

Citizens Committee wants Market Hall entertainments three nights per week – November 10, 1890

Market Hall Committee to meet with Citizens Committee, who are asking for use of the Market Hall three nights per week to provide “free public entertainments such as lectures, music and debates”. Mayor Oppenheimer anxious to have the east park (Hastings Park) cleared in time for the Exhibition of 1892. Council sends lengthy letter to the Vancouver Water Works, outlining unsuccessful negotiations to date to have the City Acquire the Water Works, and proposing Arbitration to settle the matter.

This transcript was made in 2015 by Transcribimus volunteer Martha Hazevoet
and sponsored by **Arnold Silber**

[original handwritten minutes here](#)

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Vancouver, November 10, 1890

The Council met on Monday, November 10, 1890.

Present: His Worship the Mayor and Aldermen Browning, Carroll, Gordon, Fox, Sentell, McLeod and Mason. The minutes of last Special and regular meeting were read and adopted.

Communication

From His Worship the Mayor submitting a scheme for the purchase by the City of the Water Works, Gas Works, Street Railway and Electric Light.
Finance Committee

From H.S. Ceperley praying for a crossing on his road from Robson Street.
Board of Works

From A.H.D. McGowan, Secretary of School Board praying for a sidewalk on Smythe Street from Burrard to Granville.
Board of Works

From the Rev H.G.F. Clinton praying for the use of the Market Hall for the 18th inst.
Filed

From the Chief of Police furnishing the weekly record of street lights.
Fire, Water and Light

From the President of the Vancouver Water Works Co. acknowledging receipt of letter from the City Clerk re purchase of Water Works.
Water Works Committee

From Miss Bowes praying for a monthly grant in aid of the maintenance of a home for orphan children.
Finance

From the Rev. E.W. McLaren and W.H. Gallagher asking for the Market Hall, 3 nights each week for public debates.
Filed

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From Alderman Horne enclosing communication from the Hon. John Robson, Provincial Secretary, regarding the Cemetery Road and Central Park.
Board of Works

From F.C. Cotton informing Council that a report would be made on the Free Reading Room by next meeting.
Filed

From His Worship the Mayor urging the Council to proceed with the clearing of the East Park so as to have same in readiness for the Exhibition in 1892.
Board of Works

From His Worship the Mayor drawing the attention of the Council to the necessity of taking steps towards laying down permanent streets in the business portion of the City.
Board of Works.

Reports

Works
No. 31

The Board of Works met on Friday, November 7th, 1890.

It was recommended: -

1. That the following accounts be paid: -

Alex McDonald, Burrard Street 180.00
Anderson & Yerex, South Park 257.62
D. Morgan, Victoria Street 396.90
D. McAlister, Westminster Avenue 616.66
R.C.P. M. Co., Lumber 301.59
Leamy & Lyle 39.50
Van Gas Co. 63.80
Moodyville Saw Mill Co. Lumber 1.16
H.R. Dunn & Co. Scales etc. 208.75
Alex McDonald Express .50

Boyd & Clandenning Cambie Street 607.68
Signed J.M. Browning
for Chairman
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Moved by Alderman Browning
Seconded by Alderman Carroll
That the Report of the Board of Works be adopted.
Carried

Finance No. 27

The Finance Committee met on November 7th, 1890.
Present Aldermen Browning, Fox and Castello.

It was recommended:

1. That the following accounts be paid: -

Palace Livery Stables 23.00

R.H. Alexander et al Voters List 30.00

2. That Fire hall #1 be insured for \$2500.00 for one year in the Citizens Insurance Co.

3. We have had under consideration the communication from Halley Bros at Granville proposing to give Stereopticon Views of Vancouver at the Jamaica Exhibition, but we cannot see our way clear to recommend the expenditure of any money on this scheme and would therefore refer the matter back to Council.

4. Re the communication from Herbert B. Hilton requesting the City to subscribe for 1000 copies of the Dominion Illustrated, we recommend that His Worship the Mayor and Alderman Fox be appointed to examine into the merits of the scheme and, if considered advisable, that they be authorized to subscriber for a number of copies not exceeding 2000.

Signed J. M. Browning, Chairman

Moved by Alderman Gordon
Seconded by Alderman Browning

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That the Report of the Finance Committee be adopted.
Carried

Health No. 15

The Health Committee met on November 5th, 1890.
Present Aldermen McLeod, Carroll and Fox.
Alderman McLeod in the Chair.

