

Water Works worth \$330,081.93 - August 3, 1891

Water Works arbitration panel Browning, Tilton and Drake submit their findings. The City to regulate private "scavenging" (garbage/recycling collection) within the city as soon as the waste-burning Crematory is in operation. Police officer Joseph Gibson dismissed for being found asleep on the job. J.W. Robinson and J.M. Fox appointed as Tax Assessors, and H. Hemlow appointed to assist City Clerk McGuigan with the voters' list updates, all at a salary of \$4.00 per day. The City Engineer to plan brick receiving vaults for the Cemetery, and a new wing for the Hospital.

This transcript was made in 2016 by Transcribimus volunteer **Martha Hazevoet**
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[original handwritten minutes here](#)

City of Vancouver Archives
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Vancouver, August 3, 1891

The Council met on Monday, August 3rd, 1891.

Present: His Worship the Mayor and Aldermen Carrall, Brighthouse, Godfrey, Scoullar, Hobson, Templeton, Brown and McDowell.

The minutes of last meeting were read and adopted.

The following communications were received:

From J.M. Browning, Land Commissioner, stating that he would extend the streets in District Lot 526 to the water front.

Referred to the Board of Works

From the City Solicitor stating that he had entered an appearance for the City in case of Studden vs the City.

Filed

From the Deputy Attorney General returning Writ of Summons in case of Mrs. Studden vs City.

Filed

From the City Solicitor stating that he was ready to receive advice from the various committees on the revision of the By-Laws.

Referred to the By-Law Committee

From Chipman Morgan & Co. on behalf of the Dry dock Company asking for a further extension of time.

Referred to Board of Works

From R.G. Tatlow on behalf of the Park Commissioners asking the Council for a grant of \$500.00 for underbrushing on Brockton Point.

Referred to Finance Committee

From the Chief of Police reporting on the Electric Lights.
Filed

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From McPhillips & Williams on behalf of the Vancouver Lightening Messenger Service Co. to string wires etc. on the streets.
Referred to the Board of Works

From Louisa Wilson asking for certain improvements in the Box drain on the corner of Westminster Avenue and Hastings Street.
Referred to the Board of Works

From J.A. Fulton, Secretary of Trades and Labour Council, asking for the enforcement of the nine hours system on City Contracts and for regulations regarding bathing on English Bay.
Referred to the Board of Works

From W.P. West, Pound Keeper, furnishing his monthly report.
Filed

From A.F. Beasley, Secretary Vancouver Gun Club, asking for permission to practice trap shooting within the city limits.
Referred to the Police Committee

From Miss Bowes furnishing programmes of the Provincial Convention.
Filed

From the Market Clerk furnishing his weekly report.
Filed

From P.G. Fenton et al asking for a sidewalk on Seymour Street.
Referred to the Board of Works

From Mrs. Studden asking to have her name withdrawn from the case of Studden vs the City as her name was used without her knowledge or consent.
Referred to City Solicitor

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Mr. Pferdner on behalf of R.T. Williams appeared before the bar of the Council with the view of getting a grant from the Council in aid of his 1892 Directory. After hearing Mr. Pferdner on the subject, it was moved by Alderman McDowell, seconded by Alderman Scoullar, THAT the communication from R.T. Williams be filed.
Carried

A deputation consisting of E.J. Clark and others waited upon the Council with a view of having steps taken to fix a base line in 264A.

The matter was referred to the Board of Works.

The following reports were received and read:

Police No. 11

The Police Committee met on Tuesday, July 28, 1891.

Present: Aldermen McDowell, Hobson and Scoullar.

Alderman McDowell was appointed Chairman.

The following accounts were recommended for payment:

Leatherdale & Smith. Hack hire \$ 1.50

Holdom & Co., Supplies 16.20

Van Gurney Cab Co., Cab .50

John Sciuotto, supplies 70.76

Hayes & McIntosh, supplies 15.60

S.T. Tilley, supplies 4.50

H. Eligh, supplies 1.65

J.P. Blake, supplies 11.60

Champion & White, Scavenging 1.25

W.J. McBride, Electric Bell 5.00

Your Committee, after hearing the explanations of Messrs. Hamersley and Hallett and other parties as to where the fault lies for the non-defence of the Hendry case, have come to the conclusion that both the Magistrate and the City Solicitor are to blame. We would therefore recommend

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that they be instructed in future to act more in harmony so that the City's interests may not suffer.

