

Takoma Park, Md., Monday Evening, July 10th, 1905

The Council met at 8:30 o'clock p.m. There were present the Mayor and Councilmen Blodgett, Derrick, Morrison and Van Houten

The minutes of the previous meeting were read by the Clerk, and upon slight corrections, were approved.

The Treasurer submitted his monthly report as follows:

To the Mayor and Council.		Takoma Park, Md., July 1, 1905	
Gentlemen: - I have the honor to submit the following report of receipts and expenditures during the month of June, 1905:			
Balance on hand last report	\$ 4360.74	Disbursements:	
Receipts:		Pumping plant: gasoline	\$ 59.86
From water rents	\$ 35.92	Waterworks: miscellaneous	53.88
" permits	20.00	Street work	84.60
" special assessments	31.64	Street lighting	17.63
	<u>87.56</u>	Salaries	108.00
	\$ 4448.30	Improvement bonds paid	3900.00
		Interest on improvement bonds	85.80
		General expenses	90.49
			<u>4400.26</u>
		Balance on hand	48.04
			<u>4448.30</u>
		Respectfully submitted:	
		Ben B. Davis, Treasurer.	

The Treasurer also submitted the following annual report:

To the Mayor and Council of Takoma Park, Md.		Takoma Park, Md., July 5, 1905	
Gentlemen: - I have the honor to submit herewith report of receipts and expenditures for the fiscal year ending June 30, 1905:			
Balance on hand July 1, 1904	\$ 352.56	Disbursements:	
Receipts:		Pumping plant: miscellaneous	\$ 117.65
From general taxes	\$ 7632.86	gasoline	392.36
" water rents	1227.01	Waterworks: miscellaneous	77.86
" road tax, Montgomery Co.	656.58	Sewer system: miscellaneous	262.47
" " Prince George Co.	121.38	Street work: material	175.07
" proceeds, special improvement bonds	22000.00	labor	374.49
" special assessments, cement walks	7256.25	General expenses: printing	67.45
" accrued interest on bonds	159.46	telephone rental	27.50
" interest on deposits in bank	31.85	postage	21.20
" redemption fund payments	232.42	contingent	19.51
" permits	93.00	miscellaneous	130.98
	<u>39410.81</u>	legal	50.00
	39763.37		<u>316.64</u>

Street lighting: oil _____	\$ 237.42		Deposit to credit sinking fund _____	\$ 500.00
lamps, globes, etc. _____	70.83	308.25	Paid improvement bonds _____	7300.00
Rent _____		207.00	" general bonds _____	1000.00
Fire apparatus _____		350.00	" from redemption fund _____	232.42
Salaries: clerk and treasurer _____	275.00		Special improvements: cement sidewalks _____	\$ 15272.44
engineer _____	624.00		sewer extension _____	6699.52
lamplighter _____	430.00	1329.00	water main, Carroll Ave _____	1952.36
Interest: water and sewer bonds _____	2260.00			<u>39,715.33</u>
improvement bonds _____	553.30		Balance on hand _____	48.04
general bonds _____	34.50	2847.80		<u>39,763.37</u>

SINKING FUND:

On hand July 1, 1904 _____	\$ 1051.88
Deposit to credit of during year 1904-5 _____	500.00
Interest credits during year 1904-5 _____	34.50
_____	1586.38
Interest on bonds purchased _____	\$ 18.11
Bonds purchased and cancelled _____	1000.00
_____	1018.11
Balance on hand _____	568.27

BONDED / INDEBTEDNESS:

Water and Sewer Bonds: first issue _____	\$ 39,000.00
second issue _____	10,000.00
third issue _____	7,000.00
Public improvement bonds _____	14,700.00
Total _____	\$ 70,700.00

No floating indebtedness.

Respectfully submitted;

Ben W. Davis, Treasurer

On motion of Mr. Derrick the reports were received and referred to the Finance Committee for examination.

The Finance Committee submitted the following report:

To the Mayor and Council of Takoma Park, Md.

July 10, 1905

Gentlemen: The Finance Committee has to report that they have carefully examined the following bills and accounts submitted to the committee for report. We have approved the following and recommend payment:

Gosorn and Skinner, Printing 1000 tax bills _____	\$ 3.50	Thos. H. Rhine, Services as bailiff _____	\$ 3.00
C. and P. Telephone Co. Rental for July and 3 messages _____	\$ 2.30	Chas. W. Scudder, Services as engineer _____	50.00
The Stockett-Fiske Co. Tax book \$10 ⁰⁰ day book 80¢ _____	10.80	Town Treas: Contingent expenses June _____	2.15
Standard Oil Co., 300 gals. gasoline @ 10½¢ _____	31.50		<u>125.01</u>
" " " 290 " oil @ 7½¢ _____	21.76		

In the matter of the account of H. Mueller Mfg. Co. we have withheld approval pending investigation

L. MORRISON,
J. H. VAN HOUTEN, } Committee.

On motion of Mr. Blodgett the report was accepted and payment of the bills directed

Mr. Van Houten, from the Health Committee, stated that the committee were still considering the matter of requiring all houses along

lines of public sewers to connect therewith and that the committee desired to report progress.

