

PROCEEDINGS
OF THE
COMMON COUNCIL.

REGULAR SESSION.

CHAMBER OF THE COMMON COUNCIL OF THE
CITY OF INDIANAPOLIS,
MONDAY, AUGUST 13TH, 1866, 7½ O'CLOCK, P. M. }

The Common Council met in regular session.

Present—His Honor, the Mayor, John Caven, in the chair, and the following members at first roll-call:

Councilmen Allen, Brown, Coburn, Glazier, Grosvenor, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14.

Absent—Councilmen Colley, Emerson, Fletcher and Jameson—4.

On motion of Mr. Brown, the reading of the minutes of the previous session were dispensed with.

Before taking up the regular order of business, Dr. GEORGE W. MEARS, President of the Board of Health, submitted the following report:

INDIANAPOLIS, August 13, 1866.

To the Mayor and Common Council of the City of Indianapolis:

The Board of Health, acting in conformity with an ordinance passed at the last sitting of the Council, directing "an inquiry as to whether the health of the inhabitants of the western portion of the city is affected injuriously by a certain large swamp one-half mile west of White river," beg leave to report that they have made a thorough examination of the marshy district west of White river, and have no hesitation in pronouncing it the source of most

of the malarial disease to which the western and south-western sections of the city is annually subject. It would, indeed, be difficult, in the opinion of the Board, to exaggerate the ill effects of these permanently existing causes upon the sanitary condition of the otherwise healthy locality of our city.

The consequence of the persistent exposure of the human system to miasmatic exhalations, has long since ceased to be problematical—that poison which dwarfed the bodies and lives of the inhabitants in the vicinity of the pontine marshes two thousand years ago is identical with that which pales the faces and weakens the limbs to-day of the denizens surrounding Lake McCarty. Deadly in its nature, it is neither cognizable by the senses nor detectable by chemical tests, but is recognized by its effects often two or three miles from the source of its generation.

The large swamp which we think chargeable with the greatest production of malaria, about one mile west of White river, is semi-circular in form, and lies just at the foot of the bluff, or second bank of the river, which girts the alluvial soil on the shore of that stream. Beside the water which would naturally collect on such low ground, it is probably supplied by springs issuing from the bluff. This marsh is about one mile long and from fifty to two hundred feet in width at different points. It hugs the uplands closely in its passage south from its northern extremity near the National Road to a point near the crossing of the Mooresville Gravel Road, where it blends with a short branch of the bayou upon McCarty's property, apparently its natural outlet.

We find this marsh filled with old decayed and decaying trees, shaded by short, worthless timber and under brush, and covered at most points with a rank growth of weeds and coarse grass, excepting occasional pools of stagnant water thirty or forty feet in diameter covered with a green scum. We had no means of ascertaining the depth of these pools of water, but learn that they are nowhere more than a foot or two deep, leaving the inference clear that surface drainage is practicable and may be effected at small cost. In addition to this mode of getting rid of the nuisance, which the Board strongly urge at the earliest suitable season, they regard the clearing the ground perfectly of all fallen and standing trees and under brush as essential to the free discharge of water and the proper exposure to the action of frost of next winter the great mass of decomposing vegetable matter which underlies their growth, and which, without this freezing process, is the source, when exposed to the summer sun, of the noxious effluvia which abounds in all marshy localities. It may be well to say at this point, for reasons above stated, that the autumn is the appropriate season for drainage. The danger of exposing the bottoms of wet grounds to summer heats, by spring draining, must be too obvious to require condemnation at our hands.

The next point of importance to which the Board ask your attention, is the condition of the Great Bayou passing through Mr. McCarty's property, much nearer the city than the swamp first spoken of. The mouth of this bayou just below the Terre Haute Railroad Bridge, has capacity for the admission of a large body of water, which, in periods of freshets, passes around what is known as the *Island* with considerable current, and would probably wash its bottoms level, so as to leave their surface dry in seasons of low water, were it not for the fact that fallen timber has been permitted to obstruct the free passage of water, and thus create at many places stagnant pools of greater or less extent, which are the fruitful source of malaria, and being nearer the city, doubtless the cause of much disease on the east bank of the river.

