

**MINUTES OF REGULAR MEETING OF COUNCIL, HELD IN THE COUNCIL CHAMBER, CITY HALL, TUESDAY, NOVEMBER 8<sup>TH</sup>, 1927 AT 8:00 P.M.**

Present: His Worship Mayor Morden  
Alderman Anderson  
Alderman Bridgman  
Alderman Cartwright  
Alderman Irwin  
Alderman Townsley  
Alderman White

The Minutes of Special meeting of Council, held October 24<sup>th</sup>, 1927, copies of which had previously been supplied each of the Aldermen, were taken as read and on motion of Alderman Townsley, seconded by Alderman Irwin, adopted.

The Minutes of Special meeting of Council, held November 3<sup>d</sup>, 1927, copies of which had previously been supplied each member of Council, were taken as read and on motion of Alderman Townsley, seconded by Alderman Irwin, adopted.

Correspondence was received, read and dealt with as follows:

Receipt from the Registrar, County Court, Vancouver, for the registration of Bylaw 890.  
Filed.

An invitation was received from the Vancouver School Board to be present at the opening of the first unit of the Kitsilano Junior High School at 8 p.m. on November 14<sup>th</sup>.  
Moved by Alderman Townsley, seconded by Alderman Irwin and resolved that the above invitation be received and acknowledged and as many as can arrange to be present, advise the Secretary of the Vancouver School Board.

From Robert Wilson of the Pacific Great Eastern Railway, re dolphin at the foot of Chesterfield Avenue, inquiring if the Pacific Great Eastern Railway replaces the dolphin, will the City protect the Company for a proportion of the expenses by others who might be permitted by the City to use it.

Referred to the Engineer for report.

From the City Solicitor, enclosing draft of proposed agreement between the City and the Vancouver Harbour Commissioners with respect to tunnel under the Esplanade, attached thereto being copy of Mr. Gray' letter to the Solicitor of the Harbour Board.

Referred to Committee of the Whole.

From the Harbour Commissioners, enclosing blue print of gasoline area No. 1 in the vicinity of Dead Man's Island.

Filed for reference.

From G.Y. Smith, 338 – 1<sup>st</sup> Street East, complaining of the condition of the lane at the back of his premises.

Referred to the Board of Works and Engineer for report.

From Mrs. And Mr. Fatke, 30 – 11<sup>th</sup> Street East, applying for a plank walk on the East side of St. Andrew's Avenue to give access to the side entrance to their house.

Referred to the Board of Works and Engineer for report.

From the City Assessor and City Engineer reporting that the small fraction being the south east corner of Lot 5/20/274 in their opinion is not required by the City.

Moved by Alderman Bridgman, seconded by Alderman Cartwright and resolved that the above report be received and Messrs. Waghorn, Gwynn & Co. notified accordingly.

From Mrs. Kenworth, applying to have the front of Lot 14/14/273 cleared of stumps, stones, etc. As she intends to erect a dwelling.

Moved by Alderman Bridgman, seconded by Alderman Townsley and resolved that the above application be referred to the Engineer to advise Mrs. Kenworthy of the Council's attitude in matters of this nature.

From H.B. Stoker, stating that his daughter is attending Crofton House School in Vancouver is over 12 years of age and she now has to pay the fare 40 tickets for \$2.00, inquiring why she cannot get the Students rate. Referred to Committee of the Whole.

From the Secretary, Ratepayers Association, advising that a Committee was appointed and will attend the Council meeting tonight to listen to the discussion re tax sale property.

Filed.

From the Secretary, Ratepayers Association, applying for the use of the Council Room on Thursday, November 10<sup>th</sup>.

Moved by Alderman Townsley, seconded by Alderman Anderson and resolved that the above request be granted.

From the Secretary, Ratepayers Association, with respect to the complaint of the North and West Vancouver Stages re Pacific Stages.

Referred to Committee of the Whole.

