

Brighthouse blocks Council resignation – May 26, 1891

Alderman Brighthouse refused to sign document of resignation previously signed by Mayor and all Aldermen, in response to demand brought forth at a recent public meeting. H. B. Warren brought suit against the City for wrongful dismissal. Aldermen Carroll and De Pencier made two unsuccessful motions to have the six Aldermen "*whose action formed the basis for such lawsuit*" the defendants, rather than the Council as a whole. Both motions defeated.

This transcript was made in 2016 by Transcribimus volunteer **Leah Minuk** and sponsored by **Arnold Silber**

[original handwritten minutes here](#)

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Vancouver May 26th 1891

The City Council met on Tuesday, May 26th 1891 at 8 P.M.

Present His Worship the Mayor and Aldermen Brighthouse, Carroll, Godfrey, Scoullar, Hobson, Templeton, Brown and McDowell & De Pencier.

The minutes of the last meeting were read and adopted.

The following communications were received and read:

From the City Solicitor in reference to the deeding of the Sugar Refinery Site.

Referred to the Finance Committee

From G. E. Corbould M.P. stating that he had not received the telegram from the City Clerk re attending the Privy Council meeting until too late.

Filed

From J. Wilson Supt. C.P. Tel Co. stating that all poles taken down had been removed.

Referred to the Board of Works

From W.J.M. Browning drawing attention to the recommendations of the Board of Works re streets on Fairview.

Referred to the Board of Works.

From the Market Clerk furnishing his week by report.

Filed

From John T. Williams et al petitioning for the removal of the fire limits from part of Block 53.541.

Referred to F.W&H. Committee

From Dr. Herbert thanking the Council for appointing him to the position of Hospital Dr.

Filed

From R.K. Winters informing the Council that the Police Magistrate was no longer qualified to act.

Referred to the Police Committee

From E.T. Bodwell giving notice of a suit being entered against the City by H. B. Warren.

Filed

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From Alexander S. Potts Secretary of a public meeting submitting a resolution asking the Mayor and Aldermen to resign.

Filed

From A.J. Ryan giving a description of himself.

Filed

From G.W. Thomas submitting his weekly report on Market receipts

Filed

From J. W. McFarland stating that his account for extra flushing should be paid.

Referred to the F.W. & H. Committee

From J. W. McFarland asking for particulars as to special jury fees said to be due to the City by the Water Works Co.

Referred to Finance Committee

From City Solicitor stating that the Council had the power to control the erection of telephone poles on the streets.

Referred to the Board of Works

From the Chief of Police reporting upon the street lights filed.

Filed

From the Department of Agriculture giving the Council permission to erect a swing bridge over False Creek.

Filed

From Sam A. Brown on behalf of the Zion Church asking for a reduction of the rent of the Market Hall.

Referred to the Market Committee

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The following reports were received and read:

Works. No.15

The Board of Works met on Thursday May 21st 1891.

Present Aldermen Godfrey, Brown, Templeton and De Pencier.

Alderman Godfrey was appointed Chairman pro tem.

It was recommended:

1. That the Secretary to the Board of Works be instructed to notify Dr. McAlpine to remove the building he is constructing on Lot 5 Block 9 D.L. 196, same being contrary to the provisions of the fire limit by-law.
2. That W. S. Cook be paid 10 cts. a yard for earth used for filling Dupont Street, Columbia Av and Powell Street and that hereafter 10 cts be paid for earth from excavations where required by the Street Inspector until further notice.
3. That the City Solicitor be requested to give his opinion as to what power the City has in directing the erection of telephone poles.
4. That the matter of constructing approaches to the Court House be referred to the Street Inspector to attend to as soon as possible.
5. That the communication from Davidson Bros. asking permission to erect an addition at the back of their premises of iron and glass be referred to the Fire Inspector to see that the petition is in accordance with the Fire Limit By-law and if so that it be granted.
6. That the City Engineer examine into the communication from C. O. Wickenden on the subject of basement and surface drains on Granville Street and report.