The remedy suggested for this great evil is, first, to construct a substantial levee across the mouth of the bayou, and then, as in the case of the marsh just treated, remove all obstructions from logs and under brush, and if upon proper survey found necessary, ditch the lower end, so as to allow the escape of all water which may be supplied by springs from the sides of the bayou. Thus managed the beneficial effects would be manifested within a year or two, while the deposits made by the back water of freshets would in a few years so fill up the canal as to make its bottoms arable, and thus for all time remove this just occasion for complaint.

It is scarcely necessary, perhaps, in passing to remind your committee having charge of the subject, that the garbage which is hauled from the city in that direction is dumped upon the water's edge, at the crossing of White river, exposing mounds of it to the hot sun for weeks to be carried away, after it has done all the mischief it is capable of, by the next rise of the river. Heavy penalties should be enforced for the violation of the ordinance requiring all such deposits to be made in the current of the stream.

Against the bluff on this side of the river there are the remains of an old marsh with enough yet of decomposed and decaying vegetable matter in it to poison an entire neighborhood, which needs more thorough draining. A culvert should by all means be made through the road leading to the river, and the ditch already made below so deepened as to carry away the water now standing in it, as it must always do, to the danger of all living in its vicinity, without the facilities for its escape suggested.

The work recommended would be made at comparatively small expense beyond the cost of survey; and it is believed that a large portion of this cost would be cheerfully sustained by the holders of property on the line of their improvements, since they would tend greatly to benefit the health of the immediate neighborhood, as well as reclaim many acres of very valuable land.

The advantage to the city in the way of improving its general sanitary condition, would, in the opinion of the Board of Health, be incalculable, and they therefore very respectfully but earnestly urge upon the consideration of your honorable body the adoption of measures for its completion without delay.

Which, on motion, of Dr. Thompson, was received and laid upon the table for the present.

By Mr. Grosvenor—Petition:

INDIANAPOLIS, Aug. 10, 1866.

To the Mayor and Common Council of the City of Indianapolis:

The undersigned, citizens and property owners living in the vicinity of the Bluff Road, respectfully call the attention of the Common Council to the condition of an alley intersecting the Bluff Road and running west therefrom through outlot 121. The grade of the Bluff Road is such that the water from rains, &c., flows both southward from McCarty street and northward from Ray street to a point nearly midway between the two streets, where it enters a wooden culvert. This culvert crosses the west sidewalk, and through it the water flows into the alley before mentioned, where it forms a stagnant pond, which has become a nuisance to the neighborhood. They, therefore, respectfully petition your honorable body to take such action as will remedy the evil complained of, either by having the grade of Bluff Road changed and the culvert removed, or by adopting any other practicable means that will relieve us of this intolerable nuisance.

Wm. Scheurman,
J. B. Suart,
W. B. Fesler,

John Schultheis,
F. M. Fulton,
And 55 others.

Which, on motion, was referred to the Board of Public Improvements, and the City Civil Engineer directed to make the proper surveys.

By Mr. MacArthur—Petition:

INDIANAPOLIS, Aug. 13, 1866.

To the Mayor and Common Council of the City of Indianapolis:

I, Thomas Wren, contractor, and citizen of Indianapolis, respectfully represent that in the month of September, 1864, I was awarded an estimate for

grading and graveling Illinois street and sidewalks, between South and McCarty streets; that my claims for said grading and graveling were duly presented for payment, but the property holders owning the property on both ends of the bridge over the creek known as Pogue's Run, (respectively lot 17, out-lot 26, and part of out-lot 27, through which Pogue's Run has its course,) refused to pay the assessment on said property on the ground that the claims should be paid by the city. I therefore pray your honorable body that some provision be made whereby I may be enabled to obtain my pay.

his
THOMAS X WREN, Contractor,
mark.

Which, on motion, was referred to the Committee on Accounts and Claims.

By Dr. Thompson—Petition :

INDIANAPOLIS, Aug. 13, 1866.

To the Mayor and Common Council of the City of Indianapolis:

The undersigned would respectfully represent that, apparently by common consent, the south-west corner of Meridian and Washington streets is made the standing place for all teams selling mellons. The undersigned believes the sale of this article should be prohibited at this time, but for this he makes no petition, but simply a suggestion. The undersigned does pray that the eating of mellons upon the cellar doors, curb stones, and the casting the rinds thereof upon the pavement, door-ways, and into the gutters about his said premises, to the annoyance of those doing business there, should be prohibited by your honorable body under the penalty of a fine. For this your petitioner humbly prays.