The Mayor reported that the special committee to consider desired amendments to the charter were progressing in their work; that attorneys had been consulted and he hoped everything would be ready for submission to the legislature immediately upon its convening.

The Mayor reported further that, relative to the petition submitted by certain residents of Ridge Avenue, relative to lawless proceedings in that neighborhood, together with Councilman Van Houten, he had gone to the locality in question and given personal warning to the parties complained of that they must desist in their conduct or be arrested and punished. Also that he had requested that four or five of the reputable citizens of that section to act as bailiffs; that several had consented to do so but have so far failed to appear to be sworn in. In the judgment of the Mayor he has done as much as he can do and it now devolves upon the citizens complaining to assume their work of good citizenship and lend their assistance.

The Mayor submitted bills amounting to \$6.⁵⁰ for bailiff services, food, etc, in connection with the arrest and conviction of two colored prisoners for disorderly conduct and on motion of Mr. Derrick the bills were approved and payment authorized.

Mr. Morrison moved that the Treasurer be directed to deposit \$500.⁰⁰ to the credit of the sinking fund so soon as the receipts for the current year will justify. The motion was carried.

Mr. Morrison moved that the Mayor and Treasurer be authorized and directed to take up, from time to time, as payments on special assessments may justify, the outstanding special improvement bonds, and to cancel the same.

Mr. Blodgett, from the street committee, reported verbally as to the deplorable condition of many of the streets and urged that early action be taken to improve existing conditions. The matter was considered at length, final action being deferred with the understanding that the Street committee would take up the matter at once and submit specific recommendations, with estimate of cost of repairs for streets most in need thereof, for submission to an extra meeting of the Council.

Mr. Blodgett also called attention to the wholesale breaking of lamp globes with remark that unless the vandalism was stopped street lighting would have to be abandoned. The bailiff was instructed to use every means possible to ascertain who was responsible for the breaking of these globes, and to bring before the Mayor anyone suspected of taking part therein.

Attention having been called to the washing of large quantities of sand into the reservoir at the waterworks dam with every rain, Mr. Morrison moved that the Water and Sewer committee be directed to investigate the matter and submit their conclusions to the Council as to the possibility of preventing this, together with probable cost of such plans as may seem feasible to the committee. The motion was carried.

Mr. Morrison moved that the Water and Sewer committee be directed to have the vault at the abandoned sewer farm placed in a sanitary condition as soon as possible. The motion was carried.

Mr. Derrick, from the Ordinance committee, submitted draft of a proposed ordinance granting right of way to the Baltimore and Washington Transit Co. The ordinance was considered informally, in connection with Mr. Mellen, representing said company, the matter being postponed to a special meeting of the Council to be held within a few days.

A communication was presented from the Chesapeake and Potomac Telephone Co. requesting permission to remove poles 1550 and 1551 from present locations to locations indicated on blue print accompanying. On motion of Mr. Morrison the desired permission was given subject to the usual provision that the exact location of the poles should be approved by the chairman of the street committee. The Clerk was instructed to inform the company that this provision must be strictly adhered to.

There being no further business the Council, at 10:15 o'clock p.m., adjourned.

Approved:

J. S. Finney

Mayor.

Ben W. Davis Clerk.

Friday Evening, July 14, 1905

A special meeting of the Council was held at the residence of the Clerk at 8 o'clock p.m., this date. There were present Mayor Kinnear and Councilmen Blodgett, Derrick, Morrison and Van Houten. The Mayor stated that the meeting had been called primarily to consider reports from the committees on Streets and Lights and Ordinance.

Mr. Blodgett, from the Street Committee, thereupon submitted the following report:

To the Mayor and Council.

Takoma Park, July 14, 1905

Gentlemen:- The committee on Streets would respectfully ask for the following appropriations for streets and gutters: Sligo Hill, scraping and graveling, \$150.00; Poplar Avenue, scraping and graveling from Hickory to Sycamore \$75.00; Columbia Avenue, scraping from Hickory to Sycamore, \$25.00; Elm Avenue, scraping, Beech Avenue to Pine and toward cabin, \$50.00; Montgomery Avenue, filling low place where water stands, \$25.00; Pine Avenue Hill, scraping \$10.00; Total, \$335.00; Board gutters, Pine Avenue Hill, 350 feet gutter, 1050 feet lumber, labor, \$20.00; one Keg nails, \$2.00; Poplar Avenue, 1026 feet gutter, 3078 feet lumber, labor, \$50.00. This is for one side.

