

THE SCRIBBLER.

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*Nec enim alia lex Romæ, alia Athenis, alia nunc, alia posthac ;
sed et omnes gentes, et omni tempore, una lex, et sempiterna, et immu-
tabilis continebit.*
CICERO.

Nor is this law peculiar to Rome, nor to Athens, nor to time past, nor to time present ; but all nations and all times, acknowledge its universal, its perdurable, and immutable nature.

*Prob pudor ! hos tolerare potest ecclesia porcos,
Duntaxat veneri, vèntri, somnoque vacantes.*

PALINGENIUS

Oh ! shame ! And can the church such churchmen bear,
Whose beilies, lust, and sloth 's their only care ?

Plus aloes quam mellis habet.

JUVENAL.

There is more acid in the punch than sugar.

TRIAL FOR LIBEL, *abstract of, continued from No. 101.*

SEQUEL of Mr. HOOPER's address to the Jury.

"The doctrine that the truth could not be given in evidence, in cases of libel, has no better authority than the Star-chamber, a court which, by its tyrannous and illegal proceedings, has been handed down to the indignation of posterity. It was not from such a court, or the men that sate in it, that the common law could be altered, or that we have derived its principles.* To the star-chamber succeed the *imprimaturs* of government, and the licensing controul of the press, introduced by that wretched family, who seemed to be elevated to a throne and a sceptre, merely to shew how unfit they

*The first case is that of *Brewerton*, 26. James I. in which the truth was rejected, but lord Coke, afterwards, even in that court, in the case of *Lake vs. Hutton*, 1106. 252, insisted that, if the libel were true, the defendant might justify it.

were to wear the one, or to wield the other.* Except the star-chamber decisions then, and the *nisi prius* opinion of lord Raymond, there seems to be the whole weight of the English authorities for the doctrine for which we contend. It may be added that all indictments formerly contained the word *false* as well as *malicious*, and that too at times when the doctrine of right pleading had not grown into such disrepute, but that it was necessary to prove what it was necessary to allege. The present indictment does so. The doctrine is supported by the dictates of common sense, by the writers on common law, the civil law, and those laws of morals which are the same every where, at Rome and at Athens, in the New World and the Old †

This doctrine is that which I wish to advocate; namely, that reason, sound sense, and natural justice, are law, and are not to be subverted by pre-

*"The licensing act of Charles II. provides that no book on politics should be printed without the authority of the secretary of state; none on common law, without the license of the chancellor: no novels, romances, fairy tales, nor any work on science, physic, divinity, or LOVE, without the license of the archbishop of Canterbury! supposing him, no doubt, the most conversant on all those subjects, particularly the last!" *Sec. Senator*, Vol. 3d. In the case of the seven bishops, 4 *State Trials*, "the counsel for the defendants, under the permission of the court, went at large into arguments and proofs to shew that the allegation in the petition was true, and Mr. Justice Powell told the jury, that to make it a libel, it must be *false*, it must be *malicious* and it must tend to *sedition*. The jury were of his opinion, and acquitted the defendants." In the next case, that of Fuller, 5 *State Trials*, who was tried for a libel on government, before Holt, perhaps the greatest lawyer that ever sat in Westminster-hall, he said, "Can you make it appear that these books are true? If you can offer any matter to prove what you have written, let us hear it." In Franklin's case, 9 *State Trials*, 269, at *nisi prius*, it was indeed decided the other way, but the counsel for the defendants urged the attorney-general in vain to shew any case, except the star-chamber, where the defendant was not allowed to shew that his publication was true. He could not shew any. In 1792, lord Camden declared "that it ought to be left to the jury to decide, whether what was called *calumny* was well or ill founded."

†The writers on the civil law declare that the truth shall excuse the libeller, if what he relates interests the public to know. *Veritas convitii excusat injuriantem si id quid obicitur, tale est ut publice intersit illud sciri.*—Vinn. lib. 4. 3. 5. The poet also, of the Augustan age, says

—Si quis

Opprobriis dignum lataverit integer ipse?

Silventur risu tabula tu missus abibis

HORACE.

