

# THE SCRIBBLER.

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*Nec viget quicquam simile aut secundum.* HORACE.

None ere alike, or second e'en, to her.

*Crede mihi, bene qui latuit, bene vixit.* OVID.

Believe me, he who well can hide his deeds,  
Is the best man; nor friends, nor judges, needs.

*Libertas scelerum est, quæ regna invisâ tuctur.* LUCAN.

'Tis liberty to wicked men, when secret sway prevails.

*Hic gelidi fontes, hic mollia prata, Lycori,  
Hic nemus*—— VIRGIL.

“Come see what pleasures in our plains abound,  
The woods, the fountains, and the flowery ground”  
DRYDEN.

## ANNE OF WIRTEMBERG,

*A German historical tale.*

Many years ago, travelling through Germany, on my way to Trieste, an Austrian port on the Adriatic gulph, on a mercantile speculation; and being obliged, on account of the state of warfare in which France, and Great Britain, and most of the powers of Europe, were involved, to deviate from the direct usual route, which is through Switzerland and the then Venetian territory, I passed through the north-eastern part of Suabia, where the rapid Danube, even there

a mighty stream, laves the walls of the imperial city of Ulm. I travelled on horseback, with my servant, and a guide. We expected to reach the suburbs of Ulm, where I was assured I should find an excellent inn, *die Schwabische herzog*, towards night: but, as is very usual, the guide miscalculated either the distance, or the abilities of our horses, who were, to say the truth, sorry and illfed beasts, and we were still seven German leagues from the lofty spires of that city, though we had perceived them from a mountainous height we had just passed, when the sun sunk behind the black forest on our right, and the horse my man rode on, fairly lay down, and refused to proceed, with as much obstinacy as if he had been one of those mules who, according to the verbose diction of a learned veterinary practitioner, possess, "a degree of understanding inconveniently exerted." There was no house of accommodation at hand, but Karl, the guide, told us that if we returned about half a mile we might, he dared say, get admittance into the house of the widow of a Lutheran pastor, who dwelt close under the precipitous height, over part of which we had journeyed, and whose swineherd was his own natural brother. Under such circumstances, even an introduction through a swineherd, was not to be despised; and we contrived to get to the widow's lonely mansion about an hour after sunset.

I may be perhaps expected to describe the person of the widow, but as neither she, nor the manner in which I gained her confidence sufficiently to procure the loan of the ancient German manuscript, from which the history of Anne of Wirtemberg is translated, are essential to the story, I must beg to be excused: and shall conclude this introduction by stating that the scroll had been originally found by the great grandfather of her deceased husband, in the ruins of the cell of a hermit, which had been constructed, like an eagle's aiery, nearly at the summit of the precipice that, close behind the little farm of the widow, rose frowningly over the foaming waves of the Danube, which at that place made ra-



ther a sharp angle round the base of the stupendous rock. The spot had, from time immemorial, been distinguished among the neighbouring peasantry, as "the Crusader's recess," though no one knew why. It had been much venerated for its supposed sanctity before the reformation, but the prevalence of of Martin Luther's doctrines had entirely stripped it of all reverence; and the leaden crucifixes, two or three faded paintings, with a box made of some unknown but highly polished wood, had been removed to the parsonage, below when the first protestant bell summoned the inhabitants to the little church of *Hirschfeld*. It is perhaps needless to add that the box contained the manuscript which forms the basis of this tale. It was apparently composed by the hermit himself, and may partly account for the name bestowed on his secluded residence.

A history of the dutchess of Ulm, (Anne of Wirtemberg) is printed in an octavo edition of "God's revenge against murder and adultery,"\* but is, in many respects, different from this, more authentic, narrative, procured on the spot, and probably written by a man who united the qualities of her tutor, paramour, knight, and confessor. In that history, the names are not all the same as in this; nor is any mention whatever made of "Sir Walter of Hirschfeld the wanderer," or of "the holy crusader of the mountain."