WM. S. HUBBARD.

Which, on motion, was referred to the Board of Health.

By Dr. Thompson—Remonstrance :

INDIANAPOLIS, Aug. 13, 1866.

To the Mayor and Common Council of the City of Indianapolis:

The undersigned, owners of property in out-lots twenty-seven (27) and twenty-eight (28), in the City of Indianapolis, would respectfully remonstrate against changing the bed of Pogue's Run so as to run diagonally across said out-lots.

J. H. McKernan, Catharine Monahan,
McKernan & Pierce, Jerry Driscoll, and others.

Which, on motion, was referred to the City Commissioners.

By Mr. Schmidt—Petition :

INDIANAPOLIS, Aug. 13, 1866

To the Mayor and Common Council of the City of Indianapolis:

The undersigned respectfully represents that he is the owner of a lot 80 feet front on Merrill street, at the intersection of New Jersey street; that the profile of the street, established by the authority of the city, including the Civil Engineer, makes New Jersey street, at the intersection of Merrill street, the highest point of said street that is to say, the fall by said profile from said intersection to East street is 3 and 6-10ths feet, and from said intersection north to Duncan street 5 and 7-10ths feet fall, and to Merrill street 17 and 9-10ths fall. Your petitioner would further represent that as Merrill

street is now graded that instead of there being a fall each way from said intersection east and north of over five feet, and west of over 17 feet, that said intersection is graded down front of his and others property at said intersection about two feet under grade, without any outlet to water except by evaporation. That Merrill street from Alabama to New Jersey streets, as now graded, is part concave and part crowning, a part opposite the grounds of the late Samuel Merrill being over 6 feet above grade, and that part opposite the lot of your petitioner one foot and six inches under grade, making three different grades in the space of one block, part concave, part crowning and steep, and part dipping toward said intersection. The effect of said grading and variation from the profile is to obstruct the view from Alabama to New Jersey street to such an extent that a man standing at the intersection of New Jersey street cannot see a wagon and horses passing the intersection of Alabama street; and further effect is to create a pond of water in front of your petitioners property, with no outlet, as before stated, except by evaporation.

And furthermore, New Jersey street being graded, and sidewalks graveled according to the profile, it now makes a sudden jog down to Merrill street of about 18 inches. That said grading of Merrill street is not done in conformity with the stakes as set by the former Engineer; neither is the graveling in quality or quantity according to contract.

Your petitioner desires this petition referred to the Civil Engineer, with instructions to examine said grading and report at the next meeting of the Council, and that your honorable body will then take such action thereon as the good of the city and the rights of parties demand.

ANDREW CURTIS.

Which, on motion, was referred to the City Civil Engineer.

Mr. MacArthur offered the following motion:

That the Street Commissioner be authorized to employ 30 additional men for the purpose of cleaning streets, gutters and all public grounds in the city for one month, the said 30 men to be equally distributed in the several Wards.

Which, on motion, was referred to the Board of Public Improvements, and the Board authorized to employ such force as they see proper.

Dr. Jameson moved—

That when the Council adjourns it adjourn to meet on Wednesday night the 15th inst., to receive the report of the Special Committee on equalization of the Assessment.

Which motion was adopted.

Mr. Brown moved—

That Charles Lauer be allowed the privilege of placing stone curbing at the edge of the sidewalk in front of his property on the Bluff Road, and to pave such sidewalk with brick, provided the same be done to the satisfaction of the City Civil Engineer.

Which motion was adopted.

Mr. MacArthur offered the following motion :

That the Street Commissioner be directed to open the gutters on the north and south side of North street, between West and Blackford street, so that the water standing in them can pass off west.

Which motion was referred to the Board of Public Improvements :

Mr. Glazier moved—

That the Street Commissioner be instructed to replace the bridge across the gutter at the first alley south of Wyoming street on Delaware street.

Which motion was adopted.