There is indeed a case in the State Court of Massachusetts, 4th vol. *Mass. Rep. Commonwealth vs. Clap*, where the right to give the truth in evidence seems to be restricted to public elective officers, on what principle it is not easy to see. If the report be correct, the question was not fully considered. Even there, however, judge Parsons appears to agree with the civil law that the truth may be published on subjects, respecting which the public are interested.

cedent, or authority, or by any thing, excepting by express statute-law militating against them. In the illustrative note at this place which will be found below, in the report of the trial, the authority of the civil law is adduced; and it may not be amiss to place in opposition to the luminous reasoning that appears in Mr. Hooper's speech, the diametrically opposite doctrine that was attempted to be set up in a late case of defamation, in Canada—Nickless vs. Brown—In the appeal-suit in that cause it was argued (see report thereof in the Canadian Spectator of 14th May) that :

“In civil actions the truth had been admitted as a sufficient justification, any restriction of the liberty of speech being rather of a public than a private nature;” but that “On an indictment the truth was no justification, because of its tendency to a breach of the peace.”

Now the exact reverse is actually the fact, and whilst there are numerous cases in civil suits for libel in which the truth could be no justification, no case can be supposed, where the State is the prosecutor upon indictment, in which the truth would not be a complete justification; for I set at nought, the absurd quibble by which the tendency of libels to incite breaches of the peace has been, by an afterthought, laid down as the reason why they are prosecutable as offences against the public; and revert to the original ground of such prosecutions, namely, that since the public are interested in knowing the truth respecting such citizens as by their station and reputation, might, or ought to, be confided in as honourable and able men, the public are injured, if by the publication of a *falsehood*, those men are deprived of their confidence.

In the course of the argument in that case, it was stated that “the court below had virtually declared that in no case would the truth of the

alleged slanderous words, however proved, be a justification :” but that was not the case. In allowing evidence to be produced as to the truth, the court admitted the principle, and it was because that evidence was defective, that the jury gave a verdict of damages. So too the court of appeals, in giving their decision, confirming the verdict, acknowledged the principle, though, if the report be correct, rather in clouded and ambiguous terms.

“With respect to the judgment overruling the plea of justification,” it says, “the Court thought that judgement correct; the true test of the sufficiency of a plea was, would all the facts, if proved, entitle the party to a conclusion of the plea. In the case before them the truth of the facts stated in the plea would not alone have been sufficient. The defendant would have been called upon to prove not only that the offence alleged had been committed, but that the party had been convicted.”

Considering, according to this decision, the proof as incomplete, the court, therefore, allow that *full proof* of the truth of an allegation is a justification, and it is to be hoped that this doctrine, in its broadest sense, will always be acted upon in Canada, as it ought to be every where. To return, however, to the matter, from which I have digressed. Mr. H. continued :

“Were it not so, however, *the evidence of truth is a necessary ingredient in determining the intent* ; and that juries have a right, in all cases, to bring in a general verdict, on the law and the fact, on the plea of not guilty, it is now too late to contend. All the English authorities admit that they have the power, and if they have the power they have the right.*

*It has been the practice of English juries to exercise this right in cases where the court have denied it. In the case of *Shebbeare, Woodfall, & others*, 5 Burr. 266s. 3 Term. Rep. 430 the Dean of St. Asaph, 3 Term. Rep. the eminent counsel, who appeared in those several cases claimed, and exercised, the right of addressing the jury on the whole matter of the libel. Finally in 1792. Parliament declared it to be the law. The doctrine was then supported by an array of talents such as has rarely been seen at any one time on the same side of a legal question. It was fit that such men should support such a cause ; and the names of Fox, and Pitt, and Erskine, of Camden, and Grenville, and Loughborough. appear properly associated with the doctrine that the truth is not a libel, and that juries have a right to

"But, however the English law may stand, I should still contend that in a country, whose independence was won by the freedom of speech, and of the press, and whose constitution has declared that "Congress shall make no law abridging that freedom;" in a state, whose bill of rights declares, that "every subject shall have a right to produce *all proofs* that may be favourable to him," and that "the liberty of the press is **ESSENTIAL** to the security of freedom in a state, and ought not therefore to be restrained"—there could be no doubt on the subject."