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7. That the items asked for by Wm. Crickmay for use at the North Arm Quarry in his letters of 18th and 16th must be supplied.
8. That the Street Inspector be instructed to see that no buildings project over the street line.
9. That Messrs. Anderson and Yerex be paid the balance due on 12th Av and also the bridges, upon the Street Inspector's certificate to the City Treasurer that the burning on both sides of the bridges has been completed.
10. That the following accounts be paid:

Anderson and Yerex, 12th Ave. \$ 447.74

E. A. Bodwell, hauling stones 3.30

W. C. Muir, Lane in B. 9. 196 17.50

Palmer Bros. Coal 8.50

Boyd & Clandenning, 7th Av. 2128.80

C. W. H. Sauson Common Market 12.60

A. K. Stuart Ry fares .75

John Taylor Ex of Steam Roller 10.00

Sgd. S. Brighthouse

Chairman

Moved by Alderman Scoullar

Seconded by " McDowell

That the report of the Board of Works be adopted.

Carried

The Report of the Finance Committee containing the estimates was read and laid over to be considered in Committee of the Whole after the termination of this business.

Introduction of By-Laws

Moved by Alderman De Pencier

Seconded by " Carroll

That the rules be suspended to allow of the introduction of a By-Law to appoint the time

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and fix the polling places and appoint the returning officers for holding an election for Mayor and Aldermen.

Carried

Moved by Alderman De Pencier

Seconded by " Scoullar

That the By-Law be read a first time.

Carried

Moved by Alderman De Pencier

Seconded by " Hobson

That the By-Law be read a 2nd time.

Carried

The Council went into Committee of the Whole on the By-Law on motion of Alderman Templeton seconded by Alderman Brighthouse.

Alderman McDowell was appointed Chairman.

The By-Law was read over clause by clause and reported back to Council as complete without amendment:

The 3rd reading of the By-Law was deferred until the service of a document on the City Clerk containing the resignation of the Mayor and the full Board of Aldermen, this not being obtainable on account of the refusal of Alderman Brighthouse to sign it; the By-Law was advanced no further.

Motions

Moved by Alderman Brighthouse

Seconded by " Godfrey

That the following labor account be paid:-

H. Lomas et al \$101.00

Carried

Moved by Alderman Godfrey

Seconded by " Scoullar

That the City Clerk be instructed to call for tenders for the proper

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sprinkling of the following streets during the months of June, July, August and September, namely:

Cordova Street

Water Street

Georgia St from Granville St to Jervis St

Alexander St from Westminster Av to Carroll St

Oppenheimer St to Westminster Av

Powell St to Westminster Av

Hastings St from Granville St to Westminster Av

Westminster Av from Alexander St to Princes St

Granville Street from Cordova to Robson

Carroll Street

and also that he be and is hereby authorized to accept any tender which in his opinion is the lowest responsible tender.

Tenders to be in by the 28th inst.

Carried

Moved by Alderman Hobson

Seconded by " Templeton

That Powell Street be watered to Campbell Av.

Carried

Moved by Alderman McDowell

Seconded by " De Pencier

That Westminster Av be watered from Alexander Street to the Bridge.

Carried

Moved by Alderman McDowell

Seconded by " Brown

That J.J. Blake's bill re slaughter house expenses and costs be paid as per taxed bill of costs, not to exceed 9 connections at \$44.00 each.

Carried

Moved by Alderman Brown

Seconded by " Templeton

That the Vancouver Improvement Co. be requested to convey Block 47 to the Sugar Refining Co. and that payment of \$15525.00 be made to the Company on the conveyance being executed

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and on having all that portion of Powell Street taken up by lots in Block 48.

That the C.P.R. Co be requested to convey all that portion of land lying between the Railway Track and Block 47 to the Sugar Refining Company and that the Company should convey all that portion of Powell Street taken up by their lots in Block 48, and that the City on the above conveyances being made release the above companies from all claims to the said properties.