E. E. BLODGETT,
J. H. VAN HOUTEN,

In connection with the report Mr. Blodgett explained that it covered only those streets in urgent need of immediate repairs.

Mr. Morrison moved that the report be received and each street considered separately. The motion was carried.

The Council thereupon proceeded to consideration of the report in detail and at considerable length, discussing the general needs of the Town in matter of desired street improvements and the best methods to accomplish reasonably permanent results in the specific streets recommended by the committee. The recommendations of the committee as submitted were all approved, with the exception of Poplar Avenue, upon which street, on motion of Mr. Morrison, board gutters were recommended for both sides at an estimated additional expense of \$75.00, making an estimated total of \$482.00.

Thereupon, on motion of Mr. Derrick, the report of the committee, as amended, was adopted and the appropriation authorized.

The Mayor, for the information of the Council, read a letter from Attorney C. W. Prettyman, in relation to the decision of the Court of Appeals on the tax law, in which it was stated that the court had declined to hear a reargument of the case and that he (Mr. Prettyman) would take the matter up at an early date and endeavor to "devise some plan that will be satisfactory before the legislature meets."

The Mayor also read a letter from the Commissioners of the District of Columbia relative to connecting District sewer with

that of the Town of Takoma Park. The Mayor was requested to inform the Commissioners of the action already taken by the Council in the matter, declining to permit such connection previous to an agreement as to compensation therefor.

Mr. Derrick, from the Ordinance Committee, submitted draft of a proposed ordinance giving a right of way for the tracks of the Baltimore and Washington Transit Company over the highways of the Town.

The ordinance was taken up by section and informally considered at length, the provisions as submitted apparently meeting with approval. Certain amendments were, however, deemed advisable and, upon motion of Mr. Morrison the matter was referred back to the Ordinance Committee, with instructions to consider the following points in connection therewith, and to incorporate them in the provisions of the proposed ordinance: The general question of taxation payable to the Town; the hauling of freight; time limit; width of streets upon which tracks will run and the plans of the company as to extension of the road beyond the corporation limits.

A communication was presented from the Chesapeake and Potomac Telephone Co. requesting permission to string 3 pairs of wires on poles on Carroll and Laurel Avenues to furnish service to Mrs. L.M. Feldman, Clyde C. Lamond and Mr. Langley.

On motion of Mr. Derrick the desired permission was granted.

Mr. Van Houten called the attention of the Council to the efficient services rendered by Mr. Blodgett in his supervision of most of the practical work of the Town, especially that part of it relating to street repairs and lighting, and suggested that his services when employed were worth more than the \$3⁰⁰ per day which he has been receiving and suggested that he be given an increase over that amount. Mr. Blodgett's efficient work was highly commended by other members of the Council and by the Mayor.

Mr. Derrick moved that, when employed upon work of the Town Mr. Blodgett be compensated at the rate of \$3⁵⁰ per day. The motion was carried and it was so ordered.

There being no further business the Council, at 11:05 p.m., on motion of Mr. Derrick, adjourned.

Approved:

J. P. Fineman

Mayor.

Ben D. Davis Clerk.

Tuesday Evening, August 1st. 1905

A special meeting of the Council was held at the residence of the Clerk this date convening at 8:30 o'clock p.m.

There were present the Mayor and Councilmen Blodgett, Derrick and Scudder.

The Mayor stated that he had called the meeting for the purpose of hearing from the Engineer in regard to the proposed public improvements on Carroll and Willow Avenues, the estimated cost of which has been deposited with the Treasurer.

Mr. Scudder thereupon presented the following ordinance.

Ordinance No. 123.

Be it ordained by the Mayor and Council of the Town of Takoma Park, Maryland;

That, whereas the owners of property abutting on Carroll Avenue from the intersection of Laurel and Carroll Avenues to Willow Avenue, and the owners of property abutting on Willow Avenue from Carroll Avenue to Tulip Avenue, have petitioned the Mayor and Council of the Town of Takoma Park, Maryland, to grade Willow Avenue from Carroll Avenue to Tulip Avenue, and provide sidewalks thereon, and to provide water and sewer facilities for their property; and

Whereas, the said property owners have deposited with the Treasurer of said Town the sum of Thirty-six hundred dollars (\$3600) to pay the expenses of the above named improvements;