From the City Clerk, advising that the Court of Revision of the Voters' List for 1928 shall sit on the 10<sup>th</sup> day of December 1927, three weeks notice to be given by publication in three consecutive issues of a newspaper published in the Municipality, also requesting that the members of the Court of Revision be appointed.

Moved by Alderman Townsley, seconded by Alderman Irwin and resolved that the Mayor appoint the members of Court of Revision.

Whereupon Mayor Morden appointed Mayor Morden, Alderman White and Alderman Anderson to constitute a Court of Revision to correct and revise the Voters' List for the City of North Vancouver for the year 1928 and such Court shall sit for the purpose

aforesaid on the 10<sup>th</sup> day of December 1927 at the hour of 10 a.m. in the Council Chamber, City Hall, North Vancouver.

Moved by Alderman Bridgman, seconded by Alderman Cartwright and resolved that the appointment of Mayor Morden, Alderman White and Alderman Anderson be confirmed.

Moved by Alderman Bridgman, seconded by Alderman Anderson and resolved that the sitting of the Court of Revision be published in the North Shore Press and the Review.

From R.L. Williams, 860 Grand Boulevard, drawing attention to the necessity of the sidewalk in front of his premises being repaired immediately, as it is most dangerous.

Moved by Alderman Townsley, seconded by Alderman Bridgman and resolved that the above communication be referred to the Board of Works and Engineer with power to act.

From the Clerk of the District, with reference to arranging a meeting of the three North Shore Councils and suggesting Wednesday, November 16<sup>th</sup>.

Moved by Alderman Bridgman, seconded by Alderman Anderson and resolved that the Mayor arrange for a meeting on November 16<sup>th</sup> at either the City or District Hall.

From the City Engineer, reporting that the trestle bridge on 17<sup>th</sup> Street at Rufus Avenue is unsafe and recommending that authority be given to have it closed.

Moved by Alderman Anderson, seconded by Alderman Townsley and resolved that the Engineering Department be authorized to close the trestle bridge on 17<sup>th</sup> Street at Rufus Avenue, the bridge being unsafe for traffic.

From the Engineer, stating that on account of the proposed closing of the 17<sup>th</sup> Street Bridge, at Rufus, the Nursery will not have an outlet. It will cost \$600.00 to rough grade and gravel a 12 ft. roadway from this point to connect with Centre Road two-thirds of this would be in the City and one-third in the District, recommending that the City authorize the expenditure of \$400.00 providing the District will authorize the opening of the balance at an estimated cost of \$200.00.

Moved by Alderman Bridgman, seconded by Alderman White and resolved that the above matter be referred to the joint meeting.

The Engineer was instructed to submit an estimate of cost of replacing the trestle bridge on 17<sup>th</sup> Street.

The City Collector submitted statement of receipts for the month of October also for the period ending October 31<sup>st</sup>.

Filed for reference.

From S. Humphreys, requesting that he be given access by way of lane at the rear of his house, north east corner of the Boulevard and 15<sup>th</sup> Street.

Moved by Alderman Cartwright, seconded by Alderman Townsley and resolved that the above application be referred to the Board of Works and Engineer with power to act.

Reports and recommendations by the Finance, School, Police, Ferry, Board of Works, Waterworks, Fire and Light, Parks and Health Committees, on due accounts were submitted by the respective Chairmen and read to the meeting and the Treasurer was authorized to pay the accounts to the amounts following:

Finance		\$2,025.34
School		\$11,835.55
Police		\$1,297.50
Ferry		\$8,437.19
Board of Works	\$469.00	
	<u>1623.42</u>	\$2,092.42
Waterworks	\$358.25	
	<u>582.71</u>	\$940.96
Fire & Light		\$1,552.75
Parks	\$240.25	
	<u>160.05</u>	\$400.30
Health	\$325.00	
	<u>140.00</u>	\$465.00

Moved by Alderman Townsley, seconded by Alderman Cartwright and resolved that the Treasurer be and he is hereby authorized to pay the account of Willis, Kingsley Motors Ltd., total \$1,500.00 same being O.K.'d by the Fire Chief and Chairman of the Fire and Light Committee.