After quoting some further American cases and authorities, and reverting again to their now avowed principle, that "to publish the truth in all cases, with good intention, and for justifiable ends," is the right of every citizen, the learned counsel went on:

But even with this privilege, the system of bringing indictments for libels, is itself a pernicious one. It often makes the arm of the Commonwealth an instrument to aid the purposes of personal animosity. A civil action is always open to the injured for redress, and it can not be necessary to resort to indictments. The reason sometimes given that a libel tends to a breach of the peace, is a mere fiction of law and a very absurd one. It no more tends to a breach of the peace than any other civil injury. Even if it had that tendency, it would be a notable way of allaying irritation, and *keeping the peace*, to bring an offender into court, there to stop his mouth, and punish him unheard. The sort of quiet thus produced would augur no safety to the state. It is attended also with the great, and in the case of libels, unnecessary, evil, of making the party most deeply interested, a witness in his own cause, and to those who have seen its effects, in this regard, this day, I need not comment on the absurdity of dragging a reluctant party on the stand, when it can be avoided, and there leaving him to defeat his own cause. If a libel also

judge of the law and the fact. Lord Camden declared that "if the *twelve judges*, nay if *twenty four judges* declared that the jury had not a right to decide upon the criminality, upon the law, and upon the fact stated in the record, **THEY WERE WRONG**: they acted against the statutes; they acted against the known and positive law of the land, and the strongest and most convincing proof of this was, that the verdict of the jury was final against all the judge could say, and when they are pleased to acquit any defendant, their acquittal will stand good, until the law of England is changed. If you mean to change the law, bring in a bill declaring that the subjects of this realm, shall not in future be tried by *juries* but be tried by *judges*." He also declared, "that the supporters of this doctrine, had every case of every sort of authority with them." Vide *Senator*, vol. 3.

tends to a breach of the peace, why admit the truth in case of elective officers, where it has that tendency more than in any other case, if it has it at all. Let then, according to the admirable maxim of the Roman Law *the truth be told of whatever it concerns the people to know*. Let the press continue, while it refrains from attacks on private vices or follies, to

“Brand the bold front of shameless guilty men”

Let it examine fearlessly, but in dignified and decent language public institutions, characters and transactions; and whether the subject of its scrutiny, be the bench or the legislature, the cloister, or the conventicle, the monk, or the fanatic, it will confer a public benefit. On this subject I will accept of no concession. *I assert the right of full, uncontrouled, and animated discussion*. AND LET THOSE WHO THINK IT WILL BE SAFE FOR THEM, ATTEMPT TO RESTRAIN IT.

(To be continued)

Subscribing to what is advanced towards the close of the preceding article “that the press ought to refrain from attacking *private* vices and follies,” I contend, however, that the practicers of them are only entitled to such forbearance as long the failings are *private*, as well as the persons. To press into the secret recesses of the bedroom, to lay open the follies of the parlour, to expose the scoldings in the kitchen, or the frequent visits to the cellar, of those who keep within the circle of private life; is as needless for public benefit, as it is illiberal and malicious in the discoverer. When, however, these things are openly practiced, when the profligate indulges without disguise, in lewdness, the drunkard in his cups, the vixen in her termagancy, or the gamester in his destructive propensity; or when any of these set themselves up as patterns of the contrary virtues, or as hypocritical reprovers of the faults of others; or when any persons, clothed with public responsibility, and in public situations, teach evil by example, whilst their precepts enjoin good; then I conceive that they be-

come not only fair, but proper objects for the pen of the public satirist. *Ex. gr.*

— ‘Let each monster of the time descry,
And shudder at his own deformity.’

MR. EDITOR,

The meek and lowly parson of Clarendetown, by deviating a little from that line of conduct, which should be paramount in the character of men of his profession, has rendered himself obnoxious to reprisal. The story runs thus; the *worthy rector*, either from envy or jealousy, took it into his sanctified brain to be particularly incensed at the licentious life which *he* says, one of our most respectable burghers is wont to follow. For once, perhaps, the holy man is not altogether in error in his insinuations, which are both deliberately aimed at the offender from the pulpit, and upon every other occasion that offers. But these reproaches may not, perhaps, be considered so fit for a clergyman to make, who, it is averred, is far more culpable in the very particulars at issue; and the divine is challenged to contradict the following history of his origin and advancement.

