

(Twenty-seventh)

MINUTES OF THE MEETING OF THE STATE  
HIGHWAY COMMISSION, HELD AT OULPEPER, VIRGINIA  
ON JULY 5TH, AND AT RICHMOND, VIRGINIA, JULY 6TH,  
AND AN INSPECTION TRIP, JULY 5TH, 6TH, 7TH, AND  
8TH, AND A PUBLIC HEARING AT MANASSAS, VIRGINIA,  
JULY 6TH, 1921.

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The State Highway Commission with the following members present, viz; Wade H. Massie, Chairman, Henry P. Beck, Secretary, Horace Hardaway, and James A. Mundy, Jr., assembled in Oulpeper at the Hotel on Tuesday, July 5th, 1921, for the transaction of routine business.

Mr. F. W. Davie was absent on account of sickness.

On motion of Mr. Mundy, (Mr. Hardaway presiding), Mr. Wade H. Massie was re-elected Chairman of the Commission for the ensuing twelve months, his new term expiring on July 1st, 1922.

Mr. Massie expressed his thanks to the members of the Commission for this renewal of their confidence and promised faithful discharge of the duties of the office.

On motion of Mr. Hardaway, (Mr. Massie, in the chair) Mr. Henry P. Beck was re-elected Secretary of the Commission for the ensuing twelve months, his new term expiring on July 1st 1922.

Mr. Beck thanked the members of the Commission for this continued confidence.

After deliberating on the Lexington contests (Routes No. 3 and 14) the Commission adjourned to make an inspection of that portion of Route No. 7 between Sperryville and Galpeper, and between Galpeper and Stevensburg, and Route No. 2 from Brandy to Galpeper.

At the conclusion of this inspection the Commission proceeded by train to Manassas, where they were joined by Highway Commissioner G. P. Coleman.

On Wednesday morning, July 6th, the State Highway Commission, accompanied by Highway Commissioner G. P. Coleman, proceeded from Manassas towards Warrenton going to Hokeville, thence to Greenwich and to Buckland, returning to Manassas by the Route selected by the Highway Commissioner.

The Commission with Wade H. Nassie, Chairman, Henry P. Beck, Secretary, Horace Hardaway and James A. Hundy, Jr. in attendance, met in the Court House at Manassas and proceeded with the hearing of the appeal of the Supervisors and certain freeholders of Prince William County, appealing from the decision of Commissioner Coleman in his location of that portion of Route No. 21 between Manassas and Warrenton.

After extended remarks from all parties interested in this contest, the Chairman declared the meeting adjourned, announcing that the matter would be taken under advisement by the Commission, and their decision announced at a later date.

Mr. Davis was not present at this hearing on account of sickness.

After the conclusion of the Manassas hearing Commissioner Mandy returned to his home, and the remaining members of the Commission, viz.; Massie, Beck, and Hardaway, accompanied by Highway Commissioner Coleman, proceeded by automobile from Manassas through Prince William County to Route No. 1, and thence over this Route to Fredericksburg; thence over Route No. 7 to King George Court House, leaving Route No. 7, the Commission proceeded through King George County to Colonial Beach, where the party remained for the night.

The Commission left Colonial Beach on Thursday morning, July 7th, and proceeded through Westmoreland County to Montross on Route No. 7, and following Route No. 7 proceeded to Warsaw; thence to Lancaster, thence to Kilmarnock, thence to Whitestone, and thence to Westland, returning from this place via Irvington and Kilmarnock.

At all of these places the Commission met a number of officials and representative citizens of the various Counties, and the road needs of these communities were carefully laid before the Commission.

From Kilmarnock the Commission proceeded to Reedville, and from there over Route No. 7 to Heathsville, where they remained for the night.

From Heathsville the Commission proceeded, on the morning of July 8th, over Route No. 7 to a point near Warsaw, where they left Route No. 7 and proceeded directly to Wallford's Wharf, where they crossed the Rappahannock River to Essex County, and proceeded by Route No. 13 to Richmond via Walkerton.

At Richmond, on July 8th, 1923, in the Westmoreland Club, the Highway Commission, with Wade H. Masie, Chairman, Henry P. Neek, Secretary, and Horace Hardaway in attendance, held a meeting for the transaction of business.

The minutes of the meetings of June 20th to June 25th, inclusive, were read and on motion of Mr. Hardaway, were approved and the Chairman authorized to sign the same as correct.

The Commission elected R. G. Vaughan a member of the State Traffic Police Force.

On motion of Mr. Hardaway an additional allocation of \$2,000.00 was made to Project S-67, Route 45, Blackburg to Embury for resurfacing work.

On motion of Mr. Hardaway, the following resolution authorizing the Massanutten Sand and Gravel

Company to lay and maintain a standard gauge railroad track across State Highway No. 8 in Spotsylvania County, about one hundred and fifty feet south of the concrete bridge over Massaponax Creek, was adopted:

It appearing to the State Highway Commission of Virginia that upon the application of Charles L. Ruffin for a permit to run a private spur railroad track across the River Road leading from Fredericksburg to Fort Royal at a point approximately 100 feet southwardly of the concrete bridge over Massaponax Run, in Spotsylvania County, Virginia, for the purpose of developing and moving gravel deposits on the North side of said run, near Rappahannock River, and hauling said mine products to the main line of the R. F. & P. R. R., permission and right was granted by the Board of Supervisors of Spotsylvania County to said Charles L. Ruffin, his heirs, administrators and assigns, in accordance with said application, with provisions that the said crossing shall be constructed in a manner satisfactory to a Road Board of Spotsylvania County, or its successors and that when the work for which said crossing was constructed should be finished said crossing should be immediately removed by said applicant, his

heirs, administrators and assigns, and the road at the point of said crossing placed in condition to be approved by said Board Board, or its successors, said permit to extend for a period of ten years from date, and upon other provisions and conditions set forth in a resolution of the Board of Supervisors of Spotsylvania County at a meeting thereof held at the Court House on Monday, December 9, 1918; and

