

THE QUEBEC TRANSCRIPT,

AND GENERAL ADVERTISER.

Vol. II.]

MONDAY, 4TH NOVEMBER, 1839.

[No. 110.]

THE CLAUSE IN THE WILL.

BY THE AUTHOR OF "BATTLES THE REEFER," &c.
Not very many years ago there was a populous and traffic-trod street in the metropolis, leading from Piccadilly into Oxford street. It was not a very fashionable, but a very busy one. It was called by a name ominous of its coming annihilation—it was swallowed up with many more, by the progress of improvements and the regency. Need I say it was wallow street?

It was just at the time when Bonaparte had ceased obliging the different powers of Europe to make prisoners of each other's subjects by being converted into a prisoner himself, when John Ward found that one of the greatest advantages that he should derive from participating in the blessings of the general peace, was the loss of the freshest and most important parts of his life, that is to say, from fourteen to twenty; and that he had to begin to learn, and to provide for his future respectable subsistence. The intelligent reader need not be surprised in these days of general knowledge, he is reminded, he is only reminded, that a midshipman's half-pay just amounts to three farthings a year, with the usual deductions and fees of office, which half-pay is payable quarterly, and is to say when he the midshipman can get

John Ward being one of this over-remunerated class—(what is Joseph Hume about that evil still exists in all its magnitude?)—man, for the first time in his life, to cast up a few bills he had ever paid, before he was affected with the "tottle of the whole." Just at this crisis, he had made a purchase, in a shop in this same Swallow street, of sundry descriptions of linen, silk, and hose, necessary to a midshipman fattening on the peace establishment.

Whilst he was making the most bungling of awkward attempts to choppen the various bills, he was struck with the appearance of the proprietor of the shop, who was the person whom he transacted this, to him, important affair. He was a tall man, of about thirty years of age, and comely withal, but of a conventional gazing, from which you did seek relief by coming at downright ugliness.

His features were, though large, remarkably regular, and the shape of his countenance a leughened oval. His hair was as black as any lady could have wished to fall on the shoulders of the purest white, and coarse enough and strong enough to have satisfied any man in horsehair. This jet-black hair was cut in a very amiable manner over his high forehead, and hung in flaky lengths about the sides of his neck. The coat he wore was of an indescribably sad colour; and, though the buttons were then more generally worn, were covered with cloth. He used the most apology possible for a white cravat, behind; shirt-collar there was none, the exception of his linen he was dressed in one colour. Still, with all this severity of simplicity in his outward man, he had less appearance of a preacher about him, than he habituated to the counter.

His deportment was sedate; his motions slow and dignified; his enunciation sonorous and deep; in fact, it struck Ward at the time, as if he was just such a man as one of those to whom Cromwell formerly addressed his admonition—"trust in the Lord and keep thy duty dry."

The necessary colloquy that took place between John Ward and himself, John Ward, that he should bear either some texts from the Scriptures, or the cant of a dining-house. On the contrary, his language was business-like, and so far as John's was concerned, decidedly to the point. He smiled often, but not instantaneously, and on the impulse of the occasion, as other people, for his grin was lugged slowly & unobtrusively into existence. You saw the preparation—it struggled against its master's will; and when it was at length fully upon the rigid lips and unwilling of the cheeks, it lingered there, and had served its purpose, was as unwilling to depart as it had been to appear—it did

not vanish, but slowly faded away; thus, it often happened, that whilst its owner was assuring John, with solemn voice, that he valued his salvation too much to cheat him, the Judas-smile sat mocking on his lips, giving every word he uttered the lie.

This person, whose name was Phineas Macfarlane, when he had failed to induce John Ward to make any more purchases, assuming a very abstracted air, and casting up his large lustreless black eyes to the ceiling, remained in apparent meditation, for at least three minutes. Perhaps he wished to induce his customer to think that he was absorbed in silent prayer—at least Ward thought so at the time. After this acting he passed his hand suddenly across his forehead, called up his unwilling smile, made a tradesman's bow, and made out and cast up Ward's little account, as he termed it, with a speed to him astonishing; and taking his address in order to send home the parcel, he held out, very naturally, his hand for the money.

The singular demeanour and the pantomime of the man-mercer had completely thrown the midshipman off his guard, and the latter unconsciously omitted casting up the figures, but paid the money down, as if he had still been in the halcyon days of a bloody war, when prize-money was in esse, and promotion in posse. He paid the money, but did not pocket the bill so readily as Phineas did the pay. On the contrary, as he deliberately walked forth from the counter, he perused the bill slowly, item by item, and having done this in a careful and melancholy manner, he fixed himself, unwittingly, on the threshold of the door to add up the whole.

