no forfeiture should be incurred of marsh lots belonging to infants or persons out of the country, but the trustees should be at liberty to do the same and the guardian of such infants or the attorney of persons not resident in the country, were delegated to rebate to the trustees the expense thereof, if so much they shall or may have in their hands of the estate of such proprietors.

This act recites that the wharf at Point West, originally built by the public and afterwards rebuilt by them at a considerable expense, is in a ruinous condition, and the trustees had petitioned that such a wharfage may be imposed upon vessels to enable them to repair and extend the same, and, this act provided, that said wharf should be vested in the trustees and their successors forever, and, conferring power upon them and their successors, to assess wharfage on all ships and other vessels mooring at the same under such regulations and to be collected in such manner as said trustees shall think proper, and the same applied to the repairing and extending of said wharf; provided always, that said wharfage should not extend to country craft, or vessels bringing tobacco in or taking it from the public warehouses in the town, but that the same should have free access to said wharf, clear of expense, and should have preference in loading and unloading at the same, provided, that the public should there-

thousand six hundred and nine, and by the public treaty of peace between the Courts of Great Britain and France, in the year one thousand seven hundred and sixty-three; unless, by act of Legislature, one or more territories shall hereafter be laid off, and governments established westward of the Allegheny mountains. And no purchase of lands shall be made of the Indian natives, but on behalf of the public, by authority of the General Assembly." 1 Hening (Va.) Stat. at L., par. XXI, p. 56.

MARYLAND-VIRGINIA BOUNDARY

By the compact dated March 28, 1785, between the State of Maryland and the State of Virginia, which was confirmed by the General Assembly of Maryland first, and afterwards by the General Assembly of Virginia, the boundary line between the two States was sought to be established. The seventh paragraph of this compact provides, "The citizens of each state respectively, shall have full property in the shores of Potomac river adjoining their lands, with all emoluments and advantages thereunto belonging, and the privilege of making and carrying out wharfs and other improvements, so as not to obstruct or injure the navigation of the river, but the right of fishing in the river shall be common to, and equally enjoyed by, the citizens of both states; provided, that such common right be not exercised by the citizens of the one state to the hindrance or disturbance of the fisheries on the shores of the other state, and that the citizens of neither state shall have a right to fish with nets or seams on the shores of the other." 2 Kilty's Laws of Maryland, c. I., sec. 7.

The foregoing compact was ratified by Maryland Act of 1785, and by Virginia Act of 1786.

With this digression we will return to our examination of the laws concerning Alexandria.

THE CITY ENLARGED

November, 1762, an Act was passed by the Lieutenant Governor, Council and Burgesses, enlarging the Town of Alexandria in Fairfax County, which recited, all lots in the original plan of the town of Alexandria, which had been built upon, except such as were in a marsh, not suitable for building upon, and reciting that divers traders and others, were desirous of settling there, if a sufficient quantity of the lands of Baldwin Dade, Sibel West, John Alexander, the elder, and John Alexander, the younger, contiguous to the town, were laid out into lots and streets, and added to and made a part of the town; and, enacted, that so much of said land included in the following boundaries, was made a part of the town; beginning at the corner of Lot No. 77 on the Potomac River, thence down the river the breadth of two half acres and one street, thence into the fields, by a line parallel to the lower line of said town and a distance as to include two half acres lots and four streets, thence by a line parallel to the back line of the town such distances as to include 17 half acre lots and four streets, and thence at right angles to the river. This act authorized the directors and trustees of the town, to direct the surveyor of Fairfax County, to lay off this addition to the town into streets and lots, and to sell the same at public auction to the highest bidder, not exceeding two lots to each bidder, and on payment of the purchase money to make conveyance in fee to the respective purchasers, and directs the payment of proceeds of such sales to the proprietors for such lands at the time of sale.

In the original plan of the town, it was provided, that, if the purchasers of marsh lots failed to improve the same as in the original plan required, such lots should be forfeited. This act states that such requirements were found impracticable to build on the marsh lots, and relieves purchasers of such lots from forfeiture of title because of failure to improve marsh lots, and

actions, real, personal or mixt; and to have a common seal and perpetual succession; that no person should hold the office of Mayor, for more than one year within any two years. The Mayor, Recorder, and Aldermen, were constituted Justices of the Peace within the town, with power to appoint Constables and Surveyors of streets and highways, and to hold a Court of Hustings, once in every month within the town, and to appoint a Clerk, Sergeant, and other proper officers. The Sergeant within the town had the powers of a sheriff, and to receive the same fees.

The Mayor and Aldermen, and their successors in office, or four or more of them, whereof the Mayor or Recorder should be one, were constituted a Court of Hustings for the Town of Alexandria, and required on the second Thursday in each and every month, within their jurisdiction, to hold pleas of actions, personal and mixed, arising within the town, in cases not exceeding 10 pounds in current money, or 1,000 pounds of tobacco; and to adjourn from day to day, and as a Court of Record, to give judgment and award execution. The Mayor, Recorder and Aldermen, had, also, the same jurisdiction out of Court, in crimes and offenses, which the Justice of the Peace of the county possessed, and their jurisdiction extended $\frac{1}{2}$ mile without and around the limits of the town. Their jurisdiction was limited to debts contracted, or, cases arising within the limits of the town. The corporation was empowered to erect and repair work houses, houses of correction, and prisons and other public buildings, for the benefit of the town; to make by-laws and ordinances for the regulation and good government of the town; provided such laws be not inconsistent with the constitution and laws of the Commonwealth; to assess the inhabitants for repairing the streets and highways; to keep within the town annually, two market days in every week, one on Wednesday and the other on Saturday; to appoint a Clerk of the Market, who should have assize of bread, wine, beer, wood and other things, and to per-

form all other duties belonging to his office. In case of misconduct of the Mayor, Recorder, Aldermen or Common Councilmen, the others had power to remove him or any of them, provided, that such person or persons should not be removed unless seven aldermen and councilmen concur.

In case of a vacancy in the office of Mayor or Recorder, the office was to be filled by the eldest Aldermen. Vacancies in the office of Aldermen were required to be supplied from the Common Councilmen in succession of seniority, as elected; vacancies in the office of Common Councilmen were required to be filled from the body of the freeholders of the corporation, by ballot of the Mayor, Aldermen and Common Councilmen. Every person elected to any of the offices mentioned, having notice of his election, refusing to undertake and execute the same, was subject to fine as follows: The Mayor, 40 pounds, Recorder, 30 pounds, Aldermen, 30 pounds, Common Council, 20 pounds, and to award of execution for such fines for the use of the corporation; vacancies of those so refusing, to be supplied as before stated. That all property, real and personal, held by the trustees of the Town of Alexandria, was required to be transferred to the corporation for the public benefit.

The last paragraph of the act incorporating Alexandria, also incorporated the town of Winchester with like powers of government, etc.

The Town of Alexandria was incorporated prior to the town of Richmond, the present capital of the State, which was incorporated in May, 1782, 11th Hen. Stat. at L., p. 45.

October, 1779, 4th of Commonwealth, an Act was passed confirming title in the lessees and purchasers of certain parcels of ground and sunken lands within the town and adjoining sundry lots thereof. This act also recites that John Alexander in his lifetime had laid off several lots adjoining the town, and in or about the year 1774, conveyed the same to different persons subject to the payment of certain annual rents, with condition

that if the feoffees failed within the next two years, to build on each lot a brick, stone or frame house twenty feet square with a brick or stone chimney, in that case or failure to pay rent, said lots should revert to said Alexander, his heirs or assigns, and, that owing to the scarcity and difficulty of procuring building material during the war with Great Britain, the purchasers had not built upon said lots; that John Alexander had died leaving an infant son his sole heir, with whom no agreement or compromise could be made; and then enacts that the purchasers of said lots should have two years from the end of the war to build upon and save the same, and then annexes said lots to the town, and, that when the proprietors had built upon said lots, they should have the same rights, privileges and immunities as other inhabitants of the town. 10th Hen. Stat. at L., p. 192.

ALEXANDRIA MADE PORT OF ENTRY

October, 1779, 4th of Commonwealth, an Act was passed requiring the naval officer of the southern district of the Potomac, to appoint a deputy to reside in the town of Alexandria, and there to keep an office for entering and clearing of vessels, and that a permanent record be kept of the same in the lower part of the district, and of all vessels trading therein. 10th Hen. Stat. at L., p. 209. Alexandria is still a Port of Entry.

REGULATION OF LIQUOR TRAFFIC.

May, 1782, 6th of Commonwealth, an Act was passed conferring upon the Court of Hustings for the Town of Alexandria, exclusive jurisdiction in the granting of licenses to ordinaries within the town, and to regulate the same, and to restrain tippling houses in the same manner as prescribed for Justices of the Peace of any county within the Commonwealth, as provided by an "Act for regulating ordinaries and restraining tippling

houses," and that the Court of Fairfax should not exercise such jurisdiction as formerly it had done, but reserved to the Court of Fairfax jurisdiction of indictments, informations, and actions for retailing liquors without licenses. This act required the Clerk of the Hustings Court of Alexandria, on the third Monday in May and November annually, to post in the Court House of Fairfax County a list of all licensed ordinary keepers in the town for the information of the grand jury. The same act disqualified ordinary keepers from being elected or acting as judges of the Hustings Court of the Town. 11th Hen. Stat. at L., p. 51.

HUSTINGS COURT

October, 1782, 7th of Commonwealth, an Act was passed fixing the term of the Hustings Court of Alexandria on Thursday next after the third Monday in every month. 11th Hen. Stat. at L., p. 158.

October, 1782, 7th of Commonwealth, the Court of Hustings of Alexandria was made a court of record with power to receive probate of wills and deeds, and to grant administration in as full and ample power as the county courts could or might do, provided, that the testator or intestate resided in the town of Alexandria, at the time of death, and that no deed conveying lands should be admitted to record except within the jurisdiction where the land was situated. This act also authorized the Mayor and Commonalty of the town to affix their common seal to all transactions, and that full faith and credence should be given the same. This act is peculiarly an omnibus act in that it covered provisions relating to Richmond, Norfolk, and Winchester, as well as Alexandria. 11th Hen. Stat. at L., pages 186-7-8.

October, 1783, 8th of Commonwealth, the jurisdiction of the Hustings Court was enlarged to include all actions within its jurisdiction not exceeding twenty pounds in money, or two thousand pounds of crop tobacco. 11th Hen. Stat. at L., p. 314.

ADDITIONAL STREETS

October, 1785, 10th of Commonwealth, an Act was passed by the General Assembly, reciting it would tend greatly to the ornament of the town and convenience and health of its inhabitants, if the streets were laid off in uniform manner and enacted as follows: That the district around the town, beginning at Great Hunting Creek and running thence parallel to Fairfax Street to Four Mile Run or creek, so as to intersect King Street when extended one mile west from the Court House (then located at the intersection of Market Alley with Fairfax Street, and the present site of the Police Court and Station), thence eastwardly down the said creek or run to its confluence with the Potomac River; thence down said river to the mouth of Great Hunting Creek; and thence westwardly up the said creek to the beginning, shall be subject to the regulations following: that whenever the proprietors within said district shall respectively lay out the same in town lots for the purpose of building thereon, the streets within the original plan of the town, which extended westwardly from the river, also the streets laid off by John Alexander and his executors parallel therewith, shall be extended to the line which makes the western boundary and be the same width in every part, which shall be only fifty feet wide eastward of Union Street, that the streets thereafter to be laid off south of Franklin Street and north of Oronoco Street running westerly within said limits shall be parallel with the last mentioned street and 66 feet wide in every part and extend from the Potomac River to the western boundary. The streets within the original plan of the town which run up and down the river shall be extended the same widths southwardly to the river or Great Hunting Creek as the same may be, and northwardly to the Potomac River or Four Mile Run, as the case may require. All streets thereafter laid off west of Washington Street shall be not less or more than 66 feet wide in every part without the con-

sent of the proprietors of the land, and shall extend southwardly to Great Hunting Creek and northwardly to the Potomac River or Four Mile Run. Streets running westwardly from the Potomac River shall be at the distance of 353 feet, 2 inches, so that each square to be built upon or made shall contain two acres of land. The street called Washington Street shall be one hundred feet wide in every part, and be extended to the limits of the aforesaid distance except that part of Washington Street laid out sixty-six feet wide, which shall continue that width, unless the Mayor and Commonalty of the town choose to widen it to one hundred feet, in which case on or before April 1 next, the sheriff of Fairfax County shall impanel a jury of twelve *good and lawful men*, to assess the damages, if any, to be paid owners of abutting land, to be levied upon the property within the limits of the corporation, and to be paid to the persons entitled thereto one-half on or before the first of January, 1787, and the residue on or before the first day of January, 1788. Provided, that the church and burying ground vested in the ministry and vestry of the Protestant Episcopal Church in Fairfax Parish, shall not in any manner be affected by the extension of Cameron Street. 12th Hen. Stat. at L., p. 205.

October, 1786, 11th of Commonwealth, by an Act of the General Assembly of Virginia, it was provided that the limits of the Town of Alexandria shall extend to and include as well the lots formerly composing the town as those adjoining thereto, which have been and are improved. 12th Hen. Stat. at L., p. 362.

October, 1786, an Act was passed by the General Assembly, providing, that so much of an act, entitled "An Act for regulating the streets in and adjoining to the Town of Alexandria, as relates to the contraction of Washington Street between Queen and Oronoco Streets, shall be and the same is hereby repealed." 12th Hen. Stat. at L., p. 362.

Mention having been made of the fact that the town of Alexandria was incorporated before Richmond, the present capital of our State, I feel it is of interest to Alexandrians, to know the number and the history of our seats of colonial and state governments, from the earliest period of the history of our state.

JAMESTOWN OR JAMES CITY

In 1634, 9th Charles 1, the Colony of Virginia was divided into eight shires or counties, of which James City was one, to be governed as shires in England. 1 Hen. 224.

In 1639, 14th Charles 1, James City was made the Chief Town of the Colony, and the governor required to reside there. The first meeting of the Lieutenant Governor, Council and Burgesses was held in Jamestown, in the latter part of June, 1619, or in May, 1620, the exact date being in dispute between the historians of the events of that period of our colonial history. 1 Hen. 121.

WILLIAMSBURG

In October, 1705, 4 Ann, an Act was passed by the Lieutenant Governor, Council and Burgesses, reciting "An Act had been passed by the Lieutenant Governor, Council and Burgesses, at James City, directing the building of the capital at the City of Williamsburg," and further reciting: "That the statehouse where the assemblies and general courts had been held, had been burned down, and the necessity for another building for the convenient sittings and holdings of the General Assembly, and the Courts," and that the Middle Plantation, because of its health and situation on navigable creeks tributary to the James and York Rivers, and then provided, that 475 square feet of land be laid off at Middle Plantation, upon which a building should be

erected, and to be forever known as the Capital of the Colony of Virginia, and then provides in minute detail for its dimensions and internal arrangements, and that it should be of brick construction. 3 Hen. 419.

RICHMOND

May, 1742, 15th George 2, the Town of Richmond was first established by Act of the Lieutenant Governor, Council and Burgesses, upon the lands of William Byrd. 5 Hen. 191.

February, 1752, 25th George 2, the following persons were named and authorized as Trustees to govern the Town, namely: Peter Randolph, Esquire, William Byrd, Esquire, William Randolph, Bowler Cocke, the younger, Richard Randolph, Thomas Atchieson, Samuel Glendow, Samuel DuVall, and John Pleasants, gentlemen, with power to lay off and regulate the streets of the town, to settle disputes concerning boundaries of lots, and to make rules and orders for the regular and orderly building of houses in the town. 6 Hen. 281. All the foregoing acts are quaint and interesting in their details, but cover too much space for these jottings.

May, 1779, third of Commonwealth, an Act was passed by the General Assembly, to remove the seat of government or capitol, from Williamsburg to Richmond. This act provides for the location and details of the buildings and the area of the capitol and grounds, and provides for the building of a capitol building, governor's mansion and other public buildings, and for the renting of temporary quarters pending the construction of the capitol and other buildings, authorized by the act. 10 Hen. 85.

May, 1782, 6th of Commonwealth, the Town of Richmond was first incorporated by the name of the City of Richmond. 11 Hen. 45.

EARLY SCHOOLS IN ALEXANDRIA

Resuming the jottings and legislative history of Alexandria, we find that in October, 1786, 11th of Commonwealth, the General Assembly incorporated the "Alexandria Academy." This act provided: that those persons, or their heirs, who shall contribute or have contributed five pounds each to its use, or a majority of them, shall meet at the Academy, on the second Monday in April annually, and elect by ballot thirteen fit and able men as Trustees thereof, for the term of one year, and until their successors are chosen, and no longer, except such as are re-elected. The Trustees so elected and their successors forever are made a body corporate and politic forever by the name of the "Trustees of the Alexandria Academy," with power to purchase, receive and possess lands and tenements and personal property, and to dispose thereof; to plead and be impleaded; to sue and to be sued, and to defend suits in law and in equity; and to make by-laws and ordinances for the government of the Academy, not inconsistent with the constitution and laws of the State; and that the officers should be a President and Secretary chosen from the Trustees, and vacancies to be filled in like manner. The first annual election of Trustees was fixed for 1788, and George Washington, William Brown, David Stewart, John Fitzgerald, Charles Lee, William Baker, Isaac S. Keith, Samuel Hanson, James Hendricks, William Hartshorne, Josiah Watson, Benjamin Dulany, and Charles Simms, were constituted Trustees until their successors were elected. 12 Hen. 392.

The original Academy building is still standing, and is now used for public school purposes, and is located on the quarter square of land situated at the southeast intersection of Washington and Wolfe Streets, which was conveyed subject to an annual rent of forty-one pounds payable yearly, on November first forever, to William Thornton Alexander and wife, by the Trustees of the Alexandria Academy, and is dated December 29, 1794,

and recorded in Liber "G," folio 113, of the Hustings Court Records of Alexandria.

CHURCHES BUILT AND STREETS PAVED WITH
PROCEEDS OF LOTTERY

December 9, 1789, 4th of Commonwealth, the General Assembly authorized Charles Simms, Charles Lee, Richard Conway, William Hunter, Jr., George Gilpin, Phillip Marstella, William Herbert, Robert T. Hooe, William Brown, Thomas Porter, John Fitzgerald, Josiah Watson, Ludwell Lee, Bushrod Washnigton, William Hunter, Sr., and John Dundas, gentlemen, Trustees, to raise by lottery not exceeding 1500 pounds, and to apply the same to the expense of paving of some of the most frequented streets in the town of Alexandria. 13 Hen. 94.

October, 1790, 15th of Commonwealth, the General Assembly, by act, authorized the raising of money by one or more lotteries, for building and other purposes, of academies, churches of various denominations, roads, prisons, etc., under which William Lowry, Robert McCrea, John Murray, Andrew Jamison, Jonathan Swift, James Erwin, Jesse Taylor, John Dundas, William Hunter, Jr., Josiah Watson, Robert Mease, and Thomas Williams, gentlemen, Trustees, or a majority of them, were authorized to raise by one or more lotteries, not exceeding 500 pounds, to be by them applied towards completing the building of a church in the Town of Alexandria, for the use of the members of the "Presbyterian Society." This church was located on the west side of Fairfax Street between Duke and Wolfe Streets, as the writer of these annals was informed by the late Chief of Police, Captain James F. Webster, who was present when it was destroyed by fire during the latter part of the first half of the last century, and the present church building was erected on the same building site. Captain Webster gave me the date of the fire but the memorandum of it has been mislaid.

This act also authorized William Brown, Richard Conway, John Potts, Jr., Josiah Watson, Olney Winsor, Jonathan Swift, and William Hodgson, gentlemen, Trustees, or a majority of them, to raise by one or more lotteries, a sum not exceeding 5,000 pounds, to be by them applied towards paying the expense of paving the streets in the Town of Alexandria. 13 Hen. 174 and 175.

No. 5

THE FIRST BANK

November 23rd, 1792, seventeenth of Commonwealth, the General Assembly incorporated the first bank established in the Town of Alexandria, located in the building now standing at the southeast corner of Fairfax and Cameron Streets. The reasons expressed therein, for its incorporation, and its provisions, are unique and historical, and should make interesting reading for this day and generation, therefore, I give to the readers of these jottings, a brief synopsis of its provisions:

Section 1 recites "that the experience of commercial nations for several ages past, has fully evinced, that well regulated banks are highly useful to society, by promoting punctuality in the performance of contracts, increasing the medium of trade, facilitating the payment of taxes, preventing the exportation of silver, furnishing for it a safe deposit, and by discount rendering easy and expeditious the anticipation of funds."

Section 2 provides that subscriptions be taken for \$150,000.00, in shares of \$200.00 each, under the direction of Philip R. Fendall, Robert T. Hooe, William Hartshorne, Josiah Watson, Thomas Porter, Richard Conway, William Herbert, Stephen Cook, William Wilson, Charles Lee, Ludwill Lee, Roger West and Charles Simms.

Section 3 fixes the value of a share of stock at \$200.00, or the equivalent thereof in other specie; and the number of shares at

750, subscriptions to be kept open by the President and Directors of the Bank, until said number of shares be subscribed.

Section 4 provides: every subscriber shall pay ten dollars on each share at time of subscription, to the persons above named, and the balance in instalments covering a period of 120 days from the election of Directors. Subscribers failing to pay in full forfeited all payments made for the use of the Bank, also his right to his subscription.

Section 7 incorporates the subscribers to the stock, their successors and assigns, by the name of the "President, Directors and Company of the Bank of Alexandria," to continue until January 1st, 1903, and no longer, with power to purchase, own and convey real or personal property, and the usual powers of a like corporation, provided always, that its acquisition of land should be limited to that necessary for the immediate accommodation of its business, and such as mortgaged to it as security, or conveyed to it in satisfaction of debts, previously contracted in the course of its dealings, and was prohibited from buying the securities of the United States, or of any State, or any goods, chattels, or effects, unless sold under execution upon a judgment obtained by it, except such as necessary in transacting the business of the Bank, and such as held by it to secure advances, which, on default, it could sell at public sale for ready money.

Section 14 provides: that the Bank shall not issue any note less than Five Dollars, and shall, once in every year, lay before the Governor and Council, an account of the situation of the Bank and its funds.

Section 22 provides: "if any person or persons, shall forge or counterfeit, any of the notes or checks of the said bank, or pay or tender in payment, or in any manner pass or offer to pass, such forged or counterfeited note or check, knowing the same to be forged or counterfeited, and shall thereof be convicted in any court of law, having criminal jurisdiction within this Common-

wealth, he, she, or they, shall be adjudged a felon or felons, and shall suffer death without benefit of clergy."

The words "without benefit of clergy" may not be familiar to many of our readers, and for the information of any such, I offer the following brief history and meaning of these words, as used in the laws of England, from which they were derived.

"Benefit of Clergy," in its original sense, denoted the exemption accorded to clergymen, from the jurisdiction of the secular courts, or from arrest or attachment on criminal process issuing from these courts in certain particular cases. Afterwards, it meant a privilege or exemption from the punishment of death, accorded to such persons as were clerks, or who could read.

This privilege of exemption from capital punishment was anciently allowed to clergymen only, but afterwards to all who were connected with the church, even to its most subordinate officers, and at a still later time, to all persons who could read (then called "clerks"), whether ecclesiastics or laymen. It does not appear to have been extended to cases of high treason, nor did it apply to mere misdemeanors. The privilege was claimed after the person's conviction, by a species of motion in arrest of judgment, technically called "praying his clergy." As a means of testing his clerical character, he was given a psalm to read (usually, or always the fifty-first), and, upon his reading it correctly, he was turned over to the ecclesiastical courts, to be tried by the bishop, or a jury of twelve clerks. These heard him on oath, with his witnesses, and compurgators, who attested their belief in his innocence. This privilege operated greatly to mitigate the extreme rigor of the criminal laws, but was found to involve such gross abuses, that parliament began to enact, that certain crimes should be felonies "without benefit of clergy," and finally, by St. 7, Geo. IV, c. 28, Paragraph 6, it was altogether abolished. The act of Congress of April 30, 1790, Paragraph 30, provided that there should be "no benefit of clergy for any

capital crime against the United States, and, if this privilege formed a part of the common law of the several states before the Revolution, it no longer exists." Black's L. D., Page 128.

By an Act to amend the penal law of Virginia, passed December 15, 1796, Chapter 200, Section 13, Page 357, Code of Virginia of 1803, all claims to dispensation from punishment "by benefit of clergy," were forever abolished.

December 5th, 1795, the Bank of Alexandria was authorized by Act of the General Assembly, to increase its capital stock 350 shares of \$200.00 each. Statutes at Large N.S. 1792-95, Vol. 1, Page 373.

MISCELLANEOUS ACTS AT CLOSE OF 18TH CENTURY

December 13, 1796, the boundaries of the Town of Alexandria, by Act of the General Assembly, were extended north to a range of lots on the north side of Montgomery Street; on the west to a range of lots on the west side of West Street, and on the east to the Potomac River. Stat. at L. N.S. 1792-95, Vol. 1, Page 40.

January 8, 1798, by Act of General Assembly, the City of Alexandria was authorized to levy a tax upon abutting lots for the expense of improving the streets. This Act seems to be the first Act authorizing the City of Alexandria to levy a tax upon abutting lots for the expense of improving its streets. This Act also extends the jurisdiction of the City over all improved lots and such lots as thereafter improved, and to all vessels lying at the wharves or in the docks of the City. This Act also seems to be the first Act in Virginia taxing abutting lots for street improvements. Stat. at L. N.S. Vol. 2, Page 122.

January 12th, 1799. The corporation of Alexandria was, by Act of the General Assembly, required to purchase and to set apart two acres of land, for the purpose of holding fairs within

its jurisdiction, on the third Monday in April, and the second Monday in October, in each and every year, and to make regulations for the same. Stat. at L. N.S. Vol. 2, Page 183.

January 11, 1798—The Alexandria Library Company was incorporated, the officers of which were to be a President, Treasurer, twelve directors and a librarian. The following named are the officers, chosen at the preliminary organization of the company, July 24th, 1794, and prior to its incorporation: President, Rev. James Muir; Directors, Elisha C. Dick, John Gill, Robert Mease, William Hartshorne, Charles Simms, John D. Orr, Charles Lee and John Fitzgerald; Treasurer, Samuel Graig; Librarian, Edward Stabler. Stat. at L. N.S. Page 133, Vol. 2.

January 9th, 1799—The last-named Act was repealed and a new charter granted, which provided that the annual meeting should be on the third Monday in February of each year, of which meeting two weeks notice should be given, and empowered the President and Directors to make by-laws, rules and regulations for the government of the corporation and its Library.

THE FIRST CODE OF CITY LAWS AND ORDINANCES

Although, as heretofore mentioned in these jottings, Alexandria had its beginning in the town established at "Hunting Creek Warehouse," in the County of Fairfax, in October, 1748, without any other name than as above stated, and was incorporated as the "Town of Alexandria" on October 4th, 1779, yet the first codification of its municipal laws and ordinances was not promulgated or published until 1800, or fifty-two years after the town was first established. These ordinances were printed in Alexandria, by John and James D. Westcott, printers to the corporation. All the legislative acts and town ordinances contained

therein, including title page, titles of acts and ordinances, and index, covers but thirty-eight pages of print in very bold type. Insofar as the writer is advised, there are only two copies of this code in existence, one owned by the City of Alexandria and the other by the writer hereof.

A brief survey of these Acts and Ordinances (some of which have been heretofore mentioned), may be of interest to our readers and a ready reference to where they may be found by those interested, and will make a further record of the same, should the existing copies thereof be at any time lost.

The Town of Alexandria was, as heretofore stated, incorporated under the name of the "Town of Alexandria" October 4th, 1779.

By an Act of the General Assembly of 1785, the streets and limits of the town were extended from Great Hunting Creek to Four Mile Run, and the width of Washington Street was fixed at 100 feet wide, except that part laid out sixty-six feet wide.

By Act of the General Assembly of 1786, so much of the last-mentioned Act of 1785, as relates to the contraction of Washington Street, between Queen and Oronoco Streets, was repealed.

By Act of the General Assembly of 1786, it was provided: that the limits of the town of Alexandria should extend to and include as well, the lots formerly composing the town, as those adjoining thereto which had been, or were improved.

By Act of the General Assembly of 1788, the rights of cities, towns and boroughs, and the jurisdiction of the corporation courts were defined.

By Act of the General Assembly of 1796, the date for holding the Court of Hustings for the Town of Alexandria was changed.

By Act of the General Assembly of 1796, provision was made for the payment by, and collection from abutting lot owners, of the expense of paving the streets of the town, and of abating nuisances upon the lots within the town.

By Act of the General Assembly, of December 13, 1796, the jurisdiction of the town was extended, on the North, to the north side of Montgomery Street; on the South, to the line of the District of Columbia; and on the West, to a range of lots upon the west side of West Street, and upon the East, to the Potomac River, to include all lots and parts of lots within said boundary, upon which is built a dwelling house of at least sixteen feet square, with a brick or stone chimney, and to include all lots thereafter built upon within said limits.

By Act of the General Assembly of 1798, the jurisdiction of the Town was extended to all unimproved lots within the above limits, and the same were incorporated in the town; and to all vessels lying at the wharves, or anchored adjoining vessels at the wharves. The same Act provides for the condemnation of a rope walk erected by Charles Alexander, across sundry streets of the town, then under lease to Joseph and Samuel G. Harper.

Th first Code of Ordinances of the Mayor and Commonalty of the Town of Alexandria is both historical and interesting, and feeling that the record thereof should be preserved otherwise than by the two original prints now in existence, for the preservation thereof, I venture to give to the readers of these jottings, a full text of the same in the order of their adoption by the Mayor and Commonalty of the Town.

OFFICIAL CITY SCALES FOR WEIGHING HAY

The first Act was passed October 13, 1798, a full text of which follows:

“An Act to authorize the erecting a machine for weighing hay and other heavy articles; and granting a suitable compensation for weighing any such articles.

“Whereas great inconveniences are experienced by the inhabitants of the town of Alexandria, and its vicinity, from the want of a proper machine to ascertain the true weight of hay brought

to the said town for sale; and Abraham Faw having represented to the mayor and commonalty, that he will at his own proper costs and charges, erect such a machine, for the exclusive privilege of weighing whatever hay shall be brought to town for sale, for a certain number of years, at a reasonable compensation for the expense he should incur, and the trouble in attending to the execution of the duties of the machine.

“Section I. Be it therefore enacted by the Mayor and Commonalty of the said town of Alexandria, and it is hereby enacted by the authority of the same. That permission be granted to the said Abraham Faw, to erect or cause to be erected, in a proper situation in the said town of Alexandria, to be approved of by the said mayor and commonalty, a machine for weighing hay, brought to the town for sale, and other heavy articles, upon the following terms; that is to say: that he do, in ten days from this day, erect the said machine and finish it for service; that it be constructed in a strong, real and substantial manner, and upon such principles as to determine, with a certain degree of accuracy, the weight of any article; with a proper house to secure it from the weather; that the same, when completed be examined by the mayor and commonalty, and if approved of, received by them; and that from the day the same is so received, he, the said Abraham Faw, his heirs and assigns, shall have the sole and exclusive privilege for the term of twenty-one years, of weighing all hay brought to the said town for sale. And that he and they be allowed for the services rendered at the said machine, the following fees and no other: for every wagon loaded with hay, or other heavy articles, the sum of fifty cents; for every cart loaded with hay or other heavy articles, the sum of thirty-eight cents; and in case he or they shall ask, demand, or receive any greater fee or allowance for the said service, he or they shall forfeit the sum of Five Dollars, and moreover, the exclusive right hereby granted of weighing all hay brought to the said town for sale.

“Sec. II. Be it further enacted, That the Mayor and Commonalty of the said town, shall have the right of examining, from time to time, into the state of the said machine, and if found to be inaccurate, to point out the defect, and require the said Abraham Faw, his heirs and assigns, to remedy the same. And further, if it be found by the mayor and commonalty of the said town, at any time before the expiration of the said term, that one machine is insufficient to weigh all the hay brought to the said town for sale, that in such case, the said mayor and commonalty shall have power to direct the said Abraham Faw, his heirs or assigns, to erect one or more additional machines as they shall find to be necessary, upon the terms and principles herein stated, for the machine now directed. And in case the said Abraham Faw, his heirs or assigns, shall refuse to correct and amend the said machine which is now about to be erected, whenever it may be found not to answer the end proposed; or to erect any additional machine or machines, when found wanting; for the space of ninety days after notice in either case being given him or them by the mayor and commonalty; that the mayor and commonalty may, immediately after the expiration of the said term of ninety days, revoke the exclusive privilege hereby granted to him, the said Abraham Faw, his heirs and assigns; and proceed in such manner to provide a machine for the said purposes, as shall be then judged expedient.

“Sec. III. Be it further enacted, That it shall and may be lawful for the said Abraham Faw, his heirs and assigns, to appoint a fit person to be approved of by the mayor and commonalty, from time to time, to assist him or them in weighing such articles as may be brought to the said machine, for that purpose. And that he, the said Abraham Faw, his heirs and assigns, and the person or persons who shall be so appointed by him or them, from time to time, as an assistant or assistants, shall also be Inspector and Inspectors of Hay, brought to the town for sale; and that each and every of them, before he or they shall

take upon himself, or themselves, to act either as weigher or inspector of hay, shall take an oath before one of the justices of the peace of the said town, ‘well and truly to discharge the duties of a weigher at the said machine, and inspector of hay.’

“Sec. IV. Be it further enacted, That it shall be the duty of the said Abraham Faw, his heirs and assigns, and the assistant or assistants which he or they may, from time to time appoint, to examine all hay brought to the said town for sale, whether the same be sound and merchantable, and if so, whether the same be in a proper state of dryness. If the hay shall be in his or their judgment unsound, he or they are hereby directed to condemn the same as unfit for use; or in case it be sound, but at the same time wet or damp, to certify what deduction ought to be made from the weight, on account of such wetness or dampness; —And if any person or persons shall conceive him, her or themselves aggrieved by such decision, he, she, or they may appeal from the same to any two justices of the peace for the said town; who in case of disagreeing, shall cause a third justice to be summoned, and the opinion of two justices upon any such appeal shall be binding.

“Sec. V. Be it further enacted, That the said Abraham Faw, his heirs and assigns, shall give all due and necessary attendance at the said machine, either in person or by his or their assistant, so that persons wanting articles weighed may not be unnecessarily detained. And in case he or they shall fail to give such attendance, upon any person or persons being detained thereby, for the space of one hour unnecessarily, he or they shall for every such offense, forfeit and pay the sum of Two Dollars and Fifty Cents.

“Sec. VI. Be it further enacted, That the said Abraham Faw, his heirs and assigns, shall weigh at the said machine any and every wagon and cart loaded with hay, or any other heavy articles, and after the same is unloaded, weigh the empty wagon or cart, and such other articles as were made use of to confine

the load, and after deducting the same from the gross amount, give the owner or person procuring the articles to be weighed, a certificate of the net weight, taking care nevertheless in wet seasons, when the roads are deep and wheels apt to be loaded with mud, to make such allowance as shall appear reasonable, for the different appearances of mud on the wheels, at the different times of weighing the wagon or cart. And in case the owner or person procuring the articles to be weighed, shall not upon the delivery of the certificate of the weight to him or her, pay for the service, that the charge for the same be stated in the certificate, and the purchaser or purchasers of such articles, shall be liable for the same, and may deduct it out of the price which he agreed to give for the article.

“Sec. VII. Be it further enacted, That if any person or persons shall offer any hay for sale in the said town of Alexandria, after the same has been adjudged unmerchantable, he, she, or they shall forfeit the sum of Five Dollars for every such offense.

“Sec. VIII. Be it further enacted, That after the said machine shall be approved of and received by the said mayor and commonalty, all hay brought to the said town for sale, in wagons, carts, or slydes, shall be weighed at the same; and in case any person or persons shall, at all time thereafter, during the said term of twenty-one years, offer any hay for sale, or deliver any which he, she, or they may have previously sold, without a certificate of the weight thereof signed by the said Abraham Faw, his heirs or assigns, or his or their assistant, or if any person shall after the time aforesaid, and before the expiration of the said term, purchase or receive any hay, without such certificate, in either case, the party so offending shall forfeit the sum of Five Dollars for each and every offense. And in all such cases, it shall be the duty of the said Abraham Faw, his heirs and assigns, and his or their assistant, and he and they are hereby required to

give information of each and every such offense which shall come to his or their knowledge.

“Sec. IX. Be it further enacted, That in case it shall be discovered in the course of 3 years from this date, or at any other period before the expiration of the said term of 21 years, that the place where the said Abraham Faw shall erect the said machine, is improper to continue it at, that upon notice thereof given to him the said Abraham Faw, his heirs or assigns, that he or they shall remove the said machine from the place he is now about to erect it, to some more convenient spot; and in case he or they shall, for three months after such notice given, fail to remove the said machine, in the manner directed, that the exclusive privilege hereby granted shall be annulled.

“Sec. X. Be it further enacted, That all fines imposed by this act shall be recoverable, as the case may be, by warrant before any justice of the peace, or by bill, plaint, or information in any court of record, and that the fines when recovered shall be to and for the use of the said town.

“Passed the 13th day of October, 1798.”

The hay scales were erected on the west side of St. Asaph Street, and on the north side of the alley between the present fire engine house and the store building now occupied by Kaufman and Blumenfield, at the southwest corner of King and St. Asaph Street, the platform of which was located in the street, next to the curb line of the sidewalk in front of an old one-story frame building which, from my earliest recollection, was occupied by the late F. M. Weadon, locksmith and bell hanger, who acted, for many years, as the weigher of hay.

ADDITIONAL CITY ORDINANCES

All the Acts or Ordinances of the Mayor and Commonalty of the Town of Alexandria, except the one set forth in my last jotting, were passed February 5th, 1800, and appear in the

order of sequence as printed in the Code of 1800, as follows:

“An Act for declaring the Seal of the Corporation, prescribing the mode of passing laws, and of recording laws and orders of Council.

“Section I. Be it enacted by the Mayor and Commonalty of the Town of Alexandria, and it is hereby enacted by the authority of the same—That the seal now used by the Corporation, the device whereof is a ship in full sail, with a balance equally poised above the ship, and the words ‘Alexandria Corporation’ in a circle around the device, be and remain the Public Seal of the Corporation of Alexandria.

“Sec. II. The said Seal shall be affixed to all laws of the mayor and commonalty, at the time of passing the same, and no law of the mayor and commonalty shall have any force or validity, until it shall have been three times read and assented to, and the seal affixed thereto, by the mayor, in the presence of the council, and until the same shall have been certified under the hand of the mayor. All laws shall be attested by the clerk of the council, and shall be advertised by the town sergeant at the court house door and in one of the public papers of the town. No person shall be subject to prosecution under, or incur a penalty imposed by any law, unless such law shall have been advertised as aforesaid, and unless five days at least shall have elapsed between such public advertisement and the commission of the offence.