S. H. WILCOCKE.

### CHAPTER 1.

Here, at length, after years of suffering, of mortification, and of folly; after too, some short seasons of unbounded pleasure, of unspeakable delight; do I, SIR WALTER THE WANDERER, as I was called, even in early youth, though now,

\* I had that book in Montreal, and it was part of the library that, (by, what I conceive to be, an unjust decision of the court of kings bench,) was not long since sold. I am desirous of repurchasing it from the buyer, in case he is willing to part with it, and will drop me a line, with the price.

the saints above know how erroneously, styled THE HOLY CRUSADER OF THE MOUNTAIN, summon courage to pen the events of my life—of my life, said I?—fool! what is my life? it is the life of Anne of Wirtemberg, that beloved, that detested, name—that angel, that devil—that woman of all women—that demon of demons—I am penning. For, was not my life, wrapped up in hers? Did I ever, from the time I first beheld her, till now, when threescore and ten years have whitened my head, and bowed my body double with age and infirmity—has there been one waking, and scarcely any sleeping, moment, even during many, many long years of dreary and desolate absence, that I thought not of her?

Time has passed on, and even generations have disappeared from the face of the earth, since first Anne of Wirtemberg, shone amongst the brightest, the noblest, and the proudest of the ladies of Swabia. Knights and noblemen courted her favour, and princes combated for the honour of her hand. Ah! little knew they, the rank and lustful nature of the woman they sought to make the mother of a line of sovereigns in the holy Roman empire! O, may her crimes be expiated by her sufferings! But no!—ah! woe is me, I fear nothing could avail, for she died, almost in the act of adultery, by the avenging hand of her lord. But, why anticipate?

It was, I well remember it, the day of the holy archangel St. Michael, (glory and honour be to his name,) that I, Walter, a peasant's son, but educated by an uncle who had studied every liberal art, under the renowned Ernestus of Arnobia,\* first saw the lady Anne of Wirtemberg. Perseusively wandering, with the book of the Argonauts† in my hand, and regretting that my lot had cast me in obscurity, far from the warrior's renown, and the poet's fame,—there,

\* I have sought in vain to find out who this teacher, or author, was: probably some learned monk of that age, whose works, and memory, are now alike forgotten.

† Probably the Argonautics of Apollonius Rhodius.



in that very forest, which from this lofty height now darkens all the western scenery,—there, there, I beheld the lovely Anne—upon a mettled, light grey, courser, who had broke his rein, or by some accident, for I never discovered how, had mastered his sweet mistress, she sat; dismayed, yet firm: dishevelled, yet animated; bounding through the brakes, and wild underwood of the forest, towards a precipice on my right hand; I saw not then her beauty! I had not then felt her thrilling touch! but I heard her melodious voice, melodious even in the accents of alarm, exclaim, “peasant, save your liege lord’s daughter!” Man is not man, who does not succour woman in distress: but here, at once, dazzling beauty, enchanting youth, (she was just sixteen,) the richest attire, the only daughter of my liege lord, Rodolph, the thrice renowned Lord of Wirtemberg!\*—I flew to stop the horse—I succeeded in seizing the heavy curb chain, just as he was clearing the trunk of a fallen tree which lay a few yards from the steep precipice, but the lady Anne fell, with a bound, beyond my extended arms.—Fortunately she lighted on another prostrate trunk, which, completely rotten, gave way even to her light weight, and saved her from severe injury. Instantly letting go the horse, who darted over the precipice, and was killed, I raised her graceful form up, while she, springing up, glanced upon me from her two large blue eyes and from beneath that arched black brow, which ever dwells on my fancy, a look!—heaven and earth! never before or after have I beheld such a look! I attempted to speak—my tongue faltered—“Say nothing, young man, now,” said she, “but Rodolph of Wirtemberg shall reward you.” She grew faint, she rested on my arm. I regained the power of speech, I entreated to know if she was hurt—“only here, a little,” said she, and bending down

\* Wirtemberg, though afterwards a dukedom, and now erected into a kingdom by Napoleon, was then only a barony, or lordship.

grasped her left ankle—it was buskined in green and gold— At that moment my eye caught the large leaves of a vulnerary plant, the juice of which, from my studies, I knew to be a sovereign remedy in bruises. I ventured respectfully to inform the lady Anne of it. “What is thy name, young man?” “’T is Walter, lady, a peasant’s son from Hirschfeld.” “None but a knight may serve the lady Anne of Wirtemberg: but kneel down Walter!” I knelt, “Rise up, Sir Walter of Hirschfeld, knight,” said she, “striking my shoulder, in seeming playful mood, with her ungloved hand; adding, “and by the holy cross of my father’s sword, I swear, thou shalt be one of the knights of Rodolph the renowned; so now thou mayest try thy medical skill.” O, I can not dwell longer on these particulars! that ankle, that beautiful leg, the bruised but dazzling white skin, all, all are painted in my brain as fresh as yesterday.