Moved by Alderman Bridgman, seconded by Alderman Irwin and resolved that the Treasurer be and he is hereby authorized to issue cheques in payment of account C.A. Wilson for construction of shelter at the Vancouver wharf, total amount being \$878.00, \$666.00 cash, balance being 20% drawback under usual contract terms.

Moved by Alderman Bridgman, seconded by Alderman Cartwright and resolved that the Treasurer be and he is hereby authorized to pay account Pacific Great Eastern Railway, tickets sold during the month of October \$66.10.

Moved by Alderman Townsley, seconded by Alderman Irwin and resolved that the Treasurer be and he is hereby authorized to pay account Ladies Auxiliary Army & Navy Veterans poppy wreath \$5.00.

Moved by Alderman Bridgman, seconded by Alderman Townsley and resolved that the Treasurer be and he is hereby authorized to pay accounts North Shore Press, W.F. Smith, Palace Hotel, K.P. Hall, aggregating \$289.49 re entertaining General Sutton and forward account to the District of North Vancouver and District of West Vancouver on basis 2-1-1.

Moved by Alderman Bridgman, seconded by Alderman Anderson and resolved that the following report of the Ferry Committee be adopted:

The Superintendent submitted report dated November 8<sup>th</sup> with respect to lavatories on the Vancouver side, specifications to be prepared.

The Ferry Superintendent also submitted report dated November 2<sup>nd</sup> from J.W. Southan with respect to lighting the dock on the North Vancouver side. RECOMMEND the installation of eight new standards on the North Vancouver dock, as recommended by J.W. Southan and that bids be invited.

The Superintendent stated that he would have a full report of analysis of coal for next meeting.

Moved by Alderman Bridgman, seconded by Alderman Anderson and resolved that the following report of the Parks Committee be adopted:

Communication was received from the Ex-High Football Club applying for the use of the Rooms at Confederation Park by members of the ex-High Football club for training purposes on Wednesday evenings during the football season. RECOMMEND that the above request be granted providing the football Club secure the services of the Park Caretaker for looking after the Dressing Rooms.

Moved by Alderman Bridgman, seconded by Alderman Anderson and resolved that the following report of the Finance Committee be adopted:

The License Inspector reported with respect to the complaint of F.W. Watson stating that for the second half of the year only three florists licenses have been paid for. With reference to the complaint of the remarks of the Assistant License Inspector, he reported that he was of opinion that the conversation has been much exaggerated. RECOMMEND that the matter of non-payment of licenses of florists be referred to the License Inspector with the expectation that the florists take out licenses.

The Relief Officer submitted report of relief distributions for the month of October. RECOMMEND that the above accounts be paid.

The License Inspector brought up the question of some party selling crabs on the streets not being a resident of the City and without a license. RECOMMEND that the above mentioned party be advised that it will be necessary to have a license as they are competing with fish markets.

Mrs. Fugler submitted a plan for the subdivision of Lot E, Block 61, D.L. 549 dividing the lot into the easterly 60 feet and the westerly 40 feet. There would be one dwelling on each lot with a 10 ft. lane allowance at the rear of the westerly 40 feet, no lane allowance being provided at the rear of the easterly 60 feet, the

reason given being that the present dwelling is located at the rear of the lot close up to the property line and that the cost of moving the house would be prohibitive.

RECOMMEND that the above plan be approved.

Moved by Alderman Bridgman, seconded by Alderman Anderson and resolved that the following report of the Fire and Light Committee be adopted:

The Chief recommended that an offer of the American La France Fire Engine Company to construct, paint and attach a hose body on the combination hose and chemical chassis be accepted their price being reasonable. The piece of apparatus would then be a complete job and ready to go into commission on delivery. The Chief further recommended that the tires on both trucks be changed from 34 x 7 to 38 x 7 at a total cost of \$59.60; this would make the tires of all three trucks interchangeable.