The Chief of Police reported that he had suspended Officer Gibson for being asleep on duty, pending the action of the Council thereon.

After hearing the evidence of the Chief and the explanations of Officer Gibson, it was resolved that Joseph Gibson be notified that his services as Police Officer be no longer required and that applications be called for the position.

The communication from Wm. Murphy et al, praying for a higher license on transient traders was laid over.

The City Solicitor was instructed to retain Mr. L.G. McPhillips to act with him in the case of Mrs. Studden vs the City.

Signed John McDowell, Acting Chairman

Moved by Alderman Scoullar

Seconded by Alderman Godfrey

That the clause in the report relating to Officer Gibson be referred back to the Committee.

Carried

Moved by Alderman Godfrey

Seconded by Alderman Templeton

That the balance of the report be adopted.
Carried

Finance No.

The Finance Committee met on Friday, July 31, 1891.
Present Aldermen Brown, Scoullar, Hobson and Doering.
The following applications were received for the position of Assessors:
H. Neelands, Robert Grant, J.M. Fox, Thos. L.

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Wilson, T.M. Trugley, Edward Lunn, Ernest H.L. Evans, J.W. Robinson and James Orr.
A ballot being taken, J.W. Robinson and J.M. Fox were found to have received a majority of the votes and were therefore recommended for appointment at a salary of \$4.00 per day each, their duties to consist of fixing values on land and buildings and getting the names of the owners and tenants.
It was resolved further:

1) That H. Hemlow services be retained until August 31, 1891 at the same salary, to assist in completing the voters lists etc.

2) That the following accounts be paid:

Daily Telegram, Printing \$ 96.50
H.B. Warren, W.W. Arbitration 140.00
F. Evans " 307.30
J.M. Browning, Rent " 40.00
The Williams Directory matter was referred to the Council for discussion.
Signed Wm. Brown, Chairman

Moved by Alderman Brown
Seconded by Alderman McDowell
That the balance of the report be adopted.
Carried

Moved by Alderman Brown
Seconded by Alderman McDowell
That a ballot be taken for the appointment of valuator.
Carried

The Council went into Committee of the Whole to ballot with Alderman Carrall in the Chair.

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After one ballot was taken, the City Solicitor stated that it would be necessary to eliminate that portion of the Finance Report appointing J.M. Fox and J.W. Robinson, valuator.
The Council therefore rose, when it was moved by Alderman Carrall, seconded by Alderman McDowell,

That the portion referred to be eliminated.
Lost

Moved by Alderman McDowell
Seconded by Alderman Carrall
That names of all candidates be submitted and balloted for.
Lost

Moved by Alderman Templeton
Seconded by Alderman Hobson
That J.M. Fox and J.W. Robinson be elected valuers.
Carried

Health No.

The Health Committee met on Thursday, July 30th at 8:00 p.m.
Present: Alderman Carrall, Templeton, Scoullar and McDowell.
Your Committee begs to recommend as follows:

- 1) That Miss Kendrick be appointed nurse at the hospital at a salary of \$20.00 per month to go on duty August 3rd.
- 2) That the Chairman of this Committee be empowered to engage Mrs. A.E. Broderick temporarily as nurse at the hospital during the disability of Miss Woodward, the regular nurse.
- 3) That the Secretary of the Board of Trade be referred to A.E. Beck Esq., Registrar of the Country Court, for information re Mortuary Statistics, the records of such matters being kept in his office.
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- 4) That the report of the Health Inspector on the unsanitary condition of Yaletown and the foreshore between Carrall and Cambie Streets with suggestions as to the alleviation of same be referred to the Board of Works with a request that action be taken in these matters.
- 5) That in view of the scavenging of the City being taken out of the hands of private parties and being done by the City as soon as the Crematory is completed, the City Solicitor be instructed to draft a By-Law regulating and governing same in conformity with details on file in the City Clerk's office.
- 6) That Aldermen Templeton and McDowell be appointed a Committee to interview the present City Scavengers with a view of seeing what arrangements can be made with them re the purchase of their plant.
- 7) That the City Engineer be instructed to prepare plans and estimates for a brick receiving vault at the Cemetery, cost not to exceed \$500.00 complete.
- 8) That the City Engineer be instructed to prepare plans and estimates for a new wing to the City Hospital, said plans to suit the ground now at the disposal of the City for such purposes.