By Mr. Brown :

Resolved, That the owners of the following described real estate, to-wit : Lot forty-nine, in out-lot twenty-four, owned by the Madison and Indianapolis Railroad Company, and lot twenty-three, in out-lot one hundred and seven, Roset's second sub-division, in the City of Indianapolis, be, and they are hereby, required to fill and drain the same, as, in the opinion of this Council, there is a hole or excavation thereon in which water has or may become so stagnant and noxious as to be a nuisance and injurious to the health and comfort of said city and of the inhabitants thereof, and that the Street Commissioner be, and he is hereby, required to notify the owners thereof, as provided by an ordinance passed April 23d, 1866, entitled "An ordinance providing for the drainage and filling up of ponds, excavations and holes, and prescribing penalties for the failure to fill up or drain the same," and that in case of the failure of the owners thereof to fill or drain the same, the Street Commissioner proceed to drain or fill said excavation, as provided in said ordinance.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Glazier, Grosvenor, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the resolution passed.

Mr. Brown introduced general ordinance No. 69, entitled :

AN ORDINANCE authorizing the Mayor to appoint three persons for each ward, to act as Supervisors of Streets, Alleys, &c.,

Which was read the first time, and, on motion, was referred to the Board of Public Improvements.

Mr. Allen introduced the following ordinance, to-wit :

AN ORDINANCE appropriating money for the use of the Fire Department.

SECTION 1. *Be it ordained by the Common Council of the City of Indianapolis*, That the sum of five hundred dollars be, and the same is hereby, appropriated to Charles Richmann, Chief Fire Engineer, for the purpose of furnishing forage and other things needed for the use of the Fire Department.

SEC. 2. The City Auditor is hereby directed to issue warrants in favor of Charles Richmann for above named amount.

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

Ordained and established this 13th day of August, 1866.

JOHN CAVEN, Mayor.

Attest:

C. S. BUTTERFIELD, City Clerk.

Which was read the first time by its title, and on motion, was read the second time.

Mr. Allen then moved that the rules be suspended and the ordinance read the third time and placed upon its passage,

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Glazier, Grosvenor, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Glazier, Grosvenor, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the ordinance passed.

Dr. Jameson asked and obtained leave of absence.

Mr. Coburn introduced special ordinance No. 84—1866, entitled:

AN ORDINANCE to provide for the bowldering of sixteen feet of the north side of Market street, between Alabama and Delaware streets,

Which was read the first time by its title, and, on motion, was read the second time.

Mr. Coburn then moved that rules 19 and 24 be suspended and the ordinance read the third time and placed upon its passage.

The question being on the suspension of the rules, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Glazier, Grosvenor, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the rules were suspended and the ordinance read the third time and placed upon its passage.

The question being, shall the ordinance pass? those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Glazier,

Grosvenor, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the ordinance passed.

Mr. Loomis introduced general ordinance No. 70, entitled :

AN ORDINANCE amendatory of section one of an ordinance entitled "an ordinance amendatory of section one and two of an ordinance relative to Omnibuses at the Union Depot, and the general protection of travelers in the city," passed June 19th, 1865,

Which was read the first time by its title, and, on motion, was read the second time,

Mr. MacArthur introduced the following entitled ordinance, to-wit:

AN ORDINANCE to amend an ordinance entitled "an ordinance to provide for the grading and graveling of Blackford street, and sidewalks, between New York and Market streets,

Which was read the first and second times.

Mr. Coburn from the Board of Public Improvements, reported back to the Council special ordinances No. 75—1866, 76—1866 and 77—1866, providing jointly for a sewer in Illinois street between Market street and Pogue's Run.

Mr. Brown moved to amend special ordinance No. 77—1866, by striking out all after the ordaining clause and insert the following :

There shall be constructed in Illinois street, between the north line of Louisiana street and Pogue's Run, and, in addition, for two hundred feet in length, in the channel of Pogue's Run lying west of the west line of Illinois street, a brick sewer with an inside diameter not exceeding six feet, and also, suitable catch-basins and side-drains—such sewer and catch-basins and side-drains to be constructed according to plans and specifications to be prepared by the Civil Engineer of the City of Indianapolis, and the whole work to be done under the supervision of such Engineer, under contracts to be awarded by the Common Council for such work. One-half of the entire cost of so much of such sewer, catch-basins and side-drains as shall be constructed in Illinois street, between the north side of Louisiana street and Pogue's Run, shall be assessed against and collected from the owners of the lots or parts of lots bordering on the line of such portion of Illinois street, according to the provisions of section 68 of the City Charter, and one-half of the entire cost of such portion of Illinois street, and the entire cost of that portion of such sewer as shall be constructed in the channel of Pogue's Run aforesaid, shall be assessed to and collected from the Common Council of the City of Indianapolis.

