

TO THE PUBLIC

(ADVERTISEMENT)

THE Select Vestry Act appears to be very little understood. The Opinion of Counsel is altogether hostile to the views of the Vestry, for it declares that such Vestry has no control or superintendence over the Officers appointed under Gilbert's Act. The Vestry, however, have judged otherwise; and have assumed powers which the Law has not yet given them: "Not having the law, they are a law unto themselves"—and have acted more imperiously without the sanction of Law, than men of moderate minds would be inclined to do even when armed with authority. The very existence of the Vestry (such as it is) originated in a spirit of determined opposition to the Officers appointed by the Magistrates, under Gilbert's Act; and during the whole period of that existence, the majority of these Vestrymen appear to have been actuated more by a thirst for innovation, than by any regard to candour.

If it be true, as their own Counsel has informed them, that a Township incorporated under Gilbert's Act, can recognise no other without the special intervention of the Legislature, why are the Overseers to be branded with opprobrium for not acknowledging the powers of the Select Vestry Act? Little liberality, surely, can be expected from a Vestry possessing only imaginary powers, and yet thirsting for those of the most extensive description. Every man of common feeling must deplore the multiplied insults and slanders which the legal Officers bearers have experienced, since a few misguided Reformers took it into their heads that the management of the Township's affairs was vested in them. It is however gratifying to observe the dawn of returning reason among them;—some of the most respectable of their number have withdrawn from their meetings, and their laudable example will, no doubt, be followed by the more discerning part.

That the Overseers are chargeable with a want of industry or more properly speaking with neglecting to look more strictly after the motions of the late Collector, cannot well be doubted. They have certainly afforded sufficient demonstrations that they can raise considerable sums in a comparatively short period, and consequently leave room to infer that with a corresponding degree of diligence, even in the worst of times, they might have considerably reduced the debts on the Township. But their culpability, so far as is yet apparent, extends no further—nor has there hitherto appeared a single person who has dared to impeach their integrity; though innuendoes in abundance have been thrown out.

It is material to attend to some of the assertions made by Mr. Jefferson at the late Meeting. Mr. J. is represented to have said that on an examination of the Overseers' books there was an error in one item of £500: * but will Mr. J. show the book wherein the error occurs? Will he explain the item? Did he not know that he was advancing what is not true? Was he not sensible that he was not referring to a book, but to a separate loose slip of paper on which the Guardian had by mistake, and only in black lead, debited the Overseers with the County Rate, and that instead of putting the money into their pockets he was taking so much out? But this great leader of the Vestry takes care to express himself in such a manner as leaves the public room to infer that the Overseers had defrauded the Township of the said £500. Mr. J. next proceeds to say that the Bank Book was also wrong—there was an error of £100 in the adding up—and again leaves the matter open to the same unjust and libelous insinuation: Then proceeding downward on the scale, he next discovers an error of one shilling; still however taking care to conceal that the error implies no dishonesty on the part of the Book-keeper, but the exact contrary! Taking leave of the Accounts, his next attack is on the Visitor, whom, that he may the more deeply wound, he first bespatters with praises—a better man, says he, never existed; nay, he is perhaps too good; yet strange to tell! Mr. J. gives it as a fact which he had from the Visitor's own mouth, that he, the said Visitor, had not for twelve months together been in the Poor-house! and thus, adds he, are the Town's affairs neglected, and the money expended nobody knows how! The Visitor however gives a very different account of the matter, and when it can justly and truly be said of Mr. J. himself, that a better man never existed, may that he is perhaps too good, I shall weigh his veracity against that of Mr. Dawson, BUT NOT TILL THEN!

It is further asserted in a paper sanctioned by Mr. Musgrave Walker, that the late Collector, Mr. Kay was appointed by the Overseers. This assertion is the more inexcusable as the fact is well known, that Mr. Kay was appointed by the Town before the Overseers came into office themselves, and that consequently he could not be appointed by them. Enough has been said to show the temper of the Select Vestry.

But whatever short-comings or inaccuracies may be imputed to Mr. Kay, or to the office-bearers in general, the latter will willingly and readily submit their accounts to the inspection of gentlemen of respectability in any other character than that of Select Vestry men; or to the inspection of any number of men who shall be appointed by the Magistrates and principal Rate-payers for that purpose; but it is too much to expect that the Overseers will, even if they had the power, place themselves under an Act which the most eminent Lawyers have declared is not applicable to the Township; and that they will recognise a body of men, whom the law has not recognised, and who have moreover, in numerous instances, manifested a complete want of candour, and an impatience of legal restraint.

* The sum of £500, mentioned by Mr. Jefferson, had nothing at all to do with the Overseers' accounts. It was merely a momentary error in the hasty calculation of the Guardian in reply to a question, and was satisfactorily explained and perfectly understood at the time by Mr. Perry, Mr. Robert Jefferson, and every other person present.

Amendment which had just been proposed, he saw no other method which they could pursue.—In allusion to what had been said about the Magistrates, he understood Mr. W. to say that if the Select Vestry had done their duty, the Magistrates had not done theirs; but Mr. Brunskill (who sat nearest) being again seized with the *accidies logitendi*, we were prevented from hearing what the gentleman said; he was however, interrupted by the Chairman, who thought he was entering into matter that was quite irrelevant. A good deal of desultory conversation ensued; in the course of which we heard one gentleman observe, that unless Mr. Ridley could prove that the Select Vestry was not composed of respectable men his motion must fall to the ground.