9) That the City Clerk refer the bill of the Union Steamship Co. back to them with a view of having the amount reduced.

10) That the following accounts be paid:
Champion & White, Scavenging \$ 38.45
Thos. Dunn & Co., Supplies 9.70
J.M.O. Toole, Plumbing 6.10
T.R. Morrow, Drugs 105.45
Dr. McGuigan, Inquests 40.00
Hudson's Bay Co., Supplies 23.50

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Palmer Bros., Coal 14.00
J.P. Blake, Bread 10.90
Van Steam Laundry Washing 39.17
Hayes & McIntosh, Meat 46.80
H. Eligh, Milk 39.38
H.H. Layfield, Drygoods 4.10
R.V. Winch, Supplies 19.04
F.W. Hart, Burials 17.00
A. McDonald, Groceries 7.90
Dr. Robertson, Post-mortem 10.00
J. Sciutto, Groceries 153.41
Dr. Bell-Irving, Post-mortem etc. 15.00
Texas Lake Ice Co., Ice 4.00
Signed J.T. Carrall, Chairman

Moved by Alderman Godfrey
Seconded by Alderman Hobson
THAT the report of the Health Committee be adopted.
Carried

Works No.

The Board of Works met on Thursday, July 30, 1891.
Present: Aldermen Brighthouse, Brown, Templeton and Godfrey.

It was recommended:

1) That the following accounts be paid:
Barley & Jones, Smithe Street \$ 341.43
J.B. Thornton, Raymour Street 105.63
G.W. Mitchell et al, Car fares 6.65
J. Potter, Sewer connections 7.50
A.K. Stuart, Salary 8.00
Robertson Bros., Supplies, 13.50
H. Thomas et al, Labour 197.75
McLennan & McFeely, Sewer connections 12.00

2) That the following tenders be accepted:
Barnard Street Sidewalk, A. Fraser
Box Drain Water & Cambie Streets, A.D. McDonald

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Campbell Av. Sidewalk, W.G. Fraser
South approach to Cambie Street Bridge, James Foster
Nelson Street Grading, W.D. Hobson
Harris Street Sidewalk, W.G. Fraser
Robson Street Grading, W.D. Hobson
Hornby Street Sidewalk, A. Fraser

3) That the Aldermen and City Engineer go up to Dr. Kendall's quarry as soon as possible and examine and report.

4) That the City Engineer arrange with the contractors on Thurlow Street for such grading as may be necessary up to Mr. Anderson's house on Burnaby Street.

5) That the City Engineer examine 3rd and 5th Avenues and report at next meeting.

6) That the Water Works Co. be notified that there is a leak in their pipes at the intersection of Hastings Street and Westminster Avenue.

7) That the City Engineer examine and report upon the petition of F.D. Boucher for the sidewalking of Davie Street.

8) That the Street Inspector be instructed to go over Victoria Street with the contractor so as to have all roots etc. removed which he may consider necessary.

9) That the City Engineer be instructed to report upon the cost of guards for the piers for the swing of the Cambie Street Bridge.

10) That the City Engineer be instructed to see Mr. Browning re the north approach to the Cambie Street Bridge with a view to having any desirable change made and that D. Gibbons be instructed to proceed with the work of grading.

11) That the matter of the contract with Leamy and

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Kyle for building Cambie Street Bridge be referred to the Solicitor and Engineer and whatever moneys be found due them be paid over at once if reported upon favourably.

12) That John P. Lawson, H.P. Stephenson, John Brenton and the two Chairmen be placed on the City payroll at the same salaries they previously received.

13) That the City Solicitor be asked to give a written opinion as to the rights of the Street Railway Company to enter on the streets without a written agreement with the City.

14) That the City Solicitor be requested to prepare a By-Law re the opening up of streets in D.L. 526 to the water front.

15) That Westminster Avenue from Alexander Street to the bridge be covered with crushed rock as soon as possible.

Signed H. Godfrey for Chairman

Moved by Alderman Scoullar

Seconded by Alderman McDowell

THAT the report of the Board of Works be adopted.

Carried

Report of Water Works Arbitrators

To whom these presents shall come.

We John Milne Browning, Edward Gibson Tilton and Montague W. Trywhitt Drake send greetings.