He was not aware that he was closely watched; and he had just come to the conviction, either that Phineas Macfarlane was a rogue, or that he, John Ward, was still deficient in that rule of arithmetic called by little boys "compound addition," when the loud voice of the tradesman called out to him rather rudely, that by his standing on the step of his shop he was preventing the ingress of several carriage-ladies. This, of course, made John look up and down Swallow street, and as the only vehicle that he could discover was that of a cstermonger, drawn by a respectable old donkey, he then looked at Mr. Phineas Macfarlane, and then at his bill—the forefinger of his right hand still upon the column on which his arithmetical knowledge, and Mr. Phineas Macfarlane's integrity were at issue.

"Will you have the goodness, sir, either to move in or move out?" said the man-mercer.

"In, by all means," said Ward, "it is you that are out. I'll trouble you for ten shillings, with which you have overcharged me."

At this, the long oval face, and the swallow regular features of Phineas grew dark, very dark, and his reply was hurried and disconnected. He denied the overcharge at once, and asked John Ward if he meant to call him a thief. Singularly enough, Ward did not lose his temper on the instant, but mildly told him it was a question in which violence and assertion were of no consequence, but one merely of figures, and then invited him to cast up the figures with him. They then laid their heads together, not very amiably, each in his own way running up the column of the shillings. John knew that he was young, and perhaps looked much younger; but his adversary, for such he was now really become, did not know that John had been educated at a school, in which the first principle that is there taught, is to ride the bosom of fear, at once and for ever.

Phineas, in this little exploit, endeavoured to intimidate and confuse the customer; firstly, by speaking almost at the top of his voice; and secondly, by obstinately beginning to cast up from the top of the column, when John began at the top, and vice versa. At length, he so far forgot his self-possession, as to tell Ward that he lied, and endeavoured to snatch the bill from him. This approach to violence was returned by a distinct and well-applied rap on the head; a fracas ensued—two shopmen joined in the fray, whilst a third procured a constable. John still kept possession of John as his prisoner, until he placed him at the bar be-

fore the magistrates in Marlborough-street, for a violent and outrageous assault upon Mr. Phineas Macfarlane, a respectable housekeeper, against the king's peace, and all the statutes in that case made and provided.

The reader need not be told that John Ward was fined for the assault, and that Mr. Phineas Macfarlane had to refund the ten shillings, as the bill receipted by himself, was evidence conclusively against him. To John's accusation of contemplated fraud, he had the audacity to assert, that at the moment of making out the account, he had been forcibly struck with the unctious of one of Doctor Watt's divine songs, from which the trifling mistake had arisen, and that it was a wicked libel upon him, to accuse him of a premeditated fraud in the transaction, for his character was well known. He was believed, and John was reprimanded by the magistrate.

Now John Ward retired from the seat of justice with what he thought only a just measure of anger against all parties, not excluding himself. This last person, indeed, he set down as a most incomprehensible stupid ass, to allow himself thus to be foiled by a lank-haired, oily-headed sanctimonious pretender to honesty like Phineas.

In all the seaports of her majesty's dominions, and in those also of all foreign parts, the midshipman will be found, so far as in him lies, to be a gregarious animal. If they, the midshipmen, cannot hunt and defend themselves, and we are sorry to add offend others, in flocks, they will in pairs; and the more sternly that adversity presses upon them, the more affectionately and truthfully they cherish each other.

John Ward had a companion and a friend, that even the horrors of midshipman's half-pay, could not alienate from him. There was a great discrepancy between the fortunes of these two; for whilst John Ward was no other prospect before him, than that, after having spent the little money that still remained to him of his pay, and that derived from prizes, of going and offering his services to navigate the mercantile navy, his friend had already been made a sleeping partner in his uncle's large wholesale tobacconist establishment in the Borough. Never was there a more wake-sleeping partner than Harry Haldrum; indeed, no one knew when he slept—in the night it certainly was not, as the fraternity of the old watch at the west end of the town were willing to testify upon oath, with, or even without a consideration. In fact, he was one of those young gentlemen, who, from his connection with trade, was not so well assured of his own gentility as he wished; therefore, at times, to secure the appellation of "gentleman" as much to himself as possible, did his best to act quite unlike one. With the exception of this foible, he was however, a good fellow.