SEC. 2. The gutters on the east and west side of Illinois street, between Louisiana street and Pogue's Run, except such portion of said street as is now occupied with the tracks of the Union and other Railroads, shall be raised to a grade to be established by the City Civil Engineer, and the same shall be paved with good cobble or bowlder stones, and the entire cost of such change of grade and paving shall be assessed to and collected from the own-

ers of lots or parts of lots bordering on Illinois street, between Louisiana street and Pogue's Run, according to the provisions of sections 65 to 68, inclusive, of the City Charter.

SEC. 3. The City Civil Engineer shall require the contractors for the work herein provided for to commence the construction of the sewer from Pogue's Run and continue the same northward, and as the same shall progress to turn the water from the gutters into such sewer, provided the same can be done without injury to the work or to the health of the neighborhood.

SEC. 4. The City Auditor is hereby required to advertise for proposals for the work herein required, by notice to be given in the Indianapolis Daily Journal once a week for two consecutive weeks, setting forth in such notice that sealed proposals will be received for such work at the meeting of the Common Council to be held on the 5th day of September, 1866. And, in addition, he is further required to cause such notice to be inserted for three days in the Daily Cincinnati Commercial, the Daily St. Louis Republican and the Daily Chicago Tribune.

SEC. 5. This ordinance shall be in force from and after its passage.

2. Amend further by changing the title so as to read—

"An ordinance providing for a sewer, catch-basin and side-drains, and for changing the grade and bowldering the gutters on Illinois street, between Louisiana street and Pogue's Run, and for continuing such sewer two hundred feet in the channel of Pogue's Run west of Illinois street."

Dr. Thompson moved to amend Mr. Brown's amendment, by striking out all that refers to assessing any portion of the sewer to the owners of the lots or parts of lots bordering on the line of Illinois street.

The question being on the adoption of Dr. Thompson's amendment to Mr. Brown's amendment, the ayes and naves were called for.

Those who voted in the affirmative were Councilmen Brown, Kappes, Kemker, Loomis, McNabb, Schmidt, Seidensticker and Thompson—8.

Those who voted in the negative were Councilmen Allen, Coburn, Glazier, Grosvenor, MacArthur and Staub—6

So the amendment to the amendment was adopted.

On motion of Mr. Seidensticker, the whole matter was then laid over till next meeting.

By Mr. Coburn, from the Board of Public Improvements.

OFFICE BOARD OF PUBLIC IMPROVEMENTS, }
Indianapolis, August 13, 1866. }

To the Mayor and Common Council of the City of Indianapolis :

GENTLEMEN:—The Board of Public Improvements, to whom the matter was referred, would respectfully report to your honorable body that the Civil Engineer has laid before the Board a profile of McNabb street, which we herewith submit, and we would recommend that the grade be established in

accordance with the profile, provided the property owners will build and maintain a stone arch across Pogue's Run on said street.

HENRY COBURN,
J. A. GROSVENOR,
JNO. B. MACARTHUR, } *Board.*

In relation to which, Mr. Brown offered the following motion:

That the profile of McNabb street as presented and recommended by the Civil Engineer be and is hereby adopted as the profile of said street.

The question being on the adoption of the motion, the ayes and nays were called for.

Those who voted in the affirmative were Councilmen Allen, Brown, Glazier, Kappes, Kemker, Loomis, McNabb, Schmidt and Staub—9.

Those who voted in the negative were Councilmen Coburn, Grosvenor, MacArthur and Thompson—4.

Councilmen Seidensticker asked to be and was excused from voting.

So the motion was adopted.

From the Civil Engineer—Report:

INDIANAPOLIS, August, 13 1866.

To the Mayor and Common Council of the City of Indianapolis:

The Civil Engineer would respectfully report the following estimates for your approval.

Messrs. Blume & Naltner, for grading Elm street, between Noble street and the Corporation line east, and constructing culvert.

Also, Messrs. Seibert & Buchanan, for grading and paving the south sidewalk on Market street between, New Jersey and Noble streets. This work was done under the supervision of the late Engineer and done as I understand to his entire satisfaction.