“Sec. III. The clerk of the Council shall record all laws and orders of the mayor and commonalty respectively, in separate books: and shall forfeit and pay for neglecting to record any law or order within thirty days after the publication of such law, or the making of such order, the sum of Five Dollars, provided: that no fine shall be incurred for any such neglect until two months after he shall have been furnished with the record books. He shall make out and deliver a copy of any law, order or entry of council to any person desiring it, such person paying

for the same at the rate of two cents for every thirty words contained in such copy. He shall, moreover, make out and deliver to the magistrates of the corporation, a copy of any law in force for which he shall be allowed in his salary.

“Sec. IV. The record-books shall be kept by the clerk of the council; and the originals of all laws with the corporation seal annexed, shall be deposited in the hands of the recorder, who shall from time to time, examine and inspect the record-books, compare the same with the original laws and orders, and certify at the conclusion of each law and order recorded as aforesaid, that the same is a true copy of the original.

“Sec. V. In all cases where the court of hustings, or mayor and commonalty, shall not agree in the nomination or appointment of any officer or officers at the particular court, or, at the particular meeting of the council, at which such appointment is or shall be by law directed to be made, it shall be lawful for the court of hustings, or mayor and commonalty, at their next succeeding meeting, to proceed to make such nomination or appointment, and so at every succeeding meeting until the same shall be made.”

“An Act for laying off the town into Wards, appointing Wardens, and declaring their duties.

“Section I. Be it enacted by the Mayor and Commonalty of the Town of Alexandria, that the said town shall be laid off into four Wards, that is to say, all that part of the town lying on the north side of Queen Street shall form one ward, and be called the First Ward; that part of the town which lies between the south side of Queen Street and the north side of King Street, inclusive, shall form one other ward and be called the Second Ward; that part of the town lying between the south side of King Street and north side of Duke Street, both included, shall form the Third Ward; and that part of the town lying on the south side of Duke Street, shall form the Fourth Ward. The Mayor and Comonalty shall annually in the month of February

or March, appoint as many Wardens as they may think necessary to serve for the term of one year from such appointment.

“Sec. II. It shall be the duty of the wardens as soon after their appointment as can conveniently be done, to take a census of the house-keepers within their respective wards, expressing the number of persons in each family, and the trade, profession or occupation of the master or mistress, distinguishing in their lists the free persons from servants or slaves, and taking down the names of all free persons above sixteen years of age, and the names of all servants, and to return the lists so taken to the Clerk of the Council, on or before the first day of May next ensuing their appointment. Any person who shall refuse to give to the wardens an account and description of the number of persons in his or her family, or shall give a false account or description, shall forfeit and pay the sum of Four Dollars.

“Sec. III. The wardens shall once in six months examine whether the houses in their respective wards are supplied with fire-buckets in the manner directed by the act, for the speedy extinguishment of fire, and shall take good care of the fire hooks, ladders and other implements used in case of fire, belonging to the corporation, in the manner prescribed by the said act. They shall go through their respective wards once a month, and make diligent inquiry concerning all Orphan Children who, by the laws of this commonwealth, should be bound apprentices, and into the conduct of all masters and mistresses towards their apprentices of every description, and in all cases where they shall find that such masters or mistresses neglect the instruction of their apprentices, or treat them in an improper manner, they shall lodge information of the same with the next Court of Hustings. They shall further in their monthly rounds, make strict inquiry into the situation of all poor persons who shall be likely to become chargeable to the corporation, and the length of time such persons shall have resided therein; and finally, concerning all vagrant, suspicious and disorderly persons, and shall make

their reports of the same to the mayor, or some other magistrate of the corporation, who shall pursue such measures as the several matters reported to him may require. Any Warden who shall neglect to take the census in the manner before prescribed, or to go through his ward and make the inquiries directed by this act, or to make report thereof to the mayor or other magistrate of the corporation, shall forfeit and pay for each neglect the sum of Five Dollars.

“Sec. IV. Every person who shall hereafter remove into the town to reside, or being a resident therein, shall remove from one ward into another, shall within six days give notice thereof to the Warden of the ward into which such removal shall be made, and shall at the same time give in his or her name, trade, profession and occupation, together with the number and description of the persons in his or her family. The warden of such ward shall enter the same in his census and make return thereof to the clerk of the council, in the manner hereinbefore directed. Every person who shall remove into any ward and shall not give notice thereof in the manner prescribed, shall forfeit and pay the sum of Three Dollars.

“Sec. V. Every housekeeper, except licensed tavern keepers, who shall lodge any person in his or her house for three nights successively, and shall not give notice thereof to the warden of the ward in which he or she shall reside, and of the trade, profession or occupation of the person so lodged, shall forfeit and pay the sum of Five Dollars, unless the good character of the person so lodged can be established by at least three respectable citizens. It shall be the duty of the wardens to prosecute any person who shall be guilty of a breach of this or the preceding clause of this act within their respective wards. Every warden who shall willfully neglect to prosecute any such offender shall forfeit the sum of Five Dollars.

“Sec. VI. The wardens shall annually on or before the first day of February, make out lists of the persons in their several

wards liable to the to the payment of the taxes imposed by the act, entitled, 'An act for establishing a watch, and levying a tax for paying the same,' and shall deliver such lists to the clerk of the council, in the manner prescribed by that act, and for any neglect shall be subject to the penalties thereby incurred.

"Sec. VII. It shall be the duty of the wardens to receive information of all nuisances within their respective wards, to make diligent search within the same, at least once in two weeks, from the first day of May to the first day of November, and once in every month, from the first day of November to the first day of May, in all places where they shall suspect any nuisances to exist, and if any such be found, to order the person causing it or suffering it to remain on his or her property, to remove the same, and if such person shall neglect or refuse to comply, to make report thereof to one of the corporation magistrates, who shall proceed on such report in the manner directed by the 'Act for preventing nuisances within the limits of the corporation.' Every warden who shall refuse to act, on information given him, or shall neglect to make inquiry respecting nuisances in his ward, or on discovering any nuisance, shall not proceed in the manner before directed shall, for each offense, forfeit and pay Five Dollars.

"Sec. VIII. The wardens shall give information to some magistrate of the corporation, of all shop-keepers or hucksters, within their several wards, who shall keep their shops open on a Sunday, for the purpose of buying or selling. And every shop-keeper or huckster so offending, shall forfeit the sum of Five Dollars for each offense.

"Sec. IX. Any person appointed to act as a warden, who shall refuse to serve, shall forfeit Ten Dollars. The mayor and commonalty shall immediately on the death or removal of any warden, or his refusing to serve, appoint some proper person to supply the vacancy. Each warden shall be allowed a salary for

his services, to be fixed upon by the mayor and commonalty, at the time of his appointment.

"Sec. X. The several fines imposed by this act shall be recoverable by warrant before a single magistrate, or by petition, action of debt, or information in any court of record, as the case may be.

"Sec. XI. This act shall commence and be in force from the passing thereof. All and every act or acts containing anything within the purview hereof, shall be and the same are hereby repealed, provided, that nothing herein contained shall be construed to repeal so much of any act or acts as may relate to any offense committed, or penalty incurred, under the same before the passing hereof."

"An Act for establishing, perpetuating, and regulating the Streets, and to prevent injuries to Pumps.

"Section I. Be it enacted by the Mayor and Commonalty of the Town of Alexandria—That Fairfax Street be continued through the said town in such a manner as to correspond, with the greatest possible exactness, with those squares of that street now paved; and that the streets running north and south, be made to correspond and run exactly parallel to it; that King Street be extended so as to correspond exactly with the squares of that street now paved, and that all the streets, running east and west, be made to correspond, and run exactly parallel to the same.

"Sec. II. Whereas, it has been discovered, That some of the squares between Royal and Pitt Streets, have been extended too far to the west, and that some of the squares between Prince and Duke Streets, and between Duke and Wolfe Streets, have been extended too far to the south; Be it therefore further enacted, that Pitt Street be extended through the town, parallel by Fairfax Street, and corresponding with the west gable of the brick house built by John Dundas, at the intersection of that street and King Street—That Duke Street be extended, parallel to King

Street, three hundred and fifty-six feet eight inches to the southward of Prince Street; and that Wolfe Street be in like manner extended three hundred and fifty-four feet three inches to the southward of Duke Street.

“Sec. III. For perpetuating and rendering public the said regulations, the commissioners of the streets shall fix stones on all unpaved streets at those points in which the boundary lines of the footways of such streets would, if continued, intersect each other, allowing the footway to be extended twelve feet from the lines of those streets which are sixty-six feet wide, nine feet from the lines of those streets which are fifty feet wide, and eighteen feet from the lines of those streets which are one hundred feet wide.

“Sec. IV. All houses which shall hereafter be erected, shall be made to correspond with the lines of the streets as herein established, and so much of any house which shall hereafter be built on any street as shall extend beyond the line of the same, shall be taken down by the commissioners of the streets, when thereto required by the mayor and commonalty. Provided, that all houses built before the eighth day of April, 1795, which shall be beyond the lines of the streets on which they are built, shall not be affected hereby, but shall remain undisturbed, until such times as the owners may think proper to make any alterations in their situations, which alterations shall be so made as to be conformable to the regulations aforesaid.

“Sec. V. No porch shall be erected on any paved street, nor shall any steps or cellar door be extended further on any such street, than four feet three inches, and they shall be so constructed as not to impede a free passage. No person shall set up any bulk window, post or other impediment, or place any spout or gutter, in such a manner as to prevent an easy passage through the streets, lanes or alleys. Whoever shall, in any respect, offend herein shall, for each offense, forfeit and pay Five Dollars.

“Sec. VI. The commissioners of the streets shall take down any porch, steps, cellar door, bulk window or other impediment to a free passage which now is, or shall hereafter be set up, contrary to the intent and meaning of this act; and shall recover the expense incurred in so doing, from the person who shall have erected the same, in the manner prescribed for the recovery of taxes due to the corporation. And if there shall hereafter be any porch standing on any street, or any steps or cellar door extending further on the same than four feet three inches, at the time such street shall be directed to be paved, they shall proceed to remove the same and to recover the expense in the manner hereinbefore prescribed.

“Sec. VII. Every person who shall desire to deposit materials for building on any street, shall apply to the warden of the ward in which such building shall be intended to be erected, and it shall be the duty of the warden to appoint a proper place and assign a reasonable space on such street for depositing the said materials. Every person who shall place any materials on any street in a place not assigned, or shall occupy a greater space than shall be assigned, shall forfeit and pay One Dollar for every twenty-four hours such materials shall so remain on any such street.

“Sec. VIII. If the owner or driver of any wagon, cart, dray or other carriage, shall suffer it to remain for more than two hours on any paved street or public alley, except when in actual use, or if any person whatsoever, shall place, or unload, or cause, or direct to be placed, or unloaded on any street or alley as aforesaid, any fire-wood, cask, merchandize, lumber, or obstruction of any kind (except materials for building in the manner before prescribed) and shall not remove the same within six hours after it has been so placed or unloaded on such street or alley, he or she shall forfeit for every offense, the sum of Two Dollars, and shall be subject to the further penalty of Two Dollars for every hour after the time herein mentioned during which such wagon,

cart, or dray, or other obstruction shall remain unremoved, after he or she shall have been required to remove the same by any warden of the corporation.

“Sec. IX. No person shall throw down, or cause to be thrown down from any wagon, cart, or other carriage, or in any other manner, any rubbish, dirt or earth on any public street, lane or alley, except in such quantities and in such places as may be directed by the commissioners of the streets; nor shall any person take any sand or dirt from any of the said streets, lanes, or alleys, without the consent of the commissioners, and the commissioners shall apply all sand or dirt for which they shall have no occasion in raising, repairing, or paving the street, to such other uses as they shall think most conducive to the public benefit. Every person who shall lay down any rubbish, dirt, or earth, or carry away any sand or dirt contrary to the interest and meaning hereof, shall forfeit and pay One Dollar, for every load so thrown down or carried away.

“Sec. X. No person shall ride or lead any horse, or drive or take any carriage whatever, over any of the foot-pavements, under the penalty of One Dollar for every offence.

“Sec. XI. The persons living on paved streets shall clean the footways and gutters of such parts of the said streets as shall be opposite to the property they occupy, and shall sweep half-way across such streets, at least three times a week, and shall moreover wash such footways every Saturday from the first day of May to the last day of September, unless prevented by the weather. Any inhabitant who shall not perform the said duties shall, for every neglect, forfeit and pay Fifty Cents.

“Sec. XII. The wardens of the town shall appoint proper and capable persons to act as scavengers within their respective wards. It shall be the duty of the scavengers to clean the carriage ways of the paved streets, lanes, and alleys, and to take from thence, and from the other parts of the town, in such manner and at such times, as the wardens may direct, all filth and

dirt which shall incommode the inhabitants. They shall proceed thro' the said streets on every Friday, with one or more carts and give notice to all persons having any litter or filth to be removed, to bring the same to the said carts, and the said scavengers shall remove all such litter, dirt, or filth, to a convenient distance from the town. Any scavenger who shall neglect any of the duties imposed on him shall, for every neglect, forfeit and pay Two Dollars.

“Sec. XIII. And whereas, the greatest mischief and inconvenience may result from the wanton and malicious injuries often done to Pumps, Be it therefore enacted, That if any person shall wilfully remove the cap from any Pump, or break or remove the handle, or choke any Pump, by conveying into it any brick, stone, or other substance, or shall in any manner injure the same, the person so offending shall forfeit and pay, for every offense, Five Dollars; and shall moreover be liable to the expense incurred in repairing the same, to be recovered by warrant, or by petition, or suit in the name of the mayor and commonalty, as the case may require; or if the offender be a slave, he or she shall receive such corporal punishment not exceeding thirty-nine lashes, as the justice before whom he or she shall be convicted shall direct. And for the more certain discovery of such offences, a reward of Five Dollars shall be paid to the person prosecuting to conviction any person who shall transgress herein.

“Sec. XIV. The fines and penalties imposed by this act shall be recoverable by warrant before a single magistrate, or by petition, action of debt, or information in any court of record, as the case may require, and shall be one-half to the corporation and the other half to the person who shall sue for the same.

“Sec. XV. All acts and clauses of acts, coming within the purview hereof, are hereby repealed, except as to so much thereof as may relate to any right vested, or fine, or penalty incurred under the same before the commencement of this act.”

EARLY CITY ORDINANCES

THE TREASURER

“Section I. Be it enacted by the Mayor and Commonalty of the town of Alexandria, That they shall, annually in the month of February or oftener if necessary, appoint a fit and proper person to act as Treasurer of the Corporation. The person so appointed shall, before entering on the duties of his office, give bond with good security, in such penalty as may be judged necessary, payable to the mayor and commonalty and their successors, conditioned for the faithful accounting for all sums of money received by virtue of his office, or by any law or ordinance of the corporation, whenever he shall be thereto required, and shall moreover make the following oath or affirmation: ‘I do swear (or affirm) that I will well and truly to the best of my power, execute the office of Treasurer for the Corporation of Alexandria, according to the intent and meaning of a law of the said Corporation, entitled, ‘An Act for appointing a Treasurer.’

“Sec. II. The Treasurer so appointed shall receive all money, payable into the treasury of the corporation for public uses; and shall demand and receive from the collectors of taxes all sums of money received by them for the use of the corporation. He shall pay such money, for such purposes only, and on such warrants, as the laws of the corporation shall direct. He shall keep in a book, to be provided for that purpose at the public expense, a true and faithful account of all money received by him for the use of the corporation, and of the manner in which the same shall be applied; and shall, on or before the first Tuesday in February in every year, or oftener if required, lay before the council, or any committee of their body appointed for that purpose, all the accounts of the treasury, and shall produce the money in his hands. And if the Treasurer shall fail to account with, or pay to the council or their committee, or to any creditor of the corporation properly authorized to demand the same, any

money received by him as Treasurer, when thereto required, the said Treasurer and his securities shall be liable to a judgment on motion in the name of the mayor and commonalty, for the full amount of the money for which he shall be so chargeable: Provided, ten days previous notice be given to the said Treasurer and his securities, of the time of making such motion, and of the court in which it shall be made.

“Sec. III. Any Treasurer who shall divert or misapply any part of the money paid into the treasury for the public use, shall be removed from office.

“Sec. IV. The Treasurer shall be allowed such compensation for his services as shall, from time to time, be fixed by the mayor and commonalty.”

EARLY FIRE ORDINANCE

“Section I. Whereas, it is the duty and interest of the inhabitants to guard against the destructive ravages of fire, and it is reasonable that the expense incurred should be borne by those whose property is protected: Be it therefore enacted by the Mayor and Commonalty of the town of Alexandria, That every proprietor of any dwelling-house or store-house within the limits of the corporation shall, at his or her own expense, provide as many fire-buckets, made of good and suitable leather and containing at least two and a half gallons, as shall be equal in number to the stories in such house. Provided, That no proprietor shall, in any case, be compelled to provide more than three buckets for one house. Every proprietor who shall neglect to procure the proper number of buckets in the manner herein directed, shall forfeit and pay one dollar per month for each bucket he shall so neglect to procure. The proprietors of all dwelling-houses and store-houses which shall hereafter be erected within the corporation, shall furnish the same with buckets in the manner before prescribed, within two months

after such houses shall be occupied; or failing to do so, shall be subject to the penalties before mentioned.

"Sec. II. Where the proprietor of any dwelling-house or store-house residing out of the limits of the corporation, shall neglect to comply with the requisitions of this act, the occupier of such house shall within two months after coming to the possession thereof, procure the necessary buckets; and failing to provide the same, shall be subject to the like penalties as are in such case imposed on the proprietor. And when any occupier shall, at his or her own expence, provide buckets in the manner directed by this act, it shall be lawful for him or her to retain out of the rent of the house the sum so expended.

"Sec. III. The person who shall provide any bucket or buckets in pursuance hereof, shall cause the same to be numbered, and the name or names of the proprietor or proprietors to be painted thereon, or shall be subject for every such neglect, to the penalty of One Dollar for each bucket not marked and numbered as aforesaid.

"Sec. IV. The occupiers shall carefully preserve all fire-buckets belonging to the houses they inhabit, and shall deliver them in good order to the landlords on quitting possession; and if any such buckets shall be lost or destroyed by their neglect or default, they shall replace the same within one month, or pay to their landlords their full value. They shall keep such buckets in some convenient place in the houses to which they belong, so as to have them always ready in cases of necessity, and shall send or carry them to the place where any fire shall break out, or throw them into the street so that they may be taken there. And shall not use any such bucket, or permit the same to be used for any other purpose than that of extinguishing fires. Every person who shall herein offend, shall forfeit and pay for each offence the sum of One Dollar.

"Sec. V. It shall be the duty of the wardens, once in six months at least, to visit the houses within their respective wards,

to examine and take an account of the buckets belonging to such houses, and to report to the mayor the names of all persons who shall neglect to provide and keep the same, according to the requisitions of this act. They shall keep the firehooks and ladders belonging to the corporation in such convenient and secure place as shall be directed by the council; and shall, after the extinguishment of any fire, replace the hooks, ladders and other implements belonging to the corporation, used at such fire, in the place or places assigned for them. Any warden who shall neglect to replace any firehook, ladder, or other implement of the corporation, used as aforesaid, within two days after any fire, or shall neglect to perform any other duty hereby imposed on him, shall for each offense forfeit and pay Ten Dollars.

"Sec. VI. Any person who shall remove, or cause or procure to be removed, any firehook, ladder, or other implement, used in the extinguishment of fire, belonging to the corporation, or to any fire company now established, or which may be hereafter established, from the place or places where they shall be usually kept, shall forfeit and pay the sum of Twenty Dollars; unless such removal be necessary for the extinguishment of a fire, or be made by a person properly authorized. Provided always, that no penalty shall be incurred under this act, unless the firehook, ladder, or other implement removed, be marked with some distinguishable letters, indicating the owner or owners thereof.

"Sec. VII. If any person who shall be present at any fire, shall neglect or refuse to obey the order or direction of any officer who shall be appointed by any Fire Company now established, or which may be hereafter established, knowing him to be an officer, such person shall forfeit and pay, for each offense, the sum of Five Dollars. Provided, The name of such officer shall have been first published in one of the public papers printed in the town.

"Sec. VIII. The fines and penalties imposed by this act shall be recoverable by warrant before a single magistrate, or by peti-

tion, action of debt, or information in any court of record, as the case may be; one-half to the use of the mayor and commonalty—the other half to the person who shall sue for the same.

“Sec. IX. All and every act or acts coming within the purview thereof, shall be and the same are hereby repealed, except as to so much thereof, as may relate to any offense done, or penalty incurred under the same, before the passing of this act.”

LICENSE PLATES FOR CARTS, DRAYS AND WAGONS

“Section I. Be it enacted by the Mayor and Commonalty of the town of Alexandria, That all Wagons, Carts, and Drays, kept for the purpose of plying and working within the said town, shall be marked and numbered in the following manner: that is to say, the owner or owners of any such wagon, cart, or dray shall apply to the clerk of the market, who shall fix on or near its left side, in the most conspicuous place, a small board painted black, with the letters A. C. marked thereon, and numbered in the order in which such Wagon, Cart or Dray shall be brought to him; the letters and figures shall be at least two inches in length, and put on with white paint.

“Sec. II. The clerk of the market shall enter in a book to be kept by him for that purpose, the names of the owners of all Wagons, Carts and Drays as marked and numbered, and the respective numbers of the same; and shall receive from the owner or owners the sum of Thirty-three Cents.

“Sec. III. If any Wagon, Cart or Dray, kept for the purposes above mentioned, shall be made use of within the limits of the corporation, before it shall have been marked and numbered in the manner herein directed, the owner or owners shall forfeit and pay One Dollar, for every day, or part of a day, it shall be so used.

“Sec. IV. The drivers of all Wagons, Carts and Drays, kept as aforesaid, shall drive with lines when within the limits of the town, they shall attend by the sides of their respective Wagons, Carts and Drays, and shall not leave them except in cases of

necessity; they shall conduct them in a careful and orderly manner, and station them, when unemployed, at least thirty feet from each other parallel and close to the side stones, so as not to interrupt the passage through the streets. Any person who shall herein offend, shall for each offense forfeit and pay One Dollar, to be recovered, if the person transgressing be a servant or slave, from the owner of the Wagon, Cart or Dray driven by him.

“Sec. V. The fines hereby incurred shall be recoverable by warrant before a single magistrate, and shall be to the use of the mayor and commonalty.”

SAFETY ORDINANCE

“Section I. Be it enacted by the Mayor and Commonalty of the town of Alexandria, That, from and after the passing of this act, no person shall drive any Carriage whatever, within the limits of the corporation, out of an ordinary travelling gait, or in a careless or inattentive manner; or gallop, or otherwise force any horse out of any such ordinary travelling gait. Nor shall any person, within the limits aforesaid, ride, or take any horse through the streets without a bridle or halter. Any person who shall transgress herein, shall forfeit and pay the sum of Two Dollars for every such transgression.

“Sec. II. All owners of Dogs shall keep such Dogs chained, or otherwise confined; and if any Dog shall be found at large, without his owner, the owner shall be subject to the penalty of One Dollar. It shall be lawful for any person, and shall particularly be the duty of the constables, to kill and destroy any Dog found so going at large without his owner.

“Sec. III. No person shall discharge any Musket, Fowling-piece, Pistol, or other Fire Arms, within the limits of the corporation, unless in defense of his or her person or property, under the penalty of One Dollar for each offense.

“Sec. IV. It shall not be lawful to burn any Lime or Brick-kiln, within the limits of the corporation, unless such Lime-kiln be at least two hundred feet distant, or such Brick-kiln at least thirty feet distant from all buildings. The person who shall burn any Lime or Brick-kiln within the corporation, at a less distance from any building than is hereby allowed, shall for each offence forfeit and pay Fifty Dollars.

“Sec. V. No Fuel, Shavings, or other combustible matter shall be burnt in the open air within the corporation, unless in the day time, at the distance of two hundred feet, at least, from every building or fence. All Fires made at any greater distance, shall be carefully extinguished before sun-down, by the person or persons making the same. Whoever shall offend herein, shall be subject to the penalty of Five Dollars. Provided, That nothing herein contained shall be construed to prevent the making of fires for boiling pitch or tar, for tarring or painting vessels, or for heating bands by blacksmiths, to be fitted to wheels, so as such fires be extinguished as before directed.

“Sec. VI. No person shall construct the pipe of any Stove through the wall of any house, or through any wooden floor, or lath or wooden partition; or set up a Stove on any plank or wooden floor, before it shall have been rendered secure, by placing at least two rows of bricks between the floor and such stove. Whoever shall in any respect offend herein, shall forfeit and pay Twenty Dollars for each offense.

“Sec. VII. The dimensions of all Chimneys, which shall hereafter be erected, shall be at least fourteen inches by twelve, and shall be constructed in such a manner as to allow chimney-sweepers to pass through them.

“Sec. VIII. It shall be the duty of the wardens to remove, or cause to be removed, all stoves and stove-pipes, and to take down, or cause to be taken down, all chimneys put up or erected, contrary to the intent and meaning of this act.

“Sec. IX. The several fines imposed by this act shall be to the use of the corporation, and shall be recoverable by warrant before a single magistrate, or by action of debt, or information, in any court of record, as the case may require.

“Sec. X. All and every act and acts coming within the purview hereof, are hereby repealed, except as to so much thereof as may relate to any offense done, or fine or penalty incurred under the same, before the passing of this act.”

GAUGERS, MEASURERS OF GRAIN, SALT, AND COAL; MEASURERS OF LUMBER, AND CORDERS OF WOOD; AND APPOINTING THEIR SEVERAL DUTIES

“Section I. Be it enacted by the Mayor and Commonalty of the town of Alexandria, That the Court of Hustings shall annually, in the month of March or April, appoint one or more fit persons to act in each of the following capacities: that is to say, as gaugers of Liquors; measurers of Grain, Salt and Coal; measurers of Lumber, and Cordors of Wood. The persons so appointed shall, before entering on their respective offices, make oath or affirmation before the court, faithfully to execute their several duties; and shall, moreover, give bond with good security, in such sum as the court may think necessary, payable to the mayor and commonalty, conditioned for the faithful performance of their said duties.

“Sec. II. It shall be the duty of the Gauger or Gaugers, to gauge all spirituous and fermented liquors, offered for sale in casks, to attend when called onto for that purpose, and to mark the contents and usage on each cask or vessel so gauged. For which services he shall be paid by the seller of such liquors the following fees, viz., for gauging any number of hogsheads or pipes not exceeding five, twelve and one-half cents each; for any number above five, and not exceeding ten, ten cents each; for any number exceeding ten, six cents each; for gauging any

number of tierces, barrels, or vessels containing smaller quantities, not exceeding five, eight cents each; for any number above five, and not exceeding ten, six cents each; for any number above ten, four cents each—to be paid by the seller. If any Gauger shall make a mistake of more than two gallons in the contents of any vessel, he shall make full compensation to the person injured thereby. Any person who shall sell and deliver any spirituous or fermented liquors by the pipe, hogshead, tierce or barrel, without having them gauged previous to such sale by a Public Gauger shall, for each offense, forfeit and pay Five Dollars.

“Sec. III. It shall be the duty of the Measurers of grain, appointed under this act, to provide, at their own expense, a sufficient number of barred half-bushels, for the measurement of all kinds of grain, except oats and barley, and of half-bushels without bars, for oats, barley and salt, to be regulated by the standard of this Commonwealth; and also to provide a sufficient number of measures without bars, for coal, containing two and a half bushels, according to the said standard, which shall be considered as two bushels. In the measurements of all grain, except oats and barley, the Measurers shall use a strike with a square edge, at least three-fourth of an inch thick; in the measurement of oats, barley and sale, they shall use a strike rounded on the edge. The Measurers shall attend at all times when called on, for the purpose of measuring grain, salt, or coal, and shall furnish the buyer and seller with a certificate of the quantity measured. For which services they shall be paid by the seller twenty-five cents for each hundred bushels so measured, and in the same proportion for any greater or less quantity.

“Sec. IV. No person who shall hereafter import any grain, salt, or coal into the town for sale, shall deliver the same, or any part thereof, to the buyer, out of the vessel in which it shall be so imported, without having it duly measured by the Public Measurer. Nor shall any person, in any case whatsoever, sell

and deliver any greater quantity of grain or salt than two hundred bushels, or any greater quantity of coal than forty bushels, without having the same previously measured as aforesaid. Every person who shall herein offend, shall forfeit and pay Five Dollars, for every hundred bushels so sold and delivered, and in the same proportion for any greater or less quantity.

“Sec. V. No person who shall hereafter import any boards, plank or scantling into the town for sale, shall sell and deliver the same or any part thereof, without having it first measured by a Public Measurer. Nor shall any person from a lumber yard or elsewhere, sell and deliver any greater quantity of boards, plank, or scantling than five hundred feet, without having the same previously measured as aforesaid, under the penalty of One Dollar and Fifty Cents for every five hundred feet sold and delivered contrary to this act, and in the same proportion for any greater or less quantity.

“Sec. VI. It shall be the duty of the Measurers to attend at all times for the purpose of measuring lumber. They shall be allowed for their Services Twenty Cents for every thousand feet measured by them, and in the same proportion for any greater or less quantity—to be paid by the seller.

“Sec. VII. All firewood brought to the town by water for shale, shall be corded at the place where it shall be landed, and shall be of the length of four feet clear of the kerf. All firewood brought to town by land for sale, shall be of the length of four or eight feet. Every person who shall bring any firewood to the town by water as aforesaid, and shall deliver the same, and any part thereof, without having it first duly corded and measured by a public measurer, and every person who shall bring any wood to town by land or water, for the purpose aforesaid, except of the lengths directed by this act, shall forfeit and pay One Dollar per cord, if brought in by water, for all wood so sold and delivered, or brought to town contrary hereto, and in the same proportion, for any greater or less quantity.

The Corders of wood shall attend at all times for the purpose of measuring such wood as they may be required, and shall be allowed the following fees: that is to say, for measuring any number of cords not exceeding five, belonging to the same person and measured at the same time, eight cents per cord, and for any greater quantity, six cents per cord—to be paid by the seller.

“Sec. VIII. The penalties imposed by this act shall be recoverable by warrant before a single magistrate, or by petition, action of debt, or information, in any court of record, as the case may require, and shall be to the use of the corporation.”

REGULATION OF THE MARKET, AND FOR FIXING THE ASSIZE OF BREAD; FOR THE APPOINTMENT OF A CLERK OF THE MARKET, AND SEALER AND ADJUSTER OF WEIGHTS AND MEASURES, AND POINTING OUT HIS DUTIES

“Section I. Be it enacted by the Mayor and Commonalty of the town of Alexandria, That all the days of week, except Sundays, shall be considered as Market-days.

“Sec. II. The Mayor and Commonalty shall, annually, in the month of February or March, or oftener if necessary, appoint a fit and proper person to act as Clerk of the Market. It shall be the duty of the person so appointed, to have the market house kept clean and due regularity observed; to provide, at the expense of the corporation, a set of scales and adjusted weights; to keep them in good order and always in market during market hours, and to weigh all articles of provision which may be brought by any person, without receiving any fee; to attend at the market house every day during market hours; to enforce the provisions of this act, by seizing all articles forfeited under the same and to use his best endeavors to recover all fines incurred; to make a regular return, once a quarter, to the clerk of the council, of all seizures made and fines recovered by him, and the manner in which they shall have been disposed of; to

pay into the treasury, once in every month, the amount of all fines recovered, and the money arising from the sale of the seizures made; to publish at least once a week, in one of the Alexandria newspapers, the assize of Bread, according to the existing regulations of the Mayor and Commonalty; and, from time to time, to visit the several bake-houses, and other places where bread is sold, to examine the weight of such as may be there exposed to sale, and to seize all which shall not be made according to regulations then in force.

“Sec. III. The market hours shall continue during the morning until nine o'clock, from the first day of April to the first day of October, and until ten o'clock from the first day of October to the first day of April.

“Sec. IV. No person shall, during the market hours, make sale of, or offer or expose to sale, nor shall any person purchase any kind of meat, fowls, butter, cheese, eggs, or vegetables at any place within the corporation, except at the market house. Every person who shall sell, or offer or expose to sell, any of the articles aforesaid, and every person who shall purchase the same contrary to this act, shall severally forfeit and pay Two Dollars. Provided, that nothing herein contained shall be construed to extend to the sale and purchase in firkins, beef or pork for salting, or already salted, or of fish.

“Sec. V. No person shall sell, or offer or expose to sale in the market house, any kind of provisions (except pork and beef after it has been salted or dried) which had been before purchased there or at any other place within the limits of the town. All provisions so exposed to sale, shall be forfeited and seized by the Clerk of the Market, and the person selling or exposing them to sale shall, for each offense, be subject to the penalty of Four Dollars.

“Sec. VI. No huckster or other person, who usually purchases provisions for the purpose of selling again, shall on any market-day and during market hours, purchase at the market

house any greater quantity of provision there exposed to sale, than what shall be sufficient for the use of his or her own family. And if any person shall on any market day and during the hours aforesaid, purchase a greater quantity of provision than is hereby allowed, the surplus shall be forfeited and seized by the Clerk of the Market, and the person offending shall moreover forfeit and pay for each offense Two Dollars.

“Sec. VII. All butter which shall be exposed to sale in pieces or cakes importing to be of a certain weight, and which shall be found on trial not to contain the weight pretended, shall be forfeited and seized by the Clerk of the Market.

“Sec. VIII. All Indian corn meal which shall hereafter be sold within the corporation, shall be sold by weight and not otherwise, allowing forty-eight pounds for the bushel, and in the same proportion for any greater or less quantity. Any person who shall offer any Indian corn meal for sale in any other manner than is herein prescribed, shall forfeit and pay Five Dollars for every offense.

“Sec. IX. The Mayor and Commonalty shall, from time to time, as often as they may think necessary, regulate the assize or weight of Bread. The regulations so made shall be entered on the minutes of the council, and all persons baking bread for sale within the limits of the corporation, shall be governed thereby. All Bread exposed or offered for sale within the corporation, which shall be less than the weight required by the regulation then in force, shall be seized by the Clerk of the Market, or any sworn officer of the corporation, who shall, nevertheless, make a reasonable allowance for any deficiency in the weight of old or stale bread. When any material alteration shall have taken place in the price of Flour, it shall be the duty of the Clerk of the Market to apply to three respectable purchasers within the corporation, for a certificate of the cash price thereof, and to publish the weight bread ought to be in conformity with the regulations of the Mayor and Commonalty.

“Sec. X. All provisions forfeited under any clause of this act, shall be for the use of the corporation, to be disposed of by the Clerk of the Market, and the proceeds paid into the treasury.

“Sec. XI. In all cases of seizure made under this act, the party affected thereby, may appeal from the decision of the Clerk of the Market, or person making the seizure, to one of the magistrates of the corporation. The Clerk of the Market or person making the seizure shall immediately, or, if the seizure be made during market hours, upon the close of the market, take the articles seized before the magistrate to whom such appeal shall be made, the magistrate shall hear the allegations of the parties, examine such witnesses as may be produced and determine thereupon, according to the true intent and meaning of this act.

“Sec. XII. Be it further enacted, That the person appointed Clerk of the Market, shall also hold the place of sealer and adjuster of Weights and Measures. It shall be his duty to provide, at the expense of the corporation, a complete and regular set of Weights and Measures, agreeable to the standard of this commonwealth, and to keep them in good order and always correspondent to the said standard. He shall, at least once in every year, examine and try all scales, steelyards, and weight, and all cloth, dry, and liquid measures made use of within the corporation and adjust the same to the standard above mentioned; and when so adjusted shall stamp or brand them with the letters A. C. in some conspicuous place, unless they should be already stamped or branded as herein directed. For which last mentioned services, the adjuster and sealer of Weights and Measures shall be entitled to demand and receive the following fees: that is to say, for every pair of scales or steelyards adjusted and stamped, Twelve Cents; for every dry measure adjusted and branded or stamped, Twelve Cents; for every liquid measure adjusted and branded or stamped, Three Cents; for every

weight above seven pounds adjusted and stamped, Six Cents; for every weight of seven pounds and under adjusted and stamped, Three Cents. For trying and examining any of the aforesaid scales, steelyards, weights or measures, which had before been stamped or branded, if they be found to correspond with the standard and not require any alteration, one-third of the fees allowed above for adjusting and stamping or branding the same. But in all cases where any steelyards, scales, weights, or measures, which had been before stamp or branded, shall require any alteration to render them conformable to the standard, the adjuster and sealer of Weights and Measures, shall be entitled to the same fees as are before allowed for adjusting and stamping or branding.

"Sec. XIII. It shall further be the duty of the sealer and adjuster of Weights and Measures to adjust the weights and measures of every person requiring him so to do, and tendering the fees allowed for the same, and to brand or stamp the weights and measures so adjusted, according to the directions of this act. And if he at any time shall have just cause to suspect, or information be given him, that any person makes use of false weights or measures, he shall examine the weights and measures of such persons and adjust them to the proper standard if they be found to vary therefrom. For which services he shall be entitled to receive the fees before allowed.

"Sec. XIV. Every person who shall make use of false steelyards, scales, weights or measures, shall forfeit and pay for every pair of false steelyards or scales the sum of five dollars, and for every false weight or measure, two dollars.

"Sec. XV. If any person in buying or selling any article which is generally bought or sold by weight or measure, shall make use of any scales, steelyards, weights, or measures not adjusted and stamped or branded according to the directions of this act, the person so offending shall, for every offence, forfeit and pay Two Dollars.

"Sec. XVI. Be it further enacted, That if the Clerk of the Market and sealer and adjuster of Weights and Measures, shall neglect or refuse to discharge the duties imposed on him by this act, in either capacity, or if he shall demand or receive any greater fees than shall be allowed him by the laws of the corporation, or if he shall demand or receive any fee where none shall be thereby allowed, he shall, for each offence, forfeit and pay Fifty Dollars, and shall moreover be removed from office.

"Sec. XVII. For the several services required of the Clerk of the Market and sealer and adjuster of Weights and Measures, he shall receive from the Mayor and Commonalty, in addition to the fees before allowed, an annual salary to be, from time to time, fixed by them.

"Sec. XVIII. The several fines and penalties imposed by this act shall be to the use of the Mayor and Commonalty, and shall be recoverable by warrant before a single magistrate, or by petition, action of debt, or information in any court of record.

"Sec. XIX. All acts coming within the purview hereof, are hereby repealed, except as to so much as may relate to any offence done, or fine or penalty incurred before the passing hereof."