“The *boxing parson*, came to Canada, an indigent and obscure individual, with but a common school-education upon which to build his prospects. Possessing, however, a most happy and pliant disposition, he was introduced to the notice of a certain *Cardinal*, who, as a reward for ridding him of a nymph, who served him in the double capacity of *maid* and *mistress*, dubbed him his “evening lecturer,” promoted him to a rectory, and has loaded him with favours; nay, whether it arise from the continued exertions of his early patron, or his own teasing importunity, the parson has even been placed upon the bench of justices, by which he is enabled still

more effectually, to annoy his parishioners.—
Jack the boxer's fine feelings, sound sense, and accommodating temper, received their due reward, some three or four months after his honourable nuptials with a cast-off *Dulcinea*, by the birth of a son and heir. Whether this phenomenon was the natural result of her present, or former, attachment, philosophers have not decided; but it is certain that the produce of this union, is that hopeful youth, who has lately figured in your pages, and whom, for the benefit of his health, his father, good dear man, has kindly imprisoned in his brick chateau, and that he may be more at his ease, and *sans gêne*, has locked up his hat, coat, and shoes!

Some few years after his enlistment with the cardinal, either Jack himself, or his patron, (the *Scandalous Chronicle* does not say which,) met, while on a nocturnal excursion, two damsels of exceeding easy dispositions, who, after some enquiry, proved to be of the same descent, blood and bone, with *the boxer*. To permit these fair ladies to roam about in common with the other virtuous females of the same class, would be at once to expose the honour of the person and the nobility of his origin: to prevent a disclosure of so mortifying a nature, both to the *protector* and the *protegé*, a press-gang was, in the most charitable and christian method, employed to take the doxies on board ship, with the laudable motives both of relieving the streets of Government-city, and of promoting the health and morals of the ship's crew. What has since become of these unfortunates, is as uncertain, as it is indifferent to their exporters.

Believe me, Mr. Editor, I should not have rendered these facts public, if they had not already been notorious in Government-City; and also

as a necessary retort upon one, who spares neither the feelings, the reputation, nor, so far as in him lies, the well-being of others. A man, who, to advance his own private ends, allies himself to a wanton, and fathers her uncertain progeny, who, as occasion may serve, sacrifices to the jolly god, and whose family belongs to the very dregs of society, is a very proper person, forsooth, to stigmatise the character of others. There is no parity between such a one, and another individual, who leads a life of concubinage to be sure, but I may say, in defiance of contradiction, a moral concubinage, as he fulfils all the duties of husband, father, and friend, as is well known from the propriety of his conduct at home and abroad, and the virtuous manner in which *his* children have been reared, which has secured to his daughters very good matches, even in the first ranks of society; while the only son of his defamer (*'s wife*) is a debauchee, a vagabond, and is about to be united to his father's servant-wench.

Such men are truly very fit objects to propagate the sacred doctrines of the scriptures! very proper certainly to be at the head of a christian flock! and the monitors of society!

I will, in my turn, become a monitor; and admonish the reverend gentleman, as he respects his calling, (his character to him is of little consequence, as he thinks a black gown covers all,) to be cautious in future how he sports with the reputation of others, as, in a war of retribution, he is sure to be worsted, however he may think himself secure; his besetting sins and mishaps are more numerous, and less hid from the prying eyes of mortals, than he is aware of.

TELL-TALE.

FOR THE SCRIBBLER.
THE COUNTRY CLERGYMAN.

—————"What a thrice doub'e ass
Was I, to take this drunkard for a god,
And worship this dull fool." SHAKESPEARE.