Now therefore, be it ordered by the said Mayor and Council: That Willow Avenue from Carroll Avenue to Tulip Avenue be graded and cement sidewalks four feet wide be laid on both sides thereof, and that a watermain four inches in diameter, with the necessary cut-offs, fire plugs and accessories, be constructed along Carroll Avenue from the intersection of Laurel Avenue and Carroll Avenue to Willow Avenue, and along Willow Avenue from Carroll Avenue to Tulip Avenue, and that a sewer eight inches in diameter, with the necessary man holes and accessories, be constructed along Carroll Avenue from the intersection of Laurel Avenue and Carroll Avenue, to Willow Avenue, and along Willow Avenue from Carroll Avenue to Tulip Avenue, and along Tulip Avenue from Willow Avenue to Maple Avenue. And that the entire expense thereof be paid from the said \$3600⁰⁰ deposited as hereinbefore mentioned; and any surplus remaining from that sum be returned to the parties making said deposit, prorated in accordance with the front footage of their property abutting on the proposed improvements.

Mr. Derrick moved that the ordinance be adopted and the ordinance was adopted upon a ye and nay vote as follows: voting yes, the Mayor and Councilmen Blodgett, Derrick and Scudder. Voting nay, none.

Mr. Scudder presented proposed plans and specifications for the work, together with forms of proposals, bonds, etc. These were duly considered by the Council.

Mr. Derrick moved that the plans and specifications as submitted by the Engineer be approved and that the Engineer be instructed to invite bids from several contractors and that such bids as may be presented be opened at the regular meeting of the Council Monday evening, August 14th, 1905. The motion was carried.

Mr. Scudder submitted to the Council informally a statement as to the condition of the work on the sewer extension and the new sewage disposal fields, in effect that the work had not yet been completed in accordance with the plans and specifications and that he was therefore unprepared to recommend acceptance of the work and payment of the contractor. The matter was considered at some length, Mr. Scudder recommending that the Clerk be directed to notify the contractor that unless the work was completed within fifteen days, ~~his~~ in accordance with the plans and specifications, his bondsmen would be notified thereof.

On motion of Mr. Derrick the recommendation of the Engineer was approved and the Clerk directed to take the action designated.

Mr. Blodgett, from the street committee stated that, pursuant to the instructions of the Mayor, he had investigated the condition of the several bridges on Sligo Avenue below Carroll Ave., together with the general condition of the street; that, in his opinion two of the bridges should be removed and replaced by large terra cotta pipe and that the probable total expense of the whole work necessary would be \$150⁰⁰. The Mayor stated that this work was urgent and recommended immediate action.

Mr. Derrick moved that an appropriation of not exceeding \$150⁰⁰ be made for urgent repairs to bridges and roadway on Sligo Avenue as recommended by the chairman of the street committee. The motion was carried.

Mr. Derrick, submitted to the Council draft of proposed ordinance relating to the Baltimore and Washington Transit Co. with such changes as were deemed advisable after former conference with members of the Council, and stated that he was ready to proceed with the matter if it was so desired. In view of the absence of three members of the Council it was decided to defer consideration of the matter at this time.

There being no further business the Council, at 10:35 o'clock, p.m., adjourned.

Approved:

J. S. Fineman

Mayor.

Ben D. Davis Clerk.

Takoma Park, Md., Monday Evening, August 14, 1905

The Council met at 8 o'clock p.m. with the following members present: The Mayor and Messrs. Blodgett, Derrick, Morrison, Scudder and Van Houten. The minutes of the last regular meeting and the two subsequent special meetings, were read by the Clerk and approved.

The Mayor stated that this evening had been designated for the opening of bids for certain public improvements on Carroll and Willow Avenues and presented four bids which had been handed to him. These bids were thereupon duly opened and were as follows:

1. For grading of Willow Ave. Martin McNamara & Co. 45 cents per cubic yard.
2. For laying 500 sq. yds., more or less, of cement walk. Martin McNamara & Co., \$1.45 per sq. yd; extra grading 50¢ per cu. yd. cement steps, \$1.²⁵ per linear ft; extra concrete, \$7.⁰⁰ per cu. yd.
3. For construction of 1000 feet, more or less, of 4 in water main: Martin McNamara & Co: Excavation, 40¢ pr. cu. yd; rock excavation, \$3.⁰⁰ per cu. yd; furnishing and laying 4 in. pipe, 73¢ per linear foot; pipe line complete, except hydrants and valves, 88¢ per foot; furnishing and setting hydrants, \$45.⁰⁰ each; furnishing and setting stop valves, \$20.⁰⁰ each.
4. For construction of 1500 feet, more or less, of sewer: Martin McNamara and Co. For furnishing and laying 8 in terra cotta pipe and 40 Y branches, per linear foot, 97 cts; manholes, \$45.⁰⁰ each; rock excavation, \$3.⁰⁰ per cu. yd.