REVENUE AND STREET PAVING

"Section I. Be it enacted by the Mayor and Commonalty of the town of Alexandria, That the following taxes shall be levied on all property within the corporation and on the inhabitants thereof, for paving, cleaning, and keeping in repair the streets, lanes, alleys, wells, and pumps: that is to say, on every foot front of improved and unimproved lots, lying on those streets which shall be at any time directed to be paved, One Dollar and Fifty Cents, to be paid only once and in the manner hereinafter mentioned; on every four wheeled riding carriage, Four Dollars a year; on every chair, sulkey, or two wheeled riding car-

riage, Two Dollars a year; on every dray or cart, Two Dollars a year; on every wagon, Four Dollars a year; on every dog or horse, One Dollar a year; on every tavern license, Ten Dollars a year; on every male tytheable, One Dollar and Fifty Cents a year; on every instrument under the seal of the corporation, Eighty-three and a Half Cents; on all houses and lots, at the rate of One Dollar a year on every hundred pounds of their assessed value; Provided, That when any improved lots are, or shall be, in the occupation of tenants under leases for terms not exceeding fifteen years, by which leases such tenants are, or shall be authorized to remove any improvements made on such lots; in all such cases, the improvements shall be valued separately from the lots, and the taxes on the improvements shall be paid by the tenants, unless the contracts between them and the proprietors do, or shall otherwise expressly provide.

“Sec. II. The Mayor and Commonalty shall, annually in the month of February or March, or oftener if necessary, appoint two Assessors. Every Assessor so appointed, shall before entering on the duties of his office, make the following oath or affirmation before the mayor, recorder, or some alderman of the corporation: ‘I do solemnly swear (or affirm) that I will well and truly, without partiality, and to the best of my knowledge, value all lots, with the improvements thereon, and unimproved lots, within the corporation of Alexandria; and will demand and receive lists of tytheables and other taxable property, within the said corporation, and a true return make thereof. So help me God.’ The said Assessors shall, immediately after their appointment, proceed to value the houses and lots within the limits of the corporation, and to demand from the masters and mistresses of every family, lists of all male tytheables belonging to, or residing in their respective families; and also, from every owner of taxable property, a list of such property. And if any master or mistress of a family, or any owner of taxable property, shall neglect or refuse to give in a list of all male tythe-

ables, belonging to, or residing in his or her family; or of all his or her taxable property, within five days after demand made thereof by any Assessor, the person so offending shall forfeit and pay One Hundred Dollars. And if any person whatsoever shall wilfully omit or misrepresent in the list given in, any tytheable, or any taxable property, or shall in any other manner conceal the same from the knowledge of the Assessors, the person so offending shall forfeit and pay double the amount of the tax imposed on such tytheable or taxable property. Every merchant, shop-keeper, mechanic, or other person, having in his or her service or employment, any clerk, journeyman, apprentice, or assistant, shall render an account of the same in his or her list of tytheables, and shall be accountable for the capitation tax hereby imposed, in like manner and under the same penalties, as if such clerk, journeyman, apprentice, or assistant, were a member of his or her family. The assessors shall return the lists of tytheables and taxable property, and of the valuation made by them, pursuant to this act, to the clerk of the council on or before the first day of April, in every year. And if any Assessor shall refuse to act when appointed, or shall fail to make return of his valuation, and lists of tytheables and other taxable property, in the manner hereinbefore directed, every Assessor so refusing or neglecting shall forfeit and pay Fifty Dollars. Each Assessor shall be allowed the sum of One Dollar and Fifty Cents a day, for the time he shall be actually engaged in making assessments, or in taking lists of tytheables and taxable property; but no Assessor shall receive payment for more than thirty days in any one year.

“Sec. III. Any person who shall think him or herself aggrieved by the valuation of his or her property by the Assessors, may appeal from the valuation of the Assessors, to the Mayor and Commonalty, who shall assemble annually in the council chambers on the first Thursday in May, and sit for that and the

two succeeding days for the purpose of hearing and determining all such appeals.

"Sec. IV. The Sergeant of the corporation shall collect the several taxes imposed by this act. Before entering on the duties of his office, he shall give bond and good security, payable to the Mayor and Commonalty, in double the amount of the sum at which such taxes shall be estimated: And shall be allowed to retain in his hands for collecting and paying the same, a commission of three per cent on all taxes collected and paid to the treasurer for the use of the corporation. The Sergeant shall once in every month at least, render a just account of, and bring in and pay to the treasurer, all money he shall have received for taxes for the use of the corporation, for which the treasurer shall give receipts, which shall be the Sergeant's discharge for so much. The Sergeant shall moreover render to the Mayor and Commonalty, on or before the third Monday in January in every year, a complete account of his collections and payments, specially stating in such account the names of all insolvents and defaulters, and the sums respectively due by them. Any Sergeant who shall neglect to render such account as is herein directed shall forfeit and pay for each neglect One Hundred and Fifty Dollars. If any Sergeant or Collector of the corporation taxes shall fail to account for, and pay to the treasurer, the taxes by him received, in the manner prescribed by law, such Sergeant or Collector shall be liable to judgment against him on motion, to be made in the name of the Mayor and Commonalty, in any court of record for the amount of the taxes due, and five per cent damages, together with interest of five per cent per annum, on the whole amount until paid, and thereupon execution shall issue: Provided, the party has ten days previous notice of the day and place of making such motion.

"Sec. V. The taxes imposed by this act shall be paid by the several persons liable to the payment thereof, on or before the tenth day of May in each year, except the tax of one dollar and

fifty cents on every foot front, which shall not be demanded until the council shall have directed the street or part of a street to be paved, for which such tax shall be payable. If any person liable to the payment of any of the aforesaid taxes shall neglect or refuse to pay in the manner before prescribed, it shall be lawful for the Sergeant, and he is hereby required to levy the same by distress and sale of the goods and chattles of the person so neglecting. And when any person holding land within the limits of the corporation shall have no other property therein, on which the taxes and assessments imposed on such land for paving the streets therein or adjoining can be levied, the Sergeant shall proceed to recover such taxes in the name of the Mayor and Commonalty, by motion in the court of the county or corporation wherein such person shall reside; giving him or her ten days previous notice of such motion, and the amount of the taxes or assessments due. Provided, That when the owner of any house or lot assessed and taxed by virtue of this act, or before the front of which the foot pavement shall be directed to be made, amended, or repaired, shall not reside within the limits of the town, and such house or lot shall be in the occupation of any tenant, in all such cases, the tenant or occupier of the house or lot shall be liable and bound to pay the taxes and assessments imposed thereon, and to make, amend, and repair the foot pavement before such house or lot; and may deduct the amount of the taxes and assessments paid, and of the money expended, from the rent at that time due, or afterwards becoming due.

"Sec. VI. The Commissioners of the streets, hereinafter directed to be appointed, shall keep an account of the expense of paving each square distinct by itself, and the proprietors of the ground, when the expence of such pavements does not amount to the paving tax, shall not pay more than the actual cost of such pavements and of the side stones and gutters. And whenever any square or side of a square shall be directed to be paved, whether the same be ordered by the mayor and commonalty, as

coming in common course to be executed, or be directed upon the special application of the land holders, as soon as the same shall be begun by commencing the regulation thereof, the collector of the taxes may demand of each land holder One Dollar per foot of the paving tax; and if the same be not paid on demand, he shall levy the same by distress and sale of the goods and chattles of such land holder, as before directed; and as soon as the pavement shall be finished, if the remainder of the tax due thereon be not paid, the Collector shall levy the same by distress and sale in the manner prescribed.

“Sec. VII. Be it further enacted, That the collector in making payments into the treasury, shall carefully distinguish the money received by him from the proprietors of each square directed to be paved, and the money paid by such proprietors, on account of the paving tax. That the treasurer, in his books shall open an account for each square, so directed to be paved, and place to its credit the money paid into him by the Collector, on account of the paving tax thereof. And that the commissioners in drawing orders on the treasury, when they shall be for expences incurred in paving, shall specify the same and for what square such expence has been incurred; and as soon as any square shall be so directed to be paved, shall lodge in the council office the charge of One Dollar per foot against each proprietor therein, and when the pavement of the side of any square shall be finished, make out, in like manner, against such proprietor the further sums to be paid by this act. Provided always, That nothing herein contained shall be construed as a prohibition to the Mayor and Commonalty, to cause any square or side thereof to be paved, which they may think necessary, and tending to the convenience of the citizens, though the same may not come in regular course, or though no application be made for the paving thereof by the landholders, as hereinafter expressed, or though a part of the landholders should be opposed to such paving, where the numbers so opposed shall not amount to the holders

of one-half of the land on such square, or the side of such square.

“Sec. VIII. Whenever the landholders of three-fourths of the ground contained in any square or squares of the said town, or any side or sides of such square or squares, shall make application to the Mayor and Commonalty of the said town, to have the street adjoining upon such square or squares, or the sides of such square (as the case may be) paved at the particular expence of the landholders of such squares, or side of a square, without subjecting the public funds to any part of such expence, that the same shall upon such application be paved, and in case the paving tax directed to be levied for defraying the expence of such pavement shall prove insufficient, then the balance of such expence be levied on the several landholders on the said square or side of a square so directed to be paved, in proportion to the quantity of land held by each, in the same manner as the said paving tax is directed to be levied; and that the collector of taxes do levy the same as soon as the pavement is finished, and that in such applications when the expence of the pavement made in consequence thereof, shall amount to more than the paving tax will discharge, and the balance shall be levied on the landholders, as herein directed, each landholder paying his proportion of such balance, shall have the sum so paid carried to his credit until the subsequent taxes shall reimburse the sum so advanced.

“Sec. IX. Every proprietor of ground situated on any street now paved or which shall hereafter be paved, and in case of his non-residence within the corporation, the tenants of such proprietor shall at his or her proper expence, pave the footway and place the side stones adjoining such pavement, according to the plan which shall be prescribed by the commissioners of the streets. Provided, That if any foot-pavement which shall be made before the paving of any street can be conveniently made to answer, it shall be allowed to remain, and the proprietor or tenant of the ground adjoining shall not be subjected to any

further expence. In like manner the proprietors or tenants of ground situated on that half of any alley nearest to any street now paved, or which shall hereafter be paved and leading thereto, shall at their own expense pave the said half of such alley within eight weeks after the passing of this act, if such alley shall lead to a street already paved, or within eight weeks after the paving of any street to which such alley leads, which shall hereafter be paved. And if the proprietors or tenants of any ground situated on any street now paved or which shall hereafter be paved, or any alley leading to such street, shall neglect or refuse to pave the footway or place the side stones adjoining such ground within the time which shall be allowed by the commissioners or shall neglect or refuse to pave the alley leading to such street, within the time hereinbefore allowed, in all such cases it shall be the duty of the commissioners, and they are hereby required to cause such footways and alleys to be paved, and such side stones to be placed, and to keep a just account of the expense, and as soon as the work shall be finished, to deliver a true copy of such account to the Sergeant, who shall proceed to recover the amount thereof in the manner prescribed for the recovery of taxes and assessments.

“Sec. X. And be it further enacted, That no person or persons shall perform, or exhibit any play, show, or other public exhibition, within the limits of the corporation, without having first obtained a licence for that purpose from the Mayor. The Mayor shall demand and receive for such licence such sum as he may think proper, which shall be paid by him to the sergeant, who shall render an account of, and pay over to the treasurer, all sums so received, to be appropriated to repairing and paving the streets. If any person or persons shall perform or exhibit any play, shew, or other public exhibition, without a license first obtained as aforesaid, he, she, or they, so offending, shall forfeit and pay fifty dollars for every such offence.

“Sec. XI. Every person who shall sell by retail wine, beer, cider, rum, brandy, or other spirituous liquors, to be drank in or at the place where it shall be sold, or in any booth, arbor, or stall, without a tavern licence first obtained, shall forfeit and pay five dollars for every offence.

“Sec. XII. For carrying into effect the purposes for which the foregoing taxes are directed to be levied—Be it further enacted, That the Mayor and Commonalty shall annually, in the month of February or March, or oftener if necessary, appoint three commissioners of the streets, of whom any two shall be sufficient to act. It shall be the duty of the commissioners to meet and consult together, from time to time, as often as may be necessary, respecting the best manner of paving and keeping in good order such streets as the Mayor and Commonalty shall direct to be paved; of building and mending such bridges, as they may judge necessary; of making and repairing common sewers for carrying off water; of regulating and keeping clean and in order the streets and alleys; and of erecting and repairing pumps and sinking wells. The commissioners, or any two of them, shall have authority to purchase or contract for all materials necessary for the purposes aforesaid—and to employ as many laborers, workmen, and overseers, as they shall think sufficient to perform the same—and to do all lawful acts which may be necessary to carry into effect the intentions of this act. They shall have authority to draw on the treasurer, from time to time, for such sums as shall, according to their contract, become payable, keeping an accurate account of all such orders, and of the names of the commissioners by whom they shall be drawn. Each commissioner shall be allowed One Dollar and Fifty Cents per day, for every day he shall be actually engaged in performing the duties of his office, and in the same proportion for every part of a day, of which he shall keep a particular account.

"Sec. XIII. The several penalties imposed by this act shall be to the use of the corporation, and shall be appropriated in the same manner as the several taxes hereby imposed. The said penalties shall be recoverable by warrant, or by petition, action of debt or information, in any court of record.

"Sec. XIV. All and every act or acts, directing that the titheables within the corporation shall work on the streets, or imposing any tax on the inhabitants, or containing anything within the purview of this act, shall be, and the same are hereby repealed: Provided, that nothing herein contained shall be construed to repeal so much of any act or acts as may relate to any right now acquired, or fine or penalty incurred under the same, before the passing of this act."

PREVENTION AND REMOVAL OF NUISANCES

"Section I. Whereas, it is necessary for the preservation of the health of the inhabitants, that all nuisances should, as far as possible, be prevented, and should be speedily removed:

"Be it therefore enacted by the Mayor and Commonalty of the town of Alexandria, That it shall be the duty of every person, on whose property there shall be any cellar, hole, or sunken place containing stagnant water, to drain or fill up the same; and whoever shall suffer any stagnant water to remain on his or her property, shall forfeit One Dollar for every twenty-four hours it shall so remain.

"Sec. II. If there shall be any stagnant water, or other nuisance remaining on any unoccupied property, the owner of which shall reside out of the corporation, and shall neglect to remove such nuisance, the commissioners of the streets shall have the place containing the stagnant water filled up or drained, and any other nuisance removed, and proceed to recover the expense from the proprietor, in the manner prescribed by an act of the General Assembly, passed on the 16th of December, 1796.

"Sec. III. No grave shall be dug within the limits of the town, or in the public burying-ground belonging to the corporation, of a less depth than six feet. The Mayor, for the time being, shall, whenever he may judge necessary, appoint a gravedigger for the public ground; and no grave shall be dug in the said ground, without the consent of the Mayor or some Magistrate of the corporation. Whoever shall offend herein shall forfeit and pay Five Dollars.

"Sec. IV. No person shall keep or make use of any slaughter-house within the limits of the town. Every person who shall herein offend shall forfeit and pay Five Dollars for every week such slaughter-house shall be kept or made use of by him as aforesaid. And no person exercising the trade of a butcher, shall slaughter any animal within the said limits, for the purpose of being exposed to sale, under the penalty of Two Dollars for every offence.

"Sec. V. If any animal shall die or be killed, and shall be likely to become offensive to the inhabitants, the owner, possessor, or other person into whose hands such animal shall come, shall immediately remove the same, to the distance of three-quarters of a mile, at least, from the limits of the town. Any person whose duty it shall be to remove any such animal, who shall neglect to remove the same, in the manner herein directed, within two hours after the death thereof, or after it shall have come to his or her possession, shall, for every hour afterwards, he or she shall so neglect, forfeit and pay One Dollar.

"Sec. VI. It shall not be lawful to clean fish on any of the streets and wharves, or public docks, except the Fish Wharf; and any person who shall clean fish in any other place within the town, shall immediately remove the offal thereof, so as to prevent the same from becoming offensive to the inhabitants. Whoever shall herein transgress shall, for each offence, forfeit and pay Two Dollars; and shall moreover be subject to the further

penalty of Two Dollars, for every hour any such nuisance shall remain after he or she shall have been requested to remove it.

“Sec. VII. Every owner or occupier of any lot, on which any necessary now is erected, or shall hereafter be erected, shall keep the same in good repair, and shall not suffer it to become a nuisance, or offensive to the neighborhood—under the penalty of forfeiting Two Dollars for every twenty-four hours such necessary shall continue to be offensive, after he or she shall have received notice thereof, from any warden of the corporation.

“Sec. VIII. No person shall keep in his or her store, house, warehouse or yard, or in any other place, fish, beef, pork, or other animal or vegetable substance, after it has become putrid or damaged in such a manner as to become offensive. Any person so offending shall forfeit and pay Two Dollars for every twenty-four hours he or she shall keep any such animal or vegetable substance, after having been required to remove the same by any warden of the corporation.

“Sec. IX. No distiller, soap-boiler, tallow-chandler, hatter, or other person, shall discharge any filth or offensive substance into the streets or alleys, under the penalty of One Dollar for every offense.

“Sec. X. No swine shall be permitted to go at large, within the limits of the town. It shall be lawful for any white person, who shall find any swine so going at large, to kill and destroy, or seize and take the same to his private use—or to deliver them to the keeper of the poor-house, for the use of the poor. It shall be the duty of the constables of the corporation, and they are hereby required, to seize, for the use of the poor, all swine they shall find going at large contrary to this act, and to deliver them to the keeper of the poor-house. For all swine so delivered by the constables or any other person, the keeper of the poor-house shall pay, if demanded, one penny per pound gross weight.

“Sec. XI. In all cases where there shall be any nuisance on property owned by a person residing out of the corporation, the occupier shall remove the nuisance—and if it be not occasioned by himself, may deduct the expense of such removal from any rent which may become due. Every occupier who shall neglect to remove any nuisance as hereby directed, shall be liable to the penalties imposed by this act.

“Sec. XII. When any inhabitant shall be incommoded by a nuisance on the property occupied by his neighbour, he shall make complaint to the warden of the ward in which such nuisance lies. It shall be the duty of the warden to inquire respecting the same, and to make report thereof to some magistrate of the corporation. The magistrate shall, immediately, summon the parties, and any witnesses he may think necessary, to appear before him; and if it appear that the nuisance should be removed, he shall make such order for the removal as he may think proper, and shall have power to impose a fine, and award execution against the owner or person in whose possession such property may be, not exceeding Five Dollars, for every twenty-four hours it shall remain after such order.

“Sec. XIII. The several wardens of the corporation shall see this act strictly complied with, and enforce the payment of all fines incurred for breaches thereof.

“Sec. XIV. All fines and penalties imposed by this act shall be to the use of the Mayor and Commonalty, and shall be recoverable by warrant, or by petition, action of debt, or information, in any court of record, as the case may require.

“Sec. XV. All former acts containing anything within the purview hereof, are hereby repealed—except as to so much thereof, as may relate to any offence done, or fine or penalty incurred, before the commencement of this act.”

ESTABLISHING A WATCH, AND LEVYING TAX FOR PAYING THE
SAME

“Section I. Whereas, it is necessary for the proper regulation of the town, and for the preservation of the property therein, that a regular Watch should be established. Be it therefore enacted by the Mayor and Commonalty of the town of Alexandria, That, at such time and in such manner as they may think proper, the Mayor and Commonalty shall, annually, appoint a superintendant of the Watch, and six or more Watchmen.

“Sec. II. It shall be the duty of the superintendant, to see that the watchmen perform their duties faithfully and attentively; to assign to them the wards they are respectively to patrol; to receive, and take charge of all such disorderly and suspicious persons as may be apprehended and brought to him by the watchmen; and to confine such persons in the watch-house or gaol, until morning—at which time he shall take them before some magistrate of the corporation to be examined. If any watchman should be prevented by sickness or any other cause, from performing his duty, the superintendant shall employ some other person to act during the sickness or other inability of such watchman; whose salary, during such time, shall be applied to the payment of the person so employed. For which services the superintendant shall receive a salary not exceeding Two Hundred and Fifty Dollars a year, to be paid quarterly.

“Sec. III. It shall be the duty of the watchmen to patrol the wards allotted to them every hour, between ten o'clock at night and day-break, throughout the year; to apprehend all disorderly and suspicious persons found on their rounds; to suppress all disorderly meetings; and to take to the superintendant all persons so apprehended on their rounds, or found at disorderly houses. For which services each watchman shall receive

a salary not exceeding One Hundred and Fifty Dollars a year, to be paid quarterly.

“Sec. IV. For defraying the expense of the said watch, there shall be paid, annually, the following Taxes:—that is to say, By every wholesale merchant, in the dry-goods, grocery, or produce business, and by every tavern-keeper, Six Dollars and Sixty-six Cents; by every retail store-keeper, druggist, or apothecary, Three Dollars and Thirty-four Cents; by every shop-keeper, and loaf-bread baker, One Dollar and Sixty-six Cents; by every occupier of a dwelling-house, store-house or ware-house, for each story of such house, Sixty-six Cents; by every occupier of a brewery, distillery, or biscuit bake-house, Three Dollars and Thirty-four Cents. Any person who shall keep more stores or shops than one, shall be liable to a separate tax for each store or shop; and any person who shall keep a wholesale and retail store in different houses, shall be liable to the tax of a wholesale merchant and retail storekeeper.

“Sec. V. The wardens of the town shall, annually, on or before the first day of February, make out and return to the clerk of the council, a list of the persons in their respective wards, liable to the taxes imposed by this act—setting opposite to the name of each person the tax he or she is liable to pay. The clerk of the council shall deliver a copy of every list so returned to the town sergeant, on or before the first day of March in every year. It shall be the duty of the sergeant to collect and pay the said taxes, at the same time, and he shall be allowed the same compensation as is by law directed, in the collection of other town taxes. Any persons who shall think themselves improperly returned by the wardens, may appeal to the corporation court, at any time within three months after such return; and the court shall finally determine the tax to be paid. Any clerk or warden who shall neglect to perform any of the duties imposed by this act, shall forfeit and pay, to the use of the corporation, the sum of One Hundred Dollars for every such

neglect, to be recovered by action of debt or information, in any court of record.

“Sec. VI. This act shall commence and be in force from the passing thereof. All and every act and acts coming within the purview hereof, shall be, and the same are hereby repealed. Provided, That nothing herein contained, shall be construed to repeal any act or acts or so much thereof, as may relate to any right now vested, or penalty incurred under the same.”

MISCELLANEOUS CITY ORDINANCES

THE POWDER HOUSE

“Section I. Be it enacted by the Mayor and Commonalty of the town of Alexandria, That in the month of February in every year, or oftener if necessary, the Mayor and Commonalty shall appoint some fit and proper person to act as keeper of the Powder-house for the term of one year.

“Sec. II. Before the person so appointed shall enter on his office, he shall give bond and good security, payable to the Mayor and Commonalty, in such sum as they may judge necessary, conditioned for the faithful discharge of his duty, and well and truly to account for all Gunpowder delivered to him with the owner or person who shall deliver the same.

“Sec. III. The keeper of the powderhouse shall receive and deliver Gunpowder, when required, every day in the week, Sundays excepted, from ten to twelve o'clock in the forenoon, and from three to five o'clock in the afternoon. He shall keep an account of all Gunpowder so received and delivered, which he shall lay before the Council, once in every quarter; he shall preserve the Gunpowder delivered to him, in the same condition he shall receive it to the best of his power; and shall give timely information to the council of any repairs the Powder-house may require. For which services he shall receive from the Mayor

and Commonalty, a salary of Fifty Dollars a year, and in the same proportion for any longer or shorter time.

“Sec. IV. No person shall keep in any ware-house, store, shop, or other place, within the limits of the corporation (except at the Powder-house), any quantity of Gunpowder exceeding twenty-five pounds, for a longer time than twenty-four hours after the receipt of the same. Every quantity of Gunpowder less than twenty-five pounds kept for retailing, within the limits aforesaid, shall be preserved in vessels of tin or stone with narrow openings, and carefully corked. Any person who shall keep any Gunpowder within the corporation, contrary to the intent and meaning of this act, shall forfeit and pay, for every pound of powder, the sum of One Dollar, for every twenty-four hours it shall be so kept; to be recovered by warrant before a single magistrate, or by petition, action of debt, or information, as the case may require;—one-half to the use of the corporation, and the other half to the person suing for the same.

“Sec. V. Every person who shall hereafter own, or have in his or her custody, within the corporation, or in any vessel, lying at any wharf within the same, any greater quantity of Gunpowder than twenty-five pounds, shall, within twenty-four hours after the receipt thereof—or if such Gunpowder be imported in any vessel, within four days after the arrival and entry of such vessel, under the penalty above mentioned, deposit the same in the Powder-house belonging to the corporation—there to remain, at his own risk, until demanded. Provided, That nothing herein contained shall be construed to subject the master or owners of any vessel to any penalty for taking on board, within two days before such vessel shall sail, whatever quantity of Gunpowder may be necessary for the consumption of the said vessel, or for exportation.

“Sec. VI. In addition to the salary above allowed, the Keeper of the Powder-house shall be entitled to demand and receive, for his own use, from the person or persons depositing

any Gunpowder in the said house, the following fees and no other, and that is to say, for every cask, Twenty-five Cents for the first month it may remain in his care, and the same fee if taken away within that time, and six cents for every month after; for every half cask, Twenty Cents for the first month, and the same fee if it be taken away before the expiration of that time, and Four Cents a month for any longer time; for every quarter cask, Twelve Cents for the first month and the same price if removed before the end of the month, and Three Cents a month for any longer time.

“Sec. VII. This act shall be in force from the passing thereof. Every act coming within the purview hereof, shall be, and the same is hereby repealed, except as to so much as may relate to any fine or penalty incurred under the same, before the passing of this act.”

The writer can not with certainty locate the original powder house established in pursuance of this ordinance. For many years, however, the powder house was located to the east of Patrick Street extended, on the crest of a hill or bank overlooking Hunting Creek. It was of frame, insignificant in size and appearance, but stood until recently. The knoll on which it stood was leveled when the dirt was used to extend and widen the Hunting Creek causeway.

AUCTIONEERS

“Section I. Be it enacted by the Mayor and Commonalty of the town of Alexandria, That the Mayor and Commonalty shall grant to any person or persons desiring the same, a License to exercise the trade or business of an Auctioneer, within the town. Provided, That no such License shall be granted until the person or persons applying, shall enter into bond with one or more good securities, in the sum of Twenty Thousand Dollars, payable to the Mayor and Commonalty, and conditioned for the payment

of the annual rent of Five Hundred Dollars, to the Mayor and Commonalty, in quarterly payments, for the said office; and for the due and faithful performance of all the duties of the same. Which bond shall not become void on the first recovery, but may be put in suit and prosecuted from time to time, by, and at the costs of, any person injured by a breach thereof, until the whole penalty shall be recovered. Every Auctioneer, so licensed shall, before entering on the duties of his office, make oath or affirmation before some magistrate of the corporation, well and truly to discharge the same.

“Sec. II. The Mayor and Commonalty shall have full power to recall and make void any License, which may be granted in pursuance of this act, for the non-payment of the annual rent, as the same may become due, or for any neglect or misconduct in office.

“Sec. III. The Auctioneers, Licensed as aforesaid, shall receive all articles which they shall be required to sell at public auction, and give a receipt for the same, if requested; and in three days after any sale made, shall deliver to the owner or owners of the articles sold, a fair account of the sale and shall pay the amount of the money received, deducting therefrom the fees and commissions hereinafter allowed: that is to say, on the sale of all dry goods, five per cent on the amount sold, unless they shall be sold in their original packages, in which case a commission of two and a half per cent only shall be allowed; on the sale of all wet goods, groceries of every description, and horses, two and an half per cent; upon the amount of the sales of all vacant lots improved lots, and vessels, the property of one person, or of two or more persons jointly, two per cent on the first three hundred dollars, and one per cent on the next twelve hundred dollars—and if the amount of the sales should exceed fifteen hundred dollars, then one-fourth per cent on such excess. And if the said auctioneer shall, on the same day, or by adjournment to any other day, make sale of more than one vacant or improved

lot or vessel, the property of the same person or persons, it shall be considered as one entire sale, and a commission allowed thereon agreeable to the rates before stated: And when the said Auctioneers shall let ground on a rent forever, they shall receive a commission on a sum, equal to the amount of ten years purchase of such rent. In all cases where any articles shall be actually exposed to sale, which shall not be sold, by reason of their not producing the price limited, it shall be lawful for the auctioneers to demand and receive one-fourth of the commission, on the sum at which such articles shall have been struck off, which they would have been entitled to receive, had such articles been actually sold. Provided, That such commission shall not be demanded or received more than four times on the same article. Every Auctioneer who shall demand or receive any fees or commissions, where none are allowed by law, or greater fees or commission than are so allowed, shall forfeit four times the amount of the fees of commissions so demanded or received, to the use of the person on whom such demand shall be made, or from whom such fees or commissions shall be received.

“Sec. IV. No Auctioneer shall receive storage for any goods, wares, or merchandize, put into his hands for sale, except for the following articles, and at the rates herein specified: that is to say, for all wet goods and groceries, and for all pork, beef, or fish in barrels or hogsheads, coffee in barrels or bags, crockery or glass in hogsheads or crates, which shall remain undisposed of after having been once exposed to sale; for every hogshead, pipe, or crate, twenty-five cents per month; for each barrel or bag eight cents per month; and in the same proportion for any larger or smaller quantities, and for any longer or shorter time.

“Sec. V. No Auctioneer shall sell, or expose to sale, any dry goods in lots of parcels of less value than three dollars; or liquors in smaller quantities than by the barrel, case, or dozen bottles; or brown sugar or coffee in less quantities than by the

barrel or bag, or refined sugars in less quantities than fifty pounds weight, or any other wet goods or groceries in lots or parcels of less value than six dollars. Every Auctioneer who shall offend herein, shall forfeit and pay for each offense the sum of Five Dollars; one-half to the use of the informer, the other half to the use of the corporation.

“Sec. VI. In all cases where time will admit, every Auctioneer shall advertise the articles intended for sale, and the time and place of such sale, in one or more of the public papers; and shall, moreover, give notice of the same by a cryer and the ringing of a bell.

“Sec. VII. No Auctioneer shall, by himself or by any person for his use, purchase any articles sent to him or her for sale, except for his or her own consumption. Every Auctioneer who shall herein offend, shall, for every offense, forfeit and pay Five Hundred Dollars; one-half to the use of the person who shall sue for the same, the other half to the use of the Mayor and Commonalty. Provided, That nothing herein contained, shall be construed to prevent any Auctioneer from advancing money on goods deposited for sale.

“Sec. VIII. All Auctioneers, Licensed as aforesaid, shall keep a fair copy of this law, in some conspicuous place in their auction rooms, for the inspection of the public; or, for such neglect, shall forfeit and pay Twenty Dollars.

“Sec. IX. If any person or persons not having obtained a License, in the manner hereinbefore prescribed, shall expose any article or articles to public sale, within the limits of the corporation, he, she, or they so offending shall forfeit and pay for each offense, the sum of Two Thousand Dollars, to the use of the Mayor and Commonalty. Provided, That nothing herein contained, shall be construed to subject any person or persons authorized by any law of this State, or of the United States, to expose any article or articles to sale, to any fine or penalty for so doing, within the limits of the corporation.

“Sec. X. All fines and penalties imposed by this act, shall be recoverable before a single magistrate by warrant, or by petition, action of debt, or information, in any court of record, as the case may be.

“Sec. XI. All and every act or acts, clause or clauses of acts, coming within the purview hereof, shall be, and the same are hereby repealed, Provided: That nothing herein contained, shall be construed to affect any right acquired, or fine or penalty incurred under any former act. This act shall commence and be in force from the passing thereof.”

POOR-HOUSE AND WORK-HOUSE

“Be it enacted by the Mayor and Commonalty of the town of Alexandria, that they shall procure a suitable house for the accommodation of the Poor of the said town, and a Work-house for the reception of vagrants, and such other persons as it may be found necessary to confine to labor.

“The said Mayor and Commonalty shall, annually, in the month of February or March, or oftener if necessary, appoint a fit and proper person to act as keeper of the Poor-house and Work-house, whose duty it shall be to receive and take charge of all poor persons, sent to the Poor-house by order of the Overseers of the Poor for the town of Alexandria; to take charge of, and keep employed, all persons committed to the Work-house by direction of any Justice of the Peace for the corporation, and of all slaves sent by their masters or mistresses; to procure at the expense of the corporation, and under the direction of the committee hereinafter named, suitable diet, washing, lodging, and clothing for the poor, and to procure such accommodations for those committed to the Work-house, as the said committee may, from time to time, require; to enter in a book to be kept for that purpose, the names of all persons sent to the Poor-house or Work-house, with the time of their entry and dis-

charge, in which book shall also be kept an exact account of all the expenses incurred in his office, stating separately and distinctly the expenses of each house; to procure, under the direction of the committee, suitable materials for the labor of those committed to his care; and to dispose of the product of their labor as he may be directed by the said committee; to demand and receive from all persons confined in the Work-house (who are enabled to pay) the same fees and allowances for subsistence as are by law allowed to the jailer of the corporation; which several fees and allowances shall be regularly accounted for to the committee; and at the end of each week, to settle with, and pay to the committee, all monies that may arise from the fees and subsistence of those committed to the Work house, and the labor of those committed to his care in each House.

“The said Mayor and Commonalty shall, as soon as convenient after their election in each year, appoint three of their own body, to act as a committee to superintend the Poor-house and Work-house, who shall be relieved by the appointment of other members of the corporation, at the end of every three months. It shall be the duty of the committee, so appointed, to attend at the Poor-House and Work-house at least once a week during their continuance in office, to inspect particularly into the state of those in each house; to direct in what manner they shall be provided for; to order what materials shall be procured for their labor; and generally, to make such regulations relative to the conduct of the Keeper, as they may deem most conducive to the public interest; at the end of every week to settle the accounts of the Keeper, and give him an order on the treasurer of the corporation, for any balance that may appear due, or in case the fees and profits of their labor shall exceed the expenses, to receive and pay into the treasury, the amount of such excess; and at the end of each three months make out and settle with the Mayor and Commonalty an exact account of all orders drawn and moneys received and paid by them. The

Keeper of the Poor-house and Work-house shall be allowed a compensation for his services, to be ascertained by the Mayor and Commonalty, at the commencement of each year."

The city poor house was erected shortly after the enactment of this ordinance and those to whom its construction was committed did their work well. The original building still stands and served its purpose for one hundred and twenty-six years. About five years ago its use by the city was discontinued and all inmates transferred to the new district poor farm at Manassas. It is of interest to note that one of the inmates so transferred had been in the poor house for forty years.

The building, as is well known by all old residents of our city, is located to the left of the Washington-Alexandria road just beyond the Potomac Yard bridge over the railroad tracks. The street or road facing the building on the south was known as Poor House Lane.

ALEXANDRIA IN THE DISTRICT OF COLUMBIA

MARYLAND AND VIRGINIA SESSIONS

The Town of Alexandria and the territory included within the line starting at a stone located at Jones Point, and running thence to a point near the chain bridge on the Potomac River; and from thence following the meanders of the river to Jones Point, remained within the boundaries of Fairfax County, although Alexandria was an incorporated town with its Hustings Court, until the territory became an integral part of the National Capital, and so remained for nearly one-half a century, which fact is by no means a small distinction, and should be cherished and remembered by all Alexandrians, as an important epoch in our city history and as linking it with the capitol of our country.

The first cession of territory for the National seat of government was made by the General Assembly of Maryland, Decem-

ber 23rd, 1788 (Kitty's Laws of Maryland, Chapter XLVI). This Act authorized the cession to the Congress of the United States of America of not exceeding ten (10) miles square of Maryland territory, which Congress might fix upon for the seat of government of the United States of America. This Act is as follows:

"That the representatives of this State in the House of Representatives of the Congress of the United States, appointed to assemble at New York on the first Wednesday of March next, be, and they are hereby authorized and required, on the behalf of this State, to cede to the Congress of the United States, any district in this State, not exceeding ten miles square, which the Congress may fix upon and accept for the seat of government of the United States."

This cession of territory for the seat of Government was accepted by Act of Congress of July 16th, 1790, as follows:

"That a district of territory, not exceeding ten miles square, to be located as hereafter directed on the river Potomac, at some place between the mouths of the Eastern Branch and Connogochegue, be, and the same is hereby accepted for the permanent seat of the government of the United States. Provided, nevertheless, That the operation of the laws of the state within such district shall not be effected by this acceptance, until the time fixed for the removal of the government thereto, and until Congress shall otherwise by law provide."

By Act of the General Assembly of Virginia, on December 3rd, 1789, Virginia also ceded ten (10) miles square of its territory for the seat of government of the United States of America, as follows:

“Section 1. *Whereas* the equal and common benefits resulting from the administration of the general government will be best diffused, and its operations become more prompt and certain, by establishing such a situation for the seat of the said government, as will be most central and convenient to the citizens of the United States at large, having regard as well to population, extent of territory, and a free navigation to the Atlantic Ocean, through the Chesapeake bay, as to the most direct and ready communication with our fellow-citizens in the western frontier; And whereas, it appears to this Assembly, that a situation combining all the considerations and advantages before recited, may be had on the banks of the river Potowmack, above tide water, in a country rich and fertile in soil, healthy and salubrious in climate, and abounding in all the necessaries and conveniences of life, where in a location of ten miles square, if the wisdom of Congress shall so direct, the States of Pennsylvania, Maryland and Virginia may participate in such location;

Be it therefore enacted by the General Assembly, That a tract of country, not exceeding ten miles square, or any lesser quantity, to be located within the limits of this State, and in any part thereof, as Congress may by law direct, shall be, and the same is hereby forever ceded and relinquished to the Congress and Government of the United States, in full and absolute right, and exclusive jurisdiction as well of soil, as of persons, residing or to reside therein, pursuant to the tenor and effect of the eighth section of the first article of the Constitution of the government of the United States.

“Sec. 2. Provided, that nothing herein contained, shall be construed to vest in the United States, any right of property in the soil, or to effect the rights of individuals therein,

otherwise than the same shall or may be transferred by such individuals to the United States.

“Sec. 3. And provided, also, That the jurisdiction of the laws of this commonwealth, over the persons and property of individuals residing within the limits of the cession aforesaid, shall not cease or determine, until Congress, having accepted the said cession, shall by law provide for the government thereof, under their jurisdiction, in manner provided by the article of the Constitution before recited.”

By Act of Congress of March 3rd, 1791, the Act of Congress of July 16th, 1790, was amended and repealed in part as follows:

“That so much of the act, entitled ‘An Act for establishing the temporary and permanent seat of the government of the United States’ as requires that the whole of the district of territory, not exceeding ten miles square, to be located on the river Potomac, for the permanent seat of the government of the United States, shall be located above the mouth of the Eastern Branch, be and is hereby repealed, and that it shall be lawful for the President to make any part of the territory below the said limit, and above the mouth of Hunting Creek, a part of the said district, so as to include a convenient part of the Eastern Branch, and of the lands lying on the lower side thereof, and also the town of Alexandria, and the territory so as to be included, shall form a part of the district not exceeding ten miles square, for the permanent seat of the government of the United States, in like manner and to all intents and purposes, as if the same had been within the purview of the above recited act: Provided, That nothing herein

JOTTINGS FROM THE ANNALS OF ALEXANDRIA

contained, shall authorize the erection of the public buildings otherwise than on the Maryland side of the river Potomac, as required by the aforesaid act."