RECOMMEND that the above report and recommendation of the Chief be approved and the additional cost authorized.

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Communication was received from the District of North Vancouver returning account for services of the City Fire Department near the Vancouver Creosoting Company.

RECOMMEND that details of the matter be furnished to be taken up at joint meeting on the 16<sup>th</sup> instant.

Moved by Alderman Bridgman, seconded by Alderman Townsley and resolved that M.J. Crehan be and he is hereby appointed to audit the books and accounts of the School Trustees of the City of North Vancouver for the year 1927, fee to be set by the School Trustees.

Moved by Alderman Bridgman, seconded by Alderman Townsley and resolved that the course of action following the General Sutton meeting be referred to joint meeting of the Councils.

Alderman Bridgman reported that the members of Council had interviewed the Harbour Commissioners with respect to the slopes of the low level road.

The Commissioners agreed that when the cement is set they will clear up the slopes and obviate danger to the travelling public, being the most important consideration. The Chairman of the Harbour Commissioners had agreed that they will put on equipment to remove dangerous sections of the bank before the road is opened for travel.

Moved by Alderman Bridgman, seconded by Alderman White and resolved that the above report be received and minuted.

The following statements, reports and letters were submitted and read:

1. Report of Finance Committee signed by the three members.
2. Statement of C.R. Lane, City Collector.
3. Letter from Mr. Harvey, Solicitor, accompanying Mr. Lane's statement.

4. Letter from A.G. Harvey, attached to Statutory Declaration of Stephen Lowrie.
5. Further report submitted by Alderman Bridgman and Alderman White as follows:

Moved by Alderman Bridgman, seconded by Alderman White that the following be received and adopted:

As no provision was made by the Council in their resolution of 24<sup>th</sup> October 1927, asking the Finance Committee to recommend what action should be taken with respect to the Collector, I feel it my duty as Chairman of that Committee, to place the carefully considered views of Alderman White, also a member of the Finance com and myself before you. We feel we cannot accept the lenient construction placed upon the transaction by Mr. Harvey, Solicitor for Mr. Lane.

In the first place we consider that Mr. Lane did not carry out the Act when he failed to re-offer the property for sale on Saturday the 1<sup>st</sup> October. The fact of no bidders being present does not affect the case, as he did offer three other parcels which were knocked down to the City.

Mr. Harvey states that the Collector could not refuse to accept the offer of Mr. Irwin of \$75.50 on the 3<sup>rd</sup> October. This is a most serious phase of the question as it suggests the law requires a Collector to accept a lower bid from the same purchaser of the same property at any adjourned session of the Tax Sale, at which said purchaser is present. This is what actually occurred in this instance, and, while such action may be legal, we feel it was ill-considered and ill-advised and throws a serious reflection on the bona fides of the transactions.

Mr. Harvey also states that nobody has been hurt or lost anything. This result was obtained, not by any effort on the part of our Collector, but by the action of the Council at their meeting on the 24<sup>th</sup> October by demanding payment of \$550.00 from Mr. Irwin, and the cancellation of the second sale, and we would point out at this juncture that it was only through outside information that the Council became aware of the transaction.

Mr. Harvey further states that Mr. Lane acted in good faith throughout, that he was not influenced in his conduct by Mr. Irwin and there was, of course, no collusion between them. Also, that Mr. Lane considered he was dealing with a responsible purchaser and that in any event, even if he had knocked the lot down to the City it would have been subject to the customary re-sale at a later session of the Tax Sale and might have complicated matters still more.