Whereas by the Vancouver Water Works Act 1886 and the Vancouver Water Works Amendment Act 1891 the Corporation of the City of Vancouver appointed John Milne Browning an arbitrator for and on behalf of the said Corporation and the Vancouver Water

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Works Company appointed Edward Gibson Tilton an arbitrator for and on behalf of the said Company and the Honourable Montague W. Trywhitt Drake was appointed a third arbitrator by the Honourable H.P. Pellew Crease, a Judge of the Supreme Court, to ascertain the value of the Works and property of the said Vancouver Water Works Company and the expenses of operation and maintenance of the said works and the gross income derived from the said works by the said Company up to the date of arbitration and whereas the time limited by the said Act for the said Arbitrators making their said award expired on or about the 16th day of July 1891 and on the 11th day of July by an order of the said Supreme Court the time for making the said award was extended until the 30th day of August 1891. Now we the said arbitrators having taken upon ourselves the burthen of this reference and having duly weighed the several allegations of the said parties and also the proof vouchers and documents which have been given in evidence before us and having heard and examined the several witnesses upon oath of and concerning the matter so referred to us, do hereby make and publish our award in writing of and concerning the matters so referred to us as aforesaid.

We award and adjudge that the value of the works and property of the Vancouver Water Works Company to be three hundred and thirty thousand and eighty dollars and eighty-one cents.

We further award and adjudge that the expenses of operation and maintenance of the said works from the time they came into operation viz on the 1st May 1889 up to the 31st day of July 1891 amount to the sum of fifty-one thousand two hundred and eighty-one dollars and ninety-three cents. We further award and adjudge that the gross income derived from the said

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works by the said Company up to the date hereof amounts to sixty-seven thousand five hundred and fifty-nine dollars and thirty-seven cents.

In witness whereof we have hereunto set our hands and seals this first day of August eighteen hundred and ninety one.

Signed and published this first day of August) sgd. J.M. Browning Seal

1891 in the presence of S.S. Gere, Vancouver) “ Edward G. Tilton Seal

“ M.W. Trywhitt Drake Seal

Certificate in pursuance of agreement of 30th June 1891.

August 1st, 1891

We certify that the following witnesses are entitled to be paid \$10.00 per day and their reasonable travelling expenses for the time they were absent from their respective places of business or residence:

John Garden, Herman Schussler, Henry B. Smith, Colonel T.W. Smith, P. Summerfield, John Lawson, Allan McDougall and H.B. Warren.

We further certify that the following witnesses are entitled to be paid \$4 per day and their reasonable travelling expenses for the time they were absent from their respective homes:

S. Thorsen, J.W. McFarland, R.T. Llewelyn, W.F. Bullen, W.F. Salisbury and G.F. Keifer.

We further certify that the following witnesses are entitled to be paid the amount set opposite their names per day and their reasonable travelling expenses:

R.P. Bisket \$ 3.00

Sir Joseph Trutch \$ 3.00

A.W. Cameron \$ 2.50

J.H. Carlisle \$ 2.50

E.E. Rand \$ 2.00

Signed G.W. Drake, Edward G. Tilton, J.M. Browning

Referred to the W.W. Committee

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MOTIONS

Moved by Alderman Templeton

Seconded by Alderman Brown

That in view of the City determining to purchase the plant and works of the Vancouver Water Works Company that the Company be requested to keep the accounts from their Company from the 1st of August to the date of the payment of the purchase money separately from their previous accounts so that the amount payable from the date of the award can be more readily arrived at.

Carried

Moved by Alderman Brown

Seconded by Alderman Templeton

That in order to carry out the award made on the arbitration between the City and the Water Works Company and the terms of the 35th Section of the Vancouver Water Works Act 1886 Mr. Salsbury be appointed on behalf of the City to certify as to the amount payable to the Company to make up 10 per cent per annum on the paid up stock of the Company from the date of commencement of operations to the 30th day of August 1891.

Carried

Notice of Motion

Alderman Brown gave notice that he would introduce a By-Law to provide for the purchase of the property and plant of the Vancouver Water Works Company in pursuance of the Water Works Company Act of 1886 and amending acts and the City Incorporation Acts and on pursuance of the award made on the 1st day of August in the matter of an arbitration between the City and the Water Works Company by Mr. Justice Drake, Mr. Browning and Mr. Tilton the arbitrators duly appointed in that behalf.

The Council then adjourned to Thursday the 6th inst. at 8 P.M.

Thos. F. McGuigan, City Clerk D. Oppenheimer, Mayor