No further bids having been received and those presented being in due and proper form with certified checks attached, without objection they were referred to the special committee in charge of the work for examination and report at an early day.

On recommendation of the Mayor and upon motion of Mr. Scudder, Mr. E. E. Blodgett was appointed a deputy bailiff.

The oath of office was thereupon administered to Mr. Blodgett as deputy bailiff and also to Mr. Thos. Rhine, previously appointed.

Mr. Morrison, from the Finance Committee, stated that the committee had met at its regular time for consideration of bills but as no bills had been presented in proper form, no action was taken and the committee therefore had no report to submit.

Mr. Scudder, from the special committee in charge of public improvements presented a bill of Mr. L. R. Crabill, for engineering services, amounting to \$27.⁷⁵ and from Miss Margaret Clodgett, for typewriting, amounting to \$11.⁰⁸ and moved that these bills be approved and payment directed. The motion was carried.

The Treasurer presented the following report:

To the Mayor and Council. (Thro' the Finance Committee.)		Takoma Park, Md., August 1, 1905	
Gentlemen: - I have the honor to submit herewith report of receipts and expenditures for the month of July, 1905:			
Balance on hand last report	\$ 48.04	Disbursements:	
Receipts:		Pumping plant: gasoline	\$ 31.50
From general taxes	\$ 3674.35	Waterworks	4.50
" special taxes: water main	27.50	Sewer system	5.06
cement walks	1068.78	Street work: labor	90.25
sewers	1200.00	Street lighting: oil	21.76
From water rents	29.51	General expenses, including printing, postage, telephone, etc	88.75
" permits	5.00	Redemption of property sold for taxes	34.32
" interest on deposits in bank	27.78	Salaries	108.00
For redemption of property sold for taxes	34.32	Payment of one general improvement bond	500.00
Deposit for public improvements	3600.00	Deposited to credit of sinking fund	500.00
	<u>\$ 9667.24</u>	Interest paid on bonds	403.50
	9715.28		1787.64
Of balance on hand		Balance on hand	7927.64
There belongs to special permit fund	\$ 3600.00		<u>9715.28</u>
To special improvement fund (including the town's annual payment of \$400 for the current year	1352.53		
	<u>\$ 4952.53</u>		
Balance in general fund	2975.11	Respectfully submitted:	
	<u>\$ 7927.64</u>	BEN G. DAVIS, Treasr.	

Without objection the report was referred to the Finance Committee for examination

Mr. Van Houten, from the Committee on Health and Sanitation, submitted the following report:

To the Mayor and Council of Takoma Park, Md. August 14, 1905

Gentlemen: The Committee on Health and Sanitation, to whom there was referred for consideration and report, the question of the propriety of requiring all persons who live upon the lines of both water and sewer to connect their premises therewith, would report that they have carefully and seriously considered the matter. Realizing that such a requirement would possibly work a hardship to the few, we also realize that it would very materially benefit the many, and to bring the greatest good to the greatest number should be our aim at all times. The general health of Takoma Park is not only good but it is very good, and while we may congratulate ourselves upon this condition, it is our duty not only to endeavor to maintain it as it is, but to take such action from time to time as will, in our opinion, prevent general epidemics, such, for instance, as the typhoid epidemic now prevailing on all sides of us. It is evident to everyone that the maintaining of outhouses, commonly called privies, even under the most favorable conditions, is a menace to health, and in order to reduce such menacing conditions to a minimum that, where it is possible to do so, such privies should be abolished. We believe also that our citizens as a class will, when necessary, cheerfully make personal sacrifices in order to promote the general welfare of our community. Prompted by a desire to advance the interests of the whole community by safeguarding the general health, we would therefore recommend that the Ordinance Committee prepare an ordinance to be presented to the Council not later than the regular meeting in November, 1905, requiring that all houses situated upon the lines of both sewer and water and used or occupied as places of residence shall be connected with said sewer and water mains and that it shall be unlawful for any person or persons to maintain a privy on any premises so connected within the corporation of the Town of Takoma Park, Maryland.

J. H. VAN HOUTEN
LISLE MORRISON
E. E. BLODGETT.

Health Committee report relative to compelling connection with Sewers.

Mr. Scudder moved that the report be accepted. The motion was carried.

Mr. Derrick moved that the Clerk be directed to notify occupants or owners of houses along lines of water and sewers that it is the desire of the Council that such properties be connected with said water and sewer system, in consideration of the general public health, and requesting to be advised if such action is in contemplation within the immediate future. The Mayor declared the motion lost for want of a second.

