

**MINUTES OF ADJOURNED MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, THURSDAY, OCTOBER 12<sup>TH</sup>, 1922.**

Present: His Worship Mayor Morden  
Alderman Harron  
Alderman McColl  
Alderman Martinson  
Alderman Prior  
Alderman Townsley  
Alderman Watson

The Council having adjourned for the purpose of considering proposed contract between Napier & Miller Limited and the City, with respect to the construction of a ferry boat, the plan of midship section, specification for hull and specification for machinery and proposed contract were submitted.

Moved by Alderman Townsley, seconded by Alderman Martinson and resolved that the plan of midship section, specification for hull and specification for machinery, as submitted, be and are hereby accepted and adopted, subject to identification by Mr. John Lochart, as being the plans and specifications that have already been compared by him, and submitted to this Council.

His Worship Mayor Morden expressed his regret that Messrs. Napier & Miller Limited, has not seen fit to quote a price on the compromise boat.

The tentative contract, as submitted by L.E. MacDonald Company, representatives of Napier & Miller Limited, was then carefully considered.

Moved by Alderman Martinson, seconded by Alderman McColl and resolved that a clause be inserted in proposed contract, to the effect that the speed limit shall not be less than ten (10) knots per hour.

Moved by Alderman Townsley, seconded by Alderman Prior and resolved that a clause be inserted that the depth from the top of the sheathing on the main deck at ends on fore and aft centre line to water level, when loaded with tanks full, steam up, and 100 tons dead weight cargo on board, be five feet.

Moved by Alderman McColl seconded by Alderman Harron and resolved that provision be made for the builders to furnish a bond in the amount of £5000 for the due performance of the contract, and making good any defects for a period of six months after the delivery of the vessel at North Vancouver.

Moved by Alderman Watson, seconded by Alderman McColl and resolved that a clause be inserted to the effect that the contract shall not come into force or effect until a money Bylaw of the Corporation, authorized the raising by way of loan, on the credit of said City, all the monies necessary, has been duly passed by the Council, has been submitted to and received the assent of the ratepayers and the approval of the Inspector of Municipalities.

Moved by Alderman Martinson, seconded by Alderman Townsley and resolved that a clause be inserted requiring delivery within ten (10) months, under penalty of £20. per day as liquidated damages for each day's default in delivery of vessel at North Vancouver.

Moved by Alderman Watson, seconded by Alderman Prior and resolved that a clause be inserted similar to Clause 20 of the compromise contract, to the effect that the Builders agree to delivery the said vessel at the Purchaser's wharf, providing passenger certificate and certificate of Registry; boat to be thoroughly overhauled on arrival and reconditioned to the satisfaction of a surveyor to be mutually agreed upon.

Moved by Alderman Townsley seconded by Alderman Watson and resolved that a clause be inserted providing for the builders to insure the boat on the trip across, without qualification as to rate.

Moved by Alderman Watson, seconded by Alderman Prior and resolved that provision be made for making last payment after arrival, and on acceptance at North Vancouver. Certificates from the City's supervisor to be furnished in each case before payment is made.

Moved by Alderman Townsley seconded by Alderman Martinson that Clause 13 re Arbitration be approved.

An amendment was offered.

Moved by Alderman Watson, seconded by Alderman Harron that Clause 13 be amended to provide that in event of any dispute arising, same shall be settled in pursuance of the B.C. Arbitration Act.

A vote was taken.

Fro the Amendment: Aldermen Watson, Prior, McColl, Harron.

Against Amendment: Aldermen Townsley and Martinson.

The Amendment was declared carried and the motion lost.

Moved by Alderman Townsley, seconded by Alderman McColl that contract be construed in accordance with the Laws of Scotland.

An amendment was offered.

Moved by Alderman Watson, seconded by Alderman Harron that the contract be construed in accordance with the Laws of Canada.

A vote was taken and the amendment was declared lost and the motion carried.

Moved by Alderman Townsley, seconded by Alderman Prior and resolved that Mrs. MacDonald be permitted to address the Council.

Whereupon Mrs. MacDonald addressed the Council.

Moved by Alderman Townsley, seconded by Alderman McColl and resolved that Captain Cates be permitted to address the Council.

Whereupon Captain Cates wished to know if the plans and specifications adopted tonight, have been thrown open for competitive bids.

He was informed that they have not.

Moved by Alderman Harron, seconded by Alderman Townsley and resolved that the draft contract and copy of amendments, be referred to the Solicitor to redraft a new contract, to be submitted to the Council on Monday evening.

Moved by Alderman Townsley, seconded by Alderman McColl and resolved that clause be inserted to the effect that where the contract does not agree with the plans and specifications, the terms of the contract shall prevail.

Communication was received from H.W. Taylor, 322 - 6<sup>th</sup> Street West, complaining of the unsanitary condition of the open sewer on 6<sup>th</sup> Street, between Mahon and Jones Avenues.

The Sanitary Inspector reported that the ditch referred to is periodically flushed out, 2 or 3 times each week, according to the condition of the ditch and weather.

Moved by Alderman Martinson, seconded by Alderman McColl and resolved that the Sanitary Inspector inspect the septic tanks in the vicinity of the ditch referred to.

Moved by Alderman Watson, seconded by Alderman McColl and resolved that this Council do now proceed to resolved itself into Committee of the Whole Council.

Alderman McColl was appointed chairman.

#### IN COMMITTEE

#### IN COUNCIL

Moved by Alderman Townsley, seconded by Alderman Harron and resolved that the above report and recommendation of the Committee of the Whole be received and adopted.

Moved by Alderman Watson seconded by Alderman Townsley and resolved that the above recommendations be embodied in proper form and forwarded to the Attorney-General, and representative for this Constituency.

At 10:30 p.m. it was moved by Alderman Watson, seconded by Alderman Townsley and resolved that the Council do now adjourn.

Whereupon the Council adjourned.

Signed: G.H. Morden, Mayor