Mr. Brunskill insisted that the question was that they should go to law; nothing else but law would do; he was a poor man, but d—n if he would not pay the first guinea himself.—(Bravo.)

The Chairman put the amendment, which was negatived by a very large majority; and the original motion carried with acclamation.

Mr. R. JEFFERSON then moved the following Resolutions:—
1. That Mr. Perry be appointed to conduct the Appeal at the next Quarter Sessions, on behalf of the Township. — Carried unanimously.

2. That a Committee be appointed to take down the signatures of those inhabitants who would appeal against the present rate, and collect subscriptions for defraying the necessary expenses of the law-suit. — Carried.

Mr. R. JEFFERSON.—Mr. Ridley had said a great deal about the expense which would be incurred; why, the whole expense together would not amount to more than £40; and what was this amongst the whole town? He (Mr. R.) had also talked about the dissensions which would be caused; why, there were but four Overseers, and what were four individuals against a whole Township.—(Cheers)—"That's reel—the's of our side."

It was moved and seconded from the Crowd that the Report be printed.—Agreed to.

Mr. WOODNORTH proposed that a General Vestry Meeting be called as early as possible to consider the propriety of appointing an assistant Overseer, who should be directly under the control of the Select Vestry. This was a plan which had been adopted in Preston Quarter, and he could assure them, with every prospect of its proving beneficial. If Mr. Henry, who was the present Collector, was thought to be a proper person let him be appointed assistant Overseer; but he ought not to continue to be the mere servant of the Overseers—over whom the Select Vestry had no authority. If he was elected by the latter, they could then command him to do as they pleased—he would then be their servant. This would be no additional expense to the town—because the same money which paid him as Collector, would pay him as assistant Overseer. He would therefore conclude, by moving that a General Vestry Meeting be held for the purpose of electing an assistant Overseer.

[The above is the substance of what Mr. W. said, but so much was spoken in a conversational tone,—in explanation, to the Chairman and Mr. James, of his object, that it was with great difficulty we could catch the strain of his argument.] Mr. Bell (the Chairman) wished to make an observation or two, not as Chairman, but as a private rated inhabitant. He did not think that an Assistant Overseer would be of any service;—he could have no power in controlling the rates, nor could he have any authority over the Guardian. It therefore appeared to him to be an useless appointment.

Mr. WOODNORTH explained. Certainly an Assistant Overseer could have no control over the Guardian; but the Select Vestry could give him the power of controlling the Overseers whose servant he at present was. He therefore contended, that it was essential for the Select Vestry to have a person in this situation of their own appointing; who would attend to their instructions, and not to the orders of the old Overseers.—(Applause.)

Several voices in the crowd called for Mr. Perry.

Mr. PERRY stepped forward, and said he had no doubt but that Mr. Woodnorth was right, but thought it would be as well to defer the appointment until the question of the legality of the Select Vestry was settled at the Quarter Sessions; for should they appoint an assistant Overseer, the Overseers might refuse to acknowledge his power; and this would create endless confusion, as the people would not know to whom to pay the rates, as doubtless the Overseers would employ their own Collector. He had no doubt as to the result of the application to the Sessions; but as there were some who disputed it, he thought it would be as well if the Meeting was deferred until after the Sessions, when the powers of the Select Vestry would be exactly determined.—(Applause.)

It was here suggested, that the power of calling a general meeting be left in the hands of the Select Vestry to be exercised as soon as the decision of the Quarter Sessions was known. On this condition Mr. WOODNORTH withdrew his motion.

Mr. BRUNSKILL was of opinion that the meeting should be held immediately, and in this he was joined by a few voices from the crowd.

Mr. WOODNORTH moved, "That a message be sent to the Overseers, demanding that they do lay their books for inspection before the Select Vestry." Agreed to. Mr. W. stated that his object in moving this, was to try whether the Overseers were yet willing to conciliate.

Mr. JEFFERSON moved that the thanks of the meeting be given to Mr. Bell for his upright conduct in the chair. Carried with acclamation.

Mr. BELL returned thanks for the honour done him; and the meeting broke up.

It having been falsely stated that no opportunity has been afforded of examining the Overseers' accounts, I beg to observe that a day was appointed for this essential purpose, and the accounts were actually examined and declared correct by Mr. W. Perry, under the inspection of Messrs. Joseph Bell, Richard Barker, George Miller, William Miller, and the said Robert Jefferson himself.

In the estimate of houses by the Select Vestry, are included under the head of one number, six, eight, or even ten different occupiers, every one of whom is designated a rated inhabitant; besides the cellars and other wretched dwellings which they have taken into their calculation.

It has been asserted by Mr. Jefferson that the inhabitants are all against the Overseers. Fearful odds! if true, but I deny the fact. I much doubt also whether £40 will carry Mr. J. and his party half way to the Court of King's Bench!

Mulla deaur.
A FOURTH RATED INHABITANT.