Mr. Blodgett, from the Street Committee, reported relative to the serious condition of the cement walk on Tulip Avenue between Oak and Holly caused by the recent heavy rains and submitted drawing of a proposed cement culvert large enough to carry off the volume of water that passes through that street, the expense of construction being estimated at \$200⁰⁰. After thorough consideration of the matter it was deemed probable that an additional 24-in pipe across said street would accomplish the desired result, and on motion of Mr. Scudder an appropriation of \$50⁰⁰ was authorized for this work.

Mr. Scudder also moved that an appropriation of \$12⁰⁰ be authorized for raising the level of a section of the brick walk on Holly Ave which is at present below street grade and often submerged. The motion was carried.

Mr. Derrick, from the Ordinance Committee submitted the following:

Ordinance No. 124

To repeal the Charter of the Baltimore and Washington Transit Company,

Be it ordained by the Mayor and Council of the Town of Takoma Park, Md: Whereas the Baltimore and Washington Transit Company of the State of Maryland has failed to operate its electric railroad over and upon the streets of the Town of Takoma Park for a period exceeding thirty days in accordance with the provisions of the ordinance of the Mayor and Council of Takoma Park passed and approved June 24, 1897, by which the right to operate said road over and upon said streets was granted to said Company and whereby the right was reserved to said Mayor and Council of Takoma Park to repeal said ordinance and withdraw the rights granted thereunder in case of such failure, and

Whereas the Town of Takoma Park has succeeded to all the rights and powers of said Mayor and Council of Takoma Park,

Therefore be it enacted and ordained by the Town of Takoma Park

That the ordinance passed June 24, 1897 by the Mayor and Council of Takoma Park, Md., entitled "An ordinance granting right of way to the Baltimore and Washington Transit Co of the State of Maryland," said ordinance being numbered LV be, and the same is hereby repealed.

And be it further enacted and ordained that all the rights, franchises, and powers by said ordinance granted to the said The Baltimore and Washington Transit Company of the State of Maryland be and the same are hereby revoked and annulled.

And be it further ordained and enacted that the bailiff of the Town of Takoma Park be and he is hereby ordered and directed to take up and remove the tracks, poles and other obstructions placed in the streets by said company at the sole cost and expense of the said company.

The ordinance was adopted by the following vote: Voting aye, the Mayor, and Councilmen Blodgett, Derrick, Morrison, Scudder and Van Houten. Voting nay, none.

The following Ordinance which had been thoroughly considered by the Council at its several meetings during the past four months was thereupon presented by Mr. Derrick:

Ordinance No. 125.

Granting Right of Way to the Baltimore and Washington Transit Company of the State of Maryland.

Be it ordained by the Mayor and Council of Takoma Park, Maryland.

Section 1. - That the right of way is hereby granted subject to the conditions hereinafter prescribed, to the Baltimore and Washington Transit Company of Maryland, duly incorporated under the laws of the State of Maryland, to construct and operate a single track railway occupying, with poles and car, not more than twelve (12) feet, with not more than one turnout for every half mile of track, upon the following prescribed route within the corporate limits of the Town of Takoma Park, Maryland: Beginning at a point where the line of the District of Columbia intersects Laurel Avenue; thence along the extreme westerly side of the roadway of Laurel Avenue to Carroll Avenue; thence along the extreme westerly or northwesterly side of the roadway of Carroll Avenue, to Flower Avenue; Provided, however, that should the company deviate from Carroll Avenue, it shall be only by and with the consent of the Mayor and Council. Provided also that no work shall be done until full plans and specifications have been submitted and approved by the Mayor and Council.

Section 2. - On the right of way herein granted there shall be but one line of poles, which shall be erected on the extreme westerly or northwesterly side of said Avenues, and be of iron of a pattern approved by the Mayor and Council.

The said company shall construct its railway of good material in a substantial and workmanlike manner, using "T" rails of the most approved pattern so laid that their tops shall be even with the surface of the pavement or roadbed of the streets, avenues and highways which it occupies or crosses and all structures shall be placed in such a manner as not to interfere with ordinary travel on and along streets and shall pave and keep paved the space between the poles and one foot beyond the end of the cross ties on the opposite side from the poles in a like manner, and of the same material as the street is paved. And the road shall be operated with cars of a pattern approved by the Mayor and Council. The company shall place no poles in such a manner as to obstruct streets crossed by its tracks, and no wire, guide rail or other structure above ground shall be less than sixteen (16) feet from the ground. The track, poles and other structures shall be so placed as to admit of ready access by vehicles to the sidewalk adjoining the track; and said company shall maintain suitable lights at such points as may be designated by the Mayor and Council.