It was with difficulty she walked, supported by my trembling arm, as far as my father’s cottage, about half a mile. The lord Rodolph’s castle, a hunting seat he had in the neighbourhood, at a considerable distance from his hereditary dominions, was five leagues farther. A messenger was immediately procured to proceed to the castle. He soon met some horsemen, who were already in search of the lady Anne, whose attendants had suddenly missed her, in a glade of the forest, where they had roused a deer, and who were now dispersed in every direction to seek their mistress.

A steed was instantly prepared for the lady Anne to mount; her bruised foot was bandaged, and her buskin of green and gold—there it now lies before me, tarnished and faded, but there it is, the relic that draws my devotion, even from that holy crucifix—her buskin hung over my arm. “Young Walter,” said she, “ask a boon of thy lord’s daughter, for thy good service this day.” “I fear, my lady, I maybe too presumptuous, and ask too high a reward; be pleas



ed therefore to accept my willing duty, without a boon."—"Nay, a boon thou must have, and such a one as it befits the heiress of Wirtemberg, Lichtenau, and Hirschfeld to bestow."—"O, lady, pardon my daring freedom then, if I ask to keep this buskin, and wear it, as a lady's favour, should I ever attain that honourable rank——" I faltered and stopped short. Then, with a smile—O, there never was, or will be, such a smile as that of Anne of Wirtemberg,—she bade me keep the buskin, "and this ring too," which she drew from her finger, "and come tomorrow to lord Rodolph's castle, and send this ring in as a token that Sir Walter of Hirschfeld is at the gate." I fancied I felt a slight pressure of her hand as she put the ring into mine. All swam in a trance, when I found myself alone standing with folded arms, on the bank where the lady Anne had mounted her horse, whilst no part of the cavalcade was now visible to me.

(To be continued.)

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As I set myself up as a redressor of wrongs, of all kinds, I can not refuse admission to the following lamentable representation, particularly as it seems that I am the real occasion of the persecution INNOCENCE has undergone: *quod erat demonstrandum. &c. gr.*

1mo. If there had been no such thing as the Scribbler, *ergo*, Miss Julia Sasor would not have sent the communication to the blue-book, which appeared in No. 139.

2do. If Miss Julia Sasor had not sent that communication; *ergo*, I should not have printed it.\*

\* "That's no sign," says a friend at my elbow; "for I have often known you to print communications that were never sent you, and were mere inventions of your own, you scoundrel!"

L. L. M.

3tio. If I had not printed it; *ergo*, Mr. Innocence would not have been blamed for it.

*Ergo*: In satisfaction, as much as in me lieth, of the injury done Mr. Innocence, notwithstanding his statement is evidently most allegorical and highly coloured, I give it publicity; more, however, for the sake of deterring those who happen to be hit, or who think fit to put on Scriblerian caps, from suspecting, or attributing to, others, who, like Mr. Innocence, and all other prisoners at the bar, declare they are not guilty: than to avenge his immediate cause; for he must submit to the lot of mortality, and be sometimes praised, but oftener blamed, for what he had nothing to do with. And, under the rose, I, in the same way, am inclined to think that, though he may not be akin to Miss Julia Sasor, he is rather proud of the imputation of being a correspondent of mine, as he calls writing to the Scribbler, "an honourable crime,"

L. L. M.

*Mount Royal, May, 1825.*

MY WORTHY FRIEND,

I wish you to cast your eye over this, and place it in a conspicuous situation in your blue-book, where the community may see it, so as to commiserate my unhappy lot. I am a well meaning young man, and a friend to truth: but I have been accused by a numerous party, of committing the honourable crime of writing to the Scribbler. The worst is, they have constituted themselves into a court of enquiry:—they laid damages to the amount of five thousand leaden heads; and actually tried me upon the charge they had brought against me. There were a dozen of ladies, who were members of the gas party, who brought me up, on a cold morning, perfectly naked; they smote me with rods, some spit on me, and some grinned, while others looked through their fingers. Says one, stand back miss and let me have satisfaction of the scoundrel: we have him under



our hands now, and will bear heavy on him. They then placed me on a chair, standing up and facing them, and my mock trial began. It was in vain I protested my innocence, and declared I was neither Julia Sasor, nor her first cousin, Julius Cæsar.