Carried

Moved by Alderman Templeton

Seconded by " Godfrey

That the Rules be suspended to allow of a motion being introduced to grant a sum towards the 1st of July celebrations.

Carried

Moved by Alderman Godfrey

Seconded by " Templeton

That the Council donate the sum of one thousand dollars towards the 1st of July celebrations.

Carried

Moved by Alderman Templeton

Seconded by " Godfrey

That the Council do extend to the Councils of Nanaimo and Victoria a vote of thanks for their hospitable entertainment on the anniversary of the celebration of Her Majesty's birthday.

Carried

Moved by Alderman Godfrey

Seconded by " Carroll

That the Market Hall be let to A. W. Beattie for the 26, 27, 28, 29 & 30 of May and 1, 2, 3, & 4 June, nine days in all for the sum of ninety dollars \$90.00.

Carried

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Moved by Alderman Carroll

Seconded by " De Pencier

Whereas action has been taken by Mr. Warren against the City of Vancouver to recover wages and damages for illegal dismissal be it resolved that the City Solicitor be instructed to defend the suit and to make the six Aldermen who voted for such dismissal co-defendant in the said suit.

Lost.

Moved by Alderman Carroll

Seconded by " De Pencier

Whereas Mr. Warren has entered suit against the City of Vancouver for the recovery of wages and damages for unlawful dismissal it is the opinion of this Council that an indemnity against all liability for such costs and damages shall be given to the City by those Aldermen whose action formed the basis for such lawsuit.

Lost

Moved by Alderman De Pencier

Seconded by " Carroll

That inasmuch as grave charges of incompetency and carelessness have been made against Mr. Lawson at present employed by the Board of Works without the sanction of this Council and whereas such charges render it desirable that an inquiry shall be held in order that certain sums of money said to be have been overpaid on certain bridge contracts shall be refunded to the City by said contractors, be it resolved that application be made by this Council to one of Her Majesty's judges to hold an inquiry under Clause 212 of the City Charter, into such charges and that pending such inquiry Mr. Lawson be not further employed on City Works.

Moved by Alderman Scoullar

Seconded by " McDowell

That the motion to be laid over until the opinion of the City Solicitor

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be obtained as to the legality of Mr. Lawson's appointment.

Carried

Notices of Motion

Alderman McDowell gave notice that the next regular meeting of Council would move to appoint a magistrate as required by the Provincial Act.

Alderman Brighthouse gave notice that at the next meeting of the Council he would introduce a By Law permitting the British Columbia District Telegraph and Delivery System power to establish their system in the City of Vancouver.

Moved by Alderman Templeton

Seconded by " Godfrey

That the sitting of the Council be extended for two hours before going into Committee of the Whole on the estimates.

Carried

Moved by Alderman Carroll

Seconded by " Brighthouse

That the recess of 15 minutes be allowed before going into Committee of the Whole.

Carried

After recess it was moved by Alderman Scoullar seconded by Alderman McDowell

That the Council go into Committee of the Whole on the estimates.

Carried

Alderman Brown was appointed Chairman.

The Report was taken up item by item.

Moved by His Worship the Mayor that the estimated receipts be amended as follows:

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1. By increasing the receipts for houses to \$28,000
2. " " " " " police court to \$6,000
3. By fixing the receivable at 115,344
4. " adding \$4,500.00 for Poll Tax
5. " " 2000 for refund on Centre Street
6. " " 5000 " miscellaneous receipts
7. " " 1000 " accrued interest on Jockey Club debentures
8. " adding \$4500.00 for refund on East Park and Brockton Pt. recreation grounds.

Carried

The Committee then rose on motion of Mayor Oppenheimer and asked leave to sit again.

The Council thus adjourned to meet again Wednesday the 27th inst. at 8 p.m.

D. Oppenheimer

Mayor

Thos. F. McGuigan

City Clerk