Section 3. - That said Company in laying its railway and erecting its poles, shall do the necessary work as expeditiously and with as little interference with traffic as possible, and the streets so used shall be put in as good condition by the said company after the work is completed as they were before, and all streets, avenues and roadways upon which the track or tracks may be laid, shall be placed in good condition for public travel, including the space occupied by the track or tracks. That an electrical return system shall be provided in such a manner as shall not subject the abutting property to injury by electrolysis or other causes, and the company shall be liable for all damages to streets, culverts, water and sewer pipes during the construction and maintenance of said railroad, or caused by the passage of its cars or by electric currents used in the propulsion of its cars.

Section 4. - That the said railroad shall be constructed and operated by electricity, with cars running thereon, within six (6) months from the date of approval of the plans and specifications by the Mayor and Council, at least as far as Jefferson Avenue, and in the event of failure to construct and operate with cars within said time, this grant of right of way shall be void, and the Mayor and Council shall by this act have power to take up and remove the track or tracks (including rail or rails and ties) poles and other obstructions placed in the streets by the Company, and at the sole cost and expense of the company.

That the cars shall be run at no greater rate of speed than fifteen (15) miles per hour, and the Mayor and Council shall have power to change and regulate the speed of cars and to impose fines for the failure to comply therewith, or with other regulations of the Mayor and Council relating to the construction and operation of the road.

That the cars shall be run on a schedule approved by the Mayor and Council, provided however, that cars shall be run not less frequently than one trip each hour from 7 a.m. to 10 p.m., except during the early morning and early evening, when not less than one trip each half hour from 7 a.m. to 9 a.m., and 5 p.m. to 7 p.m., shall be made.

That in case of failure of the company to operate said road at any time for a period of five (5) days, except in case of strikes, insurrections, floods or other like cause beyond its control, and the Mayor and Council shall be the sole judge as to such causes, the said Mayor and Council may repeal this ordinance, and declare all rights herein granted null and void. And in such event the Mayor and Council shall also have the power to take up and remove the track or tracks (including rail or rails and ties) poles and other obstructions placed in the streets by the company, at the sole cost and expense of the company.

The Mayor and Council reserves the right to alter, improve or change the grade of the streets on which the track or tracks are laid, and to lay water, gas, or sewer pipes, or to make any municipal improvements, along or across said streets, or to open new streets across the same. And in such cases, the said Company shall make such changes to its track or tracks, poles and other structures as shall be necessary to conform to changes made to grades or other improvements, without any expense whatever to the Town of Takoma Park, Md.

The company shall not charge a greater fare than five (5) cents for carrying a passenger between any two points on its line within the corporate limits of the town; and the terminus of said road within the District of Columbia shall be at the intersection of some railway extending into the City of Washington, with which reciprocal transfer arrangements shall be made; and in case of failure of said company to so connect, or to provide for such reciprocal transfer arrangements within one year from date of issuance of the permit for construction of said road, then said company shall forfeit to the Town of Takoma Park, Maryland, the sum of Two Hundred Dollars (\$200.00) which sum shall be deposited with the Treasurer of the Town of Takoma Park at the date of the issuance of a permit of construction.

Section 5.- That the said railway company shall deposit with the Treasurer of the Town of Takoma Park, Md., the sum of \$500.00 within sixty (60) days from the granting of this right of way, as a guarantee that it will commence and complete its road within the time herein limited. And unless said sum of \$500.00 is so deposited within 60 days from the passage of this ordinance all rights, franchises and privileges hereby and herein granted shall immediately cease and determine and this right of way shall be null and void. Should the said company fail to commence or complete the construction of this road within the limit of time prescribed by this ordinance, the said sum of \$500 shall be forfeited to the Town of Takoma Park, Md., by the said railway company. The Mayor and Council is also hereby empowered to use any or all of said sum to repair damages and replace streets in proper condition, should the company fail to do so within ten (10) days from notification by the Council. The said sum of \$500, or any part thereof, remaining on hand after a strict compliance with the provisions herein set forth shall be returned to the company upon a vote of the Council releasing the same.

Section 6.- That said company shall pay into the Treasury of the Town of Takoma Park, Md., in lieu of taxes on general or special property for each fiscal year the sum of \$150.00; said payments shall be made in the month of July of each year for the year ending June 30th next preceding the date of payment. And unless said sum of \$150.00 is paid as herein provided, all rights, franchises and privileges hereby granted, shall immediately cease and determine and this right of way shall be null and void.

Section 7.- The Mayor and Council reserves the right to alter, amend or repeal this ordinance. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed and declared null and void.

Mr. Scudder moved that the Ordinance be adopted and the ordinance was adopted upon an aye and nay vote as follows: Voting aye, the Mayor and Councilmen Derrick, Morrison and Scudder. Voting nay, Councilmen Blodgett and Van Houten.

Mr. Derrick moved that the necessary fill to complete cement walk on Buffalo Avenue be made at once and that the appropriation necessary for that purpose be authorized. The motion was carried.