It further appearing to this Commission that the said permit was acquired by said Charles L. Ruffin for the benefit of Massapeaux Sand and Gravel Corporation, a corporation, and all rights and obligations thereunder assigned by said Charles L. Ruffin to said Massapeaux Sand and Gravel Corporation, and that said Corporation has constructed a private railroad crossing pursuant to the permission of said Board and said resolution; and

It further appearing to this Commission that subsequent to said resolution of said Board and prior to the construction of said crossing said road had become a State Highway, pursuant to the provisions of the statutes in such cases made and provided, and that said Massapeaux Sand and Gravel Corporation has filed with this Commission, under date of February 18, 1922, its application for permission to cross with its railroad track the State Road No. 8, in Spotsylvania County, East of Fredericksburg, being locally known as Fort Royal Road, in accordance with plan and profile for the crossing desired and filed with said application.

IT IS ORDERED by the STATE HIGHWAY COMMISSION OF VIRGINIA, that permission be and is hereby granted to Massapeaux

(4) The Company shall construct and maintain an open ditch satisfactory at all times to the Engineer of State Highways, between the toe of their fill and the roadway of the Highway, without encroaching on or interfering with the roadbed of the highway, for such distance as the toe of said fill may touch and come in contact with the roadway or ditches of the highway.

(5) The Company shall construct and at all times maintain a proper railroad crossing signal at said crossing, and shall operate its trains over said crossing in a careful manner and with all necessary lookouts, and at a speed not in excess of fifteen (15) miles per hour; and shall at all times take every reasonable and necessary precaution to safeguard the State, and any corporation or person using said highway for travel.

(6) The Company shall at all times maintain said crossing in a condition satisfactory to the State Highway Commissioner, and shall upon notice from this Commission, or the State Highway Commissioner, make such changes in grade or alignment of its tracks, as may be necessary to conform to any improvements to said highway. The provision hereof to be construed to be regulations, and not a contract, and the interests and rights of the Company hereunder shall not be assigned or transferred by the Company without the written consent of the Commission.

(7) The State Highway Commission does not hereby attempt to give any right or privilege which may belong to the owner or owners of property along, on or adjoining the right of way of said highway, nor in any wise become responsible for any questions of rights or damage which may arise between the Company, and the owner or owners of said property.

(8) The Company shall at all times indemnify and save harmless the State Highway Commission, and its successors, and the Commonwealth of Virginia, or any officer, agent or employee thereof, against and from any loss, cost, expense, charge or damage caused or occasioned directly or indirectly by reason of the construction, use or maintenance of said crossing.

(9) The Company shall at all times conform to such general rules and regulations, conditions or restrictions as may herein, or as may be made by this Commission, or the State Highway Commissioner, or the successors or either, regulating the establishment, construction, use or maintenance of a private railroad crossing on rights of way of State roads, and any reasonable rule or regulation, requirement, condition or restriction that may be formulated, governing the establishment, use or maintenance of the private railroad crossing herein permitted.

(10) As a condition precedent to the use of the said crossing, the Company shall signify its acceptance of the terms under which this permission herein granted is given, and the limitations and conditions herein imposed, by filing with said Highway Commission within thirty days from the date hereof a copy of resolution passed by its Board of Directors, properly certified by its president and under its corporate seal, accepting this permission upon the terms, limitations and conditions herein imposed.



Sand and Gravel Corporation, a corporation created by and existing under the laws of the State of Virginia, hereinafter called Company, to have and maintain, until the further order of this Commission, or of the State Highway Commissioner, a private railroad track crossing State Road No. 8, in Spotsylvania County, Virginia about 150 feet South of the concrete bridge over Massaponax Creek, in accordance with plan and profile thereof filed or to be filed with and approved by this Commission.

The permission hereby granted, however, is subject to limitations and conditions herein imposed as follows:

(1) The permission herein granted shall be subject to revocation by this Commission, or its successors, at any time, and subject to such further orders of this Commission or its successors as shall be hereafter made.

(2) The Company shall at its own costs and expense re-grade and surface with not less than 8 inches of gravel the approaches to said crossing, in accordance with instructions and subject to the approval of the Engineer of State Highways.

(3) The Company shall construct and maintain at its own costs and expense a crossing of three inch boards extending for the full length of their ties, and not less than twenty (20) feet in width, at right angles to the center line of the highway, said construction to be approved by the Engineer of State Highways, and said crossing to be maintained in a condition satisfactory to said Engineer.

The Commissioner reported the award of the following contracts:

Route 4, Proj. 38, 6.50 miles concrete road in Assessing County to Foyar and Ferguson	\$197,204.13
Route 14, Proj. 480, Bridge over James River at Snowden, Bedford and Amherst Counties, to J. H. Lane and Company	\$ 39,903.62
Route 20, Proj. 547, Bridge over Fifth Creek, Amelia County, to O.F. Leighton & Co.	4,376.20
Route 10, Proj. 116, 12.97 miles soil road in Surry County to G.B. Hester	95,828.61.

The Commission approved these awards.

On motion of Mr. Harlow the Highway Commissioner was instructed to furnish the Commission with a survey showing the line and profile of the so-called Plank Road Route from Lexington to Natural Bridge.

The Highway Commissioner was also directed by the Commission to advertise for three small concrete bridges or culverts on Route No. 7, between Culpeper and Sperryville.

After a general discussion of routine matters the Commission then adjourned, subject to the call of the Chairman.

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CHAIRMAN

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SECRETARY