Your most obedient servant,
J. STAPLES, JR., *Civil Engineer.*

Resolved, That the first and final estimate allowed Messrs Blume & Naltner for grading Elm street, between Noble street and the Corporation line east and constructing Culvert, be and the same is hereby, adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Glazier, Grosvenor, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the resolution passed.

On motion of Mr. Seidensticker, the estimate reported by the Engineer for Messrs. Seibert and Buchanan was laid upon the table.

From the City Auditor—Report:

INDIANAPOLIS, Aug. 13, 1866.

To the Mayor and Common Council of the City of Indianapolis:

The City Auditor respectfully reports to the Common Council:

1st. The Contract and Bond of James S. Coyner, for repairs to be made at the East and West Market Houses, is presented for your approval.

2d. The Contract and Bond of J. H. Robison, for grading and graveling Mississippi street and sidewalks, between Garden and Merrill streets, is also presented for your approval.

3rd. The Contract and Bond of John M. Kennedy, for grading and paving the alley through square (66) sixty-six, between Washington and Pearl streets, is also presented for your approval.

4th. First and final estimate in favor of Whitsit & Hubbard, for grading and bowldering Washington street and curbing the outside edges of the sidewalks with stone between Missouri street and the first alley west of West street.

5th. First and final estimate allowed Henry Meyers and transferred to Charles H. Kelley, for grading and graveling North street and sidewalks, between Noble and Winston streets, is also presented for your approval.

6th. Sundry proposals for various street improvements are herewith submitted to your honorable body. Respectfully submitted,

JOHN G. WATERS, *City Auditor.*

On motion the Contracts and Bonds reported by the City Auditor were accepted and approved.

Resolved, That the first and final estimate allowed Henry Meyers and transferred to Chas. H. Kelly, for grading and graveling North street and sidewalks, between Noble and Winston streets, be, and the same is hereby adopted as the estimate of this Council, and that the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Glazier, Grosvenor, Kappes, Kemker, Loomis, MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the resolution passed.

Resolved, That the first and final estimate allowed C. E. Whitsit & Wm. S. Hubbard for grading and bowldering Washington street, and curbing the outside edges of the sidewalks, between Missouri street and the west side of the first alley west of West street, be, and the same is hereby adopted as the estimate of this Council, and the property owners are hereby required to pay the sums set opposite their respective names.

The question being on the passage of the resolution, those who voted in the affirmative were Councilmen Allen, Brown, Coburn, Glazier, Grosvenor, Kappes, Kemker, Loomis MacArthur, McNabb, Schmidt, Seidensticker, Staub and Thompson—14. Noes, none.

So the resolution passed.

From the City Auditor—Report:

INDIANAPOLIS, Aug. 13, 1866.

To the Mayor and Common Council of the City of Indianapolis:

GENTLEMEN:—The City Auditor respectfully reports to your honorable body, that lot 49 in out-lot 24 needs filling up, there being a pond of stagnant water standing on said lot, and is owned by the Madison and Indianapolis Railroad Company.

There is also a pond of stagnant water filled with all kinds of rubbish on lot 23 in out-lot 107 owned by Osgood & Smith which should be attended to at once, for the good of the health of the citizens in said locality.

I herewith report the necessary resolutions instructing the Street Commissioner to perform his duty in the premises.

Respectfully,

JOHN G. WATERS, *City Auditor.*

Which, on motion, was accepted.

From His Honor, the Mayor—Report:

INDIANAPOLIS, Aug. 13, 1866.

To the Common Council of the City of Indianapolis:

GENTLEMEN:—The amount of fines collected by me during the month of July, 1866, was \$757.70, which I have paid to the City Treasurer, as shown per duplicate receipt hereto attached.

Respectfully submitted,

J. CAVEN, *Mayor.*

Which, on motion, was accepted and approved.

UNFINISHED BUSINESS.

On motion of Mr. Grosvenor, the resignation of the Assistant Civil Engineer elect, Mr. Koster, was taken up and accepted.

On motion of Mr. Seidensticker, the Council adjourned.

JOHN CAVEN, *Mayor.*

ATTEST:

C. S. BUTTERFIELD, *City Clerk.*