On January 24th, 1791, the President of the United States issued the following proclamation:

"Now, therefore, in pursuance of the powers to me confided, and after duly examining and weighing the advantages and disadvantages of the several situations within the limits aforesaid, I do hereby declare and make known that the location of one part of the said district of 10 miles square shall be found by running four lines of experiment in the following manner, that is to say: Running from the court-house of Alexandria, in Virginia, due southwest half a mile, and thence a due southeast course till it shall strike Hunting Creek, to fix the beginning of the said four lines of experiment. Then beginning the first of the said four lines of experiment at the point on Hunting Creek where the said southeast course shall have struck the same, and running the said first line due northwest 10 miles, thence the second line into Maryland due northeast 10 miles; thence the third line due southeast 10 miles and thence the fourth line due southwest 10 miles to the beginning on Hunting Creek.

"And the said four lines of experiment being so run, I do hereby declare and make known that all that part within the said four lines of experiment which shall be within the state of Maryland and above the Eastern Branch, and all that part within the same four lines of experiment which shall be within the Commonwealth of Virginia, and above a line to be run from the point of land forming the upper cape of the mouth of the Eastern Branch due southwest, and no more, is now fixed upon and

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directed to be surveyed, defined, limited, and located for a part of the said district accepted by the said act of Congress, for the permanent seat of the Government of the United States (hereby expressly reserving the direction of the survey and location of the remaining part of the said district to be made hereafter contiguous to such part or parts of the present location as is or shall be agreeable to law)"

and directs the Commissioners before appointed to run the said lines and to make report to the President.

On March 30th, 1791, the President of the United States issued the following proclamation:

"Now, therefore, for the purpose of amending and completing the location of the whole of the said territory of 10 miles square in conformity with the said amendatory act of Congress, I do hereby declare and make known that the whole of the said territory shall be located and included within the four lines following, that is to say:

"Beginning at Jones's Point, being the upper cape of Hunting Creek, in Virginia, and at an angle in the outset of 45 degrees west of the north, and running in a direct line 10 miles for the first line; then beginning again at the same Jones's Point and running another direct line at a right angle with the first across the Potomac 10 miles for the second line; then from the termination of the said first and second lines running two other direct lines of 10 miles each, the one crossing the Eastern Branch aforesaid and the other the Potomac and meeting each other in a point.

"And I do accordingly direct the commissioners named under the authority of the said first-mentioned act of Congress to proceed forthwith to have the said four lines run, and by proper metes and bounds defined and limited, and

thereof to make due report under their hands and seals; and the territory so to be located, defined, and limited shall be the whole territory accepted by the said acts of Congress, as the district for the permanent seat of the Government of the United States."

By Act of the General Assembly of Maryland on December 19th, 1791, it confirmed its cession of territory for the District of Columbia in the following words:

"Be it enacted, by the General Assembly of Maryland, That all that part of the said territory, called Columbia, which lies within the limits of this state, shall be and the same is hereby acknowledged to be for ever ceded and relinquished to the Congress and Government of the United States, in full and absolute right, and exclusive jurisdiction, as well of soil as of persons residing, or to reside, thereon, pursuant to the tenor and effect of the eighth section of the first article of the Constitution of government of the United States; provided, that nothing herein contained shall be so construed to vest in the United States any right of property in the soil, as to affect the rights of individuals therein, otherwise than the same shall or may be transferred by such individuals to the United States; and provided also, that the jurisdiction of the laws of this State, over the persons and property of individuals residing within the limits of the cession aforesaid, shall not cease or determine until Congress shall by law provide for the government thereof, under their jurisdiction, in manner provided by the article of the Constitution before recited."

By Act of Congress of 1801, jurisdiction over the ceded territory was extended to include such part of the cessions made

by Virginia and Maryland respectively, as would make 10 miles square as the territory to be included in the District of Columbia, or the Capital of the Nation.

GEOGRAPHY AND GOVERNMENT

By Act of Congress, approved February 27th, 1801 (U. S. Stat. at L. Vol. 2, p. 103), it is provided:

Section 1. That the laws of the States of Virginia and Maryland, respectively, should continue in full force and effect until otherwise provided by Act of Congress, in that part of the territory ceded by said States respectively, for the seat of Government or Capital of the United States; and, that said territory should be known as the District of Columbia.

Sec. 2. Divided the territory ceded for the District of Columbia into two counties, viz., that part ceded by Maryland to be known as the County of Washington, which included within its boundaries Washington and Georgetown; and, that part ceded by Virginia, to be known as the County of Alexandria, which included within its boundaries the Town of Alexandria. This section of the Act also provided that, the County of Washington should contain all that part of the District lying on the East side of the River Potomac and the islands therein, and the County of Alexandria, should contain all that part of the District lying on the West side of said River, and that the river in its whole course through said District, should be taken and deemed to all intents and purposes, to be within both counties.

Sec. 3. Established a court for the District of Columbia, entitled "The Circuit Court of the District of Columbia," with the right of appeal to the United States Supreme Court, in cases involving \$100, or more, the Court to be

composed of one Chief Judge and two Associate Judges, with like powers as vested in the Circuit Courts of the United States, its Judges to hold office during life or good behavior. The Chief Judge received annually a salary of two thousand dollars, and the associates each sixteen hundred dollars. This act provided, also, for the creation of all necessary offices, including a Register of Wills and a Judge of the Orphans' Court; and preserved the rights of individuals and corporations, in the territory ceded by Virginia and Maryland, respectively.

A NOTE OF EXPLANATION

During the half hundred years intervening between the legislative creation of the town on Hunting Creek and the day when Alexandria became a part of the District of Columbia comparatively few statutes were passed concerning the city and these were generally on unrelated subjects. It has therefore been possible to chronicle them in the order of their enactment without confusing the purpose and content of each. Beginning with the early years of the nineteenth century, Acts of Congress, and following Retrocession, Acts of the General Assembly pertaining to Alexandria were passed in an ever increasing number. So frequently did these laws, though adopted at wide intervals of time, relate to the same subject that to arrange them chronologically would tend to confusion. Therefore, in order that these later statutes may be more readily used for reference or possibly made more readable, it seems wise to compile them under subject headings—retaining the chronological order under each title.

CHARTER AMENDMENTS, 1801-1861

The first amendment to the charter of the Town of Alexandria, District of Columbia, was embodied in an Act of Congress, approved February 25th, 1804 (U. S. Stat. at L., Vol. 2, page 255), which provides as follows:

Section 1. The Town of Alexandria was divided into two Districts by a line running East and West at an equal distance between King and Prince Streets, beginning at the River Potomac, and extending to the western limits of the Town, and the part north of said line was designated the Northern District; and the part south of said line was designated the Southern District; and that each District be divided into two electoral wards, by a line running from the North to the South through the middle of Pitt Street, to be called the first, second, third and fourth wards, and prohibited the expenditure of taxes collected for improvements in one District for improvements in the other District.

Sec. 2. Provides that every free white male citizen of full age, who owned a freehold estate in the Town, or had resided therein for one year, and had been a house-keeper therein for three months next preceding the day of election, and who had within that time been charged with any tax and had paid the same, was qualified to vote for members of the Common Council of the Town, to be composed of sixteen members, four from each ward.

Sec. 3. The Common Council, so elected, was made a body politic and corporate, by the name of the "Common Council of Alexandria," and by such name should have perpetual succession, with capacity to purchase, own and dispose of real and personal property. All the real and personal property, rights and credits then owned and

held by the Mayor and Commonalty of Alexandria, were vested in the Common Council of Alexandria.

Sec. 4. Provided that the jurisdiction of the Common Council should extend to the limits before prescribed by law and exercised by the Mayor and Commonalty. The concurrence of a majority of the whole number of members elected was required to pass any law, order or resolution, or for repealing, altering or revoking the same.

Sec. 5. Authorized the Common Council to erect and maintain work houses and houses of correction, and other public buildings for the use of the Town; to make, repair and maintain streets and highways; to make and enforce all laws requisite to preserve the health of the inhabitants; and to enforce the same by reasonable penalties to be levied upon the goods and chattels of the offender, not inconsistent with the Constitution and laws of the United States; also power to open, extend, regulate and improve streets within the limits of the Town, provided it makes compensation to persons injured thereby, to be ascertained by an impartial Jury, in like manner as in other cases for the condemnation of private property for public use; and power, also, to hold and keep within the Town, market days in every week, and to appoint a Clerk of the Market, to perform the duties thereof as provided by the regulations prescribed by the Common Council. The Common Council had power, also, to pass all laws, not inconsistent with laws of the United States, for the prevention and removal of nuisances; to appoint a Superintendent of Police, Commissioners and Surveyors of the Streets, Constables, Collectors of Taxes, and all other officers necessary to execute its laws, to be paid a reasonable compensation for their services, and whose duties and powers were to be such as the Common Council prescribed for carrying into execution the powers granted by this Act.

Sec. 6. The jurisdiction of the Common Council was extended over the harbor of Alexandria, and, over all vessels arriving at anchor therein, and, in any part of the river Potomac below Pearson's Island, for the purpose of preventing and abating nuisances; jurisdiction, also, over the House, then lately built in the vicinity of the Town for the accommodation of the poor, and others, and over the ten acres of ground thereto belonging, and over all persons sent or placed there by authority of the Council, and, on their way to and from the same until discharged.

Sec. 7. Provided the Common Council should annually, at its first meeting, choose by ballot, a fit and able man to be Mayor of the Town, to hold office for one year from the date of his election and until his successor was elected and qualified. The Mayor was made eligible to re-election for two successive terms of office and no longer, until he had been out of office one year. Any white male citizen of the United States, of the age of thirty years, owner of a freehold estate therein who had been a resident of the Town five years immediately preceeding his election, was eligible to the Office of Mayor.

By Act of Congress, approved May 13, 1826, the Charter of the Town was amended, providing as follows:

Section 1. Authorized the Common Council to sell tenements and lots of ground within the Town, for non-payment of taxes, assessments or charges thereon, due and unpaid for two years, or at any time thereafter, at public auction, to satisfy the same, with interest thereon, and expenses of sale. Before advertising or making sale, the Collector of the District was required to make oath that the person or persons charged with such taxes, had no goods or chattels within the Town to satisfy the same.

Before making sale, notice thereof was required by publication in an Alexandria newspaper, for at least six months, where the property was assessed to persons residing out of the United States; three months, where property was assessed to persons residing within the United States, but outside the District of Columbia; and six weeks, to persons residing in the District of Columbia. The purchaser at a Tax Sale, was required to pay at the time of sale, only a sufficient sum of money to discharge the expenses of sale and unpaid taxes, with interest charges and penalties thereon. The owners of the property sold, could redeem within two years from date of sale, by paying to the Mayor, or purchaser, or, by making tender of the purchase price with ten per cent interest per annum, from the day of sale until paid; thereupon, the owner was reinstated in title to the property so sold; if such tender was not made within two years from the day of sale, then the purchaser, upon paying the whole purchase price received title to the real estate so sold, in fee simple, from the Mayor under his seal of Office, which was declared good and valid in law and equity.

Sec. 2. Authorized the Common Council to provide for the establishment, maintenance and superintendence of Public Schools; the registration of births, marriages and deaths; to preserve the navigation of the Potomac River, within its jurisdiction; to erect, repair and regulate public wharves, deepen docks and basins and to limit the extent of private wharves into its harbors; to authorize, with the approval of the President of the United States, the drawing of lotteries, for effecting any improvements in and to the town, which the ordinary funds and resources thereof will not accomplish; to restrain and prohibit the drawing of other lotteries, the keeping of tippling houses and all kinds of gaming.

Sec. 3. Authorized the Common Council to subscribe to the stock of the Turnpike Road authorized by the General Assembly of Virginia, by Act of February 14th, 1818, incorporating a Company to establish a turnpike road from Wiley's Tavern, in the County of Fairfax, to a point of intersection on the Little River Turnpike Road, or on the line of the District of Columbia, to any Turnpike Road, or other public improvement, which had been or might be authorized by Act of Congress, leading to the Town of Alexandria; and authorized the Common Council to lay any tax on the property in the Town, to promote any improvements for the benefit of the Town when, in the opinion of the Council, it might be expedient.

By Act of Congress, approved February 7th, 1843, the Charter of the "Town of Alexandria" was amended to provide for the election of Mayor at the same time as members of the Common Council, his term of office was one year, and any vacancy in that office was filled by the Council for the unexpired term.

By Act of the General Assembly, of May 7th, 1852, the Charter of the Town of Alexandria, was amended by repealing the Acts of Congress, of February 25th, 1804, of May 13th, 1826, and of February 7th, 1843, amending the Charter of the "Town of Alexandria," and then provided: That the Town should thereafter be known and called by the name of the "City of Alexandria" and should be divided into two Districts by a line running east and west at an equal distance between King and Prince Streets. That part north of said line was designated as the Northern District, and the part south thereof was designated the Southern District. Each District was divided into two electoral wards by a line running north and south through the middle of Pitt Street. None of the taxes collected in one district for improvements could be ex-

ended in the other district. The City Council was formed of two branches, one to be called the Common Council, and the other the Board of Aldermen; the first to be composed of sixteen members, four from each ward, and the second, of eight members, two from each ward. The Mayor was to be elected by the qualified voters for one year.

By resolution of the General Assembly of June 2nd, 1852, the Amendment to the Charter of the City of Alexandria of May 7th, 1852, was made effective only from and after its adoption by the people of the City.

By Act of the General Assembly of June 5th, 1852, it was provided: There should be a lien upon a dwelling house and upon the land on which it was built, and other buildings, in the City and County of Alexandria, for the amounts of all debts contracted and for all work done and materials furnished by any brickmaker, bricklayer, stonecutter, mason, lime merchant, carpenter, painter, glazier, ironmonger, blacksmith, plasterer, lumber merchant, and any other person employed in furnishing materials for such house or building, or in the construction thereof, such lien to be for the equal benefit of all such persons, and was preferred to any other lien by deed or otherwise.

By Act of the General Assembly of February 18th, 1853, Section 22 of the Charter of the City of Alexandria was amended to provide that the City limits be extended on the north and west so as to embrace the following territory: Beginning in the Potomac River at a point distant northwardly, in the direction of Fairfax Street, four hundred and nineteen feet two inches from the then north line of the Corporate limits of the Town in the Potomac River, thence westwardly, parallel to the north line, to intersect the west line of the Corporate limits; thence southwardly to the northwest corner of the then Corporation limits; then east to the river and then north to the beginning. And beginning again, at the intersection of the northwest line of said limits with the north line of Cameron Street,

and then southwardly with the western line to the County line; thence northwestwardly with the County line to the point where it intersects a brick wall on the south side of the Little River Turnpike Road; thence northwardly by a straight line to the east corner of John Hooff's lot on the south side of King Street; thence crossing King Street extended to the west corner of the lot of Col. Francis Peyton, and north with the west line of Peyton to the north line of Cameron Street and thence east by a straight line to the beginning.

By Act of the General Assembly of April 2, 1858, Section 1, the Charter of the Town of Alexandria of May 7th, 1852, was amended as follows: "The Town of Alexandria" shall hereafter be known and called by the name of "The City of Alexandria" and shall be divided into four wards. There was no change in the boundaries of the wards.

The limits of the City were established as follows: Beginning on the Potomac River at a point distant northerly in the direction of Fairfax Street, five hundred and ninety-five feet nine inches from this north line of Montgomery Street, as then established and extended into river; and running thence westerly, parallel with said north line to a point to intersect a line one hundred and twenty-three feet five inches west of and parallel to West Street, thence south and parallel to West Street to the north line of Cameron Street extended to a point in a line with the west line of the lot of Francis Peyton, thence south, parallel with West Street to the south line of King Street extended; thence south to a point in the line dividing Fairfax and Alexandria, ten feet west of Hooff's Run; thence southerly parallel to and distant ten feet from Hooff's Run to the middle of Hunting Creek, then with the creek into the Potomac River, and then up the river to the point of beginning.

The jurisdiction of the City Council was extended over the harbor and all vessels of every description arriving or anchored therein, or in any part of the Potomac River below Pearson's

Island; also, jurisdiction over the Alms and Work House and all persons confined therein.

The City Council was authorized to tax every person who kept an ordinary house of entertainment, eating house, coffee shop, a private negro jail, or a place wherein slaves were confined and boarded; agents to hire or sell slaves; dealers in horses and mules, livery stable keepers; brokers, persons selling patent, specific or quack medicine; sellers of spirituous liquors, shopkeepers, merchants and traders, and to tax incomes.

It provided that the City Council could grant or refuse licenses to owners or keepers of wagons, carts, drays, hacks and other wheeled carriages kept for hire and require taxes to be paid thereon.

It authorized the City Council to levy a special tax upon the abutting owners of real estate for the improvement of streets and sidewalks.

Members of the City Council were prohibited from holding any office elective by the Council.

The Act became effective only when ratified by the qualified voters of the City.

By Act of the General Assembly March 29th, 1860, Sections 16 and 17 and 5 of the Charter of the City, as amended by the Act of May 7th, 1852, were amended as follows:

Sections 16 and 17. In relation to the duties of the Commissioners, to superintend the elections in each ward, and in canvassing the votes cast and in making return of the result.

Section. 5. Authorizing the City Council to grant or refuse licenses to the owners and keepers of dogs in the City; the owners or keepers of wagons, carts, drays, hacks, or other wheel carriages, kept or employed for hire in the City, and to require taxes to be paid thereon; and to subject the same to such regulations as the City Council deemed proper; to grant or refuse licenses to open and

keep at or near the Fish Wharf during the fishing season, from the fifteenth day of March to the twentieth day of May in each year, booths, cook shops and houses of entertainment for the accommodation of persons resorting to the Fish Wharf, and require a tax to be paid thereon, and subject the same to all needful and proper regulations.

This wharf was located on the river front south of the Coal Wharf of the Alexandria Canal.

Section 4 of this Act required the City Council to submit to the voters of the city the question: Whether or not they desired the appointment by the Council, or election by vote of the people, of the following officers: Gauger of Casks and Inspector of Domestic Spirits; Inspectors and Measurers of Wood, Bark and Lumber; Superintendent of Police, Collectors of Taxes, Corporation Attorney, Assessors, Clerk of Market, Auditor of Public Accounts, City Surveyor, Chief Engineer of Fire Department, and Superintendent of Gas, or any one of said officers, and if it be determined that any one or all of said officers shall be elected by the City Council, it should elect them in the year 1861, at the time for the election of other City officers, and in that event, so much of the ninth section of the Act to amend the Charter of May 7th, 1852, authorizing the election of said officers, was repealed.

CODES OF CITY ORDINANCES

The second Code of Laws of the City was compiled and published by Samuel Snowden in 1811. This volume sets forth all Acts of Congress, of the General Assembly, and of the City legislative authorities then in force and effect. Inasmuch as these Congressional and Assembly Acts have elsewhere in these papers been referred to, they will be omitted here. There is, however, in this Code one unusual and interesting ordinance, that of August 31st, 1802, which provides, "Whereas, a considerable portion of the housekeepers of Alexandria,

for the more convenient furnishing of milk to their families, are in the habit of maintaining cows; and whereas, a supply of this useful article from that source must be precarious unless males be provided to range with the herds." City Council was authorized to buy as many bulls as was deemed necessary; and that Council at once purchase two bulls and employ some competent person in the First Ward to tend and care for one of them; the other to be placed in the care of a similar person in the Fourth Ward.

History fails to disclose the reason for this unnecessary discrimination against the Second and Third Wards.

An ordinance of August 9, 1809, prohibited swine, goats, geese and sheep running at large. Any citizen was by this ordinance authorized to kill at sight any of these he might find loose and unattended on the streets.

This Act gave more consideration to horses and cows, for it forbade anyone to chase these animals "or throw at them stones, sticks or other missile weapons."

A third City Code was published in 1821 by Rounsaville & Pittman, printers, of Alexandria, D. C. A copy of this Code was not available to this annalist.

Another Code of Ordinances of the Town was published in 1844, and printed at the office of the "Alexandria Gazette," Alexandria, D. C.

This Code is full and complete and far too voluminous to embody in toto in these papers. Yet many of its provisions or acts are of sufficient interest to justify a brief recital of their purport and content.

An Act providing for licensing and taxing Vendors of Lottery Tickets.

Act reducing into one, the several Acts respecting the Night Watch.

Act reducing into one and amending the several Acts respecting the Alms House and Work House, and support of the Poor.

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Act reducing into one and amending the several Acts respecting slaves, free negroes, mulattoes, vagrants, idle and disorderly persons, runaways, disturbers of religious worship, and the preservation of order on the Sabbath.

Act respecting apprentices, slaves and free people of color.

Act authorizing an appropriation annually: for the benefit of the several fire companies in Alexandria and for other purposes, as follows: This Act recites that the Fire Engine and Hose Companies, which had procured their apparatus at great expense of private contributions, was insufficient for the protection of the property of the citizens, and could not be supported in effective and useful condition without some municipal aid; and the interest, security and comfort of the citizens, as well as the protection of public property, required that the same be supported in such condition, then provides:

Section 1. For an annual appropriation of one hundred dollars, to be paid to such companies then formed and thereafter formed, to keep their respective fire engines, hose and other apparatus in effective and useful condition, in such proportions as assigned to them, respectively, by the Mayor and President of Council, who were required to apportion said sum annually among the companies, according to their respective needs.

Sec. 2. Appropriated six hundred and fifty dollars for the purchase of a Hydraulion, to be placed under the entire care and management of the Hydraulion Company of Alexandria, recently formed.

The steamer thus purchased was in use by the City under its name, "Hydraulion," until about thirty years ago.

Section 3 appropriated not exceeding two hundred dollars for erecting a suitable building on some part of the Market Square to contain the Hydraulion's hose and apparatus, to continue for the use of said company during the pleasure of the Council.

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Act regulating coal yards.

Act reducing into one, and amending, the several Acts respecting gunpowder and the keeper of the Powder House.

Act reducing into one and amending the several Acts respecting Constables.

Act for the preservation of order in and about the Fish Market.

Act reducing into one amending the several Acts respecting Auctioneers.

Act reducing into one and amending the several Acts concerning the regulation of wagons, carts, drays, coaches, stages and other vehicles.

Act reducing into one and amending the several Acts respecting Gaugers, Measurers of Lumber, Wood and Bark, and Inspectors of Beef, Pork, Fish, Lumber, Whiskey, Peach and Apple Brandy. All these officers were removable at the will of the Common Council; also, all other officers appointed by the Common Council.

Act reducing into one and amending the several Acts to regulate the exportation of flour from the County of Alexandria, and to prevent frauds in the inspection and shipment thereof.

Act to regulate the inspection of tobacco.

Act reducing into one and amending the several Acts concerning theatrical performances, and other public exhibitions.

Act to suppress petty gaming, to prevent the conveying of intoxicating liquors to the inmates of the Alms and Work House, and more effectually to preserve order in the Town of Alexandria.

Act fixing the extent to which wharves may be extended into the River Potomac.

Act concerning the Lancasterian or Free School.

Act concerning hawkers and peddlers.

Act reducing into one, and amending the several Acts respecting the Chalycate Spring, at the intersection of Pitt and Mont-

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gomery Streets, which provides: That no person shall injure any part of the railing or works of, or about the said spring, nor wash clothes or any other thing in or about the said spring, nor do any other act tending to injure or render impure the water thereof, under the penalty of five dollars for every offense. This spring is now covered and closed by dumping of trash removed from the City streets.

Act respecting the Town clock and the alarm bell.

Act to prohibit the sale of casks in which flour shall have been packed, without first erasing the miller's and inspector's brands.

Act providing for four stated sessions of the Common Council, on the second Monday in March, June, October and February, but did not prohibit occasional meetings authorized by the Charter.

Act for the establishment and support of a dispensary.

Act to provide for the security of debts due from defaulters.

Act to prevent the sale of any India or other fire crackers, torpedoes, fulminating powders, or other exploding powder, gunpowder excepted, within the corporate limits.

Act for the preservation of game.

Act to authorize the drawing of lotteries for the purpose of making a turnpike road, from near Wiley's Tavern in Fairfax County, to Alexandria. Approved 26 Feb., 1828, by J. Q. Adams, President, U. S.

Act respecting fines, penalties and forfeitures.

Act to suppress public gaming in the Town of Alexandria.

Act July 23, 1830, authorizing the President of the Common Council to subscribe for 500 shares of \$100.00 each, to the capital stock of the Alexandria Canal Company.

Act of May 15, 1827, authorizing a subscription by the Common Council of \$30,000.00 for the construction of certain turnpike roads in Fairfax and Alexandria Counties.

Act, September 10, 1830, amending Act of May 15, 1827, and providing for the transfer of the above subscription of

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\$30,000.00 to a company chartered by the Legislature of Virginia, to be used for the construction of so much of said road located within the District of Columbia.

Act of November 13, 1831, for a loan of \$50,000.00 from the banks of Alexandria on account of the subscription by the Common Council, for \$50,000.00 of stock of the Alexandria Canal Company, which was placed as follows: Bank of Alexandria, \$10,000.00; Farmers Bank of Alexandria, \$5,000.00; Mechanics Bank of Alexandria, \$10,000.00; and the Bank of Potomac, \$25,000.00.

Act of May 2, 1835, authorizing the subscription to 500 additional shares of the Alexandria Canal Company.

Act of April, 1836, authorizing the purchase of 214 shares of stock of the Alexandria Canal Company.

Act of July 9, 1836, authorizing a further subscription for 2500 additional shares of the Alexandria Canal Company.

Act of April 21, 1837, to provide for the exchange of certain stocks of the Town issued under the Acts of the Council of October 18th, 1824, and January 21, 1825, for an equal amount of the stock of the corporation issued under this Act with interest at six per cent, payable semi-annually.

Act July 20th, 1841, to provide for the exchange of certificates of loan issued under Act of November 12, 1831.

Act May 3, 1843, authorizing a further subscription by the Common Council for 1000 additional shares of the stock of the Alexandria Canal Company.

Act of February 27, 1844, in addition to the Act of June 27, 1832, to regulate the inspection of tobacco.

RETROCESSION

The story of the reacquisition by the State of Virginia of that small area of territory which the State had in December, 1789, ceded to the Congress and Government of the United States for

the seat of government has been well told by others. It may, however, bear repetition in the form of a transcript of the sundry Acts of the General Assembly and Congress.

February 3, 1846. A petition was presented by the citizens residing in the County of Alexandria (which then included the Town of Alexandria), to the General Assembly of Virginia, representing that they had pending before Congress an application for the recession of the County of Alexandria, District of Columbia, to the Commonwealth of Virginia, and praying the consent of the General Assembly of Virginia to such recession, and for the passage of a law to give effect thereto, if the same should be granted by Congress; and as the prayer of the petition was deemed reasonable, on the date above, the General Assembly of Virginia enacted as follows:

"That so soon as the Congress of the United States shall by law re-cede to the Commonwealth of Virginia the said County of Alexandria, and relinquish their exclusive jurisdiction, as well of territory as of persons residing or to reside therein, the same shall be re-annexed to the said Commonwealth, and constitute a portion thereof, subject to such reservation and provisions respecting the public property of the United States as Congress may enact in their act of re-cession."

"That the General Assembly hereby assents that the jurisdiction and laws of the United States, as well as the rights and privileges of the citizens of said County, and bodies politic and corporate thereof, shall continue in force and be exercised in like manner, and to the same extent, as they now exist, until the General Assembly of Virginia shall by law provide for the government of said County under the Constitution and laws of this Commonwealth." (Acts of General Assembly of Virginia, 1845-46-47, pp. 50 and 51.)

By Act of Congress, approved July 9th, 1846, U. S. Statutes at Large 1846-1851, Chapter 35, pp. 35-37, it was provided:

Section 1. With the assent of the people of the County and Town of Alexandria, that portion of the territory of the District of Columbia ceded to the United States by the State of Virginia, and all rights and jurisdiction therewith ceded, were receded and forever relinquished to the State of Virginia, as well of soil, as of persons residing therein or to reside therein.

Sec. 2. Nothing contained in the Act, shall vest in the State of Virginia, any right of property in the Custom House or Post Office in the Town of Alexandria, or effect the rights of individuals or corporations therein, unless transferred by them to the State.

Sec. 3. The jurisdiction and laws then existing in said territory, over persons and property, should continue in force until the State of Virginia provided for the extension of her jurisdiction and judicial system over the territory receded.

Sec. 4. This Act not to be in force until the people of the County and Town of Alexandria had assented thereto, and that immediately after the adjournment of the then session of Congress the President should appoint five Commissioners (any three to act), citizens of the Town or County, and freeholders therein, who, first being sworn before a Justice of the Town or County, who, or any of them, within ten days after notice of their appointment and qualification, were to fix the time, place and manner of voting in the Town or County and give notice thereof in the newspapers of the Town, and on the day and at the place appointed, every free white male citizen of the United States who had resided in the County of Alexandria six months prior to the election (insane persons and paupers excepted), should vote, viva voci, upon the ques-

tion of accepting or rejecting the provisions of the Act. The Commissioners taking the vote to decide all questions as to the right to vote, and required within three days thereafter to make three statements of the result upon oath and under their seals, and transmit one copy to the President of the United States, one copy to the Governor of Virginia, and deposit one copy in the Clerk's office of the County Court of Alexandria, and if a majority of the votes cast were against the Act, it should be void and of no effect; but, if a majority be for the Act, then it should be in full force and effect, and the President of the United States should so inform the Governor of Virginia and make proclamation thereof.

The question of recession was voted on the first and second days of September, 1846. The count of ballots showed 763 votes cast for retrocession and 222 votes against, a majority of 541 votes for recession. The above returns were found in the *Alexandria Gazette* of September 3, 1846.

September 7th, 1846, James K. Polk, President of the United States, proclaimed the result of the election and gave notice that the Act was in full force and effect. This proclamation was attested by N. F. Trist, Acting Secretary of State, who in later years resided in and was Postmaster of Alexandria.

By Section 1 of Act of the General Assembly of Virginia of March 13th, 1847, page 41 of the Acts of 1847, the recession of the territory of the County of Alexandria, District of Columbia, was accepted and it was declared to be an integral part of the Commonwealth of Virginia, and the citizens thereof to be subject to all the provisions and entitled to all the benefits, rights and privileges of the Bill of Rights and Constitution of Virginia. The remaining sections of the Act provided as follows:

Section 2. That from and after March 20th, 1847, the public and general laws of Virginia then in force and the

Common Law, as recognized in the Commonwealth, should govern in the County of Alexandria.

Sec. 3. That the receded territory, comprising the County of Alexandria, should constitute a new County in Virginia and retain the name of the County of Alexandria, and the Courthouse should be located in the Town of Alexandria, where the Courts were then held; and provided also for the election of one Delegate to represent both the counties of Fairfax and Alexandria in the House of Delegates until otherwise provided.

Sec. 4. That the County of Alexandria should belong to the same Congressional, Senatorial and Electoral District as the County of Fairfax, and all elections for Delegate and Senator to the General Assembly, a Member of Congress, and Presidential Electors, should be held at Courthouse of Alexandria County, and in all such elections a separate poll was required to be held at the Tavern house of Thompson, Ball's Cross Roads.

Sec. 5. Annexed the County of Alexandria to the Sixth Judicial Circuit of Virginia, and required that a Circuit Superior Court of Law and Chancery be established and held twice in every year at the Court House in Alexandria.

Sec. 6. Required the sessions of the Circuit Court for the County of Alexandria to be held on the second Monday of June and November of every year, and the Court was required to sit until the business was dispatched.

Sec. 7. Established a County Court for the County of Alexandria, to be held the first Monday in each month, and Quarterly Terms in the months of March, June, September and November of every year. This Court was composed of Justices of the Peace of the County and Town of Alexandria.

Sec. 8. The Justices of the Peace (two-thirds being present) were required at the first session of the Court to

appoint a Clerk of the County Court, an Attorney for the Commonwealth, and a Commissioner of the Revenue; and, at the same time, to nominate to the Governor suitable persons to be commissioned as Sheriff and Coroner, and to appoint any other officer of the Court and County which by law of the Commonwealth Courts were empowered to appoint. This section provided for one Commissioner of Revenue at an annual salary not exceeding two hundred dollars, and three Assessors to be appointed by the Governor, each to receive one hundred dollars for services.

Section 13. Validates all transfers and confirms all judgments, decrees, orders and records of the Circuit and Criminal Courts of the District of Columbia for Alexandria County; and declared them to be the judgments, decrees, orders and records of the Circuit Superior Court of Law and Chancery of Alexandria County (excepting criminal cases), and provides that all pending cases at law and in equity should continue and proceed as required by the laws of Virginia to judgment and final decree; and for the transfer of all original deeds, contracts and records of deeds to real and personal property, and all other papers, books and records which, under the laws of Virginia, belong to the County Court or the Clerk's Office thereof.

Sec. 14. Provides for docketing, under the laws of Virginia, of the judgments and decrees of the Circuit Court of the District of Columbia, and for their enforcement.

Section 18. Provides for the transfer of all records and files of the Orphans' and Levy Courts of Alexandria, and all suits, petitions and proceedings pending and undetermined before said Courts (except issues sent from said Courts to the Circuit Court of the District of Columbia) to the County Court of Alexandria County and made records

thereof, to be proceeded in to final judgment, decree or order.

Section 27. The County Court of Alexandria County was empowered to lay or levy on the citizens of the County, to pay any debts due by it when this Act became effective; all officers' fees and dues in the hands of the Marshal of the District of Columbia, and all levies, poor rates and taxes assessed by the Levy Court of Alexandria County, when this Act became effective, should be collected, accounted for and paid as if this Act had not been passed.

Sec. 28. Confirmed the Common Council in the full use of each and every power, privilege, immunity and franchise secured to, or conferred on, or held by it, by or under any Act of the General Assembly of Virginia passed prior to the cession of the County to the United States, or under any Act of Congress since that time, and that the Charter of the Town and all Acts in attestation or amendment thereof, were confirmed and provided for, establishing a public warehouse in the Town for the inspection of tobacco, subject to the powers and duties of the County Courts of the State, relating to the appointment of Inspectors and Pickers of Tobacco; the County Court had power, also, to appoint Inspectors of Flour, Indian Meal and Fish, and all powers relating to the same were vested in said Court; this Act provided, also, for the appointment of an Inspector General of Lumber, by the State; and a Harbor Master, by the Common Council; and repeals the Act of Congress of May 13, 1826, and any other Act authorizing the Common Council to lay any tax on the property or persons in the Town, or to borrow money for any improvements beyond its corporate limits, except public improvements begun and then under construction; and, that no tax should be laid, nor money borrowed, without the sanction of the General Assembly of Virginia. But this Act should

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not prevent the Common Council taking or expending any money given to it for the use of the Town, by deed or will, within or without its limits, for its benefit.

Sec. 29. That the Militia of Alexandria County constitute and be known as the 175th Regiment of Virginia Militia, of the Sixth Brigade and Second Division, and the officers be recommissioned by the Governor.

Sec. 30. This Act was made effective on March 20th, 1847.

Act of March 19th, 1847: Section 1. Authorized the Justices commissioned under the Act of March 13, 1847, to qualify in the Court House of Alexandria County at any time before holding Court for the County.

Sec. 2. The Justices so commissioned and qualified were authorized, two-thirds or more of the whole number being present, should hold Court on March 25, 1847, for the organization of the County Court, and appoint a Clerk of the County Court, an Attorney for the Commonwealth and Commissioner of Revenue for Alexandria County, and at the same time nominate suitable persons to the Governor for Sheriff and Coroner of the County.

The deletion of a number of sections of this Act is in aid of brevity, the omitted sections being more technical than interesting.

SECESSION AND ALEXANDRIA UNDER FEDERAL CONTROL

The General Assembly, March 8th, 1860, adopted and transmitted to the State of South Carolina the following resolutions:

"1. Resolved by the General Assembly, That we have received, with deep sensibility, the communications which South Carolina and Mississippi have made to the authorities of this Commonwealth through their Commissioners,

JOTTINGS FROM THE ANNALS OF ALEXANDRIA

Hon. C. G. Menninger and Hon. P. B. Starke; and we hail with lively gratification this renewed manifestation of that fraternal regard and affection which has heretofore characterized, and, we trust, will always continue to characterize, the relations of South Carolina and Mississippi with Virginia.

"2. Resolved, That we perform a pleasing duty in recording and communicating to the authorities of South Carolina and Mississippi our high appreciation of the ability, dignity and courtesy with which their Commissioners have discharged the important duties of their mission.

"3. Resolved, That the General Assembly of Virginia, recognizing in our present relations with the non-slaveholding states an imperative necessity for decisive measures, does not yet distrust the capacity of the Southern States, by a wise and firm exercise of their reserved powers, to protect the rights and liberties of the people, and to preserve the Federal Union. For this purpose we earnestly desire the concurrent action of the Southern States. But the General Assembly respectfully submits, for the consideration of South Carolina and Mississippi, and all our sister states of the south, that efficient co-operation will be more safely obtained by such direct legislative action of the several states as may be necessary and proper, than through the agency of an assemblage which can exercise no legitimate power except to debate and advise.

"Resolved, Therefore, that in the opinion of the General Assembly, it is inexpedient to appoint deputies to the conference proposed by South Carolina and Mississippi.

"Resolved, That the Governor of this Commonwealth be requested to communicate the foregoing resolutions to the Governors of the states of South Carolina and Mississippi, and to the Governors of each of the other slaveholding states."

The State Convention, assembled in Richmond, April 17, 1861, adopted the following Ordinance repealing the ratification of the Constitution of the United States, and assuming all the rights and powers granted as a sovereign and independent State:

“The people of Virginia, in their ratification of the Constitution of the United States of America, adopted by them in Convention on the twenty-fifth day of June in the year of our Lord one thousand, seven hundred and eighty-eight, having declared that the powers granted under the said Constitution were derived from the people of the United States, and might be resumed whensoever the same should be perverted to their injury and oppression; and the Federal Government having perverted said powers, not only to the injury of the people of Virginia but to the oppression of the Southern Slaveholding States;

“Now, therefore, we the people of Virginia, do declare and ordain, that the ordinance adopted by the people of this State in Convention on the twenty-fifth day of June in the year of our Lord one thousand, seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and all Acts of the General Assembly of this State ratifying or adopting amendments to said Constitution, are hereby repealed and abrogated; that the Union between the State of Virginia and the other States under the Constitution aforesaid is hereby dissolved, and that the State of Virginia is in the full possession and exercise of all the rights of sovereignty which belong and appertain to a free and independent State.

