

Warren's wrongful dismissal suit could cost the City \$5,000 – May 27, 1891

Former Chief Engineer H.B. Warren brought a suit of \$5,000 against Council for unlawful dismissal. The mayor and Aldermen had their names struck off a document of resignation signed at the last meeting of Council.

This transcript was made in 2016 by Transcribimus volunteer **Leah Minuk**

and sponsored by **Arnold Silber**

[original handwritten minutes here](#)

City of Vancouver Archives
Series 23-A Volume 4 page 353 - 355

[volume 4 page 353]

May 27, 1891

The Council met on Wednesday, May 27th 1891 at 8 p.m.

Present – His Worship the Mayor and Aldermen Brighthouse, Carroll, Godfrey, Scoullar, Hobson, Templeton, Brown, McDowell, and DePencier

A communication was received from Chipman, Morgan & Co. agents for Imrie Bell asking for an extension of time for the construction of the graving dock etc. at Vancouver on account of permission not having been obtained to construct from the Dominion Government.

After this was read Alderman Scoullar added that the City Solicitor's opinion be obtained as to whether they were legally sitting as Aldermen after signing the document at last meeting of Council tendering their resignation. Alderman McDowell seconded the motion.

The City Solicitor stated that so long as the document was allowed to remain in the City Clerk's hands it was an absolute resignation without - he was told to hold it under certain conditions.

They could however now withdraw their resignation as the original intentions were not fulfilled, one Alderman having refused to sign.

The Mayor and Aldermen then had their names struck off and business proceeded. The communication from Chipman, Morgan & Co. was referred to the Board of Works.

The following portion of the Finance Committee's report laid over from last meeting was read and adopted on motion of Alderman Brighthouse. Seconded by Alderman Brown: -

The Finance Committee met on Friday, May 22nd 1891.
Present Aldermen Brown, Hobson, Scoullar and Carroll.

[volume 4 page 354]

Communications

From J.J. Slade asking for payment of his bill of costs in the slaughter house cases. Referred to the City Solicitor to certify as to the correctness of this bill.

From R.J. Williams asking for an order and a subsidy for the B.C. Directory. Filed

From A. St. Geo Hamersley asking that an arrangement be made as to remuneration for revising the City By-Laws.

Resolved that he be asked to give a written estimate of the costing of the work to be done.

From the Board of Trade asking the Council to pass a resolution urging the department at Ottawa to take immediate action towards the removal of the shacks from the foreshore of Vancouver Harbour and False creek.

Resolved that a motion be passed in Council to that effect.

Resolved that Mr. Hamersley retain Mr. Richards to help him in the water works arbitration he to be paid a retaining fee of \$250.00 and \$50.00 per day while absent from home in connection with the arbitration. That W.C. Archer and J. M Spinks renew the policies of Insurance on the City Hospital for three years at a premium in each case of \$150.00.

From Mr. Hamersley stating that he had made an offer to the owners of lots 415 + 6, in Blocks 48.196 for the portion of those lots through which Powell Street runs and that he has prepared a deed of conveyance to the Sugar Refinery Co of Block 47.196. Filed

A writ of summons by H. B. Warren claiming damages in the sum of \$5000.00 was laid before the Committee and was referred to the City Solicitor with instruction to defend the actions.

Moved by Alderman Carroll.

That a By-Law be introduced to raise a loan for permanent improvements, the amount to be left for future consideration.

Carried

Sgd Wm. Brown, Chairman

[volume 4 page 355]

Moved by Alderman McDowell

Seconded by " Scoullar

That R. H. Alexander be requested to act in the capacity of Police Magistrate pending the appointment of a duly qualified Police Magistrate.

Carried

The consideration of the estimates was deferred until they were again laid before the Finance Committee.

The Council then adjourned.

D. Oppenheimer, Mayor

Tho. F. McGuigan
City Clerk