Hal heard his old shipmate's account of his tribulation, in a rich, soiled silk dressing gown, with a golden tasselled velvet cap, of the most vivid green, on one side of his head, with a veritable Havannah cigar in his mouth; and, as the narrative grew more interesting, so the more furiously he smoked. By the time that it was finished, so was the cigar nearly; and, as the tale of woe ceased, he flung the remnant, burning as it was, upon the rich carpet, and crushed out the lighted ashes by twisting them under his heel, with a gesture and an emphasis that Ward well understood, as a wish to be using the lank-haired physiognomy of Phineas Macfarlane in the same fashion.

"Well," said John Ward, "now that you have heard my wrongs what shall I do?"

"I'll go and give him a good starting—that is, I mean a towelling." Haldrum kept his word—fastened a quarrel upon him, and beat him unmercifully.

It might have been a fortnight after this conversation, when one fine morning, John Ward presented himself to his old friend, Hal Haldrum, at his *locale* in Duke street. The meeting was a painful one to both parties. John had come to announce to his friend, that circumstances had compelled him to adopt as his *dernier resort*, the resolution of embarking as the first mate of a West-Indiaman; and Harry

had the offer of assistance in his heart, and it trembled on his tongue, and yet he knew not whether a present relief would not be an ultimate disaster.

"There is no disgrace in it," said poor John, doubtfully, and with a hectic flush; "and yet I think it would have broken my father's heart, had he been living to see it."

"No, John, no—it would not, though he lived and died a naval officer, he would have gloried in his son honestly serving his country in the mercantile navy, rather than to have seen him idling away his time on shore, in wanton dissipation, if he had the means, or in disaffected poverty if he had them—perhaps, rather see him the right-minded resolute fellow that you are, than such a harum-scarum, good-for-little fellow as myself—a useless consumer of the good things of this life—something worse than an unprofitable or idle member of one of our busiest communities in the world."

"The large snuff-manufactory in the Borough."

"No more of that, if you love me, John; it is not I, but my capital that does the good work there; sink the shop, I shall reform by and by, and marry. Yes, marry—why do you start?—I am not so fresh-coloured and fine looking a fellow as you, yet I'm strait enough, and have got a trick of the eye that may take a girl's fancy—especially when I can throw in some thousands as a make-weight, to so light a bargain as myself, I wish I had your good looks, however."

"And I your money?"

"Upon my soul, I would change—you see, after all, that your lot is preferable to mine."

"But I don't see it."

"Then I will put the case, and if you will only keep your eyes open it will be visible enough. Now, here's Mary Macfarlane."

"Macfarlane! What! the daughter of Phineas Macfarlane, of Swallow-street—the man whose nose you cracked?"

"Not! his daughter, but his cousin—his ward also—or at least lately was so—splendid girl, Jack—such manners—and a great fortune in the bargain!"

"What, and has it passed through the cunning man-mercer's hands, and remains great?"

"There were two other guardians, my boy; and I don't know how many trustees! Now she shall help me in my case. Suppose you and I were to bid up for her?"

"I!"

"Yes, you—with your Grecian countenance, mountain colour, and laughing English blue eyes—and then there is that worst of all devils, called persuasion, in the very tone of your voice. You! why not you? Well, supposing we both strove for her, and I won her, as most likely I should?"

"Thank you," said John Ward, a little more mortified than he ought to have been, considering his late modest disclaimer.

"Don't thank me, but thank my two or three thousand a year, as it may be. So you see, my income would have done what plain honest Hal Haldrum could not. Put the case the other way, that you won her—and there'd be an end to the end to the argument: so stick yourself, Jack, on either of the horns of the dilemma, and then you'll be a happier fellow than I."

"Well if I must be empaled, I should like it to be on a golden horn—but all this is but sorry comfort to me; you won't get her because you don't deserve her, though your money does; and I should not though I do deserve her (mind, the assertion is yours, not mine), because I have no money to make my deserving palatable."

"That's more than you know—you shall try, however."

"Impossible! 'The Thomas and Nancy,' confound the owners' taste, what names they give their ships! The Hooker sails, Hal, in a fortnight from this day."

(To be concluded in our next.)

SPORTS ON THE SUN.—A down-cast editor says that a spot about an inch in diameter, or "as large as a piece of chalk," is plainly to be seen "with the naked eye."