“And they do further declare that said Constitution of the United States of America is no longer binding on any of the citizens of this State.

“This ordinance shall take effect and be an Act of this day, when ratified by a majority of the votes of the people

of this State cast at a poll to be taken thereon on the fourth Thursday in May next, in pursuance of a schedule hereafter to be enacted.

“Done in Convention in the City of Richmond, on the seventeenth day of April, in the year of our Lord one thousand, eight hundred and sixty-one, and in the eighty-fifth year of the Commonwealth of Virginia.

“Be it ordained by this Convention, that the Convention entered into on the twenty-fourth April, eighteen hundred and sixty-one, between Alexander H. Stephens, Commissioner of the Confederate States, and John Tyler, William Ballard Preston, S. McD. Moore, James P. Holcombe, James C. Bruce and Lewis E. Harvie, Commissioners of Virginia, for a temporary union of Virginia with said Confederate States, under the Provisional Government adopted by said Confederate States, be and the same is hereby ratified and confirmed on the terms agreed upon by said Commissioners.

“We, the Delegates of the people of Virginia, in Convention assembled, solemnly impressed with the perils which surround the Commonwealth, and appealing to the Searcher of Hearts for the rectitude of our intentions in assuming the grave responsibility of this Act, do, by this ordinance adopt and ratify the Constitution of the Provisional Government of the Confederate States of America, ordained and established at Montgomery, Alabama, on the eighth day of February, eighteen hundred and sixty-one; Provided, that this ordinance shall cease to have any legal operation or effect if the people of this Commonwealth, upon the vote directed to be taken on the Ordinance of Secession passed by this Convention, on the seventeenth day of April, eighteen hundred and sixty-one, shall reject the same.”

The people of our State spoke in no uncertain tone and for one brief month Alexandria was a part and parcel of the Confederacy. May 24, 1861, it was occupied by Federal troops and its government passed to Federal control.

June 11th, 1861: A Convention was assembled at Wheeling, Virginia, composed of Delegates from the cities and counties now constituting the State of West Virginia, and such other cities and counties, including the City and County of Alexandria (then within the lines of occupation of the Federal Army), the purpose of which was to restore the government of Virginia within said lines. This Convention both renounced and denounced the Ordinance of Secession, and adjourned until June 19th, 1861, and again assembled on June 20th, 1861, and elected Francis H. Pierpoint Governor, and other State officers of the Restored Government of Virginia.

August 20th, 1861: This Convention adopted an Ordinance for the erection of a new State within the territory of Virginia, to be called the State of Kanawha, to include within its boundaries the Counties of Logan, Wyoming, Raleigh, Fayette, Nicholas, Webster, Randolph, Tucker, Preston, Monongalia, Marion, Taylor, Barbour, Upshur, Harrison, Lewis, Clay, Braxton, Kanawha, Boone, Wayne, Cabell, Putnam, Mason, Jackson, Roane, Calhoun, Wirt, Gilmer, Ritchie, Wood, Pleasants, Tyler, Doddridge, Wetzell, Marshall, Ohio, Brooke and Hancock.

August 20th, 1861: The Convention provided for the election of representatives in Congress from the State of Virginia. December 19th, 1861, an Act was passed for the organization of a County Court of Alexandria, and Jefferson Tacey was elected the Clerk thereof.

February 13, 1862: The consent of the General Assembly of the restored government was given to the United States to purchase not exceeding twenty acres of land in the County of

Alexandria, or the County of Fairfax, for the purpose of interment of persons dying in the service of the United States.

May 13th, 1862: The General Assembly of the "Restored Government of Virginia" consented to the erection of a new State within the jurisdiction of Virginia, to be known as "West Virginia," to include the counties hereinbefore named.

May 8th, 1862: By Act of the General Assembly the Governor was authorized to appoint three Commissioners to report to him the condition of the branches of the Exchange Bank of Virginia and of the Farmers Bank of Virginia, at Alexandria.

ALEXANDRIA THE CAPITAL OF THE RESTORED STATE OF VIRGINIA

February 5th, 1863: The General Assembly authorized the Governor to remove the seat of the Restored Government of Virginia from Wheeling to Alexandria and to convene the General Assembly there, which was accordingly done June 20th, 1863, when Alexandria became the Capital of the Restored Government of Virginia, and so continued until the surrender of General Lee at Appomattox in 1865, after which the seat of government was removed to Richmond. During this period the offices of the Governor, and other State officers, were located in the bank building of the Farmers Bank of Virginia, on the north side of Prince Street between Royal and Pitt Streets. It was my pleasure and privilege, when a boy, to have known Governor Pierpoint when his office was in Alexandria, and I found him to be a man of kind and sympathetic heart and generous impulses.

The Sessions of the General Assembly of December 7th, 1863, the 88th year of the Commonwealth, and of December 5th, 1864, the 89th year of the Commonwealth, were convened and held in Alexandria, and its sessions held in the old Market House Building and City Hall, of Alexandria. The Senate met

in the chamber of the Board of Aldermen, and the House of Delegates in the chamber of the Common Council. In these sessions of the General Assembly the range of legislation was very limited. A brief synopsis follows:

December 9th, 1863: The General Assembly passed a bill fixing the salaries of the State officers and members and officers of the General Assembly, which were as follows:

Governor—Five thousand dollars per annum.

Attorney General—One thousand dollars per annum.

Secretary of the Commonwealth—Eight hundred dollars per annum.

Auditor of Public Accounts—Twenty-four hundred dollars per annum.

Treasurer—Eighteen hundred dollars per annum.

President of the Senate and Speaker of the House of Delegates—Each eight dollars per diem during the session of the General Assembly.

Members of the Senate and House of Delegates—Four dollars per diem during the session.

Sergeant-at-Arms of the Senate and House—Each four dollars per diem during session.

Doorkeepers and Police Officer—Three dollars per diem, and one dollar per day for each page.

The members of the Senate and House were allowed mileage of twenty cents per mile, going to and returning from the sessions of the General Assembly, to be computed according to the nearest mail route at the time.

December 16, 1863: The General Assembly passed a joint resolution authorizing the Governor to appoint six Commissioners, three from Norfolk and three from Alexandria, to examine and report to the Governor the condition of the banks in Norfolk, Portsmouth and Alexandria.

December 21st, 1863: The General Assembly of the Restored Government of Virginia met in Alexandria and passed

an Act providing for the election of Delegates to a Convention to be held in Alexandria, February 13th, 1864, to alter and to amend the Constitution of Virginia. This Convention assembled at Alexandria, on the date above given, and adopted a new Constitution for Virginia. The proceedings of this Convention, and the new Constitution, will be found in the Acts of Assembly of Virginia, 1865-6, and Code of 1873, page 67, and was generally thereafter known as the "Underwood Constitution," and was not submitted for ratification by the people.

December 16, 1864: The General Assembly amended the Ordinance of the Constitution passed by the Convention at Alexandria, fixing the salaries of the members and officers of the Senate and House of Delegates, as follows: President of the Senate and Speaker of the House, each eight dollars per day; Members of the Senate and House, eight dollars per day, except when absent without leave; Clerks of Senate and House of Delegates, for each day of the session, eight dollars, out of which they were required to pay the salaries of their assistants.

January 16, 1865: The General Assembly directed that all moneys in the Public Treasury, and thereafter paid into the same, should be deposited in the First National Bank of Alexandria, under the same conditions and subject to the same regulations as prescribed by law for the custody of the public revenue.

May 9th, 1865, Andrew Johnson, President of the United States, issued the following Executive Orders:

"Ordered. First, that all acts and proceedings of the political, military, and civil organizations which have been in a state of insurrection and rebellion within the State of Virginia, against the authority and laws of the United States, and of which Jefferson Davis, John Letcher, and William Smith, were late the respective chiefs, are declared null and void. All persons who shall exercise, claim, pretend or attempt to exercise any political, military or civil power,

authority, jurisdiction or right, by, through or under Jefferson Davis, late of the City of Richmond, and his confederates, or under John Letcher or William Smith, or civil commission or authority issued by them or either of them, since the 17th day of April, 1861, shall be deemed and taken as in rebellion against the United States, and shall be dealt with accordingly."

"That to carry into effect the guarantee by the Federal Constitution of a republican form of government and afford the advantage and security of domestic laws, as well as to complete the re-establishment of the authority and laws of the United States, and the full and complete restoration of peace within the limits aforesaid, Francis H. Pierpoint, governor of the State of Virginia, will be aided by the Federal Government, so far as may be necessary, in the lawful measures which he may take for the extension and administration of the State government throughout the geographical limits of said State."

May 23, 1865, Francis H. Pierpoint, as Governor of Virginia, issued the following Executive Order:

"His Excellency the Governor, in pursuance of the authority in him vested by the laws of the Commonwealth, and, upon due information of the suppression of insurrection and domestic violence within the limits of this Commonwealth, ordered that the Seat of Government be restored to and re-established at the City of Richmond, from and after this date, and issued his proclamation accordingly."

April 2, 1866, Andrew Johnson, President of the United States, issued the following proclamation:

"Whereas, standing armies, military occupation, martial law, military tribunals, and the suspension of the writ of habeas corpus, are, in time of peace, dangerous to public liberty, incompatible with the individual rights of the citi-

zen, contrary to the genius and spirit of our free institutions and exhaustive of the national resources, and ought not therefore to be sanctioned or allowed, except in cases of actual necessity, for repelling invasion or suppressing insurrection or rebellion, etc.; therefore, I, Andrew Johnson, President, etc., do hereby proclaim and declare, that the insurrection which heretofore existed in the states of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi and Florida, is at an end, and is henceforth to be so regarded."

Governor Pierpoint continued in office under military supervision and control until the expiration of his official connection with the Government of Virginia in 1870. From 1865 to 1870 his administration of the State Government was under the control and supervision of the following military officers of the United States, and was known as Military District No. 1, viz:

Major General Godfrey Weitzel, U. S. volunteers; Maj. Gen. E. O. C. Ord, U. S. volunteers; Maj. Gen. H. W. Halleck, U. S. A.; Maj. Gen. Alfred H. Terry, U. S. volunteers; Maj. Gen. John M. Schofield, U. S. volunteers; Map. Gen. Henry S. Burton, U. S. A.; Maj. Gen. George Stoneman, Brevet Maj. Gen. Alexander S. Webb, and Maj. Gen. Edward R. S. Canby.

RECONSTRUCTION

About this time in the history of Virginia began the Reconstruction period of the Southern States, under Acts of Congress, for the re-establishment of civil government therein. From the close of the War between States until March 23, 1867, Virginia's Civil Government was under military control and supervision and the first steps toward the restoration of civil government were provided for by the Acts of Congress of March 2nd and 23rd, 1867, which provided for the election of Delegates to a Constitutional Convention to be held in Richmond, to pro-

vide a new Constitution for the State, and to submit it to the qualified voters for adoption. No person who had been in the service of or in sympathy with the Confederate States could vote. This election was held under the supervision of Major General Edward R. S. Canby, commanding in District No. 1, and was held on the 6th of July, 1869, pursuant to the proclamation of U. S. Grant, then President of the United States, issued May 14, 1869, with the following result: For the Constitution, white, 125,114, and colored, 97,205; the total vote for the Constitution was 210,585, and against, 9,136, and on the same day the following vote was polled: For Governor, Gilbert C. Walker (who hailed from New York), 119,535; General H. H. Wells (former Military Governor of the State), 101,204; for Lieutenant Governor, John F. Lewis, 120,068, and J. D. Harris, 99,600; Attorney General, James C. Taylor, 119,446; Thomas R. Bowden, 101,129. The General Assembly elected under the new Constitution met October 5, 1869, and on the 8th of October, 1869, ratified the 15th Amendment to the Constitution of the United States (see Code of Virginia, 1873, pp. 29 to 50, inc.).

Between the sessions of the General Assembly, which ended April 29, 1867, and the session which convened December 13, 1870, no sessions were held, the State then being under military authority and supervision, and General H. H. Wells the Military Governor. This period was known as the Reconstruction period in Virginia history.

On December 13, 1870, the General Assembly of Virginia, as it is today constituted, met free from military control.

COURTS AND COURT HOUSE

After the creation of the old Hustings Court in 1782, heretofore described, the Courts of our city were created or changed by State Constitutional provision or by general law. There were no later special acts concerning our local Courts until Feb-

ruary 7th, 1850, when by act of the General Assembly all powers conferred upon the Circuit Court of the District of Columbia, for Alexandria County, or upon any Justice of the Peace therein, or the Marshal thereof, by the Act incorporating the Alexandria Canal Company, and any Act amendatory thereof, were conferred upon the County Court of Alexandria County or any Justice of the Peace or the Sheriff thereof, and the Company was authorized to acquire lands by purchase or by condemnation for its use and purpose.

It is of interest in this connection to say something of the old County Court House and we find that by Act of Congress, passed on April 27, 1816, the Levy Court of Alexandria County was authorized to levy a tax for the building of a Court House and Jail for the County of Alexandria (U. S. Stat. at L., Vol. 3, page 31).

By Act of Congress, approved July 7, 1838 (U. S. Stat. at Large, Vol. 5, page 262), fifteen thousand dollars was appropriated for the building of a Court House at Alexandria.

This building was located in the center of the half square of land situated on the west side of Columbus Street, between Queen and Princess Streets, conveyed by John A. Dixon and wife to the United States of America, December 1st, 1838, by deed recorded in Liber Z No. 2, page 150, Alexandria Land Records, at the purchase price of \$800.00. It was a large and imposing structure, built of brick, of Colonial type of architecture, substantial in all its parts, and built with a view to accommodate the Courts of Alexandria, City and County, for years to follow. It was two and a half stories high, with a cupola, or bell tower, in the center of the roof and a large bell therein, which on Court days pealed forth notice to the people of the Town that Court was about to convene and, particularly, to all persons who had motions to make, suits to prosecute, or pleas to enter therein, to come forth and be heard. The court room was

located on the second floor of the building and could be approached by a stairway leading from a large hall on the ground or first floor of the interior of the building, also from the exterior, by a large portico on the second story front, approached by stone stairways, protected by iron railings, on both sides of the portico. The ground floor hall was paved with brick, and on each side of the hall there were four rooms, practically fire-proof, to accommodate the Court Officers and Court Records. The Clerk's Office of the County Court was located in the room at the southwest corner of the ground floor, and the Clerk's Office of the Circuit Court at the southeast corner thereof. The court room was on the second floor in the center of the Columbus Street front of the building, and was large, with arched ceiling and ample ventilation. The Judge's bench occupied the center of the court room, on the west side of the building, upon a platform about three feet above the main floor of the room. The Clerk's desk was on the left and the Sheriff's desk on the right of the Judge, and the jury box in front of and below the Judge's bench; the witness stand stood to the left of the Judge and Clerk, and so placed that he could face the Judge, Jury and Bar, as occasion required. On the southeast corner of the Court House lot was erected a small brick building known as the Cannon House. The front of the Court House was shaded by a row of large and beautiful trees standing near the curb line on Columbus Street.

On February 12, 1898, the General Assembly authorized the Board of Supervisors of Alexandria County to build a Court House, Clerk's Office and Jail at Fort Myer Heights for said County, and for that purpose to issue bonds not to exceed twenty thousand dollars, in the sum of one hundred dollars each, bearing interest at six per centum per annum, in installments of three per cent, payable semi-annually; the principal payable at thirty years after date, or upon call of the Board of Supervisors, at any time after five years from their date.

March 1, 1898, the General Assembly declared that the County of Alexandria and the Corporation of Alexandria were equal owners of the half square of ground bounded by Columbus, Princess and Queen Streets, upon which stood the Alexandria County Court House, and the half square of ground bounded by St. Asaph, Princess and Pitt Streets, and provided for the partition or sale thereof.

The Court House and half square of ground was sold under decree of the Circuit Court of the City of Alexandria at public auction, December 5th, 1898, for the total sum of four thousand and ten dollars. The Court House, with a lot of ninety-five feet on Columbus Street and one hundred and ten feet in depth, was sold for eleven hundred and five dollars.

Following this sale the old Court House was torn down and hauled away. The City lost a structure of architectural value, historic interest and one which today would be valuable, useful and an ornament to Alexandria.

TURNPIKES

The "Alexandria and Washington Turnpike and Bridge Company" was incorporated by Act of Congress April 21, 1808 (U. S. Stat. at L., Vol. 2, p. 485). The incorporators were citizens of Alexandria, viz.: Johan Thompson, Thomas Swann, Charles Alexander, Edmund I. Lee, Jacob Hoffman, Cuthbert Powell and J. Mandeville. The Turnpike was to be not less than thirty, nor more than one hundred feet wide, between Alexandria and Bridge Point opposite Washington (a short distance east of the approach to the present Railroad Bridge over the Potomac). This company had power also to erect a bridge across Four Mile Run, and to collect tolls from persons using the same.

This road, still in use, is known as the lower road to Washington, or U. S. Highway No. 1. There have been some changes

in its course, however. Originally it ran in a straight line from the north end of Washington Street over the railroad tracks at St. Asaph Junction to the northeast corner of the Alms House lot. When, in 1902 or 1903, the Potomac Yards were built, the St. Asaph Junction grade crossing was eliminated, the left turn at the north end of Washington Street provided, the bridge over the tracks constructed, and the road built along the east line of Alms House lot to join the old line of its right of way.

The Alexandria and Leesburg Turnpike Co. was incorporated by Act of Congress July 13, 1813, with Charles Lee, Charles Alexander, Thomas Swann, Richard Conway and Philip Richard Fendall as incorporators, with power to construct a toll road from the corner of Washington and Pendleton Streets to Leesburg, with power to collect toll from all persons using the same, as follows: For every head of sheep, five cents; for every head of hogs, five cents; for every horse or mule and driver, three cents; for every stage or wagon and two horses, ten cents (U. S. Stat. at L., Vol. 3, page 5).

By an Act the General Assembly passed February 14th, 1818, there was created a corporation to establish a turnpike road from Wiley's Tavern in Fairfax County to a point of intersection on the Little River Turnpike Road or on the line of the District of Columbia.

No earlier reference to the Little River Turnpike is found in the statutes and it is possible this familiar name for Duke Street extended antedates the first legislative mention of Alexandria.

An Act of the General Assembly of March 4th, 1854, authorized the Washington and Alexandria Turnpike Company to sell any portion of its works to the Alexandria and Washington Railroad Company, or to any other Railroad Company chartered to build a railroad from Alexandria to Washington.

By Act of the General Assembly of March 11th, 1856, "The Alexandria, Mount Vernon and Accotink Turnpike Company

was incorporated, with a capital stock not exceeding four thousand dollars, for the purpose of building a turnpike road from Alexandria to Mount Vernon and Accotink, provided no part of the road should pass over the lands of Mrs. B. C. Mason. The Company was authorized to purchase from the owners the then existing bridge across Great Hunting Creek. The Company had power to collect toll from all who used its bridge or turnpike. The incorporators were J. A. Washington, H. Allen Taylor, Francis E. Johnston, Caleb S. Hallowell, John Johnston, Edward G. Gibbs, S. Shinn and Charles W. Washington, of Alexandria, and Charley Gillingham, Levi Burke, P. Hillman Troth, George Pettie, Aaron Liggett, A. W. Troth, Dennis Johnson, Richard Windsor, E. E. Mason, of Fairfax.

By Act of the General Assembly, February 13th, 1860, the Alexandria, Mount Vernon and Accotink Turnpike Company was authorized to increase its capital stock by the sum of four thousand dollars, and to construct a branch of its road to Mount Vernon and the Potomac River, and to establish a wharf or landing on the River, but not on the property of the Mount Vernon Ladies' Association without their consent; also, to establish a railroad on its roadway, so as not to interfere with travel on the turnpike, and to increase its capital stock or borrow money for such purposes.

By Act of the General Assembly, February 20, 1861, this Turnpike Company was authorized to issue twelve thousand dollars of preferred stock with a guaranteed dividend of six per cent per annum.

February 4th, 1864, the General Assembly of the so-called Restored Government authorized the Washington and Alexandria Turnpike Company to change the then location of its turnpike to not exceeding one hundred feet in width between the south end of the Long Bridge and Alexandria, to avoid danger and annoyance to travel and traffic over the turnpike occasioned by the proximity of the turnpike to the Washington,

Alexandria and Georgetown Railroad, and the Turnpike Company was authorized to borrow one hundred thousand dollars for that purpose, and was authorized to convey by deed or lease the remainder of its right of way to the Railroad Company; and this Act also provided that no tolls should be collected on the remainder of its right of way until its new road was completed to the satisfaction of the County Court of Alexandria County and ready for use. February 27, 1894, the General Assembly authorized the Attorney General to file and prosecute the necessary proceedings to vacate the Charter of the Washington and Alexandria Turnpike Company because of its failure to comply with the provisions of its charter and the general laws of the State relating to turnpikes.

April 22, 1874, the General Assembly incorporated the "Virginia Turnpike Company," with power to build a turnpike from Alexandria to some point on the Potomac River at or above the Long Bridge, the capital stock not to exceed twenty-five thousand dollars. The incorporators were Richard Lloyd, Thomas Swann, John R. Johnston, F. W. Windsor and Alexander Hunter.

This, the last legislative charter for a turnpike in the vicinity of Alexandria, expressed some doubt in its language as to where the proposed road would end. It probably terminated with the issuance of its charter.

The popularity of turnpikes with their one long pole toll gates waned. The people objected to the payment of toll while neglect of maintenance increased. Agitation for State and County ownership and maintenance prevailed. Toll gates disappeared—the last of these gates in Northern Virginia now halts traffic on the road from McLean to Leesburg. In their dreams of freedom the people of Virginia were to be ever free of the annoyance of paying toll for use of a State or County-owned road. Today every road in our State is a toll road, with merely a change in method of collection. No longer do we pay

out toll at a gate but we do pay at a pasoline pump—and again does our practical age displace the picturesque.

THE CANAL

The birth, life and death of the Alexandria Canal Company is briefly disclosed by the following Acts of the Legislature. Its legacy to our City consists of some happy memories for a few of our older residents, remnants of the ancient locks—short stretches of the now tree-grown towpaths and a substantial portion of our municipal bonded indebtedness.

During the session of the General Assembly of 1816-1817 there was passed an "Act incorporating a company to cut a canal to unite the waters of Goose Creek, in the County of Loudoun, with the waters of Hunting Creek in Fairfax County." The name of this company was the Alexandria Canal Company. There is no evidence that any construction work was undertaken under this charter.

By Act of Congress, passed May 26, 1830, John Roberts, Phinneas Janney, Robt. I. Taylor, Thompson T. Mason, Hugh Smith, Anthony C. Cagenove, Wm. H. Miller, Ch. Bennett, Edmund I. Lee, Colin Auld, Henry Daingerfield, Geo. Brent and Jonathan Butcher were designated commissioners to receive subscriptions to the stock of Alexandria Canal Company by the act incorporated. The Commissioners were to open books for subscriptions at such places as they might determine. The books were to be opened for twenty days and within sixty days a general meeting of the subscribers was to be held if subscriptions equalled one-fourth of \$250,000 authorized stock. When one-half of the stock was subscribed the subscribers and their heirs are incorporated for the purposes set out in the Act—that is, to build "a canal from the termination or other point on the Chesapeake and Ohio Canal to such place in the Town of Alexandria as the Board of Directors shall appoint."

JOTTINGS FROM THE ANNALS OF ALEXANDRIA

The Act provided that the canal should be forty feet wide at the surface of the water and twenty-eight feet at the bottom, and "there shall be provided, throughout its whole extent, a towpath of sufficient breadth to apply the power of horses to the navigation thereof."

The Common Council of Alexandria was empowered to subscribe to the stock of the company, to borrow money to pay for the stock, and to tax the inhabitants and property in the town to repay the money so borrowed—and Council did.

On June 4th, 1830, a meeting of the Commissioners was held in the Mayor's office in Alexandria, at which Edmond I. Lee was chosen chairman, and it was determined to open the subscription books June 14th. The Farmers Bank, Merchants Bank, Bank of Alexandria and the Bank of the Potomac were authorized to receive subscriptions.

Under this charter the Canal was constructed from its Outlet Locks on the Potomac River front at Alexandria, between Montgomery and First Streets, thence by a line on the east of Washington Street and the Alexandria and Washington Turnpike to the point where the turnpike intersects Four Mile Run. At this point the Canal passed over both the turnpike and Four Mile Run by a viaduct built of stone and brick. The course of the Canal was continued from Four Mile Run in a northwesterly course to a point on the Potomac River opposite Georgetown, D. C., now known as Rosslyn, from which point it connected with the Chesapeake and Ohio Canal, at Georgetown, D. C., by an aqueduct spanning the Potomac River.

Within the personal knowledge of the annalist, this utility was an important adjunct to the business enterprise and development of the Town of Alexandria, in both Antebellum and Postbellum days, and until the Railroad Companies invaded the coal fields and rendered Canal transportation obsolete and unable to compete with modern development of transportation facilities.

JOTTINGS FROM THE ANNALS OF ALEXANDRIA

On June 8th, 1832, there was pending in Congress a bill for the aid of the Canal Company. It concerned the petition of the City of Alexandria for the erection, on the aqueduct across the Potomac, of a carriage way and walk. The citizens of Georgetown had presented a memorial against its favorable consideration. Daniel Webster, in discussing the matter, said, "This is an ungracious attempt to defeat a measure for the interests of Alexandria, which has been the most abstemious of all the cities in the District in her demands on the General Government."

Characteristically Henry Clay defended the people of Georgetown in presenting the memorial but spoke in favor of the pending bill. This discussion appears in Gale's and Seaton's Register of Debates in Congress for the year 1832, pages 1053, 1070 and 1074.

An Act of the General Assembly of Virginia of March 1st, 1847, reads in part as follows: The Treasurer of Virginia is authorized on the requisition of the Board of Public Works of Virginia to issue to the Common Council of Alexandria, Certificates of Stock to the amount of two hundred and seventy-two thousand dollars, with interest thereon at six per cent per annum, payable semi-annually in cash or its equivalent, at the Treasury of the Commonwealth, and to be unredeemable for twenty years, and thereafter redeemable at the pleasure of the General Assembly. This Act also provided the certificates of stock should not issue until the Common Council had procured, to be transferred to the Board of Public Works of Virginia, on the books of the Alexandria Canal Company, two thousand seven hundred and twenty shares of stock of said Company, and also certify that the entire stock of the Canal Company to be issued is six hundred and eighty thousand dollars. The Act recites that the Common Council of Alexandria was much indebted, which indebtedness was chiefly contracted to pay its subscription to the capital stock of the Alexandria Canal Company; that the Canal was completed and paid for, and cost one million one

hundred and thirty thousand dollars, contributed as follows: By individual subscriptions to its stock, eighty thousand dollars; by the Common Council of the Town of Alexandria, four hundred and fifty thousand dollars; by the Federal Government, one hundred and fifty thousand dollars, aggregating six hundred and eighty thousand dollars, which represented the entire capital stock of the Company, and that the stockholders contributed ratably to the completion of the Canal, without increasing their shares of the capital stock.

April 1, 1848. The General Assembly authorized the Alexandria Canal Company to construct wharves, piers, basins and other works on the Potomac River, at or near its outlet locks and to construct a branch and basins to such other points in the Town as might be necessary for its purposes.

April 4, 1848: The General Assembly authorized the Treasurer of the State to underwrite the guaranty of the State to the bonds of the Alexandria Canal Company, and also, the Common Council of Alexandria to underwrite an amount not exceeding forty-three thousand five hundred and twenty dollars.

Thus did our forefathers borrow for public works on the theory that posterity should pay or help to pay for the great works which the foresight of these fathers provided for our use and enjoyment. We pay on, but nothing remains for our use.

By Act of the General Assembly of January 17th, 1849, the grant of February 16th, 1848, by the Common Council to the Alexandria Canal Company, of the exclusive use of Montgomery, Union and Water (now Lee) Streets extended, was confirmed for a period of thirty years from the completion of the Chesapeake and Ohio Canal to Cumberland, Maryland, it being agreed that if the City Council at the expiration of said period, or thereafter, take possession of said streets extended, then the Canal Company should be refunded the expense of filling up the same.

By Act of the Assembly of May 25, 1852, the Collector of Tolls of the Alexandria Canal Company was authorized to administer oaths and to collect tolls, and required faithfully to account therefor.

By Act of the Assembly of March 4, 1854, the Alexandria Canal Company was authorized to sell any part of its works deemed suitable for the purpose of a Railway Company to the Alexandria and Washington Railway Company, or any other Railroad Company, chartered to construct a railroad from Alexandria to Washington.

By Act of the General Assembly of March 18th, 1856, the Alexandria Canal Company was required to construct its locks on the most improved plan for expedition in their use, and not less than forty feet at the surface of the water therein and twenty-eight feet at the bottom, to be governed by the character of the soil, and to be sufficient for navigation at all seasons of the year. The company was authorized to lease along its route water power for manufacturing, agricultural and other purposes.

At this point the Civil War apparently interfered with operation and maintenance of the Canal. The aqueduct at Georgetown was evidently destroyed or at least rendered useless, for we find that on February 16th, 1866, by an Act of the Assembly the City of Alexandria was required (if necessary for the repair of the Alexandria Canal for the transportation of goods, produce and the like) to dispose of its holdings of stock in the Alexandria Canal Company; and the Board of Public Works was authorized to dispose of the interest of the State therein for the best practicable consideration.

General Assembly on April 17, 1867, ratified and confirmed the lease of the Alexandria Canal, made under the Act of February 16, 1866, and authorized the lessees in conjunction with the restoration of the Canal aqueduct over the Potomac River from Rosslyn to Georgetown, to construct a highway toll bridge and to collect tolls for the use thereof. This Act authorized the

Board of Public Works to unite with the City of Alexandria in the disposition of their respective holdings of Canal stock for such purposes.

The restoration became an accomplished fact and coal was transported by way of the Canal to Alexandria and from there shipped to the markets therefor. Operations continued until the shipment from the coal mines of the Cumberland region by the Canal was superceded by Railroad transportation.

May 24, 1887: The General Assembly authorized the sale at public auction, in the City of Alexandria, of the interest of the State, in the Alexandria Canal Company.

Little remains today of this once important and interesting utility. Most of the stone has been removed from the old locks on North Fairfax Street, though there is still visible enough of the original work to show the finest type of masonry. The old basin on North Washington Street and what was known as the "Cove," a little to the north, is crossed and practically obliterated by the Memorial Highway to Mt. Vernon. A few bits of the Canal with its towpath are visible near Four Mile Run, Virginia Highlands, and the brickyards. A fine cross section view of the ancient work may be had where the upper road to Washington passes through the cut on the Government Experimental Farm.

RAILROADS

In the early forties Alexandria, represented officially by its City Council and commercially by its foresighted residents and businessmen, looked with envy upon those cities which were enjoying rapid transportation offered by the latest speed sensation and community builder, the railroads. The once satisfying speed of the stage coach over rough turnpike and the more leisurely but economical movement of cargo over placid canal and river would no longer suffice. Our people would have the combina-

tion of greater speed and smoother travel offered passenger and freight by the track-riding, engine-drawn railroad train. Alexandria and its citizens therefore invested heavily and unfortunately in the railroads which later gave greater opportunity to cities more remote from the waterways and thus robbed this City of much of the commercial supremacy it had previously enjoyed.

Five major railroad projects were at nearly the same time the commercial objective of Alexandria and its inhabitants. These projects were, in the order of their appearance in the statutes, first, to reach the West through the gap in the mountains at Harpers Ferry; second, to go south by way of Orange and Lynchburg; third, to open a way to the Valley of Virginia through Manassas Gap; fourth, to join the Richmond, Fredericksburg Railroad at Acquia Creek, and fifth, to connect Washington and Alexandria by rail.

ALEXANDRIA AND HARPERS FERRY RAILROAD

March 20, 1847: The General Assembly of Virginia incorporated the Alexandria and Harpers Ferry Railroad Co. to construct and operate a Railroad from Alexandria to Harpers Ferry, with a capital stock of fifteen thousand shares, of the par value of one hundred dollars each. The incorporators were John H. Brent, George H. Smoot, William L. Powell, Henry Daingerfield, Robert Jamieson, Benoni Wheat, Lewis McKenzie, Cassius F. Lee, Reuben Johnston and Thomas M. McCormick. If the authorized capital above named was insufficient, the Directors were authorized to issue additional stock for its authorized purposes.

On March 15, 1853, the Act incorporating the Alexandria and Harpers Ferry Railroad Company was amended and re-enacted to provide: 1. That books be opened for subscription to thirty-five thousand dollars of its capital stock as follows: At

Alexandria, by George H. Smott, Robert Jamieson, Lewis McKenzie, William L. Powell, Cassius F. Lee, Reuben Johnston, Charles F. Suttle, T. M. McCormick, A. J. Fleming, and David Funston. The money thus raised was to be used in building a Railroad from Alexandria to Leesburg, and through Clark's Gap, and by the most eligible points through Bloomary Gap in the County of Hampshire to Paddytown, or to connect with any railroad extending to Paddytown from the coal fields west of that town. The Board of Public Works was authorized to subscribe for three-fifths of the Capital Stock of the Company of twelve hundred thousand dollars, and to borrow the money therefor, this subscription to be paid *pari passu* with the payments by other subscribers to the stock of the Company. The proceeds of said loan were to be expended in the construction and equipment of the Railroad east of the Shenandoah River. This Act contained also the following provisions: (a) When one thousand shares of stock had been subscribed, the shareholders became a body politic and corporate by the name of "The Alexandria, Loudoun and Hampshire Railroad Company."

(b) The Directors, with the assent of the Stockholders, were authorized from time to time to issue and dispose of such additional shares of stock as necessary to carry out the purposes of the Act.

(c) The Company was authorized to consolidate with the Winchester and Potomac Railroad Company, or to contract for a right of way over its tracks, or the tracks of any other Railroad Company chartered by Virginia.

(d) Authorized subscriptions to the stock of the Company by the New Creek Co., Phoenix Mining Company and Union Potomac Company, incorporated by Virginia, and the Valley Mining Company; the George's Creek Company, Park Vein Coal Company and any other mining companies, incorporated for mining purposes by Virginia and Maryland, and owning

lands in the Potomac Coal fields; also authorized subscriptions to the stock of the Railroad Company by the Cities of Washington and Georgetown, of not exceeding four hundred thousand dollars each.

(e) The City Council of Alexandria was authorized to subscribe for not exceeding five hundred thousand dollars of the stock of the Railroad Company, when authorized by a vote of three-fifths of the legal voters of the city.

(f) The Company was prohibited to connect with the Baltimore and Ohio, or any other Railroad eastwardly outside of Virginia, and could not receive or transport any tonnage for the same, and prohibited the passage over its line of the freight and passenger cars of the Baltimore & Ohio Railroad Company, and of any other Railroad Company connecting therewith, east of Cumberland, until the Winchester and Potomac Railroad became a part of its line of railway.

By Act of the General Assembly of February 15, 1854, the Alexandria, Loudon and Hampshire Railroad Company was authorized to extend its road to any point in Hampshire County, west of Paddytown.

By Act of the General Assembly of January 7th, 1856, The Alexandria, Loudoun and Hampshire Railroad Company was authorized to change its line of railway by way of Bloomery Gap in Hampshire County to another and more preferable route.

By Act of the General Assembly of February 26th, 1856, the Charter of the Alexandria and Harpers Ferry Railroad Company was amended, to change its name to the Alexandria, Loudoun and Hampshire Railroad Company. The Board of Public Works was authorized to subscribe for three-fifths of twelve hundred thousand dollars of its capital stock and to borrow the money to pay for the same, the payments to be made *pari passu*, with the payments of individual subscribers. This

Act provided further that whenever forty thousand dollars was subscribed by individuals the Board should subscribe sixty thousand dollars, until the capital stock was all subscribed. The Act provided that no more than one hundred and twenty thousand dollars of the subscription should be expended on the construction and equipment of the road west of the Shenandoah River.

By Act of the General Assembly of February 26th, 1856, the County Court of any county, subscribing to the capital stock of the Alexandria, Loudoun and Hampshire Railroad Company, was authorized to issue scrip to its taxpayers, redeemable in the stock of the Company, the scrip to show the amount paid by each taxpayer on account of such subscription.

By Act of the General Assembly of March 25, 1858, the Board of Public Works was authorized to subscribe three-fifths of five hundred thousand dollars to the capital stock of the Alexandria, Loudoun and Hampshire Railroad Company, and to borrow the money for that purpose, payments thereon to be made *pari passu* with other subscribers thereto, provided: that not more than one hundred and fifty thousand dollars be called for in 1858, and a like sum in 1859.

By Act of the General Assembly, February 8th, 1860, the Board of Public Works was authorized to subscribe for three-fifths of one million dollars to the capital stock of the Alexandria, Loudoun and Hampshire Railroad Company, and to borrow the money for that purpose, and when satisfied that forty thousand dollars of stock had been subscribed by individuals or corporations, other than the Commonwealth, solvent and able to pay therefor, the Board of Public Works was authorized to subscribe for sixty thousand dollars thereof; and thereafter, from time to time, in like proportion, of three shares by the Board, to two by individuals and corporations, until paid in full.

By Act of the General Assembly, April 17, 1867, "The Loudoun and Hampshire Railroad Company" was authorized to extend its line of Railroad from the Western terminus limited by its charter, to any point or points authorized, by the Legislatures of West Virginia and Maryland; and authorized also the Board of Public Works to sell to the Company the shares of stock held therein by the Board, at such price as agreed upon between the Board and the Company; and the Board was authorized to apply the proceeds of such sale, one-third to the extension of the Company's line of Railway from Leesburg to Winchester, one-third to the extension of its line of railway from Winchester to the west side of the Cacapon River; the remaining one-third, to the extension of its line of railway to its western terminus at a point in Hampshire County, west of Paddytown. The payment of said sums of money and interest thereon were required to be secured by first mortgage upon the railroad and all of its properties, rights and franchises. This Act provided that, if the Company failed to accept its provisions, this Act should be void and of no effect, and if the Company failed to comply with the conditions of the Act as to the extension and completion of its railroad, as required by the Act, then the mortgage should be foreclosed and its Railroad, with all its rights, equipment, properties and franchises, should be sold to satisfy the same.

By Act of the General Assembly, March 29, 1870, the name of the "Alexandria, Loudoun and Hampshire Railroad Company" was changed to "The Washington and Ohio Railroad Company," and the company authorized to increase its capital stock to not exceeding fifteen million dollars, and to issue its bonds bearing eight per cent interest, to an amount not exceeding fifteen million dollars, and to secure the payment thereof and interest thereon by mortgage upon its railroad, franchises and properties.

February 23, 1875, the Washington and Ohio Railroad Company was authorized to issue to contractors and its other creditors certificates of indebtedness bearing six per cent interest, to the amount of one hundred thousand dollars, and made payable twelve months after date. These certificates were receivable for all dues to the company.

