

THE SCRIBBLER.

Vol. III.] MONTREAL, THURSDAY, 22d MAY, 1823. [No. 99.]

Judices, ut in sententiis ferendis, quod sentietis, id auditis.

CICERO.

Let jurymen give their verdicts, according to their own sense of right or wrong.

Dii captis (nam vos mutastis et illas)

OVID.

To my attempt propitious be, ye Gods,
And soon, or,—that I'll change my mind is odds.

— *Et magnas territat urbes,
Tam ficti, parvique tenax, quam nuncia veri.*

VIRGIL.

Loud sounds his trump, and terrifies them all,
Country and town, Quebec and Montreal,
To Kingston, and to Lake Ontario,
All things, great, small, true, false, or high, or low,
From time to time, pass thro' his raree-show.

TRIAL FOR LIBEL, Abstract of, continued from No. 97.

The conclusion of the opinion delivered by the court as to the admissibility of right, of evidence of the truth of the alleged libel, was as follows :

“The Court has confined itself to a strict and single deduction of the right in question, from the essential nature of the liberty of the press. Not that the question did not admit of being maintained by an argument drawn from precedents*”

*One of the most recent cases, in which the real original sound maxims of the English common law triumphed over the false and supposed doctrine of later times, was that of Mrs. Mary Ann Tucker, who was tried at Exeter assizes in 1815, for libelling, in the public journals, a provincial judge, by charging him with partiality and corruption in the administration of justice. She pleaded her own cause, boldly admitted the fact, and in defence, alleged and proved, in justification, the truth of her charge. She was in vain admonished by the judge, that the truth could not be admitted, or, if proved, that it would not make any alteration in the nature of the offence. In vain were all his frowns and attempts at destroying the