We agree with Mr. Harvey up to the point where the lot was sold for \$550.00, but cannot agree that Mr. Lane was not influenced by Mr. Irwin, who proved by his action in not paying the \$550.00 that he was not a responsible purchaser, and we feel Mr. Lane would have been well within his rights if he had refused to re-sell to Mr. Irwin the property in question. Should Mr. Irwin have objected to such a course - the Tax Sale being subject to daily adjournments - the matter could have immediately been taken up with the Council for consideration. Also that if the property had been knocked down to the City it could not have complicated matters any more than they have been.

Mr. Lane stated at the enquiry that he did not notify Mrs. Eckford about the resale because he was not legally required to do so, although by his action in telling Mr. Irwin that unless the \$550.00 was forthcoming we would have to cancel the sale, he performed an act which he was not legally compelled to do. Further Mr. Harvey's

construction of the case to the effect that an unsuccessful bidder should follow matters up and ascertain whether the Purchaser completes the purchase, or whether the property is again to be put up for sale is one which we cannot accept.

The interests of the Estate of the registered owner, Mrs. Lowrie, deceased, her husband and other relatives, have been brought into the transaction, but we feel this phase of the question does not affect the situation, except to show the necessity of the Collector being especially careful of the City's interest by not doing anything which might be construed as favoring any of the interests affected.

In summing up, we feel that the matter is of such importance to the welfare of the City, that it cannot be overlooked or condoned. We wish to state our belief that Mr. Lane did not stand to gain financially by the transaction but that his actions throughout were considered and deliberate.

WE would therefore, recommend that, while recording our belief that Mr. Lane did not gain financially by the transaction, in the interests of the City he must be given the requisite notice dispensing with his services, and we further recommend that the Council record its strong disapproval of the action of Mr. Irwin an Alderman of the City, whose part in the matter has been so harmful to Mr. Lane.

Alderman Townsley was of opinion that there was not wrong intention on the part of Mr. Lane as Collector.

The Mayor asked if under the above motion, it would be necessary to dispense with the services of Mr. C.R. Lane as Collector, as Treasurer and also pass the implied reprimand of Mr. Irwin.

It was thereupon moved by Alderman Bridgman, seconded by Alderman White that the services of MR. C.R. Lane as Collector be dispensed with and proper notice given.

Alderman Irwin spoke on behalf of the action of Mr. Lane that he had followed the spirit of the act if not the letter.

Alderman Anderson thought the Council was losing sight of the question of the tax sale proceedings; there could be no special privilege to any special purchaser. While the interests of the City may not have suffered, yet the interest of tax sales in future may suffer.

Alderman Cartwright was of opinion that payments should be completed forthwith and that Mrs. Eckford should have been notified before re-sale.

Alderman Bridgman stated that Mr. Lane knowing the state of the title to the property, further complicated the situation that he had exceeded his duties as acting as judge, that Mrs. Eckford had consulted with Mr. Lane for several years with respect to properties being offered at tax sale, that neither the Solicitor nor any member of Council was consulted by the Collector.

Alderman Townsley stated that Mr. Lane admits that he acted ridiculously but asking him to resign is equivalent to dismissal.

Mayor Morden requested Alderman Irwin to take the Chair as he wished to address the meeting from the floor.

Mayor Morden was of opinion that Mr. Lane was correct up to the time he knocked down the lot at \$550.00. If knocked down price is not paid the Collector should forthwith re-offer the lot. That the Collector had failed to comply with the Act with respect to tax sales. Three lots were offered on Saturday, but the lot in question was not re-offered until Monday morning. The City in any case would only get the upset price \$75.50. It was unfortunate that only one of the original bidders was present when the lot was re-offered on Monday. The confidence of the public in Mr. Lane as a person to conduct tax sales has been shaken.

Mayor Morden thereupon resumed the Chair and Alderman Irwin and Alderman Townsley again addressed the meeting, Alderman Townsley pleading for justice not leniency.

The motion of Alderman Bridgman, seconded by Alderman White that the services of Mr. C.R. Lane as Collector be dispensed with and the proper notice given, was voted upon.