Beside yon gaudy fence that skirts the way,
Old Proser stands his plumage to display ;
Full of conceit, his new-cock'd hat contains
A skul indeed, but, pray, where are the brains ?
Faith, charity and temperance should be there,
But thy religion 's nought but—forms of prayer.
And avarice clasps thy hand, and grinds the poor.
Driving the shivering pauper from thy door.
The stinted miser thou might'st teach a lesson,
(As hypocrites may go to school to———)
And by example learn to hoard the pelf,
No idol worshipping but only self ;
Self too 's his god, when, sitting down to cards,
His sole delight his talk he interlards
With scraps of Latin, from the ancient bards ;
Or fills each chasm with a silly pun,
At a friend's table where he takes the run :
Nor be't forgotten that when Bacchus reigns,
The parson hiccups out parnassian strains.
The price of salmon, turkies, geese and rooks,
Old Proser knows much better than his books.
Sermons, new vamp'd, and treatises divine,
Are heap'd in crowds in Cloacina's shrine ;
Or, if perchance the week is spent in play,
He snatches one upon the Sabbath-day,
With moony eyes and in half slumbering tone,
Palms it on us, poor rustics, for his own.
Such are thy virtues, Proser, these are thine,
But most at whist, 't is there thou cut 'st a shine ;
'Too short the live-long night, too short the week,
For those who Sunday-morn the priest would seek,
Will find him still at play ; or drowzy drunk,
With parched tongue and eyeballs red and sunk.
Such is our parson ; such the man of God,
Who to poor sinners points to heaven the road.

OLIVER OLLAPOD Jr.

Town of Backbite, May 1823.

DOMESTIC INTELLIGENCER, No. XXII.

CONTINUED.

MR. GOSSIP,

How came the learned Dr. Driadust, in his note in your last number, page 313, to write *learn*, for *teach*? I should think the doctor was asleep in the elbow-chair, at the time, and that Miss Catherine Whiterose, his cousin and housekeeper, celebrated in his preface letter to Peveril of the Peak, had taken up his pen and written the note in question.

MUM-CHANCE.

It is very likely, for you know, Mr. Mumchance, that Homer himself sometimes nods. D. G.

We regret to have mislaid, for a length of time, the following communication from a valued correspondent, dated *Kingston 3d Feb. 1823.*

OBITUARY. It is our painful and melancholy task to record the death of that beautiful child of promise, called the BANK OF UPPER CANADA, which departed this life on or about the 20th day of September last, to the inexpressible sorrow of its numerous friends. Its rapid progress towards dissolution, was observable for some weeks previously; and expresses were dispatched in great haste to procure the most eminent advice amongst the faculty in Montreal, but the disease was so strongly rooted that no earthly hand could arrest its mortal career. Notwithstanding much speculation has been affixed as to the nature and origin of its complaints, we have it from the authority of those intimately acquainted with its malady, that the immediate cause of its decay was owing to the overlaying of its nurses; and it is sincerely hoped this shocking catastrophe will operate as a salutary caution to those who may have the charge of such children, especially during their infancy.

N. B. There are some hard hearted wretches who wish the same fate to all other Canadian base born brats of banks, which they say. (but nobody believes them but men of sense,) have done much more harm than good, wherever the bastards are begotten.

The order of the funeral procession has also been communicated to us, but as that has appeared in other prints, we decline inserting it.

Mr. Gossip: I wish you would tell the young man who wears the white hat and black coat (in humble imitation of the *costume a la magpie*) not

a hundred miles from More-fat & Co. not to wear the stones out so by kicking them as he does.

Were it not for the shad in Mount Royal, the Castle folly ladies would be very melancholy since the exportations to Quebec.

Petit Johnny had better put 4 livres 4 sous in his pocket, the next time he goes on the circuit, that the poor innkeeper may not have to travel eighteen miles to dun him.

A new edition of *An apology for the fair sex*, in duodecimo, has lately issued from the Herald-office, supposed to be the work of the promising boy John, but strong suspicion rests upon the celebrated *Brown Beard*.

MR. GOSSIP,

I am surprised you have not taken notice of the promotions taking place every day in our departments here. There is Jean Baptiste de Got elevated to the rank of a field-officer, with a sentinel in front of his dome. His delicate rib Betsy, to be sure, does not shew off to great advantage, but, how the devil! can she help it? What is bred in the bone can never be extracted from the flesh. If I did not so often see her stalking out of the window in my perambulations, the *cobler's stool* would not come into my mind.

PEREGRINE PICKLE.

INTRIGUING CALENDAR, OF CUPID'S PORTFOLIO.