It was recommended

1. That the following accounts be paid: -

McLennon & McFeeley Supplies \$ 14.55

John Wolf Scavengering 6.00

Van Volkenburgh & Bro. Supplies 80.89

R.C. Winch Supplies 26.09
Hudson's Bay Co. Supplies 8.25
Union S.S. Co. Rent 7.50
Crowder & Penzer Coal 13.50
Wo Sing Washing 32.90
O.W. Ellis on Milk 83.03
McDowell & Co. Supplies 88.93
News Advertiser Supplies 16.50
J.S. Clute & Co. Supplies 6.76
Russell, McDonald & Co. Supplies 5.40
Texas Lake Ice Co. Supplies 9.90
Tye & Co. Supplies 1.34
S. Townsend Scavengering 2.50
T.S. Tilley Stamps etc. 3.25
John Sciutto Supplies 58.76
W.J. McGuigan Inquests etc. 22.50
W.S. Cook Scavengering 1.50
W.J. Taylor Burial 14.50

2. That the proprietor of the Sunny Side Hotel be given 15 days' notice to connect his premises with the public sewers and if he fails to do so within the time specified that the Health Inspector be instructed to enter upon the premises as provided by Bylaw No. 90 and have the work carried out.

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3. That the U.S.S. Co. be communicated with asking on what grounds they have thought fit or advisable to raise the rent for dumping over their wharf on the eve of the City making permanent arrangements for the disposal of garbage.

Signed Malcolm McLeod
Chairman pro tem

Moved by Alderman Fox
Seconded by Alderman Sentell
That the report of the Health Committee be adopted.
Carried

F.W. & H.

The F.W.H. Committee met on Wednesday, November 5th, 1890.
Present Aldermen Fox, Carroll and McLeod.

It was recommended: -

1. That the following accounts be paid:

Vancouver Water Works Company Rates 377.16

Vancouver City Foundry .95

McLennan McFeely Supplies 4.40

Van Elec. St. Ry & Light Co. 1108.73

2. A communication was received from Alderman Browning, enclosing a communication from G.W. Girdlestone of Winnipeg advising the City to purchase chemical engines.

Your committee, when computing its estimates, included a sum sufficient to purchase chemical engines, but the Finance Committee having struck it out, there are no funds available for the object recommended.

3. That the City Clerk be instructed to communicate with the Water Works Co. with a view of getting free water for the public fountain on Hastings Street.

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4. That the Vancouver Street Railway and Light Company be notified that no street light will be hereafter paid for if the same remains out beyond one hour in the night and furthermore their September account as passed for payment cannot be altered said account being considered correct; and be it further resolved that if the present unsatisfactory lighting is not remedied the City will repudiate all liability for the payment of any of the lights.

Signed J.M. Fox, Chairman

Moved by Alderman McLeod

Seconded by Alderman Sentell

That the report of the F.W.H. Committee be laid over for one week except the three items in clause 1 relating to the payment of certain accounts which are hereby passed for payment.

Carried

Report of Water Works Committee

The Water Works Committee met Sir Joseph Trutch and Mr. D.M .Eberts representing the Vancouver Water Works Company, on the 5th and 6th of November. The Company refused to accept the offer made by resolution of Council of 31st October 1890 and after considerable discussion and various offers being made by the Committee for the purchase of the works, all of which were refused, nothing definite was arrived at. The Water Works Company by their representatives offered to sell the Works for the sum of \$375,000.

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The meeting then adjourned to consider this offer. On the 7th of November the Water Works Committee again met and resolved that the offer of the Works for \$375,000 could not be entertained, but that a letter containing a further and final offer by the City should be forwarded to the Company. It was resolved that the following letter should be forwarded:

Resolved that the following letter shall be sent to the Vancouver Water Works Limited:

To the President, Vancouver Water Works Company.

Sir,

The Council of the City of Vancouver beg to remind you that they have, on two separate occasions, passed resolutions which have been duly forwarded to you with a view of coming to some amicable arrangement for the purchase of your Water Works System.

Firstly, after having received an exhaustive report on your System of Water Works and their present value and efficiency from an Engineer holding a high position in his profession and on whose judgment on matters of this kind it is safe to rely, the City made an offer of \$211,000 as the price they were willing

to pay, that amount being calculated on the above mentioned report. To this offer the City received no reply from your Company but in lieu of any reply your Company commenced an action against the City and applied for an injunction in the Supreme Court of British Columbia to prevent the City taking any steps to procure a Water Works System. This application was dismissed by the Court.

The City, still anxious that a fair and equitable arrangement might be arrived at, made another offer as follows, viz: That the value of the said works by the City should be valued by Arbitration and ten (10) per cent on the amount so settled be added by way of bonus. The total so formed being payable by the City to your Company as the price.

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This offer your company has seen fit to refuse. Your company then made an offer, at the meeting lately held here between Sir Joseph Trutch and Mr. Eberts on behalf of the Company, and the Water Works Committee of the City of Vancouver, to sell the Works for the sum of \$375,000. This amount being so largely in excess [sic] of the valuation placed on the Works by the Engineer appointed to value them, the City could not entertain.