The Mayor declared the motion carried.

Alderman Bridgman moved, seconded by Alderman White that the Council dispenses with the services of Mr. C.R. Lane as Treasurer and that proper notice be given.

Mr. Summerfield by permission addressed the Council as did also Mr. Noble, Mr. Bennett, Mr. Fowler, Mr. Tom Kennedy and Mr. Lane. Mr. Harvey also addressed the Council on behalf of Mr. Lane.

Mayor Morden again requested Alderman Irwin to take the Chair while he addressed the Council from the floor.

The Mayor considered this matter was up to each member of the Council. The matter of Collectorship should not affect his position as Treasurer. The two offices may be held by one person.

The Mayor thereupon resumed the Chair.

Alderman Bridgman and Alderman Anderson stated that owing to representations tonight they were prepared to lay on the table for two weeks the motion with respect to dispensing with the services of Mr. Lane as Treasurer.

Whereupon it was moved by Alderman Bridgman, seconded by Alderman Anderson that the motion with respect to dispensing with the services of Mr. Lane as Treasurer be tabled for two weeks. Alderman Townsley voting against.

Moved by Alderman Townsley, seconded by Alderman Irwin and resolved that this Council express its absolute confidence in the integrity of Mr. Lane not only in the matter of the tax sale but also in other work performed by him as well.

Moved by Alderman Anderson, seconded by Alderman White and resolved that this Council take a recess to permit of the Board of Health meeting.

After a short recess, the Mayor called the meeting to order.

Moved by Alderman Bridgman, seconded by Alderman White and resolved that his Council do now proceed to resolve itself into Committee of the Whole.

Alderman Cartwright was appointed Chairman.

### IN COMMITTEE

Re plan submitted by Mrs. Fugler to Finance Committee.

The Engineer drew attention to the fact that no lane allowance is provided for at the rear of the easterly 60 feet being subdivided.

Moved by Alderman Anderson that the matter of approval of the plan submitted by Mrs. Fugler be reconsidered in open Council in so far as it applies to the westerly 40 feet.

Re compulsory insurance on automobiles.

Moved by Alderman Bridgman that this Council approve of the general principle of compulsory public liability on automobiles.

Re application H.B. Stoker for students tickets.

Moved by Alderman Irwin that the application of Mr. Stoker for student's tickets for his daughter attending private school in Vancouver lay on the table.

Re dolphin at Chesterfield wharf.

The Engineer reported that Yorke & Son state that the large barge of the Pacific Great Eastern Railway was the cause of the trouble with the dolphin.

Moved by Alderman Bridgman, that the Solicitor and Engineer report in connection with the Chesterfield Avenue slip.

Re letter Ratepayers Association with respect to North and West Vancouver stages.

Mr. O'Hara was present and addressed the Committee.

Moved by Alderman Bridgman, that the Pacific Stages be notified that they must adhere to the schedule according to the seating capacity.

Moved by Alderman Irwin that the complaint of the North and West Vancouver Stages with respect to licenses of Pacific Stages be referred to the Licensing Inspector to check up on licenses held by Stage Companies.

Moved by Alderman Bridgman, that the Solicitor report with respect to the Pacific Stages taking on passengers while on the ferries, what powers has the Council re displaying a sign while on the boats.

Re draft agreement with respect to tunnel at Esplanade.

Moved by Alderman Bridgman, that the action of the Mayor and Solicitor in drafting and forwarding a tentative agreement to the Harbour Commissioners be approved, and that the matter lay on the table for two weeks and copy of draft agreement forwarded to members of the Council.

Moved by Alderman Anderson, seconded by Alderman Townsley and resolved that this Committee do now rise and report.

Whereupon His Worship Mayor Morden reconvened the Council.

### IN COUNCIL

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

At 11:55 p.m. it was moved by Alderman Townsley, seconded by Alderman Anderson and resolved that the meeting adjourn.

Signed: G.H. Morden, Mayor