Lawyer Spectacles had better do justice in his family-duty, otherwise he may be adorned with something above his specs. The spoiling of an elegantly turned waist is a bad excuse.

The little gentleman in Essefex-street, is hereby warned that madame Allpork intends to scald him by discharging on him from her attics, the contents of a teakettle of boiling water, should he again be found standing on the steps of her door to admire, through the curtains, the pretty face of her daughter. Madame Allpork thinks it would be much more to his credit to do family-duty at home than to allow others to do it for him. It is also hinted to him that it will be prudent in him not to attempt again to flatter a young maid, living with a blooming virgin of fourscore at the head of the aforesaid street, as the said blooming virgin has a new ash-

broom-stick lying in readiness behind the door to salute his shoulders with should he again try his powers of seduction upon the lacer of her stays. He should not be forgetful of the hurry he was in some time ago, in Tantony's suburbs, when, in coming down the stairs, in order to reach the bottom quicker, he got the assistance of a man's foot applied to his posteriors, which made him come down, not feet foremost; together with various other incidents, all the fruits of his excessive gallantry.

It is said in Genesis that "the sons of God came in unto the daughters of men" whence Moore has derived his "Loves of the Angels;" a poem upon a similar plan, is about to appear in Mount Royal, but founded upon the "Loves of the angel with the sons of Belial." The arguments of the several cantos are thus stated.

Canto I. The *Angel*, rising, as Venus is said to have risen from the sea, from chamber-lye,* repairs to the haunts of men, and dispenses her favours with unbounded liberality, as well to the sons of Belial, as to the children of Israel, to those within, and those without, the pale of the church. Her beauty and vivacity are compared, in a sublime simile, to Lucifer the son of the morning, who drew after him the third part of the heavenly host. At length a descendant of that great magician, Dr. *Faustus*, binds the *angel* by a spell, forcible no doubt, as he conceived he kept her to himself. The canto concludes with some episodes, alias escapades, of the *angel* during her abiding with the man of the fount.

Canto II. Opens with a description of the incantations practiced in *Portugal* at certain assemblies held for the purpose of breaking the enchantment which bound the *angel*. The necromancers, are several earthly spirits, named *Young Yug*, *Boucanneur*, *Finebath*, *Beaufarine*, and others. The dances of the *angel* with the spirits "black, white, and grey," form an admirable poetic picture.

Canto III. Narrates how *Boucanneur*, and *Young Yug*, gain admittance to the spellbound circle of the *angel*; *Boucanneur* carries her off to the mansion of the *steward*, which gives occasion to the poet to introduce an episode of the loves of the *steward* and the *daughter of Robin*, how they came to-

*The poetic birth of Venus from the sea, has been immortalised by the pencil of many an artist, and not least so by that of my friend, Klaas Teniers the Younger, who painted two compartments, in order to shew how the self-same ideas may be contrariwise diversified both in painting and in writing, which he inscribed respectively. "Venus rising from the sea," and "A whore straddling out of a washing-tub."

Note by Dean Swift Junior.

gether with all formality, how the lady engaged never to dance, nor play music, nor read romances, nor look out of window, all upon pain of having a Spanish padlock clapt on;* how they lived in all the harmony of su'kiness and the delights of sullenness: how when the *steward* was called away upon a mission to the island of Albyn, he took the *stewardess* with him; and left *Boucanneur* to make a *boucan* of his house, &c. The close of the canto is occupied by the indenture tripartite between *Boucanneur*, *Young Yag*, and the *angel*, for the latter to be amicably and jointly kept by the two former: the motto prefixed to this agreement is from the poetry of Isaac Hawkins Browne;

“Know then that I and captain Trueman,
Resolve to keep a miss—in common,—
Then oh! to lewdness bid adieu
And chastely live, confined to two!”

Canto IV. The choice spirits, who have now got the *angel*, as they think, to themselves, remove her from one place to another, in order to prevent the man of the fount, who is mad for the loss of his play-thing, from coming within the magic circle, which, however, he frequently does. A variety of adventures ensue, in result of which the spells of the earthly spirits overcome those of *Faustus*, and the man of the fount is thrown by enchantment into a dungeon. Some of his familiars, however, break the *angel's* windows, and *Boucanneur*, whilst indulging in her celestial bower, is forced to clap on his leather wings, and in his alarm flies away in his shirt.