All through the negotiations between your Company and the City there has apparently been a determination by your company that any proceedings to arrive at the valuation paid for your Works should be arrived at under the provisions of and as laid down by the 35th Clause of your Act of Incorporation. In fact, the only letter received from your Company in reply to the several letters sent by the City, and the verbal offers that have been made, expresses clearly that you insist on the City coming under the provisions of your Act in order to arrive at the price of the Works.

The Council being desirous of meeting your Company in every way, and going as far in their offer consistent with the rights and interests of the City as they possibly can, beg to make one more proposition to your Company, which must be considered final.

As your Company is so desirous of having the price to be paid for the Works fixed and arrived at under the provisions of your Act of Incorporation, and as it has been admitted by the representatives of your Company that there is an ambiguity existing as to the meaning of the word "value" used in the 35th Clause of the Act in the following expression: "On payment thereof to the said Company of the value of the said works and property, to be ascertained by Arbitration as hereafter provided.",

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the Council will agree that an Arbitration should be held under the provisions of your Act, provided that the word "value" shall be clearly defined before the arbitration is entered into and a definite line laid down and agreed to for the guidance of the Arbitrators as to how they are to arrive at the "value" before they commence the Arbitration: that is to say: The Council consent to give the notice required by the 35th Clause of the Company's Act of their intention to acquire their work and property, provided your Company agree that the Arbitrators shall be bound by the following in arriving at the value: They shall first of all decide the amount it took to construct the Works as they at present are, i.e. "the actual amount of construction", and then they shall calculate the cost of placing the Works in a thoroughly efficient and proper order capable of bearing all necessary and proper pressure of water for use in the event of any fire within the City, and the cost of putting the whole system in thorough repair

that may have been rendered necessary from the happening of accidents or otherwise since completion by the Company.

Having arrived at this amount, that shall be deducted from the actual cost first arrived at, and the difference shall be the amount payable for the Works and all other property both real and personal, to which shall be added the additional amounts of 20 per cent and sufficient to make up 10 per cent dividend, as mentioned in the said 35th Clause.

It might be pointed out as your Company appears to be satisfied that the works are in good and proper and efficient order and capable of bearing all necessary pressure, there can be no reasonable objection to you

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agreeing to this proposal.

The Council desire an answer to their further offer before Saturday the 15th inst. as it must be distinctly understood that these repeated offers have been made by the Council purely with a view of coming to an amicable arrangement, and this is positively the last.

Signed Thos. F. McGuigan, City Clerk

Moved by Alderman Browning

Seconded by Alderman Carroll

That the report of the Water Works Committee be adopted.

Carried

Alderman Fox voted nay.

Motions

Moved by Alderman Gordon

Seconded by Alderman Fox

That the Market Hall be let to Rev. F.G. Clinton on Tuesday the 18th inst. for the purpose of holding a Sunday School Concert for the sum of \$10.00.

Carried

Moved by Alderman McLeod

Seconded by Alderman Mason

That the sidewalk to be laid from Georgia to Melville Street be paid by the Ward or from the Contingent Fund this year.

Carried

Moved by Alderman Browning

Seconded by Alderman McLeod

That in reply to a communication received from the Citizens Committee represented by the Rev. E.D. McLaren and M.H. Gallagher, requesting the use of the Market Hall for three nights in each week, free of charge, for the purpose of holding free

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public entertainments in the form of lectures, music and debates, be granted and that the Market Committee be authorized to arrange as to what particular nights the hall will be given for the purpose referred to.

Carried

Moved by Alderman Gordon
Seconded by Alderman Carroll

That the Market Committee be authorized if practicable to have the doors of the hall changed so as to swing outwards.

Carried

Moved by Alderman Browning
Seconded by Alderman McLeod
That the following account be paid:
B. Romang et al Labour \$168.75
Carried

Consideration of Bylaws

Moved by Alderman Sentell
Seconded by Alderman Browning
That the Council resume in Committee of the Whole the reading of the Bylaw re cutting down dangerous trees etc.
Carried

Alderman Sentell was appointed Chairman.
The Bylaw was passed in Committee without amendment.
The Committee then rose.

Moved by Alderman Sentell
Seconded by Alderman Browning
That the Bylaw be read a third time.
Carried

Moved by Alderman Carroll
Seconded by Alderman Gordon
That the Council go into

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Committee of the Whole on the amendments to the Fire limits Bylaw.
Carried

Alderman Carroll was appointed Chairman.

The Bylaw was read over clause by clause but the Committee rose without reporting the Bylaw complete and asked leave to sit again.

The Committee adjourned.

D. Oppenheimer
Mayor

Thos. F. McGuigan
City Clerk