March 3, 1884, the General Assembly authorized the Washington, Ohio and Western Railroad Company to lease its railroad to or to consolidate with other lines of railway at Winchester, Virginia.

March 10th, 1884, the General Assembly ratified and confirmed the organization of the "Washington, Ohio and Western Railroad Company," and the transfer to it of all the rights, works, franchises and properties of the "Washington and Ohio Railroad Company."

This road, never fully completed in accordance with the original plan, later became a part of the Southern Railway and was leased to the Washington and Old Dominion, under which name it is now operated from Alexandria and Rosslyn to Bluemont.

THE ORANGE AND ALEXANDRIA AND THE MANASSAS GAP
RAILROADS

March 27, 1848, the Orange and Alexandria Railroad Co. was incorporated, to construct a railroad from Gordonsville by way of Orange Court House and Culpeper Court House to Alexandria. Books were to be opened for subscriptions to its capital stock, of ten thousand eight hundred shares of fifty dollars each, as follows: at Alexandria, by Robert H. Miller, L. A. Cazenove, F. L. Smith, Robert Crupper, G. W. D. Ramsay, W. L. Powell and Robert Brockett. The Charter did not become effective until five thousand four hundred shares of the par value of fifty dollars each of its capital stock had been

subscribed. The State of Virginia subscribed in large sums of money to the building of this railroad.

By Act of the General Assembly, of February 27th, 1849, the Common Council of Alexandria was authorized to subscribe for two thousand shares of one hundred dollars each to the capital stock of the Orange and Alexandria Railroad Company, and to borrow money for that purpose, and to levy and collect taxes to pay the same.

By Act of the General Assembly of March 6, 1849, Section 1 of the Charter of the Orange and Alexandria Railroad Company was amended to provide: for the increase of the subscription of the Commonwealth, to its capital stock, from two-fifths to three-fifths of its authorized capital, whenever one hundred and thirty-five thousand dollars had been paid, or subscribed by persons or corporations other than the Commonwealth of Virginia, solvent and able to pay their subscriptions for the construction of the eastern section of the railroad, then the Board of Public Works should, on behalf of the Commonwealth, subscribe for two hundred and two thousand five hundred dollars of its stock for the construction of said section; and thereafter, whenever individuals had paid or subscribed fifty thousand dollars for the construction of either of the other sections, the Board of Public Works should subscribe on behalf of the Commonwealth a further sum of seventy-five thousand dollars for such section, and from time to time in like proportions to individual subscriptions, until the whole capital of the Company was subscribed.

By Act of the General Assembly of March 9th, 1850, the "Manassas Gap Railroad Company" was incorporated for the purpose of making a Railroad from some convenient point on the Orange and Alexandria Railroad, through Manassas Gap, passing near the Town of Strasburg to the Town of Harrisonburg in the County of Rockingham. The authorized capital stock was eight hundred thousand dollars, in shares of fifty

dollars each. All the properties and profits to accrue therefrom were vested in the shareholders in proportion to their respective shares. The works and the properties of the Company were vested in the respective shareholders forever, in the proportion of their respective shares therein, and deemed personal estate, and to be exempted from all public charge or tax whatsoever, unless the income of the railroad exceeded seven per cent per annum, in which event it was subject to taxation. The Common Council of Alexandria was authorized to subscribe to the capital stock of the Company one hundred and fifty thousand dollars, provided three-fifths of the legal voters of the Town shall, by a vote to be taken, agree thereto. The incorporators were: in Alexandria, Phineas Janney, George H. Smoot, Robert Brockett and William H. Irvin.

An Act of the General Assembly of March 22, 1850, confirmed the grant of the Common Council of Alexandria of November 16th, 1849, to the Orange and Alexandria Railroad Company to lay a single track railway and necessary turnouts, in the Town of Alexandria beyond certain limits, and to use locomotive steam engines on any portion of its railway within the limits of the Town.

By Act of the General Assembly of March 7, 1851, the Orange and Alexandria Railroad Company was authorized to increase its capital stock one hundred thousand dollars, for the purpose of building a branch of its main line of railroad to Warrenton, Fauquier County, and when forty thousand dollars had been subscribed by persons solvent and able to pay, then the Board of Public Works of the Commonwealth was authorized to subscribe for sixty thousand dollars, on behalf of the Commonwealth, and to borrow the money therefor.

By Act of the General Assembly of March 10th, 1851, the Charter of the Manassas Gap Railroad Company was amended to provide: that when sixty thousand dollars of its stock had been subscribed by persons solvent and able to pay the Board

of Public Works should subscribe on behalf of the Commonwealth for forty thousand dollars of stock, and continue in the same proportion to subscribe to the said stock until three hundred and twenty thousand dollars, or two-fifths, of its capital stock of eight hundred thousand dollars, had been subscribed. This Act provided the funds should not be expended on construction work beyond Strasburg, Shenandoah County, until the work of construction had been completed from its eastern terminus to a point at or near Strasburg. This Act was made subject to the approval of the stockholders called for that purpose.

By Act of the General Assembly of February 8th, 1852, the Orange and Alexandria Railroad Company was authorized to increase its capital stock by the issue of four hundred and twenty thousand dollars thereof, and the Board of Public Works was authorized to subscribe for three-fifths of such increase, to be paid, in proportion to the payments of individual subscribers, to such stock.

By Act of the General Assembly of February 24, 1852, the Manassas Gap Railroad Company and Orange and Alexandria Railroad Company were authorized to contract for its transportation of tonnage, passengers and mail, by the Manassas Gap Company over the tracks of the Orange and Alexandria Railroad Company and for the use of its buildings, depot, water stations and railway tracks.

By Act of the General Assembly of December 6, 1852, the Board of Public Works was authorized to subscribe for one hundred sixty thousand dollars of the capital stock of the Manassas Gap Railroad Company.

By Act of the General Assembly of March 7, 1853, the Manassas Gap Railroad Company was authorized to increase its capital by the addition of eight hundred thousand dollars.

By Act of the General Assembly of March 25, 1853, the City Council of Alexandria was authorized (when approved by

majority of the qualified voters of the City) to subscribe for not exceeding four thousand shares of the capital stock of the Manassas Gap Railroad Company.

By Act of the General Assembly of February 8th, 1853, the Orange and Alexandria Railroad Company was authorized to extend its line of railway to Lynchburg, Virginia.

By Act of the General Assembly of March 10, 1853, the Manassas Gap Railroad Company was authorized to extend its line of railroad east of Thorough Gap to the City of Alexandria.

By Act of the General Assembly of March 14th, 1853, "The City Council of Alexandria was empowered, when authorized by a majority vote of the qualified electorate of the City, to subscribe for four thousand shares of stock in the Orange and Alexandria Railroad Company."

By Act of the General Assembly of January 25th, 1854, the Manassas Gap Railroad Company was authorized to increase its capital stock four hundred thousand dollars for the purpose of constructing its railroad from Strasburg to Harrisonburg, and the Board of Public Works authorized to subscribe thereto a sum equal to three-fifths of such increase.

By Act of the General Assembly March 25th, 1858, the Board of Public Works was authorized to borrow and loan to the Orange and Alexandria Railroad Company four hundred thousand dollars to be expended in the completion of its railroad, and to be advanced in monthly payments of fifty thousand dollars each, commencing March 15, 1858; the principal of the loan and the interest thereon to be first secured by mortgage, or other lien, on all its net tolls, receipts and property, real and personal, or so much thereof as the Board deemed sufficient, and the Board of Public Works was authorized to borrow the money to meet the loan, based upon the security given by the Company for the payment thereof. The acceptance of the benefits of this Act by the Company was, however, upon con-

dition that it should not connect the eastern part of its railroad with the southwestern extension from Charlottesville to Lynchburg by a route separate from that used by the Virginia Central Railroad between Gordonsville and Charlottesville; unless the Virginia Central Railroad Company consent thereto on terms approved by the Board of Public Works.

By Act of the General Assembly of March 25th, 1855, the capital stock of the Manassas Gap Railroad Company was increased two hundred and fifty thousand dollars, and the Board of Public Works authorized to subscribe therefore, and to borrow the money for that purpose, on condition that the company, before receiving the benefit of this subscription, should declare the subscription to be for six per centum preferred stock and the Commonwealth to receive payment thereof perpetually, and, before any other dividends were paid on any other stock held in the Company and provided, that only one-half of the subscription should be called for in 1858, and the residue in 1859, or thereafter at the convenience of the company.

By Act of the General Assembly of April 7th, 1858, the Manassas Gap Railroad Company was authorized to increase its capital stock by the sum of two hundred and fifty thousand dollars, provided the Board of Public Works be not required to subscribe thereto.

February 10, 1860, by Act of the General Assembly, the Board of Public Works was authorized to subscribe for three hundred and fifty thousand dollars of six per cent preferred stock of the Manassas Gap Railroad Company, the dividends thereon to be paid before any dividends on any other stock of the company, provided: that only one hundred and seventy-five thousand dollars, should be called for in 1860, and the residue in 1861.

By Act of the General Assembly, March 16, 1861, it is recited that: Joel Osborne, of Loudoun County, had by his will devised

his real estate in Loudoun County to be sold and the proceeds thereof paid to said company, such payment to be treated as a subscription to the stock hereof, so as to entitle the company to draw the State's proportion of three-fifths of the subscription to be made on its part to said stock.

By Act of the General Assembly, March 30, 1861, it was provided that the Orange and Alexandria Railroad Co. should confess judgment for the amount due by the company to the Commonwealth and, if the company and the Board of Public Works could not agree on the amount, in that event, the amount of the debt should be determined by arbitration.

January 31st, 1866, the General Assembly, by resolution, requested the Board of Public Works to call a meeting of the stockholders of the "Orange and Alexandria Railroad Company to elect a President and Directors of the Company.

By Act of the General Assembly, February 14th, 1867, the Orange and Alexandria Railroad Company was authorized to acquire all the capital stock, rights, property real, personal and franchises of the "Manassas Gap Railroad Company," and to change its name to "The Orange, Alexandria and Manassas Railroad Company," and for such purposes was authorized to increase its capital stock by one million dollars, and to borrow two million dollars and to secure the payment thereof and the interest to accrue thereon, by mortgage upon its railroad, equipment, property rights and franchises.

January 14, 1871, the General Assembly authorized the Orange, Alexandria and Manassas Railroad Company and the Lynchburg and Danville Railroad Company to consolidate and form one company, under the name of "The Virginia and North Carolina Railroad Company."

March 4, 1870, the General Assembly authorized the Orange, Alexandria and Manassas Railroad Company (or when consolidated with the Lynchburg and Danville Railroad Company), the Virginia and North Carolina Railroad Company

was authorized, with the consent of the holders, to cancel all outstanding certificates of stock of the Orange and Alexandria Railroad Company, the Orange, Alexandria and Manassas Railroad Company (in the event of consolidation), also the Lynchburg and Danville Railroad Company, and to issue to the holders of stock in said companies uniform certificates of stock in the Virginia and North Carolina Railroad Company,

March 6, 1871, the General Assembly authorized the Orange, Alexandria and Manassas Railroad Company to purchase, hold, improve and sell lands along its railway and within five miles thereof, and to issue bonds or stock for the amount of the purchase price, and to secure the payment of the purchase price and interest thereon upon the land purchased. Provided, the lands so acquired should not exceed two hundred thousand acres nor to be held longer than fifteen years, except for village lots, depots, machine shops and other necessary purposes of the company.

March 28, 1871, the General Assembly authorized the Orange, Alexandria and Manassas Railroad Company to construct a line of Railway from Orange Courthouse or Gordonsville or some point between said places to some suitable point, on its road between Charlottesville and Lynchburg, or on the Chesapeake and Ohio Railroad, so as to connect the Eastern portion of its railroad with its southwestern extension from Charlottesville to Lynchburg, and for that purpose and the equipment thereof the Company was authorized to increase its capital stock to one million dollars.

March 31, 1871, the General Assembly authorized the Orange, Alexandria and Manassas Railroad Company, for the purpose of funding its mortgage indebtedness, to issue not exceeding six million dollars of Bonds, bearing interest at not exceeding the legal rate, and to mortgage its railroad and all its properties real and personal, rights and franchises, to secure the principal thereof and the interest thereon, provided said

mortgage debt and interest thereon should be subject to the rights of the State, in certain preferred stock of said Company, guaranteed by the Orange and Alexandria Railroad Company.

March 23, 1872, the General Assembly authorized the Orange, Alexandria and Manassas Railroad Company to fund its debt, and for that purpose to issue its bonds to the amount of six millions of Dollars, bearing interest at the legal rate, and to secure the same upon its railroad properties, rights and franchises.

March 25, 1872, the General Assembly authorized the Orange, Alexandria and Manassas Railroad Company to acquire by lease, or otherwise, any railroad beyond the limits of the State, necessary to complete its connections north and south, with its three existing lines of railway.

At this time "Alexandria" as part of the name of these roads disappears from the Acts of the Assembly.

It is unnecessary to add that these roads, under the names Richmond and Danville and Virginia-Midland, through the medium of receiverships and reorganizations ultimately became part of the Southern Railway of the present day.

ALEXANDRIA & FREDERICKSBURG RAILROAD

As early as 1834 the Richmond, Fredericksburg & Potomac had received its charter. For some years prior to 1870 the northern terminus of this road was the pier at Acquia Creek whence passengers and freight traffic continued to Alexandria and Washington by steamer. A rapidly lessening number of Alexandrians can recall making the trip to the Acquia Creek pier on the old steamers *Ironsides* and *Keypoint*. The idea of an all-rail service between Washington, Alexandria and Richmond was, however, agitated prior to 1850 and resulted in a charter for the Alexandria and Fredericksburg Railroad Company.

By Act of the General Assembly of March 24th, 1851, this road was incorporated to build a railroad between towns of Fredericksburg and Alexandria, along the ridge dividing the waters of the Potomac and Rappahannock Rivers, to commence at a point on the line of the existing railroad of the Richmond, Fredericksburg and Potomac Railroad Company, and to terminate at or near the intersection of the Manassas Gap Railroad with the Orange and Alexandria Railroad. The authorized capital stock was three hundred thousand dollars, divided into shares of one hundred dollars each. The City of Richmond, the Town of Alexandria, and the Richmond, Fredericksburg and Potomac Railroad Company were authorized to subscribe to one thousand shares each of the capital stock of the Company, provided, however, that the subscriptions of Richmond and Alexandria, respectively, be approved by a vote of three-fifths of the qualified voters of said City and Town respectively. The Act provided if the Company above chartered, failed to organize within two years from the passage of this Act, then the powers granted thereby were given to the Richmond, Fredericksburg and Potomac Railroad Company, the Orange and Alexandria Railroad Company and the Manassas Gap Railroad Company, or to either of them to effect said connection. The Incorporators were, among others, Reuben Johnston, Andrew J. Fleming, Francis L. Smith, William H. Fowle, and Robert Jamieson, of the Town of Alexandria.

By Act of the General Assembly of February 13, 1856, the Richmond, Fredericksburg and Potomac Railroad Company was authorized to extend its line from such point between Fredericksburg and Acquia Creek as to form a junction with the Orange and Alexandria, and the Manassas Gap Railroads, and to make Quantico Creek, or Occoquan River, points in its route. The Company was authorized to increase its capital stock one million dollars, or to borrow the money for that purpose.

The Civil War intervened before the terms of the 1851

charter of the Alexandria and Fredericksburg road had been fulfilled. The General Assembly of the Restored Government of Virginia, sitting in Alexandria, attempted to revive the project. On February 3, 1864, this body incorporated "The Alexandria and Fredericksburg Railway Company," to construct and operate a Railway from the terminus of the Washington, Alexandria and Georgetown Railroad in the City of Alexandria to the most eligible point on the railroad, from Acquia Creek to the City of Fredericksburg, and the Company was authorized for its purposes to borrow one million dollars at seven per cent per annum, payable semi-annually.

By Act of the General Assembly, June 4, 1870, "The Alexandria and Fredericksburg Railroad Company was relieved from the forfeiture of its charter because of its failure to complete its railway, as limited by its charter; and, extended the time for its completion three years, and authorized the extension of its railway from Alexandria to a point on the Potomac River opposite Washington City, and to bridge the river or to connect with any line of railway, authorized by Congress to bridge the river, and to connect its line with the Richmond, Fredericksburg & Potomac Railroad at the most eligible point between Acquia Creek and Fredericksburg. And when two thousand shares of its stock had been subscribed and ten per cent thereof paid in, the subscribers were made a body corporate by the name of "The Alexandria and Fredericksburg Railway Company."

March 4th, 1871, the General Assembly amended the charter and changed the name of the "Alexandria and Fredericksburg Railway Company" to that of the "Washington and Richmond Railway Company," and authorized it to construct a railway from the south end of the Long Bridge in Alexandria County, opposite Washington, D. C., through the counties of Alexandria, Fairfax, Prince William, Stafford, Spotsylvania (through or touching Fredericksburg), King George, Caroline, King William, Hanover and Henrico, into the City of Rich-

mond, and to construct a branch road from its main line to a point at or near Mathias, on the Potomac River. For these purposes the Company was authorized to increase its capital stock to an amount not exceeding three million dollars, and to borrow two million dollars bearing interest at eight per cent per annum.

March 6, 1882, the General Assembly authorized the merger of the Alexandria and Fredericksburg Railway Company and the Alexandria and Washington Railroad Company. This Act was confirmed by the provisions of an Act of April 21, 1882.

On January 20th, 1890, the General Assembly authorized the consolidation of the Alexandria and Fredericksburg Railway with the Alexandria and Washington road under the name of Washington Southern Railway Company, which later company was more recently absorbed by the Richmond, Fredericksburg and Potomac road.

WASHINGTON & ALEXANDRIA RAILROAD

The effort to supplant the stage as a means of passenger and mail communication between Alexandria and Washington first received legislative sanction in 1854, for on the 27th day of February in that year the General Assembly incorporated "The Alexandria and Washington City Railroad Company," with a capital stock of three hundred thousand dollars, divided into shares of one hundred dollars each, and empowered to build, equip and operate a railroad from Alexandria to Washington, on the plan of James S. French, as set forth in the report of the Committee of the House of Delegates, Document No. 65, Session 1850-51. This Act prohibited the Company from connecting with any other railroad terminating at Alexandria, without the consent of the City Council, and prohibited also the road to pass into the exclusive possession of any corporation without the limits of Virginia.

This railroad was built and operated prior to 1861, for a few years only. Its tracks started from its roundhouse and car shed located at the southeast intersection of St. Asaph and Princess Streets, or opposite the City Jail, its line proceeding from thence north on St. Asaph Street to the then city limits, and then in a northwesterly line to intersect the east side of the Alexandria and Washington Turnpike, and from thence on the east side of the Pike to the south end of the old Long Bridge, the south end of which was a short distance east of the present Railroad Bridge over the Potomac.

By Act of the General Assembly of February 27th, 1856, the Alexandria and Washington Railroad Company, for the purpose of completing its road, was authorized to borrow one hundred thousand dollars, bearing interest at seven per cent per annum.

February 28, 1861, the charter of the Alexandria and Washington Railroad Co. of February 27, 1854, was amended to provide: That James S. French and others named therein, or any two of them, be authorized to open books for subscription to not exceeding three hundred thousand dollars, in shares of one hundred dollars each. This Act validated all proceedings and acts, had and done under the original charter, and prohibited connection with any other railroad terminating within the City of Alexandria, without the consent of the City Council.

January 23, 1864, the General Assembly of the Restored Government authorized the Washington, Alexandria and Georgetown Railroad Company, successor by purchase under a Deed of Trust, to all the franchises, rights and privileges of the "Alexandria and Washington Railroad Company" to increase its capital stock to five hundred thousand dollars, and to issue two hundred thousand dollars of bonds, bearing interest at not exceeding seven per cent per annum, interest payable semi-annually, in addition to the one hundred thousand dollars of bonds issued and authorized to be sold by the Alexandria and

Washington Railroad Company, by Act of the General Assembly of February 27th, 1856, and also authorized the Company to borrow upon its promissory notes authorized by its Board of Directors, not exceeding one hundred thousand dollars, and repealed so much of an Act passed February 27th, 1854, as provided, the Company should not permit its road to pass into the exclusive possession of any corporation without the limits of Virginia.

March 27, 1876, the General Assembly amended the "Act to incorporate a company to construct on the James S. French plan, a Railroad between Alexandria and Washington City," which amendment provided: that the Company should construct, operate and maintain its road within the corporate limits of the City of Alexandria, to its terminus on St. Asaph Street, when it had paid damages to abutting property owners, and had agreed with other railroad companies using its line of railway to honor its tickets between Alexandria and Washington, D. C.

After a few years' service the St. Asaph Street entrance into the city was abandoned and through a series of sales, leases and reorganizations the Washington & Alexandria road assumed the name of Philadelphia, Wilmington and Baltimore, which was succeeded by the Washington Southern operating through Fayette Street to Quantico, where it connected with the Richmond, Fredericksburg & Potomac, the present system extending from the Potomac to Richmond.

March 7, 1900, the General Assembly passed an Act reciting that the Washington Southern Railway Company, by long continued use, occupancy and otherwise, had acquired the rights to maintain its railroad track, on the west half of the Washington and Alexandria Turnpike, between St. Asaph Junction, in Alexandria County, and Washington and Montgomery Streets, in the City of Alexandria, and owned the eastern half of the Turnpike, and was willing to convey the same to such persons or cor-

porations as the Turnpike Company designated. The Act then provides, as follows:

“Section 1. Be it enacted by the General Assembly of Virginia, That the Washington and Alexandria Turnpike Company be, and it is hereby authorized and empowered, to sell, transfer and convey to the Board of Supervisors of Alexandria County, so much of its roadway as may be determined by agreement between said corporations, and on the terms and conditions in the agreement expressed; and is likewise authorized and empowered to sell, transfer and convey the remaining portion of its roadway, and the residue of its property to the Washington Southern Railway Company. And the said Board of Supervisors of Alexandria County, and the said Washington Southern Railway Company, respectively, are hereby authorized and empowered to make such purchase and to enter into the necessary agreements therefor, accordingly.

“Sec. 2. That upon the consummation of the sales and execution of the agreements authorized by the preceding section, which shall be in writing, and recorded amongst the Land Records of Alexandria County, the portion of the roadway of said the Washington and Alexandria Turnpike Company, which shall be thereby sold and transferred to the Board of Supervisors of Alexandria County, shall be, and continue thenceforth forever, a public road and highway, to be kept and maintained as such, at the proper cost, charge and expense of said Alexandria County; and be free and exempt from use by any railroad, or electric, or street railway, except where the same is now, or may hereafter be crossed by branch, spur, or switch tracks of the Washington Southern Railway Company, and likewise free and exempt from any telegraph or telephone line, other than that now located and maintained thereon; and as to the portion of its said roadway, which shall be

sold and transferred to the said Washington Southern Railway Company, that that part thereof, lying between the south end of the Long Bridge and a point five hundred feet south thereof, shall pass to and vest in said last named company, subject to the use by the public, for highway purposes, so long as a public roadway for vehicular and pedestrian traffic shall be maintained on the said Long Bridge; and thereafter, for such proper corporate uses as the said Company, its successors and assigns, shall desire to make of the same.

“Sec. 3. That upon the consummation and execution of such sales and transfers, all of the corporate rights, privileges, and franchises of the Washington and Alexandria Turnpike Company shall cease and determine; and thenceforth said company shall not be under any obligation or duty to maintain a road, or turnpike, or perform any other duty, function or franchise; but shall thereupon be dissolved, and its charter stand *ipso facto*, surrendered to and accepted by the Commonwealth.

“Sec. 4. The Washington Southern Railway Company is authorized to convey the east half, or fifty feet, of the Washington and Alexandria Turnpike between Saint Asaph Junction, in Alexandria County, and Washington and Montgomery Streets, in the City of Alexandria, to the Washington and Alexandria Turnpike Company, or to such persons or corporations as it may nominate and appoint.”

SOME LESSER RAILROADS

The Acts of the Assembly contain references to other railroads which consisted of a charter only or if built, even in part, are forgotten or not readily identified as part of any existing system.

By Act of the General Assembly of February 23, 1853, the Potomac Coal Fields Railroad Company was incorporated to build a railroad from any point upon its own lands to the valley of the south branch of the Potomac River, and from thence by railroad or canal to connect with the Chesapeake and Ohio Canal and the Alexandria Canal. The Company was prohibited from transferring tonnage to the Baltimore and Ohio Railroad, except when the Canal was closed by unavoidable cause. The limitations and restrictions of this Act could not be altered or abolished without the consent of the City Council of Alexandria. The capital stock of the Company was fixed at not less than five thousand, nor more than twenty thousand shares of the par value of one hundred dollars each.

By Act of the General Assembly of April 5, 1853, the Potomac Coal Field Railroad Co. was authorized to contract with the Chesapeake and Ohio Canal Company and the Alexandria Canal Company for the construction work necessary to complete the construction work thereon, and to keep the same in proper condition of repair for the transportation of coal and other freight, from the coal fields and intermediate points to and from Alexandria.

By Act of the General Assembly, March 2, 1867, "The Potomac and Alexandria Railroad Company" was incorporated for the purpose of building a railroad from some point on the Potomac River opposite Georgetown, D. C., to the City of Alexandria, with an authorized capital stock of not exceeding one million dollars, divided into shares of one hundred dollars each.

March 29, 1871, the General Assembly amended Section One of the charter of the "Piedmont and Potomac Railroad Company," authorizing it to open books for subscriptions to its capital stock, for the construction of a railroad from a point on the Potomac River at or near the Chain Bridge, or the Acqueduct Bridge, or the Long Bridge, or upon some railroad leading

to one of them, then to Aldie, Loudoun County, thence to connect with the Orange, Alexandria and Manassas Railroad, at or near Rectortown, Fauquier County, and, thence to or near Luray, Page County, to connect with the Shenandoah Valley Railroad, or the Luray Valley Railroad.

Some construction work was done on this road. The unfinished graded cuts and fills may still be seen through woods and fields in Fairfax County between Falls Church and a point west of Ilda. As late as the early nineties the people of this section were still waiting for its completion.

The two following acts of the legislature probably have a connection with the development of the Southern Railway but cannot be definitely recognized from the text.

March 8, 1880, the General Assembly provided for the purchase by Robert T. Baldwin, Robert Garrett and J. Wilcox Brown, Trustees, on behalf of the creditors secured and unsecured, of the property and franchises of the "Washington City, Virginia Midland and Great Southern Railroad Company" at the sale thereof under the decree of the Circuit Court of the City of Alexandria, and provides also for the organization of a new Corporation to take over the property and franchises of said company.

March 4th, 1884, the General Assembly ratified and confirmed all leases made by or to the "Washington City, Virginia Midland and Great Southern Railroad Company," and authorized the renewal of all such leases.

February 18, 1888, the General Assembly amended the charter of the "Mineral Railroad Company," changing its name to "Alexandria and Charleston Railroad Company" for the purpose of constructing a railroad from Alexandria to a point on the line of West Virginia, within the Counties of Rockingham, Shenandoah or Frederick. Authorized capital stock one million dollars, in shares of fifty or one hundred dollars each.

January 28, 1890, the General Assembly incorporated the "Potomac and Piedmont Railway Company" for the purpose of constructing and operating a railroad from Alexandria to Quantico, or any other point on the Potomac River, and, with power, to connect its line with the Chesapeake and Ohio Railroad. The incorporators were M. E. Ingals, C. H. Carter, Samuel Spender, W. J. Robertson and T. O. Barbour. Capital stock not less than one hundred thousand, nor more than five million dollars, in shares of one hundred dollars each.

March 6, 1890, the General Assembly incorporated the Potomac and Ohio Railroad Company for the purpose of constructing, maintaining and operating a railroad between some point on the Potomac River at or near Alexandria and some point on the West Virginia line, within the counties of Rockingham or Shenandoah, Virginia. Authorized capital stock, one million dollars, in shares of fifty or one hundred dollars each.

April 2, 1902, the General Assembly incorporated the "Potomac and Western Railroad Company," to construct and maintain and operate a railroad with steam, electric or other motive power, from any point on the Potomac River, on the Chesapeake Bay between the Potomac and York Rivers, to any point in the counties of Frederick, Shenandoah, Rockingham, Highland and Bath, provided it should not parallel the Richmond, Fredericksburg and Potomac Railroad. Authorized capital stock, not less than fifty thousand, nor more than two million dollars, in shares of one hundred dollars each.

CONFIRMATORY ACTS

Beginning in 1849 and continuing throughout the century, City Council had granted permission to the several railroads in the city to use the city streets in laying sidetracks for use of local industries. Inasmuch as Council was without authority to so encumber or burden the streets, an Act of the Legislature was necessary to confirm or validate these grants.

By Act of the General Assembly approved March 5, 1900, the following grants were confirmed:

The grants of March 16, 1849, to the Orange and Alexandria Railroad Company, on Wilkes and Union Streets.

March 26, 1876, to W. A. Smoot and Company, and assigns, to connect with the tracks of the Washington and Ohio Railroad Companies and the switches legalized for the use of W. A. Smoot and Company and assigns, owning properties abutting on Union Street, subject to the use of the Southern Railway Company, in handling freight and the conduct of its business.

December 17, 1876, as amended March 11, 1887, and March 12, 1896, to the Virginia Midland Railway Company, on Union Street, between King and Wolfe Streets, and from Fayette Alley on Union Street to Oronoco Street and legalized it for the use of the Southern Railway Company and its successors.

March 25, 1890, the tracks across Union Street, running into the property of the Alexandria Fertilizer and Chemical Company and fronting thereon, and legalized the use of the tracks by the Southern Railway Company.

April 27, 1890, to John R. Zimmerman to lay railroad tracks on Union Street, between Common and Queen Streets, subject to use by the Southern Railway Company.

June 28, 1892, to Herbert Bryant, to construct a railroad track at the foot of Duke Street to connect with the Washington Southern Railway Company, and subject to its use.

June 30, 1893, to the Richmond and Danville Railroad Company and its successors to lay and operate its railroad tracks on Jefferson, Green, Church and Lee Streets, to connect with its tracks on Union Street.

February 4, 1896, to the "Robert Portner Brewing Company" to lay tracks on Wythe Street to connect with the tracks of the Southern Railway Company on Union Street, subject to use by the Railway Company.

JOTTINGS FROM THE ANNALS OF ALEXANDRIA

June 22, 1897, to De Wilton Aitcheson, to construct a side track or switch to connect with the tracks of the Southern Railway Company on Union Street, subject to use by the Railway Company.

March 22, 1896, to the Southern Railway to lay a railway track and necessary turnouts on Lee Street, north to Wythe Street, and west on Wythe Street to St. Asaph Street.

January 30, 1900, to the Southern Railway Company, to lay its tracks on west side of Henry Street, from the north side of Duke Street to the south side of Wolfe Street.

February 13, 1900, to the Alexandria Fertilizer and Chemical Company, on Union Street, between Princess and Queen Streets, connecting with the Southern Railway; with the use thereof to the Southern Railway Company.

March 7, 1900, the General Assembly confirmed the grant by the City Council of Alexandria to the Washington Southern Railway Company to maintain and operate its tracks as then constructed on Henry, Fayette and St. Asaph Streets.

January 27, 1900, the General Assembly confirmed the grant of the City Council of Alexandria of May 12, 1868, for the construction of a side track or switch on Wilkes Street between Washington and St. Asaph Streets, for the use of C. C. Smoot and Sons Company, its successors and assigns, subject to the use of the Southern Railroad Company, in conducting the business of C. C. Smoot and Sons Company.

February 2, 1901, the General Assembly validated and confirmed ordinance of December 11th, 1900, of the City Council of Alexandria, authorizing the Washington Southern Railway Company to construct, maintain and operate a switch or side track upon St. Asaph Street between Madison and Pendleton Street, and to construct, maintain and operate spur tracks, at any point between said streets, to connect with the property of the Robert Portner Brewing Company. This Act was confirmed

JOTTINGS FROM THE ANNALS OF ALEXANDRIA

and approved by Act of the General Assembly of February 12, 1901.

THE RIVER

Since 1779 Alexandria has been a Port of Entry. Its importance as a shipping center was early recognized and rapidly developed. Railroad construction and operation following the Civil War, however, resulted in an ever increasing loss of river traffic—passenger and freight. The more recent advent of good roads and motor transportation has now practically destroyed all local river business, but the following statutes will remind some few of our citizens and inform others that the river front was once a busy center.

By Act of the General Assembly, of March 13th, 1848, Joseph Nevitt, George H. Smoot, D. Boyd Smith and others were constituted a "Board of Commissioners of Potomac Pilots" between Alexandria and Cape Henry, with power to examine and license pilots between Alexandria and Cape Henry, and to make and enforce rules and regulations concerning pilots and pilotage between said points.

By Act of the General Assembly of March 15, 1849, the last mentioned Act was amended to provide that: if any Master of a vessel reach Alexandria without being spoken by a licensed pilot, should have the right to proceed to sea with or without a pilot at his discretion, unless, though not spoken at sea, he employed a pilot to conduct his vessel to the Port of Alexandria.

Act of the General Assembly of February 21, 1853, provided that no Commissioner of Pilots should be appointed or removed, unless five Justices of the County be present, and, provided also, that the rates of pilotage of vessels should be subject to the following qualifications: A pilot should not be entitled to more than three dollars and fifty cents per foot from sea to Alexandria, nor more than two dollars and fifty cents per foot from Alexandria to sea. Foreign merchant vessels not

placed by treaty, on the same footing as vessels of the United States, should pay one-fourth more than domestic vessels.

By Act of the General Assembly of March 29th, 1853, the Alexandria and Washington Navigation Company was authorized to issue stock to the amount of not less than twenty-five thousand, nor more than one hundred and twenty-five thousand dollars, divided into shares of fifty dollars each.

By Act of the General Assembly of January, 1854, "The Washington, Alexandria and Mt. Vernon Steamboat Company" was incorporated to operate a steamboat line for conveying passengers and freight between Washington, Alexandria, Mount Vernon or other points for the Potomac River. The first steamboats were the *George Page* and *Thomas Colyer*; the first was on the ferry line between Washington and Alexandria and the second was on the Mt. Vernon and the Lower River line.

By Act of the General Assembly of March 17th, 1856, the joint stock company known as "The Alexandria Steam Ferry Company," was incorporated to run a ferry from the City of Alexandria across the Potomac River to the opposite shore of the river at any point in Maryland or the District of Columbia. This ferry was established and operated for many years between Alexandria and "Fox's Landing," Maryland, on the opposite side of the river, fronting King Street.

March 20th, 1860, by Act of the General Assembly, the County Court of Alexandria County was authorized to appoint five suitable persons on a Board of Commissioners, to examine and license pilots for the Potomac River, and to require bond of five hundred dollars from each for the faithful discharge of duty as such.

February 24th, 1860, Dennis R. Blacklock and others were incorporated by the name of "The Alexandria and Maryland Steam Ferry Company" for the purpose of conveying passengers and freight between Alexandria and the opposite shore of

the Potomac River in Maryland or the District of Columbia. Capital stock to be not less than two nor more than fifteen thousand dollars, divided into shares of fifty dollars each.

March 29th, 1860, John J. Wheat, Benjamin H. Lambert, Robert W. Wheat, William G. Hunter and Benoni Wheat were incorporated by the name of "The Alexandria, Washington, Georgetown and Baltimore Navigation Company" for the purpose of conveying passengers and freight from Alexandria to other points in the navigable waters of Virginia and to Baltimore and elsewhere.

March 19th, 1860, Philip B. Hooe and others were incorporated by the name of "The New York and Virginia Screw Steam Ship Company" to operate a line of steamships for the carriage of freight and passengers between Alexandria, Virginia and Washington and Georgetown, D. C., and the City of New York and such other ports or places the company determined.

By Act of the General Assembly, March 27, 1861, the Act of the General Assembly of March 20, 1860, relating to pilots and pilotage on the Potomac River was amended and re-enacted to provide: Sec. 1—That the County Court of Alexandria County appoint a Board of five commissioners to examine and license pilots on the Potomac River between Point Lookout and Alexandria. Section 3 prescribes the pilotage fees to be paid by foreign and domestic vessels between said points. Domestic vessels carrying coal or ballast were exempt from pilotage fees.

February 8, 1864, the General Assembly incorporated the "Potomac Ferry Company" to operate a line of vessels propelled by steam or other motive power between the cities of Alexandria and Washington on the Potomac River, the Chesapeake Bay or its tributaries.

By Act of the General Assembly, February 6, 1867, "The Alexandria Dock Company" was incorporated for the purpose of building at or near Alexandria, wharves, piers, docks, basins,

lift-locks, buildings, machines and other works for the accommodation of vessels and boats; for the convenient landing, shipping, receiving, delivering and storing of coal, goods, wares and merchandise; and for such purposes to connect by canal with the Alexandria Canal, or any part thereof.

By Act of the General Assembly, July 9, 1870, any Court of Record of Alexandria City or County was authorized to constitute a Board of Examiners of applicants for license as pilots on the Potomac River and its branches. The Board to be composed of five members, one of whom was required to be a licensed pilot. The officers of the Board were required to be located in Alexandria.

January 30, 1872, the General Assembly adopted a joint resolution petitioning Congress for the construction of a bridge across the Potomac River, connecting the City of Washington with Virginia and to make an appropriation therefor.

April 22, 1882, the General Assembly incorporated the "Alexandria Ferry Company" to establish and operate a ferry line between Alexandria and the Maryland shore of the Potomac River. Authorized capital stock, not less than fifteen hundred, nor more than five thousand dollars. The incorporators were: Edward S. Leadbeater, Henry Strauss, W. W. Herbert, Isaac Eichberg and John B. Smoot.

March 6, 1886, the General Assembly gave consent to the United States Government to acquire land on the Potomac River opposite Washington, D. C., necessary for the approaches to a bridge across the Potomac River to be constructed from Alexanders Island in Alexandria County to the opposite side of the river in Washington, D. C.

February 16, 1892, the General Assembly incorporated the "Virginia, Washington and Maryland Ferry Company" to maintain and operate a steam ferry between Alexandria, Washington, D. C., and the Maryland Shore of the Potomac River, Sheridan's Point on the Virginia shore of the River, and be-

tween said Point and Alexandria. Authorized capital stock not less than fifty nor more than two hundred and fifty thousand dollars, in shares of one hundred dollars each.

This was the C. W. Ridley Company, which for years enjoyed much of the freight and passenger business.

February 10, 1894, the General Assembly incorporated the "Virginia and Maryland Steam Ferry Company" to equip, operate and maintain a steam ferry for the transportation of freight and passengers, between any point or points on the Potomac River, within the State of Virginia, to any point or points in the State of Maryland or the District of Columbia, authorized capital stock not less than twenty-five thousand dollars with power to increase the same when necessary, for constructing, equipping and operating its steam vessels. The incorporators were William E. Clark, Levi Woodbury, John Callahan, Clarence E. Norment, C. B. Orcutt and A. S. Britton. On March 5th, 1894, the capital stock was decreased.