Canto V. *Boucanneur and Co.* implore the aid of the church, and send the *angel* to a confessor, who gives her absolution; the mystic rites attending this ceremony are supposed to be sufficient to keep the *angel* from any other defilement, *Boucanneur* having wilily persuaded the priest that it was his inten-

*In a poetic epistle, in manuscript, *penus me* from an officer of commodore Porter's squadron, dated from Cuba, I find:

“When a Spaniard, for trade, sails away, north or south,
To guard against being corauted,
He claps a strong boom cross the dark harbour-mouth,
Which stops the disease ere it's rooted.

The boom which he lays to keep out of dock
His rivals when he's far away,
Is nothing but what we call a padlock;
And he thinks himself safe with the key.

But pirates nor women will ever be easy
Without booty and beauty enjoying,
They find ways, one to rob, and t'other to please ye,
Which to all honest cuckold's annoying.”

Note by Geoffrey Crayon the Bastard:

tion to do, as the sons of God did when they saw the daughters of men, who "took them wives of all which they chose." The man of the fount breaks the spell which bound him; and prepares to frame new incantations for the recovery of his angel.

Canto VI. which will conclude the poem, is not yet committed to paper.

Billy Cursewell,* when he visits the nuns of St. Urbein, should not take them on his knees, in sight, not only of the whole convent, but also of the passers-by.

A supplement next week.

In the next number, which will be the last of the THIRD Volume, I propose announcing a new arrangement for the FOURTH; in the mean time it is necessary to give as early a notice as possible to my subscribers, who are not resident in Montreal, that part of that arrangement will be, the making to them a small additional charge, to defray the expense of conveyance, unless they prefer to adopt the plan of appointing an agent in Montreal, to receive their numbers and pay the amount in advance, which will probably be the easier way both for them and me.— Such additional charge, however, will probably continue no longer than the present interdiction upon the Scribbler from going through the post-office exists, which I have hopes may ere long be removed, since, in consequence of the complaints I have made to the General Post-Office in London, the matter is now undergoing an official investigation. Whenever that interdiction is removed, I hope to have it in my power to send the work, at the same rate, to all parts of Brit-

*A specimen of original poetry by this gentleman, has been sent us, which we are informed was sent to the several Mount Royal papers, but, wonderful to relate, not only rejected, but not even noticed in their notice to correspondents. If we can possibly find room, hereafter, we will, for the gratification of "the few friends" to whom it is addressed, give an extract, if not the whole, of this inimitable piece.

DICKY GOSSIP.

ish North America. Another part of that arrangement, will be the adoption generally, of the plan I pursue in Montreal, namely, that all payments are to be solely made upon the production of receipts signed by the proprietor of the work, S. H. Wilcocke, and I have to request all my subscribers to take notice in future not to pay, excepting upon such receipts being presented to them, or upon a general letter from Mr. W. of a date subsequent hereto. At Quebec particularly, whence no settlement of accounts has been received from the very commencement of the Scribbler, and where I do not know how the account stands of any one individual subscriber, I have to request, that those gentlemen, who have not paid up, will be pleased to make out their own statements, which may be examined and settled hereafter, without interfering with the first quarter of the fourth volume, for which from them, and from all, it is absolutely necessary to require payment in advance, which will be done by the presentment to them of receipts duly signed as above-mentioned, and none others will be allowed of. It has been stated to me that some persons at Quebec have delayed payment upon pretence of the work being delivered to them irregularly; to such as can not make allowance for the irregularity that must of necessity occur at times, in consequence of Mr. Sutherland's misconduct towards me, and who distrust my perseverance, I beg to say that I desire not their subscriptions, and, when I know who they are, shall direct no Scribblers in future to be delivered to them.

Burlington, Vermont, 16th June 1823.

LEWIS LUKE MACCULLOH.

TO CORRESPONDENTS. PETO, will see I have made use of his information, as I shall of that of DISCIPULUS ESCUPALIS, LE BEAU TEMS is under consideration. To O. N. I say N. O.

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