The first who attacked me was Mrs. Geo. Handsaw. "The young dog accused me," said she, "of taking the gas, whilst that very night, as bad luck would have it, I had a husking match,\* and brought forth a fine babe; you young rogue, how can you substantiate what you said against me? If it were not for shame, I would propose you should be deprived of—heaven! what do I see?—no, none of our sex will ever consent that such a punishment should be inflicted, for that would be "cutting off one's nose, to be revenged on one's face."

Then Mrs. Gipsev, took the floor, as they say in the hall of congress, and said, I ought to be hung up by the middle, for saying that her husband found that instead of for better or worse, it was all worse and worse: and declared to all the ladies present that that could not be the case, or else he would never do his duty so well by her as he did, for she had all a married woman could desire in that respect.

Miss Hold said if she had a pair of scissars, she would not leave me uncropped, from head to tail, for telling of the dark room, and the young doctor's injection: and here she let the cat out of the bag, for Julia Sasor never mentioned the names of the actors in that scene: but as she has put the cap on, she must wear it.

One lady said she would decline saying any thing on the subject, as Dr. Dash came within 3 3-4 inches of having his nose wrung in the public street, for saying that it was that

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\* A new slang term, probably a yankee one, with the meaning of which I am unacquainted. L. L. M.

young damned Mr. Thingumbob, who was the writer of the piece in question.

Another declared that she would not, for five hundred pounds, that any thing had been said about the gas-meeting; as she has got no good out of her husband ever since, for he has been raving, and talking in his sleep, about the gas, and the four stars, and diddle diddle diddle, and administering potions, and has quite neglected his family-duty ever since.

In fine, what could I expect from so prejudiced an assembly. Notwithstanding all my protestations, I was found guilty; and they asked me if I could pay the damages as assessed. I told them I could not, as, although there were probably twice five thousand leadenheads in this city, the owners were all persuaded they were worth their weight in gold, however worthless they might be; so I knew it was an impossibility ever to obtain them and I threw myself on the mercy of the court.

Whereupon sentence was pronounced upon me by Miss Kissy, as being the youngest and prettiest of the party; which was; that I should be placed, in the state of nudity in which I had stood my trial, with one foot on Nelson's monument, and the other on the spire of the English church, there to remain a shame and a laughing-stock for the inhabitants of this good city. How the ladies, however much *they* may be used to the practice, will contrive to stretch my legs so wide, I can not conjecture; but I stand in daily fear of undergoing this dreadful sentence; and, in my deplorable situation, (for they will not even allow me to wear drawers,) I hope Mr. Scrib, you will take pity on me; and issue an injunction to stay all further proceedings against

INNOCENCE.



Now, however, to the *serious* contemplation of another subject.

To attempt to intercept the "heavenly dew of mercy," to say or do any thing that would prevent the bountiful exertion of that truly royal prerogative, even in the most atrocious cases, is what is most repugnant to my sentiments, and my feelings. My system, equally adverse to such a course, is yet, also firmly bent, upon ever, with due regard to what is right, exposing and reprobating every instance of partiality, or civil influence, in the administration of justice, either civil or criminal, that calls for remark. This is so notorious in Canada, that, under the following representation, made to me through the most respectable source, and authenticated by a name in high estimation, I can not avoid giving it insertion; protesting, however, that it is not from any wish to avert the extension of mercy to the wretched man who is the subject of it; for, from motives of pitiful\* humanity alone, as I am, in such matters, like the lady whom Scarron so tersely describes;

*Sa femme, pitoyable comme une femme;—*

I wish from the bottom of my heart, that the hopes of ultimate pardon he has been suffered to entertain, may be real-

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\* This good old English word, is used in our ancient writers in the sense in which it must be taken in the above, its original, true, meaning "full of pity;" but it has, in modern composition, assumed a totally different signification, and is now generally employed to denote what is contemptible and paltry. This has been occasioned by confounding the noun, "pity," with the verb, "to pity;" calling that which was to be pitied, pitiful, and, by the natural progression and association of ideas, thence concluding that what excites pity, is mean and dispicable. I do not, however, flatter myself that I shall be able to restore this word to its exclusive, original, proper, meaning; and do, indeed myself, generally use it in its modern acceptation; but thought it right to enter this as my plea of justification, in case I should be arraigned by any verbal critic for the singular use I have now made of it.