There being no further business the Council, at 12:05 p.m. adjourned.

Approved:

Mayor

Bruce Davis Clerk

Tuesday Evening, August 22nd, 1905

A special meeting of the Council was held at the residence of Councilman Morrison, convening at 9 o'clock p.m. There were present Mayor Kinnear and Councilmen Blodgett, Derrick, Morrison and Van Houten.

The Mayor laid before the Council a communication from Mr. Charles W. Scudder, tendering his resignation as a member of the Council owing to his having removed from the corporation, and stated that he had called the meeting for the purpose of taking action thereon.

Mr. Van Houten moved that the resignation be accepted to take effect this date. The motion was carried.

In view of this action the Mayor declared a vacancy in the membership of the Council and inquired if any action was desired at this time relative to the filling of said vacancy as provided in the charter.

Mr. Morrison moved that Mr. Lee R. Grabill of New York Ave., be elected to fill the unexpired term of Mr. Scudder, resigned. The motion was unanimously carried.

Mr. Grabill, being present, the Mayor administered the oath of office, and he entered upon the discharge of his duties.

The Mayor called the attention of the Council to the advisability of immediately closing up affairs in connection with the construction of the outfall sewer and disposal fields, the contractor being also anxious to have the matter disposed of and settlement made.

Mr. Grabill moved that the Mayor and Mr. Blodgett be appointed a Committee to act in conjunction with Mr. Scudder, to examine the completed sewer plant and to report to the Council as early as practicable. The motion was carried.

Mr. Morrison stated to the Council that, as trustee of the public school, he had secured an appropriation from the school authorities for certain improvements, including the installation of a yard hydrant for water, and asked upon what terms water would be furnished for this purpose.

Mr. Blodgett moved that a permit be granted, without charge, for tapping of the water main, and that water be supplied without charge, to the public school building on Tulip Avenue. The motion was carried.

There being no further business the Council, at 10:10 o'clock p.m., adjourned

Approved:

J. P. Kinnear

Mayor

Bruce Davis

Clerk.

Thursday Evening, August 24, 1905

A special meeting of the Council was held at the residence of the Clerk, this date, convening at 8 o'clock. There were present the Mayor and Councilmen Blodgett, Derrick, Grabill and Van Houten.

The Mayor stated that he had called the meeting to consider the bids recently submitted for certain improvements on Willow Avenue.

The bids submitted were thereupon carefully considered by the Council as in committee of the whole. Mr. Grabill, who had done the preliminary engineering work, submitted estimates based on a modification of the original plans, from which it appeared that the work, in accordance with the bids as rendered, could be done within the \$36.00⁰⁰ available for the purpose.

Mr. Derrick thereupon submitted the following ordinance:

Ordinance No. 126.

Awarding the Contract for certain Public Improvements upon and in the Vicinity of Willow Avenue.

Be it Ordained by the Mayor and Council of Takoma Park, Md.

Section 1. - That, in accordance with the provisions of Ordinance No. 123, passed and approved August 1, 1905, and pursuant to plans and specifications prepared for the work therein ordered, the contract for said work be and is hereby awarded to Martin McNameara & Co., of Washington, D.C., at the following prices:

For grading of Willow Avenue, 45 cents per cubic yard.

For laying 500 square yards, more or less, of cement walk, \$1.45 per sq. yd.; extra grading, 50 cents per cu. yd.; cement steps \$1.25 per linear foot; extra concrete, \$7.⁰⁰ per cu. yd.

For construction of 1000 feet, more or less, of 4 inch water main, pipe line complete, except hydrants and valves, 88 cents per foot; furnishing and setting hydrants, \$45.⁰⁰ each; furnishing and setting stop valves, \$20.⁰⁰ each.

For construction of 1500 feet, more or less, of 8 inch terra cotta sewer with 40 "Y" branches, 97 cents per foot, manholes, \$45.⁰⁰ each; rock excavation \$3.⁰⁰ per cubic yard.

Section 2. - That the Mayor be and is hereby authorized to sign said contract for and in the name of the Town of Takoma Park, Maryland, with the said Martin McNameara & Co.; for the work designated herein.

The Ordinance was adopted by the following vote: voting aye, the Mayor and Messrs. Blodgett, Derrick, Grabill and Van Houten. Voting nay, none.

Mr. Blodgett moved that Mr. Grabill be appointed engineer in charge of the special improvement on and in vicinity of Willow Ave. with authority to employ such assistance as he may deem necessary. The motion was carried.

The Council, on motion of Mr. Blodgett, at 10 o'clock p.m., adjourned.

Approved:

J. K. Kimmel

Mayor

Ben B. Davis

Clerk.