MOUNT VERNON

The history of Mount Vernon, its owner and occupants, is so closely interwoven with that of our city we would be remiss in our duty if we did not include in these papers the legislative story of its transfer from the Washington family to its present owners and friendly conservators.

By Act of the General Assembly of March 17th, 1856, "The Mount Vernon Ladies Association of the Union" was incorporated to raise by subscription a fund sufficient to purchase two hundred acres of Mount Vernon, the purchase to include the Mansion and the Tomb of General George Washington, and to convert the same into public property, to be forever held by the State of Virginia, sacred to the memory of the Father of his Country, the State to hold the large sum already contributed and to be contributed for that purpose.

Section 1. The Treasurer of Virginia was directed to receive into the Treasury of the State (in addition to the large sum of contributions then in the State Treasury) all further contributions to the fund, and to hold the same for the Association until the fund was sufficient to purchase the estate.

Sec. 2. The Treasurer of the State was required to keep separate accounts for the fund and to make report of its amount and condition to the Governor every six months, and to the General Assembly at every session. The Treasurer was required to keep a record in duplicate of the names of all contributors to the fund and of the amount contributed by each, one copy to be placed and kept forever in the archives of Virginia; and the other copy deposited in the least destructive part of any monument or other improvement erected on Mount Vernon.

Sec. 3. The Governor of Virginia was authorized and required to obtain as soon as practicable from John A. Washington, his heirs or assigns, a contract signed and sealed, to convey by proper deed to the State of Virginia two hundred acres of land out of Mount Vernon at any time within five years from the passage of this Act, the Governor paying to him, or his heirs, the sum of two hundred thousand dollars.

Sec. 4. The deed to the land was required to be in fee simple, subject to the right of the grantor to inter in and around the family vault any and all members of the Washington family legally descended from the Washington family, and the right to maintain perpetually the interment of those already interred there. That the deed should recite that the purchase price was paid by the "Mount Vernon Ladies Association of the Union," and at their instance conveyed to the State of Virginia, to be kept free from injury and desecration, and held in trust for said

Association forever sacred to the memory of George Washington, whose mortal remains shall be perpetually thereon. The estate was made subject to visitation by the State of Virginia, and to such proper improvements as the Association desired to make. If the Association defaulted in the performance of the obligations imposed upon it by this Act, then the possession of the estate should vest in the State of Virginia.

Sec. 5. Requires that the two hundred acres of land should include the Tomb of George Washington, mansion, grounds, and the wharf and landing on the Potomac River.

Sec. 6. The Governor was required to invest the money paid into the State Treasury on account of the Association at the rate of six per cent per annum, and to invest the accrued interest thereon until the same amounted to two hundred thousand dollars, and thereupon pay the same to John A. Washington, and take a deed for said land and all appurtenances thereto belonging, intended to be conveyed.

Sec. 7. Authorized the Association to charge an admission fee of twenty-five cents, and no more, from each and every person over ten years of age, landing at or visiting Mount Vernon and the Tomb of General Washington.

Sec. 8. The Governor was authorized to appoint annually a Board of five visitors to Mount Vernon, to examine and report to him the proceedings of the Association and their compliance or non-compliance with this Act and other laws of the land.

Sec. 9. The Association is incorporated for the purpose of raising money to purchase two hundred acres of land out of Mount Vernon and to possess and to manage the same as provided by this Act. The Association was not to have

the benefits of this Act until it prepared a Constitution and By-Laws for its government, and the same were submitted to the Governor for his approval and had filed the same so approved with the Secretary of the Commonwealth. The names of the incorporators are not given in this Act.

By Act of the General Assembly of March 19th, 1858, the charter of "The Mount Vernon Ladies Association of the Union" was amended to provide that the Ladies of the Association be constituted a body politic and corporate under the name above mentioned, subject to the provisions of the laws of Virginia relating to like corporations, in so far as applicable. The Association was authorized to purchase, hold and improve two hundred acres of Mount Vernon, including the Mansion, the tomb of George Washington, and the garden, grounds and wharf on the Potomac River, provided: the Association should not have power to alien the land or any part thereof, or to create a charge thereon, or to lease the same without the consent of the General Assembly. The capital stock of the Association, including the two hundred acres of land, was limited to five hundred thousand dollars. The Association, in contracting with the proprietor for the purchase of Mount Vernon, was authorized to contract with him to reserve the right to inter the remains of such persons as were in the vault of Mount Vernon, and as well such as were not then interred, and to place the vault in such secure and permanent condition as he saw fit, and to enclose the same so as not to include more than a half acre of land, the vault, the remains in and around it, and the enclosure should never be removed or disturbed, nor any other person thereafter to be interred or entombed within the said vault or enclosure. This Act provided, also, that the Association should hold the property so purchased forever, sacred to the Father of his Country, and if for any cause the Association ceased to exist, the property owned by the Association should revert to the Com-

monwealth of Virginia, sacred to the purposes for which it was originally purchased.

January 25th, 1879, the General Assembly again amended the charter of the "Mount Vernon Ladies Association of the Union" to provide: that the Governor should appoint annually "five suitable and proper men" to constitute a Board of Visitors for Mount Vernon, who without compensation were required to report to the Governor the proceedings of the Association, and whether it had or had not complied with the requirements of the Act of its incorporation.

BANKS

It may be remembered, the General Assembly of Virginia in 1792 chartered the first bank in Alexandria, reference to which has heretofore been made. This original charter expired by limitation in the early years of the 19th century. In the meantime the City had become a part of the District of Columbia and for some years following all banking charters were by Congressional Act. Charters, amendments and consolidations were numerous, but all the financial institutions so originating have long since ceased to exist.

First of these Congressional charters was that issued to the Bank of Alexandria by an Act dated February 15, 1811—U. S. at L., Vol. 2, page 621. This appears to have been a revival of the earlier bank of the same name.

Banking possibilities at this time appear to have been bright in our City, for within twenty-four hours after the second Bank of Alexandria was created Congress issued two more charters to Alexandria banks, namely, Farmers Bank of Alexandria and the Bank of Potomac, both on February 16th, 1811. U. S. Stat. Large, Vol. 2, pages 629 and 639.

The last Congressional bank charter was that granted to the Mechanics Bank of Alexandria on May 16, 1811. U. S. Stat. Large, Vol. 2, page 735.

By Act of the General Assembly of Virginia, of March 1st, 1847, the shareholders of the Bank of Potomac and Farmers Bank of Alexandria (before incorporated by Act of Congress) were reincorporated; the first as "The President, Directors and Company of the Bank of Potomac," and the second by the name of "The Farmers Bank of Alexandria, Virginia." The second section of this Act provided for the merger of these Banks as follows: The Bank of Potomac, with the Farmers Bank of Virginia, and the Farmers Bank of Alexandria, with the Exchange Bank of Virginia, and the Banks into which the two named Alexandria Banks were merged, were respectively authorized to open offices of discount and deposit, in the Town of Alexandria.

March 20, 1847, the General Assembly of Virginia incorporated the Alexandria Savings Institution. Its capital stock was limited to fifty thousand dollars. Its powers, rights and privileges were subject to the provisions of an Act of March 24th, 1838, regulating the incorporation of institutions, societies or banks. The incorporators were Lewis McKenzie, Robert Jamieson, Johnson R. Johnson, J. Roach, Cassius F. Lee, Robert Brockett, W. G. Cazenove, Francis L. Smith, J. H. McVeigh, Stephen Shinn, E. Snowden, A. J. Fleming, John Muir, George O. Dixon, John F. Dyer, Daniel F. Hooe, and others.

By Act of the General Assembly of March 29th, 1851, "The Bank of the Old Dominion" was incorporated, with a capital stock of not less than two hundred thousand dollars nor more than five hundred thousand dollars. The incorporators were Lewis McKenzie, Robert H. Miller, John H. Brent, George H. Smoot, Reuben Johnston, Andrew J. Fleming, C. P. Shaw, C. C. Smoot, W. G. Cazenove, John J. Wheat, John B. Daingerfield, George D. Fowle, Isaac Buckingham, John Withers, Benjamin H. Lambert, William N. McVeigh, R. G. Violet, D. B. Smith, Benjamin Barton, John F. Dyer and James A. English.

Act of the General Assembly of March 21, 1853, authorized the increase of the capital stock of the branch of the Exchange Bank of Alexandria to the sum of three hundred and fifty thousand dollars, not to be sold for less than par.

By Act of the General Assembly April 8th, 1858, "The Farmers and Mechanics Savings Bank of Virginia, at Alexandria, was incorporated, with unlimited capital stock, divided into shares of ten dollars each. The incorporators were Reuben Johnston, A. B. Brellan, S. G. Miller, Richard Randolph, Thomas S. Jamieson, John McKenzie, and John West were incorporated by the name of "The Farmers and Mechanics Savings Bank of Virginia, at Alexandria," with authority to establish an office in Washington, D. C.

This Bank occupied the large brick building, now an apartment house, situated on the north side of Prince Street, midway between Royal and Pitt Streets. This building was also the Governor's Mansion and Capitol building of the State of Virginia, under the so-called restored government.

Amendments to the charter of this Bank were made by the General Assembly on March 31st, 1860, and January 25th, 1864.

In an Act of the General Assembly passed December 15th, 1864, is found the first legislative reference to a now existing local bank. This Act authorized Lewis McKenzie, James M. Stewart, A. C. Harmon and William Arnold, Directors of the Alexandria Board of the "Exchange Bank of Virginia" to subscribe for and on behalf of said Bank to the stock of the First National Bank of Alexandria, and to receive and invest the dividends received therefrom in the stock of the National Bank, or United States securities, for the use of the Exchange Bank at Alexandria.

By Act of the General Assembly, March 15, 1867, "The Alexandria Banking and Insurance Company" was incorporated with an authorized capital stock of not less than twenty thou-

sand dollars nor more than three hundred thousand dollars, in shares of fifty dollars each, with power to conduct a banking and insurance business. Its charter provided that two-thirds of its capital stock should be secured on twice its value of unencumbered real estate. The incorporators were Edgar Snowden, Francis L. Smith, John B. Daingerfield, Wm. H. Marbury, John B. Smoot, T. A. Brewis, Benjamin H. Lambert, J. S. Barbour and T. B. Robertson.

The charter of the old Farmers and Mechanics Savings Bank evidently expired, for by Act of the General Assembly April 27, 1870, "The Farmers and Mechanics Savings Bank of Alexandria" was incorporated with the following named incorporators: Andrew Jamieson, Lewis McKenzie, Robert H. Miller, S. Ferguson Beach, Robert Bell, Jr., Reuben Johnston and Wilton H. Lambert. The shares of stock were ten dollars each, without any limitation in the Act as to the amount of its authorized minimum or maximum capital stock.

March 26, 1872, the General Assembly amended Section 2 of the charter of this institution to authorize infants under twenty-one years, without a Guardian, and married women, to check on their deposits in the Bank.

April 28, 1874, the General Assembly incorporated "The Bank of Potomac and Safe Deposit Company of Alexandria," the capital stock to be not less than twenty-five thousand, nor more than two hundred thousand dollars. The incorporators were: Lewis McKenzie, Louis Stein, Robert Portner, Samuel H. Janney, John H. Burroughs, George E. French, David Appich, John Stator, David G. Watkins, Herbert Bryant, Charles C. Smoot, F. E. Corbitt, Benjamin Barton, Edgar Snowden, Jr., Robert Bell, Jr., W. Dulany Ball, William Gregory, Andrew J. Fleming, Samuel J. Reed and Bazil Brawner.

January 8, 1875. The General Assembly extended the Corporate powers of the "German Banking Company of Alexandria, Virginia," authorizing it, with the consent of parents or

guardians, to receive deposits from minors of their individual earnings, as if they were of full age, and to honor their checks thereon, also to receive deposits from married women, of their personal earnings, and to honor their checks thereon.

This last named Bank occupied a building on the north side of King Street east of the present site of the Citizens National Bank. The original building was set back from the sidewalk and was partially hidden by large trees. About forty years ago it was extended to the sidewalk, a modern front erected and it is today occupied by a chain grocery unit.

EDUCATION

We have seen that as early as 1786 the General Assembly incorporated the Alexandria Academy. Many years elapsed before Alexandria enjoyed the privilege and benefits of the creation and development of Virginia's public school system, but in the meantime her citizens were diligent in their efforts to educate the people.

March 22, 1847, the General Assembly of Virginia enacted that Robert Jamieson, James H. McVeigh, Lewis McKenzie, James Vansant, Charles M. Taylor, James Green, Charles C. Smoot, William Gregory, Edgar Snowden and others be constituted a body politic and corporate, by the name and style of "The Trustees of the Female Free School of Alexandria" with perpetual succession, common seal and corporate powers usual and necessary, to like corporations.

By Act of the General Assembly of January 11th, 1849, the "Board of School Commissioners of the County of Alexandria" was authorized to apply such portion of its annual school quota as by them deemed proper, to the support of the "Lancasterian School" established by the Common Council of Alexandria, and the "Female School of Alexandria."

By Act of the General Assembly, of February 28, 1854, "The Trustees of the Protestant Episcopal Theological Seminary and

High School in Virginia" was incorporated with power to hold, receive and to purchase, to them and their successors forever, and to manage and dispose of lands, tenements, money and chattels, as may seem best for the Seminary and School, the holdings of land not to exceed two hundred and fifty acres, and the holdings of chattels and money not to exceed two hundred and fifty thousand dollars. The incorporators and trustees were William Meade, John Johns, Edward C. McGuire, John Grammar, John P. McGuire, Charles P. Dana, Alexander Jones, George Adie, George Woodbridge, William Pollock, Cassius F. Lee, Dr. Thomas H. Claggett, Richard H. Cunningham, William H. MacFarland, Jeremiah Morton and Pike Powers.

This charter was later amended by the following acts:

January 23rd, 1872, amended Section 2 of the Charter to provide: That the Trustees should have power to appoint a President, Treasurer and Secretary of the Corporation, and all professors, tutors and other officers, by the Trustees, deemed necessary; and, to make by-laws, rules and regulations, not inconsistent with the laws of Virginia, or of the United States. A majority of the Board necessary to the transaction of business.

March 4, 1884, authorized the Trustees of the Protestant Episcopal Seminary and High School to acquire and hold personal property in addition to its then holdings, not to exceed five hundred thousand dollars.

February 7, 1898, the General Assembly authorized the Trustees of the "Protestant Episcopal Theological Seminary and High School in Virginia" to confer the degree of "Bachelor of Divinity," under such rules and regulations as they deemed proper.

March 3, 1898, the General Assembly authorized the "Protestant Episcopal Theological Seminary and High School in Virginia," to acquire and hold title in the aggregate, to one thousand acres of land in Virginia.

St. John's Academy, Alexandria, is remembered by many Alexandrians of today. Under the direction of the late beloved Richard L. Carne, it was an educational force in Alexandria for many years.

By Act of the General Assembly, March 29, 1870, the Governor was authorized to loan to "St. John's Academy, Alexandria," a sufficient number of arms to enable its students to drill as volunteer militia.

February 12, 1894, the General Assembly incorporated the "St. John's Academy," which had existed in the City of Alexandria from 1833, and of which the late Richard L. Carne, a devout Catholic and consecrated Christian, was principal. I esteem it a high privilege to have been a student under his tutorage as a boy during the sessions of 1859-60, and 1860-61, when the school was closed temporarily. The incorporators of the Academy were Richard L. Carne, James R. Caton, Lawrence W. Corbett, William F. Carne, Michael B. Harlow, Samuel G. Brent and Leonard Marbury.

The Academy did not long survive the issue of this charter. For some years prior to its closing the Academy occupied the building at the southeast corner of Duke and Columbus Streets.

By Act of the General Assembly, July 11, 1870, the first "Uniform System of Public Free Schools" was adopted, and provision made for the establishment, development and support of "Free Schools" in Virginia.

Efforts for the advance in education among the negro race were not lacking, for February 2, 1898, the General Assembly incorporated the "John Hay Normal and Industrial School of Alexandria, Virginia." The incorporators were Mangus L. Robinson, John A. Seaton, H. J. Williams, W. A. Carter, William Bayne and W. H. Lee.

Later, on March 6, 1900, the General Assembly incorporated the "First Free School Society of Alexandria, Virginia," for the promotion of the education and welfare of the children

of the colored race in Alexandria. The incorporators were Washington N. Jackson, Freeman H. M. Murray, Robert W. Bently, James W. Lumpkins and others, all residents of Alexandria. For many years prior to its incorporation this Society had been in existence for the purposes expressed in this charter.

CHARITABLE ORGANIZATION

Charities—separate and distinct from the charitable activities of the municipality—appear in legislative records at an early date.

March 22, 1847, the General Assembly of Virginia enacted that Robert Jamieson, Hugh C. Smith, James H. McVeigh, Lewis McKenzie, James Green, Charles C. Smoot, William Gregory, Edgar Snowden, J. F. M. Lowe, Robert H. Miller, Robert Crupper, William N. McVeigh, Stephen Shinn, William H. Fowle, John Withers, George J. Thomas, John F. Dyer and James McGuire constitute a body politic and corporate by the name of "The Trustees of the Orphan Asylum of Alexandria" with perpetual succession and power to acquire and hold real estate and personal property not exceeding one hundred thousand dollars.

By Act of the General Assembly of January 5, 1854, "The Alexandria Widow's Home and Orphan Asylum for Boys" was incorporated with power to hold not exceeding ten acres of land in the City and County of Alexandria, and to erect thereon suitable and proper buildings for its purposes, viz.: to provide a home or asylum for widows and single women of good character and an asylum for orphan boys, all persons contributing one hundred dollars, in gross, and all persons who agreed to contribute not less than ten dollars annually, for ten years or more, became members of the corporation and were entitled to all the rights of Stockholders in the Corporation; and, the corporation

was authorized to make all necessary rules and regulations for the Corporation and, regulating admissions to, and the conduct of persons therein, and power to enforce the same. The incorporators were John Withers, John T. B. Perry, William Bayne, Edward Kingsford, Benjamin Waters, Samuel H. Williams, Acquilla Lockwood, James A. English, Harrison Bradley, Joseph Gregg, Isaac Buckingham, William D. Massey, Thomas Jacobs, Cassius F. Lee, Reuben Johnston, Charles B. Dana, William H. Fowle, James R. Riddle, James Entwisle, James McKenzie, Robert Bell, Benjamin Barton, Robert Jamieson, Edward Snowden, William N. McVeigh, Robert H. Miller, Benjamin Hallowell, James C. Hallowell, James Roach, J. Laphen and John Tatspaugh. This Orphan Asylum was located at southeast corner of Pitt and Wolfe Streets, and the Widows' Home adjoining the Asylum on the east.

By Act of the General Assembly December 21st, 1857, the charter of the Alexandria Orphan Asylum was changed to the name of the "Trustees of the Male and Female Orphan Asylum and Widow's Home of Alexandria," in the City of Alexandria.

February 18, 1886, the General Assembly authorized the "Trustees of the Orphan Asylum of Alexandria" and the "Trustees of the Female Free School of Alexandria" to convey and transfer all the properties real and personal held by them respectively, to the "Alexandria Infirmary."

March 14, 1902, the General Assembly amended the charter of the "Alexandria Infirmary" to provide: That its name thereafter should be "The Alexandria Hospital" and under such name was vested of all the properties, real, personal and mixed, and of all the corporate powers, rights, privileges, exemptions and immunities of every description or kind whatsoever.

The buildings at the southeast corner of Pitt and Wolfe Streets were architectural oddities but served well the commu-

nity. As the Alexandria Infirmary and later the Alexandria Hospital, their doors were open to the sick and injured until about sixteen years ago, when the present hospital was erected. Other benevolent organizations were chartered as follows:

By Act of the General Assembly, February 19th, 1858, the "German Benevolent Association of Alexandria" was incorporated by George A. Bossart, August H. Fuchel, Julius Deinel, Charles Brill, Augustus Opperman, and Adam Schwab.

By Act of the General Assembly, February 12, 1861, the Hebrew Benevolent Society was incorporated for benevolent purposes, with power to acquire, hold and dispose of real estate and personal property for its purposes, not exceeding in value ten thousand dollars.

By Act of the General Assembly, May 10, 1870, the "Alexandria Catholic Beneficial Society of Alexandria, Virginia," was incorporated by E. Magruder Lowe, Richard M. Latham, George H. Harlow, Edward Hughes, Thomas Dwyer, John Lannon and Norman F. Moore. The former corporation of the same name and its assets, real and personal, were merged in this corporation.

March 18, 1871, the General Assembly incorporated "The Conference of St. Mary of the Society of Saint Vincent of Paul, in the City of Alexandria," provided that it should not hold or possess at any one time property exceeding in value two hundred thousand dollars. The purposes of the Society were to assist widows, orphans and the poor, and to establish and conduct schools, houses of refuge and asylums, for the aged and orphans. The incorporators were Rev. Thomas McDonough, Richard L. Carne, Victor Becker, Richard M. Latham, Anthony Moran and Seymour B. Stoutenburgh.

March 18th, 1872, the General Assembly incorporated "The Mutual Benevolent Association of the Orange, Alexandria and Manassas Railroad Company," as successor to a Voluntary As-

sociation of the same name, and succeeded to all its rights and properties.

February 27, 1879, the General Assembly incorporated the "Sons and Daughters of Canaan, of the City of Alexandria, Virginia," for the mutual benefit, protection and assistance of its members, and the burial of the dead.

February 10, 1880, the General Assembly incorporated the "Grand Council of the Grand Ancient Order of Sons and Daughters, Brothers and Sisters of Moses" in the State of Virginia, for the purpose of maintaining and educating orphan children of its deceased members, the care of the sick and the destitute, and the burial of its dead.

February 18, 1886, the General Assembly incorporated the Aged Men and Women's Society of Alexandria, Virginia."

WATER AND GAS COMPANIES

The Alexandria Water Company was incorporated March 22, 1850, by an Act of the General Assembly, with the following named incorporators: Hugh C. Smith, Stephen Shinn, Cassius F. Lee, James Green, Francis L. Smith, Robert H. Miller, Peter G. Uhler, Thomas W. Smith, and George D. Fowle. The capital stock of the Company was fixed at not less than ten, nor more than one hundred thousand dollars, in shares of fifty dollars each. The Common Council was empowered with the consent of three-fifths of the legal voters of the Town, to subscribe for not exceeding twenty-five thousand dollars of its stock, provided three-fifths of the legal voters of the Town, upon a vote to be taken, consented thereto. The Company was required, in case of fire, under proper, convenient and reasonable regulations made for the purpose, without hesitation, to throw open and make easy of access to any of its reservoirs, plugs, water plugs, hydrants, or other fixtures containing a supply of water, to enable citizens of the Town, fire companies or

others, more readily to extinguish fires, and to be free of any fee, charge or demand whatsoever.

On the same day, by Act of the General Assembly, "The Alexandria Gas Light Company" was incorporated with the powers following to construct suitable works for the manufacture and distribution of illuminating gas for public and private illumination; and for its purposes to purchase and hold not exceeding three acres of land; its capital stock to be not less than twenty thousand dollars and not over one hundred thousand dollars, each share entitled the owner to one vote in person or by proxy. The Company was authorized to open the streets, lanes, alleys and public squares for its purposes. The Common Council was empowered to pass and to enforce proper laws or ordinances to protect the rights and property of the Company. The Common Council was authorized, on behalf of the Town, to subscribe not exceeding twenty-five thousand dollars to the stock of the Company, when approved by a majority of the legal voters of the Town. The incorporators were: Robert Jameson, Richard C. Smith, John B. Daingerfield, Wm. H. Fowle, Benjamin H. Lambert, William G. Cazenove, George H. Smoot and Reuben Zimmerman.

The Water Company was never owned by the City. The Gas Company or plant later became City property and was so operated until several years ago, when it, with the gas franchise, was sold for three-quarters of a million dollars.

CHARTER CHANGES 1865 TO 1922

The first changes in the City Charter after the Civil War period were contained in an Act of the General Assembly approved January 27th, 1865.

The first section changed the City limits as set out in the Act of May 2, 1858. By the latter Act the south and southwest boundary began at a point in the line dividing Fairfax County

and Alexandria, "thence southerly parallel to and distant ten feet from Hoof's Run to the middle of Hunting Creek, then with the middle of the creek to the river." By the Act of January 27th, 1865, this line was altered and made to run from the given point on the Fairfax-Alexandria boundary, in a southeast direction along this dividing line into the river at Jones' Point.

The same section provided the laws of the City relating to police and health and service of process in the City, were given like effect as in the City over the territory lying between said limits and Poor House Lane on the north, ten feet west of Hooff's Run or Mushpot Run on the west, and Hunting Creek on the south.

Section 2 divided the City into four wards as follows: The First Ward was bounded by the center of Pitt Street on the west, on the south by a line drawn from the Potomac River to the western City limits; Second Ward was bounded by the center of St. Asaph Street on the west, the Potomac River on the east, and on the north by a line drawn from the river to the center of St. Asaph Street; Third Ward was bounded by the center of St. Asaph Street on the east, and a line drawn from the river on the north; and the Fourth Ward embraced the residue of the City. The east and west dividing line was midway between King and Prince Streets.

The third section extended the jurisdiction of the City over the limits defined by Section 2, and over the harbor and all vessels at anchor therein in any part of the river below Pearson's Island and the south side of Hunting Creek.

Section 5 provided for the election of four Councilmen from each ward, divided into two classes, two of each class from each ward, the first class to serve one year and the second class two years, and so on perpetually, so that one-half of the Council should be elected every year.

The corporate name of the "City Council of Alexandria" was adopted.

On January 25th, 1866, by Act of Assembly the City Charter was practically rewritten. A few sections of this Act may be of interest.

The boundaries of the four wards were made uniform. The east and west line was located midway between King and Prince Streets; north and south the dividing line followed the center of Pitt Street.

It provided for voting "*viva voce* and not by ballot, yet its elaborate provisions for elections required the voter when he cast his *viva voce* vote to hand the commissioner of elections a slip of paper containing the name of the voter together with the names of the candidates for whom he voted.

By Section 10 Council was empowered to levy an income tax.

Council was composed of eight Aldermen and sixteen members of the Common Council. The Mayor was to be elected for a term of one year.

The voters of the City were to decide whether the charter should be ratified and whether certain City officers, such as "a gauger of casks, inspector of domestic spirits, inspector of and measurer of wood, bark and lumber," and "chief engineer of the fire department" should be elected by Council or the people.

Under Section 25 of this Act the City boundaries were defined and again the southwest boundary was made to run from a point in the dividing line between Alexandria and Fairfax County, 10 feet west of Hooff's Run along that run or west thereof to the center of Hunting Creek.

On March 3rd, 1866, this error in the southwest boundary was corrected and defined as running from the same given point along the dividing line between the City and Fairfax County to the river. This correction placed the cemeteries in Fairfax County.

By Act of the General Assembly February 23, 1867, the second section of the Charter of Alexandria, as amended by Act of January 25th, 1866, was amended to provide: That every

white male citizen resident of the State for two years, and of the City one year, and resident of his ward one month, should be entitled to vote for members of the City Council and in all elections of City officers. All votes were required to be given *viva voce*, except voters who were dumb could vote by ballot.

January 20, 1871: The General Assembly amended the Charter of the City of Alexandria to conform to the provisions of the Constitution of 1869, relating to cities and towns. The changes made in the charter of January, 1866, are without particular interest.

March 22, 1871: The General Assembly amended Section 8 of the Charter of the City of Alexandria to provide: That the City Council should elect all officers and clerks not provided for by the Constitution, and define their powers and prescribe their duties and compensation. All officers elected by the City Council, or by either Broad thereof, were removable at pleasure.

March 22, 1871: The General Assembly conferred upon the collectors of tax and gas bills the same powers for the collection of taxes and gas bills delinquent within the preceding five years as the collectors then had as to such bills for the current year.

January 26, 1876: The General Assembly extended the police jurisdiction of the City of Alexandria for the distance of one mile north, south and west of the then corporate limits, to arrest and punish persons guilty of offenses as if committed within the corporate limits.

March 17, 1876: The General Assembly amended Section 8 of the Charter of the City of Alexandria of 1871 to provide: That all officers and clerks, other than those prescribed by the Constitution and laws of the State, should be elected by the qualified voters of the City.

February 6, 1877: The General Assembly conferred upon the police of the City of Alexandria all the powers vested in a constable, except the power to execute civil process.

March 20, 1877: The General Assembly amended the Charter of the City of Alexandria as follows:

Section 6. When a vacancy occurred in either branch of the City Council, such branch could fill the vacancy until the next regular election.

Section 8. Required the City Council to order on the fourth Thursday of May in each year an election by the people of the following officers: Auditor of public accounts, superintendent of gas, clerk of gas, collectors of taxes, clerk of market, corporation attorney, superintendent of police, gauger of casks and inspector of domestic liquors, inspector and measurer of wood and bark, and inspectors of lumber.

Section 10. Required prepayment of capitation tax as a qualification to vote, also residence in the State one year and the City three months. Idiots, lunatics, felons and other criminals were disfranchised.

Section 34 provides the Mayor shall be elected annually.

February 20, 1878: The General Assembly authorized the City Council of Alexandria to fund the debt of the City at fifty cents on the dollar of the principal of its debt and to issue in payment thereof bonds of the City bearing interest at six per cent per annum, payable in semi-annual installments.

February 26, 1894: The General Assembly amended Section 5 of the Charter of the City of Alexandria to provide: Acts of Council must be presented to the Mayor for approval, and if he objects thereto, is required to return it within three days to the branch in which it originated, with his objections thereto in writing; failing so to do the Act to become a law of the City. The clerks of the respective boards were required to keep a record of the proceedings of their board and furnish copies to

the Public Printer for publication for the information of the people.

March 1, 1894: The General Assembly amended Section 17 of the Charter of the City of Alexandria to provide: For the levy of taxes on all male citizens of the age of twenty-one years, on dogs, real estate and all other subjects of taxation assessed with State taxes.

March 8, 1894: The General Assembly authorized the City of Alexandria to issue sewer and street improvement bonds, payable thirty years after date, to the amount of two hundred thousand dollars, bearing interest at five per cent per annum, payable semi-annually in two equal instalments. The issue of bonds under this Act was subject first to approval by a majority of the qualified voters of the City.

March 8, 1894: The General Assembly amended Sections 8, 14, 20, 21, 22, 23, 24, 25, 26, 27, 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42 of the Charter of the City of Alexandria, covering the whole range of the subjects of Municipal Government, legislation and regulations.

While these amendments refer in large part to the details of tax assessment, collection and lien enforcement, the organization and authority of the Board of Police Commissioners, they fix the term of office of Mayor at two years and provide for the election by the people, every two years on the fourth Thursday in May, beginning in 1895, of the following officers: Auditor of public accounts, clerk of gas, collector of taxes, attorney for the corporation, inspector and measurer of wood and bark, and inspector of lumber.

The powers of the City with respect to drainage and sewers were strengthened, as was Section 33, that under which Council could assess two-thirds the cost of street and all cost of sidewalk construction and repair against the abutting land and perfect a lien against this property in favor of the City for the cost of the work. This section became null and void under the Con-

stitution of 1901 which prohibited such assessments with respect to street construction and modified the City's power in assessments for sidewalk repair and construction.

February 27, 1896: The General Assembly amended the Charter of the City of Alexandria to provide for the election and organization of a "Board of Police Commissioners," with power to select from the electors of the City a chief and lieutenant of police and such number of policemen as authorized by the City Council, to constitute the police force of the City, who should hold office during good behavior.

March 3, 1896: The General Assembly amended Section 40 of the Charter of the City of Alexandria relating to nuisances of standing or stagnant waters upon vacant lots in the City, and, upon the failure of the owners to abate the same, conferred power upon the City Council to abate such nuisance at the expense of the owner, the amount of which was made a lien upon such real estate and enforceable in equity by sale of the lots to satisfy the same and the costs of suit.

March 3, 1896: The General Assembly amended Section 33 of the Charter of the City of Alexandria relating to the improvement of streets and the assessment of two-thirds of the expense thereof upon the owners of lots abutting on streets improved. This section was again amended March 4, 1896.

February 7, 1898: The General Assembly amended Section 33 of the Charter of the City of Alexandria, authorizing the City Council to lay out, establish, open, widen, extend, regulate, grade, pave, gravel, macadamize and otherwise to improve the streets of the City, and to determine what portion, if any, should be paid by the abutting owners of real estate benefited thereby, and the property of abutting owners of real estate, was made subject to a lien for their proportion of the cost thereof, enforceable in a Court of Equity.

March 11, 1912: The General Assembly amended Sections 37 and 39 of the Charter of the City of Alexandria to provide:

Upon the organization of the Board of Police Commissioners the Board should elect from the electors of the City a chief of police and such number of sergeants and policemen as authorized by the City Council, to hold office during good behavior. The Mayor had power to suspend the chief, sergeant or any policeman for misconduct in office for not exceeding thirty days, or until the Board acted.

March 14, 1912: The General Assembly amended Section 12 of the Charter of the City of Alexandria to provide: That the Common Council and Board of Aldermen should be a body corporate and politic by the name of the "City Council of Alexandria," with power to acquire, own, hold and dispose of real estate and personal property in fee or lessor estate therein.

In the summer and fall of 1919 first began the agitation and movement for the change of the form of our municipal government from the Bicameral form to the City Manager Plan. The question of such change was first submitted to the vote of the qualified electors of the City, September 23, 1919. Twelve hundred and four votes were polled, of which six hundred and ten were against the change and five hundred and ninety-four for the change, a majority of sixteen votes against the change. The effort for such change in the form of our City Government was renewed in 1921, and again submitted to the qualified electors of the City, with the result that of fourteen hundred and eighty votes polled eleven hundred and sixty-two voted for the change, three hundred and eighteen against, a majority for the change of eight hundred and forty-four votes.

The details of the origin and evolution of our present, or City Manager, form of municipal government, reference is made to the following Acts of the General Assembly of Virginia: 1914, p. 138; 1916, p. 62; 1918, p. 402, and 1920, p. 554.

In 1916 and again on January 1st, 1930, the limits of the City have been extended. These extensions resulted, not from a

specific Act of the General Assembly, but by a decree of the Circuit Court of Arlington County entered in a suit instituted by the City under the general statute of the State governing annexation by cities of contiguous territory.

LEGISLATIVE CHARTERS

Following the Act of Retrocession and through the years until 1901, the General Assembly issued, by separate Acts, corporate charters for both public and private corporations. Since 1901, when the new Constitution was adopted, this function of government has been performed by the State Corporation Commission.

The following list of legislative charters contains the names of some companies which long since passed from memory, if they ever began the work for which they were created. Some not only fulfilled their charter promises but for a greater or lesser number of years were an important part of the City's civic and industrial life. A few, after long years of honorable service, survive to this day and serve well their respective fields.

The General Assembly of Virginia on March 11, 1847, incorporated "The Mount Vernon Cotton Manufacturing Co." to manufacture cotton in the Town of Alexandria, the capital stock to be not less than fifty thousand dollars or more than two hundred thousand dollars. The incorporators were: William Fowle, Anthony C. Casenove, Hugh Smith, Henry Daingerfield, William Gregory, John Withers, Robert Jameson, John C. Vowell, William Stabler and Robert H. Miller. The "Cotton Factory" building still stands on the east side of Washington Street between Oronoco and Pendleton Streets.

March 27th, 1848: "The Alexandria Hotel Company" was incorporated by Robert H. Miller, Henry Daingerfield, Lewis McKenzie and others. The "Alexandria House" for many years was the familiar name of the hotel at the southeast corner

of St. Asaph and Prince Streets. The original building stands today but some years since was converted into apartments.

By Act of the General Assembly of January 13th, 1849, "The Alexandria Marine Railway Company" was incorporated with a capital stock of not exceeding twenty thousand dollars, divided into shares of fifty dollars each, for the purpose of maintaining and operating such works as by them already constructed and then being operated, and the building of a sawmill and such other improvements proper for the purpose of repairing and refitting of vessels of any class. The incorporators were: D. Boyd Smith, Richard C. Smith, Stephen Shinn, Edward Daingerfield, Nathaniel Goodhand, John T. Johnston and Joseph P. Grimes.

Under the above name, and later under the names Marine Railway and Shipbuilding Company, or Agnews Shipyard, the activities of this corporation enlivened the waterfront. Several large sailing vessels were built on the company's ways, the largest being the ill-fated "Robert Portner," which was launched about fifty years ago.

By Act of the General Assembly of March 22, 1850, the Union Mutual Fire Insurance Company was incorporated.

By Act of the General Assembly of March 17, 1852, "The Potomac Insurance Company of Alexandria" was incorporated with the same rights, privileges and powers given the American Insurance of Norfolk.

By Act of the General Assembly of March 30th, 1853, The Alexandria Stone Quarrying, Dressing, Milling and Manufacturing Company was incorporated for the purpose of quarrying and dressing stone, and to use its water power for manufacturing flour and other articles in the counties of Prince William and Fairfax. The capital stock to be not less than one million dollars nor more than two million dollars, divided into shares of twenty-five dollars each. The company was authorized to

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purchase and to hold for its purposes not over two thousand acres in the counties of Fairfax and Prince William.

By Act of the General Assembly of February 28, 1853, The Alexandria Flour Mill Company was incorporated with a capital stock of not exceeding one hundred and twenty-five thousand dollars in shares of fifty dollars each, for the purpose of manufacturing flour in Alexandria.

By Act of the General Assembly of February 19th, 1853, The Fire Insurance Company of Alexandria was incorporated by Hugh Smith, William Fowle and other proprietors of the stock of The Fire Insurance Company of Alexandria, incorporated by Act of Congress March 9th, 1814, for twenty years, and again incorporated by Act of Congress of January, 1836.

By Act of the General Assembly of March 12th, 1853, The Alexandria and South Branch Boating Company was incorporated by William D. Massie, A. J. Marshall, John T. Temple and G. A. Tavener, with authority to issue two million dollars of stock in shares of one hundred dollars each, for the purpose of carrying coal and other tonnage, and passengers, over the Chesapeake and Ohio and Alexandria Canals.

By Act of the General Assembly of February 28th, 1854, "The Virginia Locomotive and Car Mfg. Co." at Alexandria was incorporated, with an authorized capital stock of not less than one hundred thousand dollars nor more than five hundred thousand dollars, for the purpose of carrying on in all its branches the trades of machinists, founders and car makers at Alexandria, Virginia. This plant was established at the southeast intersection of Royal and Wilkes Streets, prior to the War between the Northern and Southern States. The plant was in later years operated by Jamieson and Collins as a foundry and machine shop. Some of the buildings remain.

By Act of the General Assembly of January 30, 1854, "The Southern Protection Insurance Company" was incorporated with an authorized capital stock of not less than twenty-five

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thousand nor more than one million and a half dollars. The general offices of the company were required to be located in the City of Alexandria. The Company was mutual in its plan, all policyholders became stockholders and shared in its profits, and as well in its losses.

By Act of the General Assembly of March 3, 1854, "The Alexandria Improvement Company" was incorporated for the purpose of erecting, for sale or rent, buildings in Alexandria or its vicinity.

By Act of the General Assembly of March 3, 1854, "The Mount Vernon Hotel Company at Alexandria was incorporated.

By Act of the General Assembly of January, 1856, The Alexandria Flour Mill Company's capital stock was increased by the sum of seventy-five thousand dollars and the Company authorized to issue bonds to the extent of their unsubscribed capital stock, with interest thereon at seven per cent per annum, and to secure the payment of the same as the board of directors deemed expedient.

January 24th, 1862: The "Mount Vernon Insurance Company of Alexandria, Virginia," was incorporated.

February 23, 1865: The General Assembly incorporated the "Deutsche Maennercher Association of Alexandria" for musical, literary and scientific purposes.

By Act of the General Assembly, December 21, 1865, the charter of "The Fire Insurance Company of Alexandria" was amended to provide: That the capital stock of the Company of five thousand shares be increased to two hundred thousand dollars.

By Act of the General Assembly, January 29, 1867, "The Farmers and Mechanics Cotton and Woolen Mfg. of Alexandria, Virginia," was incorporated with an authorized capital stock of five hundred thousand dollars.

By Act of the General Assembly, November 10, 1870, "The Alexandria Insurance Company" was incorporated and invested

with all the rights, privileges and powers conferred upon the "American Insurance Company of Norfolk" by Act of the General Assembly of February 26, 1849; the Company had power, also, to conduct a banking business. The authorized capital stock was not to be less than thirty thousand, nor more than two hundred and fifty thousand dollars, in shares of twenty-five dollars each.

March 6, 1871: The General Assembly amended Section 5 of the charter of the "Alexandria Insurance Company of Alexandria, Virginia," providing that the stockholders who paid in full their subscriptions to the stock of the Company should be paid eight per cent per annum on each share until it was necessary to call for the residue or any part thereof, which was to be secured by the bonds of the stockholders whose stock had not been paid in full.

March 22, 1872: The General Assembly incorporated the "Young Men's Christian Association of Alexandria, Va." The incorporators were: James Entwisle, Jr., James Grigg, Henry W. Beadle, Edmund F. Witmer, Charles Whittlesey, H. O. Claughton and George H. Hill.

This Association for some years occupied a building, since replaced by several residences, which stood on the north side of King Street west of Columbus and immediately east of the Richmond Theatre.

January 15, 1875: The General Assembly incorporated the "Potomac Agricultural and Mechanical Society of Alexandria," with an authorized capital stock of one hundred thousand dollars.

March 29th, 1876: The General Assembly incorporated the "Consolidated Abatoir Company of Alexandria, Washington and Georgetown," its plant to be located on the line of railway between Alexandria and Washington, convenient to the butchers of both cities.

February 27, 1879: The General Assembly incorporated the "Alexandria and Fairfax Agricultural and Industrial Association" to establish and conduct fairs and other exhibitions of agricultural, horticultural, mining and mechanical products.

March 9, 1880: The General Assembly incorporated the "Alexandria Reform Club" for the advancement of the principles of sobriety and temperance.

February 9, 1882. The General Assembly incorporated the "Potomac Manufacturing Company" for the manufacture and smelting of iron and other ores and metals, and to conduct such other manufacture and business as incident to its purposes.

March 9, 1880: The General Assembly incorporated "The Alexandria Reform Club Building Company" with an authorized capital stock of not less than three thousand, nor more than twenty-five thousand dollars, in shares of ten dollars each, for the purpose of erecting a building in Alexandria for the use of the Alexandria Reform Club and as a Public Hall.

April 21, 1882: The General Assembly incorporated the Alexandria "Mining, Manufacturing and Warehouse Company" with powers: To mine manganese, iron or other ores, transport and sell the same; or to purchase, establish, or lease furnaces or mills for manufacturing the same into pig, bar, iron and steel, or otherwise; to build, purchase or lease and operate factories for the manufacture of cotton, woolen or other goods; to build, purchase or lease docks, wharves and yards for building or repairing vessels, railroad cars, or any manufacturing purpose, in any city or county of Virginia; and to purchase or lease, or construct, at or near the City of Alexandria, wharves, piers, docks, basins, warehouses, elevators, cotton presses, and conduct the business usually transacted by warehousemen, wharfingers and lightermen.

December 15, 1885: The General Assembly incorporated the "Bethel Cemetery" with an authorized capital stock of not less than five thousand, nor more than ten thousand dollars, in

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shares of fifty dollars each. The incorporators were: William L. Padgett, Benoni Wheat, Wm. H. May, William F. Vincent and George W. Keys.

March 1, 1886: The General Assembly incorporated the "Consolidated Abattoir Company of Alexandria, Washington and Georgetown" for the purpose of establishing slaughter houses of cattle between Washington and Alexandria, on the line of railway, or the Potomac River, and to furnish meats to Washington, Georgetown and Alexandria.

May 18th, 1887: The General Assembly incorporated the "Alexandria Real Estate Investment, Trust & Title Company," with power to acquire, own, sell real estate; to act as agent for corporations and individuals, in the purchase or sale of real estate, and to examine, abstract and certify titles to real estate in the City and County of Alexandria. Authorized capital sock, not less than twenty-five hundred, nor more than fifty thousand dollars, in shares of fifty dollars each. The incorporators were: Park Agnew, Michael B. Harlow, Augustus H. Agnew, James R. Caton and Nevill S. Greenaway.

March 24, 1888: The General Assembly incorporated the "Mount Vernon Fire Insurance Company of Alexandria, Virginia." Authorized capital stock not less than thirty thousand nor more than one million dollars, in shares of twenty-five dollars each.

March 5, 1888: The General Assembly incorporated the "Alexandria Perpetual Building Fund Association." Authorized capital stock to be not less than five hundred nor more than five thousand unredeemed shares, to be paid in monthly instalments of one dollar per share, until such payments and the profits and dividends thereon should arrive at the par value of two hundred dollars per share. The objects of the Association being to aid its shareholders in home building or the acquisition of real estate.

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February 22, 1890: The General Assembly incorporated "Old Dominion Perpetual Building Fund Association of Alexandria, Virginia," authorized capital stock not less than five hundred nor more than five thousand shares of two hundred dollars each.

March 4, 1890: The General Assembly incorporated the "Alexandria Safety Deposit Security and Insurance Company, with power to conduct all branches of the business expressed in the title or name of the Company, and all powers incident to the powers growing out of and expressed in the title or name thereof.

January 9, 1896: The General Assembly amended and re-enacted the charter of the "Bethel Cemetery Company," providing that its capital stock should not be less than five thousand nor more than ten thousand dollars, in shares of fifty dollars each.

January 30, 1896: The General Assembly incorporated the "Odd Fellows Joint Stock Company of Alexandria, Va.," with a capital stock of five thousand dollars, in shares of five dollars each, with power to take and hold title to real estate on the west side of Columbus Street, between Wolfe and Wilkes.

January 31, 1898: The General Assembly incorporated the "Alexandria Shoe Company." The authorized capital not less than five hundred dollars nor more than three hundred thousand dollars, in shares of ten dollars each.

February 28, 1898: The General Assembly incorporated the "Lee Fire Insurance Company of Alexandria, Virginia, with an authorized capital stock of not less than fifty thousand nor more than one hundred thousand dollars, in shares of one hundred each.

February 15, 1900: The General Assembly confirmed and validated the charter of the "Kretol Chemical Company," granted by the Law and Equity Court of the City of Richmond, in August, 1899, and the amendments thereto by the Circuit

Court of the City of Alexandria, and ratified and confirmed all acts done and performed thereunder.

March 7, 1900: The General Assembly incorporated the "Agricultural Fair Association of Northern Virginia," with power to purchase and hold real estate, to hold fairs and exhibitions annually, not exceeding thirty days; to organize a police for its grounds; the annual exhibitions to be at or near Alexandria.

April 2, 1902: The General Assembly incorporated the "International Guarantee and Trust Company," conferring upon it all the powers incident to and exercised by banks, trust and like corporations. Authorized capital stock not less than fifty thousand nor more than one million dollars, in shares of one hundred dollars each.

MISCELLANEOUS ACTS

Many unrelated local Acts of more or less importance and interest were passed by Congress and the General Assembly between 1824 and 1916. A brief digest of these follows:

The Act of Congress, approved May 26th, 1824, provided, that for the better inspection of flour in the County of Alexandria the Common Council of the Town of Alexandria should divide the Town and County separately into two Inspection Districts, and, that for each district there should be appointed by the Judge of the Court, a Flour Inspector.

By Act of Congress, approved January 24th, 1827 (U. S. Stat. at L., Vol. 6, page 356), Congress appropriated twenty thousand dollars for the relief of the sufferers from the large fire on King Street between Fairfax and Lee Streets, which had caused a heavy loss to the sufferers.

This is an early precedent for the much-discussed dole or appropriation for the relief of individuals.

By Act of Congress, approved May 25th, 1832, the Common Council of Alexandria was authorized to appoint one or more Inspectors of Tobacco and was empowered to pass for such inspection all needful laws for regulating the conduct of the inspectors and to remove them from office for just cause; and to fill any vacancy.

By Act of the General Assembly of February 24th, 1849, a tobacco warehouse was established in the Town of Alexandria for the storage of tobacco, and there was conferred upon the Common Council of the Town power to regulate the inspection of tobacco and to pass all needful rules, laws and regulations in respect thereof, provided, that the powers and duties relating to the appointment of inspectors and pickers should remain in the County Court of Alexandria.

By Act of the General Assembly of February 28, 1852, the Governor was authorized to establish a gun house on the Court House lot in Alexandria, mention of which has been made. It was located at the northwest corner of Queen and Columbus Streets.

By Act of the General Assembly of April 2, 1852, the voting places in the Town of Alexandria were designated as follows: In the First Ward, at the house occupied by Mrs. Wright, on Prince, between Water (now Lee) and Fairfax Streets; in the Second Ward, in the Council Chamber; in the Third Ward, at the Mechanics Hall; and in the Fourth Ward, at the house of Mrs. Wright, corner of Prince and Alfred Streets.

By Act of the General Assembly of March 4th, 1852, the Auditor of Public Accounts of Virginia was authorized to issue his warrant on the Treasurer of the State for fifty-three dollars and twenty cents to William H. Muir, of Alexandria, for supplies furnished by him to a company of volunteers for the Mexican War, commanded by Captain Henry Fairfax.

An Act of the General Assembly of December 22, 1852, ratified the acts of Harrison L. Monroe, constable for the Second

District of the City, he not being a resident of the district when elected.

By Act of the General Assembly of March 24, 1853, the Governor of Virginia was authorized to issue percussion lock muskets to the Mount Vernon Guards of Alexandria, commanded by Captain T. W. Ashby, who was required to give bond for their safekeeping and return to the State.

By Acts of the General Assembly of December 18, 1855, and of January 28th, 1856, consent was given the United States to purchase the lot of ground upon which the Post Office, Customs Office, United States Court House and Clerk's Offices were until 1931 located, and it was exempted from State and City taxes. The Act retained concurrent jurisdiction with United States over the same, so that the courts, magistrates and officers of the State should take such cognizance, execute such process, and discharge such other legal functions within the same, not incompatible with the consent given. The Act provided also that if the purposes of the grant cease, or for five consecutive years a failure by the United States to use the land for such purposes, determined the jurisdiction granted. The exemption from taxes continued only so long as the United States remained the owner of the land and buildings thereon. Prior to the erection of the building under this Act, the Post Office of the City was located in a two-story brick building on the south side of Prince Street, near its intersection with Pitt Street, and the Custom House in a brick building then standing at the southwest corner of King and Union Streets.

By Act of the General Assembly, March 13th, 1858, it was provided that Commissioners in Chancery in the City of Alexandria might charge for services authorized to be performed by a Notary like fees as charged by a Notary, and other services, such fees as the Court appointing him might allow, not exceeding one dollar an hour.

An Act of the General Assembly, April 2, 1861, authorized the Governor to organize a battalion in the City of Alexandria to be composed of four companies, three of light infantry, and one of artillery, and provided: That the officers thereof should train with the officers of the One Hundred and Seventy-fifth Regiment, and required the battalion to attend and parade at the regimental muster of said regiment.

March 3, 1865: The General Assembly authorized the Clerk of the House of Delegates to settle the account of Cowing and Gillis for newspapers furnished and printing during that session of the General Assembly. The printing offices of Cowing and Gillis were first located in the building on the east of Royal Street and the south side of the alley south of Bain's Hardware Store, and later in the building formerly occupied by the Hook and Ladder Co.

March 3, 1865: The General Assembly passed an Act providing for voting by ballot. Prior to this Act voting was *viva voce*, commonly known as "Manhood Voting" (see Acts 1857-8, Sec. 14, p. 89).

By Act of the General Assembly, February 21, 1866, the "Sun Fire Company" was incorporated. The incorporators were: Hugh Latham, John Rudd, Hiram Webster, James P. Coleman, Milton Glasgow, John Mitchell and Francis Power.

By Act of the General Assembly, February 28, 1866, the "Friendship Fire Company of Alexandria" was incorporated. The incorporators were: James W. Atkinson, G. F. Whittington, John Powell, Edward Clarkson, R. H. Bayliss, W. Underwood and W. F. Creighton. This company had then been in existence for about eighty years.

By Act of the General Assembly, March 2, 1866, the Auditor of Public Accounts was authorized to issue his warrant upon the State Treasurer for seventy-six dollars and ten cents in favor of Joseph Padgett, late Constable of Alexandria County, for services rendered prior to May 24th, 1861.

By Act of the General Assembly, January 11, 1867, the "Hydraulion Steam Fire Engine Company of Alexandria" was incorporated. The incorporators were Benjamin Barton, Richard L. Carne, Jr., Stephen Swain, Arthur C. Kell, William F. Carne, John Travers, William G. Simpson, William H. Smith, Richard Purcell and James M. Stewart. This Act states that the company was first organized in 1827.

By Act approved April 16, 1867, the State law authorizing a special police officer to search for stolen goods was repealed as far as it applied to Alexandria.

By Act of the General Assembly, January 21, 1867, the City of Alexandria was authorized to issue bonds in satisfaction of interest accrued on its bonds due on or before January 1, 1867, and in redemption of certificates issued for interest due, such certificates to be receivable for taxes and other dues to the City.

By Act of the General Assembly, January 26, 1867, one-fifth of the stockholders of the Great Hunting Creek Bridge Company were authorized to call a meeting of its stockholders, in which each stockholder, or proxy, was authorized to cast one vote for each share not exceeding ten, and one vote for every four shares exceeding ten.

By Act of the General Assembly, February 27, 1867, John W. Stewart was relieved from the payment of a fine of one hundred and fifteen dollars and seventy-seven cents imposed upon him for refusing to take an oath he could not conscientiously take.

By Act of the General Assembly, March 7, 1867, William H. Muir was relieved from a fine of two hundred fifty-six dollars and eleven cents imposed upon him for like reasons as in next preceding paragraph.

By Act of the General Assembly, May 25, 1870, provision was made for the election of justices and constables for each ward of the City, three justices and one constable for each ward.

And by Act of the same date provision was made for the election of a City sergeant.

February 14, 1872. The General Assembly authorized the City of Alexandria to fund its indebtedness of every description and in its place issue a like amount of stock, bonds or certificates bearing six per cent interest, payable semi-annually, the bonds being payable thirty years after date, and the coupons for the interest to accrue thereon were made receivable for taxes or other indebtedness to the City.

This Act recites that Alexandria in past years had issued many evidences of indebtedness in the form of stock, bonds and certificates and the desirability of funding these obligations.

April 7, 1874: The General Assembly passed an Act relating to the Records of Alexandria County which recites that the Corporation Court of the City of Alexandria was organized May 9, 1870, and the Records of Deeds, Wills, and Judgments since recorded were in the custody of the Clerk of the County Court of Alexandria County, and authorized their removal to the Corporation Court of the City of Alexandria, and to have the same effect as if original records of the Corporation Court.

February, 1875: The General Assembly authorized the "Hebrew Congregation of Alexandria" to borrow money sufficient to erect and complete a suitable House of Worship in the City, and its trustees to secure payment thereof and interest thereon by deed of trust upon its property in Alexandria.

February 27, 1879: The General Assembly authorized the City of Alexandria to compromise its debt, and to issue new bonds accordingly, preserving all rights under the compromise by virtue of the Act of February 20, 1878.

March 3, 1879: The General Assembly authorized the Board of Supervisors of Alexandria County to contract with the Clerk of the County Court for copying and indexing into books provided for the purpose, and validating such copies of deeds to real estate lying in Alexandria County recorded in the Deed

Books then in the custody of the Clerk of the Corporation Court of the City of Alexandria by virtue of an Act of the General Assembly approved April 9th, 1874, relating to the records of Alexandria County.

March 3, 1879: The General Assembly authorized the trustees of the Odd Fellows (colored) Joint Stock Company of Alexandria, Va., to borrow two thousand dollars and to secure the payment thereof and interest to accrue thereon by deed of trust upon its real estate in Alexandria, situated on the west side of Columbus Street between Wolfe and Wilkes Streets.

March 4, 1880: The General Assembly incorporated the "Alexandria Light Infantry Building Company" with an authorized capital stock of three thousand dollars, in shares of twenty dollars each. The incorporators were: Leonard Marbury, George McBurney, Jr., J. D. H. Lunt, J. M. White, M. P. Vincent and George O. Monroe.

February 24, 1888: The General Assembly incorporated the "Alexandria Gentlemen's Driving Club," for the purpose of establishing a driving park and race course, in the County of Alexandria. Authorized capital not less than one thousand, nor more than twenty thousand dollars, in shares of twenty-five dollars each. The incorporators were George A. Mushback, George Uhler, Reverdy J. Daingerfield, William B. Daingerfield, Park Agnew and others. This club for several years held trotting races at the St. Asaph Race Track.

By an Act approved January 31st, 1890, the Legislature validated the permission granted by City Council to the R. E. Lee Camp of Confederate Veterans for the erection of the Confederate Monument at the intersection of Washington and Prince Streets. This Act reads, in part, as follows: "And whereas it is the desire of the said R. E. Lee Camp of Confederate Veterans and also the citizens and inhabitants of said City of Alexandria that said monument shall remain in its present position as a per-

petual and lasting testimonial to the courage, fidelity and patriotism of the heroes in whose memory it was erected; therefore,

"1. Be it enacted by the General Assembly of Virginia, that the action of the City Council of Alexandria in granting permission for the erection of said monument at the intersection of Prince and Washington Streets in the City of Alexandria be and the same is hereby validated, ratified and confirmed.

"2. That said monument shall perpetually remain as at present erected and located at the intersection of Prince and Washington Streets in the City of Alexandria, and that the permission so given by the said City Council of Alexandria for its erection shall not be repealed, revoked, altered, modified or changed by any future council or other municipal power or authority."

February 27, 1894, the General Assembly ratified, validated, approved and confirmed all acts of the "Dies Manufacturing Company" under the charter granted it by the Corporation Court of the City of Alexandria. This company will be remembered by some of our citizens as the operator of a large furniture factory at New Alexandria during the boom days of the new city south of Hunting Creek.

March 28, 1902: The General Assembly authorized the City Council to issue fifty thousand dollars of bonds, to bear interest not to exceed four per cent per annum, payable in semi-annual instalments, and to provide a sinking fund for their redemption at maturity, or thirty years after the date of issue. The proceeds of the sale thereof to be applied to the making of improvements of the Gas Works and of street and sewer improvements.

April 3, 1902, the General Assembly authorized the separation of the white and colored passengers on electric railroads or railways operating in the City of Alexandria and in the counties of Alexandria and Fairfax.

March 13, 1908: The General Assembly incorporated the Town of Potomac in the County of Alexandria, and provided it should be governed by a Mayor and Common Council, and defined its boundaries as follows: Beginning at the north intersection of Bellefont Avenue in the subdivision of "Del Ray" with the Washington and Alexandria Turnpike, thence northerly along the west side of the Turnpike to the Old Georgetown Road, the northern boundary of the subdivision of St. Elmo; thence westerly along the south side of the Georgetown Road to the dividing line of Susan P. A. Calvert and Charles E. Wood; thence along the line of Calvert and Wood to the west line of the Washington, Alexandria and Mt. Vernon Railway Company to its intersection with Lloyd's Lane and Bellefont Avenue to the beginning. The government of the Town was vested in a Mayor and a Council of six, to be chosen bi-annually, by ballot on the second Tuesday in June; the first election to be held on the second Tuesday in June, 1908, and every second year thereafter. Until an election could be held the following persons were designated to govern the Town: Mayor, J. A. Suplee; Clerk, George W. Zachary; Sergeant, Richard H. Roberts; Treasurer, Walter U. Varney, Councilmen, William Kidwell, Charles A. Campbell, H. H. Powell, T. T. Emmerson, J. V. Barrett, and J. A. Carpenter.

January 31, 1916: The General Assembly authorized the Corporation Court, or the Judge thereof, in vacation, to appoint a Police Justice for the City of Alexandria and the adjoining territory within one mile of the City limits. The Act fixes the term of office at four years and defines the jurisdiction of such Court. For twelve years prior to the passage of this Act the Police Court of Alexandria had been in existence under a general State law passed prior to February 1st, 1904, for on that date Harry B. Caton, under appointment of the Judge of the Corporation Court, assumed the duties of Police Justice.

September 5, 1919, the General Assembly authorized the Town of Potomac, in the County of Alexandria, to issue its bonds to the amount of sixty thousand dollars, bearing interest at six per cent per annum, for the purpose of constructing a sewerage system for the Town.

STREET AND SUBURBAN RAILWAYS

When early this year the electric railway line to Washington was abandoned and the familiar car was no longer seen on our streets, it was the second, not the first time, Alexandria had known the loss of a street railway.

On February 5th, 1864, the General Assembly incorporated "The Alexandria City Railroad Company" with power to construct a Street Railroad the entire length of King Street and on such other streets as would constitute the most convenient route from the Potomac River to the Orange and Alexandria Depot, and to extend its line on Duke Street to the Corporate limits and through West End to the Theological Seminary, Ivy Hill Cemetery and Federal Hill. This railroad was not built and its charter was vacated by the provisions of the Act.

Eight years later, February 21, 1872, the Legislature incorporated the Alexandria Passenger Railway Company, with a capital stock of one hundred thousand dollars, to construct and operate a Street Railway line in the City of Alexandria, upon such streets as the City allowed, and upon the roads of the Little River, Leesburg and Middle Turnpikes, and to any distance in Fairfax or Alexandria Counties not exceeding five miles west of the Potomac River. This railway was built and operated for a short while from the old Ferry Wharf at the foot of King Street to the Virginia Hotel at the southwest intersection of King and Peyton Streets. The motive power of this line was one mule per car. Speed of transit was dependent upon the

temper of the mule. The road was abandoned with a heavy loss to its stockholders.

February 2, 1880: The General Assembly incorporated the "Mount Vernon Railroad Company" for the purpose of constructing and operating a railroad between Alexandria and Mount Vernon. Authorized capital stock of one hundred thousand dollars, in shares of twenty dollars each. This is the first legislative suggestion of a railroad to Mount Vernon. The road was not built.

January 24, 1890: General Assembly incorporated the "Alexandria and Mount Vernon Railway Company of Virginia" for the construction of a railroad from Alexandria to Mount Vernon. This corporation ended its active life with the issue of the charter.

February 3, 1890: The General Assembly incorporated the "Alexandria Railway and Improvement Company," with power to construct, equip, operate, and maintain, with horse, cable, or electric power within the City and County of Alexandria, and Fairfax County, a line of Street Railway, and with power, also, to acquire, own, hold and subdivide real estate, and to dispose of the same; and with power to lay and operate a double track on King Street from Union Street to Hooff's Run. Authorized capital stock not less than twenty thousand, nor more than one million dollars, in shares of one hundred dollars each. The incorporators were Harold Snowden, D. C. Forney, Frank Hume, Francis L. Smith and Beriah Wilkins.

On February 17th, 1890, by Act of Legislature, the Roslyn, Arlington, Alexandria and Mount Vernon Railroad and Street Railway Company was incorporated. It was authorized to build and operate a steam, electric, cable or horsepower railroad from a point on the Potomac at Roslyn, of within five miles thereof, to any point in Virginia within twenty-five miles of the starting point, and from Alexandria City to any point within ten mles.

This charter, like all of like character and date, required the railroad to cross Mt. Vernon Avenue above or below grade. This charter was amended March 4th, 1894, with respect to its first section. The names of the incorporators were changed. John W. Weeks, George W. Morse and L. W. Spear replaced the incorporators named in the original charter. L. W. Spear was well known as a promoter of projects to compete within any successful operation.

February 18, 1890: The General Assembly incorporated the Alexandria and Fairfax Passenger Railway Company to construct, maintain and operate a railway by animal, cable, or electric power for a carriage of passengers over and upon the streets of Alexandria, the roads of the Little River Turnpike, Middle Turnpike, and other roads through the counties of Alexandria and Fairfax, not exceeding ten miles from the corporate limits of the City of Alexandria. Authorized capital stock, not less than fifty, nor more than five hundred thousand dollars, in shares of fifty dollars each. The incorporators were: Henry Straus, Isaac Eichburg and George W. Fisher.

The electric line from Mt. Vernon to Washington was built and operated under the charter issued to the Alexandria and Fairfax Passenger Railway Company, mentioned above. On February 25th, 1892, by an Act of the General Assembly, the name of the corporation was changed to "Washington, Alexandria and Mt. Vernon Electric Railway." Under this name it was built and operated for many years. About twenty-five years ago an effort was made by Clarence P. King, then President of the Washington Railway and Electric Railway Company, to merge all the District and Northern Virginia utilities under one company—Washington Utilities. For a short time the Mt. Vernon line bore this name. When the merger was blocked, Washington Utilities disappeared and the road ran to its end or sale to the bus company as the Washington-Virginia Railway.

On February 25, 1896, the capital stock was increased by Act of Assembly to one million dollars. It was at this time that the road was extended northward to Washington.

February 23, 1900, the General Assembly incorporated the Ballston Railroad Company to construct, maintain and operate a railroad from some point in Alexandria County, on the Potomac River, opposite the City of Washington, and from thence through the County and City of Alexandria, and the counties of Fairfax and Prince William to any point the Board of Directors designated. Authorized capital stock not less than twenty-five thousand, nor more than fifty thousand dollars, in shares of one hundred dollars each, with power to issue bonds without limit for the construction of the road, and to secure the payment of the principal and interest by mortgage upon its railroad and other properties and franchises. This road was not built.

March 5, 1900, the General Assembly authorized the Washington, Alexandria and Mount Vernon Railway Company to dispose of its surplus electric power by sale, lease or otherwise to corporations or persons, and under such contracts as it deemed necessary, but provided: It should not dispose of such power in the City of Alexandria without the consent of the Common Council.

To correct the many erroneous statements that in recent years have been published concerning the early history of the Mt. Vernon line, it may be well to give a few brief facts. The road operated practically forty years, as the first cars were run in the early fall of 1892. Construction work had been hurried in an effort to have it ready before the G. A. R. Encampment in Washington which met that fall. It was ready. Visitors came to Alexandria by ferry, walked up the King Street hill to the station, which was located on the east side of Fairfax Street, south of Burke and Herbert's Bank. The route south was by way of Fairfax to Franklin, then west to Royal Street, where on an embankment and steeply banked curve it proceeded south.

There were no tracks on Royal Street north of this curve—none on King Street west of Columbus. The western terminus was on Cameron Street at Fayette—the R. F. & P. Depot or "Local Station." From this point the first car was started and passed through streets crowded with cheering Alexandrians. It was the last time the road received the unanimous cheers of the community. The power house and car barns were then located east of the roadbed in New Alexandria, at a point just south of the property of the Belle Haven Country Club.

Later the road was extended west to Payne Street and thence north on that street to the St. Asaph Race Track. The originally planned route to Washington was north on Columbus Street and for years a part section of track beyond the curve at Cameron Street evidenced this intent. The West King Street route was later adopted and in the summer of 1896 the road was in operation into Washington, using the railroad tracks over the Long Bridge and on lower Fourteenth Street. When in 1904 the Railway Bridge over the Potomac was ready for use the Electric Railway with vehicular traffic enjoyed exclusive use of the Long Bridge for a year or more until the present Highway Bridge was completed. For a while the latter bridge was used by the electric line for its southbound cars only.

March 6, 1900, the General Assembly amended Section 1 of the charter of the Ballston Railroad Company, authorizing it to construct, maintain equip and operate a narrow or a broad gauge railroad from the Potomac River opposite the City of Washington and from thence through the County and City of Alexandria and the counties of Fairfax and Prince William to such points in either as the Company designated.

March 29, 1902, the General Assembly incorporated the "Alexandria and Little Falls Railroad Company" to locate, construct, equip, operate and maintain an electric railroad in the City and County of Alexandria, to a point in Fairfax County at or near the Little Falls of the Potomac River.

Neither of these roads reached the construction stage.

MOUNT VERNON BOULEVARD

In the summer of 1887 the patriotic vision of a Memorial Highway from Washington to Mount Vernon had its origin in the mind of the late Michael B. Harlow, then Treasurer of the City of Alexandria, and the subject matter thereof was frequently discussed with his friends and associates who gave cordial support to the development of his vision, now realized, in the construction of the "Mount Vernon Memorial Highway."

The first meeting for the organization of the Mount Vernon Avenue Association was held September 18th, 1887, in the Opera House. Of those who attended that meeting, but few are now living—C. C. Carlin, the annalist, and possibly one or two others who may recall the gathering.

The first charter was enacted by the General Assembly February 18th, 1888, with the following incorporators: John B. Smoot, E. W. Fox, Jefferson Chandler, M. B. Harlow, E. F. Beale, Jackson E. Sickles, Frank A. Reed, N. W. Pearson, Stacy Snowden, J. T. Beckham, W. E. Clarke, F. R. Windsor, Park Agnew, Frank Hume, George Johnston, Warrington Gillingham, H. A. Willard, W. M. Galt, Doctor G. Wythe Cooke, D. A. Windsor, Harrison Hatch, R. Portner, Walter Walton, Rozier Dulaney, H. H. Wells, L. L. Blake, R. L. Lacey, Captain Lawton, Francis Hufty, C. E. Stewart, J. Norman Gibbs, James M. Love and James W. Roberts.

March 5th, 1888, the General Assembly transferred to the "Mount Vernon Avenue Association" a claim of the State of Virginia against the United States of America for the sum of one hundred and twenty thousand dollars loaned to the United States and paid to General Washington, in person, for the erection of Public Buildings at the Seat of Government. This loan was made December 27th, 1790.

The charter was amended on February 18th, 1890, and E. E. Downham, E. W. Fox, M. B. Harlow, Frank A. Reed, Jackson

E. Sickles, N. W. Pearson, Stacy Snowden, J. T. Beckham, W. E. Clarke, F. R. Windsor, Park Agnew, Frank Hume, Warrington Gillingham, H. A. Willard, G. Wythe Cooke, D. A. Windsor, Robert Portner, Walter Walton, H. H. Wells, L. L. Blake, Eppa Hunton, Francis Hufty, J. Norman Gibbs, James M. Love, James W. Roberts and James R. Caton, and their associates and successors were constituted a Board of Trustees for the management of the business affairs of the Corporation. The officers of the corporation were to be a president and as many vice-presidents as the by-laws prescribed, a secretary and a treasurer, all of whom were to be elected by the Board of Trustees, with power to the Board of Trustees to increase their number, fill vacancies, adopt by-laws, rules and regulations for the government of the corporation not inconsistent with the laws of Virginia and of the United States. A majority of the Board necessary for the transaction of business.

February 17, 1890, the General Assembly passed the following Act relating to the "Mount Vernon Avenue Association."

"Whereas, Heretofore and on the eighteenth day of February, eighteen hundred and eighty-eight, an Act of the General Assembly was passed entitled 'An Act to incorporate the Mount Vernon Avenue Association' for the uses, purposes and with the powers therein specified; and whereas, by an Act of Congress approved February twenty-third, eighteen hundred and eighty-nine, the Secretary of War was authorized to cause surveys to be made for a national road or avenue from the south end of the Aqueduct Bridge, on the south side of the Potomac River, at or near Georgetown, through the County of Alexandria by way of or near the City of Alexandria to Mount Vernon in the County of Fairfax in the State of Virginia; and the sum of ten thousand dollars was appropriated for that purpose, under which a survey, estimate and report has been made to the Congress of the United States; and whereas, it is in

contemplation to provide by an Act of Congress for the construction, maintenance, and operation of the said national road or avenue by the United States; now, therefore,

"1. Be it enacted by the General Assembly of Virginia, That whenever the United States shall desire to construct, maintain and operate a national road or avenue from some point south of the Aqueduct Bridge on the northern boundary of the Government park reservation or cemetery, known as Arlington, on the Potomac River, thence through the County of Alexandria, passing by way of or near the City of Alexandria, on a line not east of Washington Street in the said City, and not exceeding one mile west of the said street, and thence through the County of Fairfax to the grounds enclosing the tomb of Washington, known as Mt. Vernon, over such route as may be agreed upon between the trustees of the Mount Vernon Avenue Association and the United States, then the authority to construct, maintain and operate in perpetuation such a road or avenue is hereby given to the said United States; provided, that the land so used and occupied shall not exceed in width two hundred and fifty feet the length of said roadway or avenue.

"2. That all the ways, rights and franchises and improvements acquired under this Act by the United States and the improvements which may be placed upon the said road or avenue, shall be exempt from taxation so long as the same shall be used for the purposes hereinbefore mentioned.

"3. That the said corporation, known as the Mount Vernon Avenue Association, when the location of the said road or avenue shall be agreed upon as aforesaid, is hereby further authorized and empowered by a resolution duly adopted, approved and executed, to grant, convey, and release any and all rights, privileges, power, and authority

possessed by the said corporation under its act of incorporation to construct, maintain and operate said roadway or avenue, to the United States, which grant, conveyance and release when executed to the United States shall not be taken to work a forfeiture or held to be a surrender to the State of the rights granted by said act of incorporation, but the true purpose, intent and meaning of such grant, conveyance and release to the United States shall be to pass and convey to the said United States all the rights, powers, franchises and privileges which the said corporation possesses and none other."

February 18, 1890: The General Assembly amended the Charter of the "Mount Vernon Avenue Association" and constituted the original incorporators, Trustees of the Association, for the management of its business and affairs.

February 28, 1890: The General Assembly again amended this charter with a view to strengthening the State's assignment of its claim against the United States; appointed B. P. Green and J. A. Parker the State's agents to collect the claim and provided for payment to them by the Association of an agreed commission.

February 27, 1900: The General Assembly amended the charter. The Act really constituted a new charter, and provided:

"Section 1. William B. Smoot, J. K. M. Norton, C. C. Carlin, Hubert Snowden, Wm. F. Carne, C. C. Leadbeater, G. L. Boothe, J. M. Hill, J. B. Henderson, J. Tabor Johnson, A. B. Graham, James E. Clements, Joseph E. Willard, R. Walton Moore, William H. Snowden, Alexander J. Wedderburn, Stilson Hutchins, Beriah Wilkins, Crosley S. Noyes, W. S. Knox, John Joy Edison, N. H. Shea, A. Greenleaf, Mathew Trimble, and Fred Mertens, with five original incorporators, were constituted a body corporate, under the name and style of the 'Mount

Vernon Avenue Association,' with perpetual succession, and all the corporate powers possessed by corporate bodies under the laws of Virginia.

"Sec. 2. The officers of the Association to be a president, and as many vice-presidents as States in the Union, a secretary and Treasurer, also to be elected by the Board of Trustees, which has power also to increase its membership until the Board consists of a number equal to two Trustees from each State and Territory in the United States, with power to fill all vacancies in the Board. The Board of Trustees has power to remove any Trustee for cause; to elect and receive persons into membership of the Association, and to adopt by-laws, rules and regulations not inconsistent with the laws of Virginia and of the United States. The President of the United States was made ex-officio President of the Association, and the Governors of the States and Territories ex-officio Vice-Presidents thereof. The Trustees were authorized to elect annually ten of their members a Board of Directors, to manage the affairs of the Corporation, of which the chairman of the Board of Trustees is made ex-officio president.

"Sec. 3. The Corporation, for its authorized purposes, may acquire land by condemnation, donation, or purchase for a public highway or avenue not exceeding two hundred and fifty feet wide, from some point on the Potomac River opposite Washington, D. C., through the County of Alexandria (now Arlington), passing by way of or near Alexandria on a line not east of Washington Street and not exceeding one mile west thereof, and thence through the County of Fairfax to Mount Vernon.

"Sec. 5. Authorized the Corporation to receive subscriptions, contributions or aid from the United States, State of Virginia, any State or Territory of the Union, or any county, corporation, person or municipality thereof,

and power also, should the United States undertake to construct, operate and maintain said highway or avenue, to grant, convey and release unto the United States any and all rights, privileges, powers and authority possessed by the Corporation to construct, operate and maintain said highway or avenue, which grant, conveyance and release when executed to the United States should not be taken to work a forfeiture or surrender to the State of the rights granted to the Corporation.

"Sec. 6. Whatever is received by the Association from any source should be without compensation to the Trustees expended to open, construct, build, keep in repair and beautify the avenue.

"Sec. 7. The City of Alexandria was authorized to contribute twenty-five thousand dollars, in cash or bonds, to aid in the construction of the avenue.

"Sec. 8. The Counties of Alexandria and Fairfax were each authorized to aid in the construction of the avenue, in cash or bonds, in the amount of two thousand dollars per mile of construction in each county.

"Sec. 9. Confers upon the Association the right of eminent domain in acquiring land for its purposes.

"Sec. 10. Authorized the Trustees to regulate traffic upon the avenue and prohibit the use of steam as a motive power thereon.

"Sec. 11. Confers power upon the Trustees to keep the peace on and over the avenue, and, with the approval of the Courts having jurisdiction to appoint special policemen for that purpose. The police to have like powers as constables and City police.

"Sec. 12. Required the principal office of the Corporation to be located in the City of Alexandria, and its annual meetings to be held therein on the last Tuesday of May in each year."

JOTTINGS FROM THE ANNALS OF ALEXANDRIA

The Mt. Vernon Avenue Association did not build the boulevard, but who will deny that between that summer evening meeting in the old Opera House and the beautiful Mount Vernon Memorial Highway there does not exist the relation of cause and effect? Those far-seeing citizens who gathered there builded better than they knew.

My pleasant task is ended, as it was begun, with a keen interest in my home city and its legislative history, and a hope that my labor of love may arouse an even greater interest in some reader who will enlarge upon my work or follow some phase beyond its mere legislative history. I seek no other reward.

Jas. R. Catton

March 1, 1932.

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