ized. Yet as Horace justly remarks;

*Jura incuta metu injusti fallere necesse est;*

“We must concede that laws were made to keep the wicked from committing crimes, by the fear of punishment,”—(which, by the bye, is more a paraphrase than a translation;) it is, on the other hand, my equally sincere wish, (I scarcely can say hope, for, “seeing what I see, knowing what I know” I can not, in Canada, *hope* that so complete a revolution in affairs juridical and forensic can take place, within my time.) that the laws may prove more effectual than they have hitherto done in preventing crimes, and that the dispensers of them, from the chief justice down to the meanest constable’s assistant, may be restrained from acting under any influence but that of duty and justice, and eschew all motives of partiality, influence, family connections, or pecuniary interest.

L. L. M.

Quebec, 6th May 1825,

MR. MACCULLOH,

Impressed with the perfect conviction of your general love of justice, and its impartial administration, I send you the following facts, and if you, by admitting them into your publication, expose partiality, the public will be once more indebted to you for your independent spirit.

Thinking, sir, no doubt as you do, that the criminal law of England is much too sanguinary, and that many crimes that may be considered as venial are punished with death, whilst a less severe sentence would better answer all purposes:—yet, sir, there is the crime of murder, which the laws of all nations—the laws both of God and man,—decree can only be expiated by death. Blood for blood is a maxim that, however harsh it may sound is one that eternal justice has sanctioned, and man has almost universally adopted; whilst



also, many reflecting persons believe that murder is the only crime that ought to be punished with death.

With all the abhorrence with which the crime of murder is beheld, there is nevertheless now, in the gaol of this city, a murderer, who, it appears, is destined to escape the sentence which the law has pronounced upon him.

The murder itself was one most cruel and barbarous that can be conceived; and altogether wilful and ferocious on the part of the murderer.

These are the facts that appeared in evidence. The deceased and another young man. (an apprentice to the murderer,) were fighting in a field by the roadside, when Augustine Kennedy came up to them. The deceased had the worst of the battle; they were on the ground, and he lay undermost: the other was sitting on him, and striking him with his fists. Kennedy, upon preceiving them, cried out to his apprentice, to finish him, to kill him, repeating it: "finish him, kill him, finish him, kill him;" and then, going to the fence, took from it a pole, ten feet long, and struck the deceased with it twice on the back part of his head, his face being then buried in the ground, and held down by his antagonist, who sate on his back, and had wholly got the better of him. With the second blow, the pole broke, and Kennedy went again to the fence, took another pole of the same kind, repeated his blows upon the head of the deceased; and finally they left him, as the witnesses described, *comme une pomme cuite*, the bones being entirely broken and smashed to a mummy.

The deceased, it is true, did not bear an excellent character, but that is neither any reason why he should be murdered, or that his murderer should be pardoned; but Kennedy bears one that is far worse. This is indeed only one

of sundry murders that have been attributed to him.\*

There was a poor girl whom he sought to marry, but her uncle opposed it, on account of his bad character. He had soon, however, reason to repent his having given her that

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\* The necessity of inflicting the punishment of death for murder, has, by juriconsults generally, been denied to arise from the justice of retaliating blood for blood, which would, in fact, be nothing more than the indulgence of revenge; but that it is a necessary punishment, in that, and other, atrocious crimes, affecting the lives and safeties of the rest of the community; first: in order to deter others, by the severity of the sentence, death being the greatest and last evil that man can inflict on man, from committing the same crime; and secondly: "because," in the words of Puffendorff, "a man who is so barbarous to that degree, as to take away any man's life maliciously, can never give sufficient caution," (security for safety,) "to others, without losing his own." *Book 8, ch. 3, §. 26, of the law of Nature and Nations, p. 71, Kennett's translation*; and again, in *sect. 10*, "When an incorrigible person suffers death, greater security can not be given that he will never create fresh disturbances. And that none but such incorrigible persons should suffer death, may perhaps be well enough admitted, in crimes of a lower rank and less malignity; but crimes of a deeper stain must not be allowed the same privilege. For, since no man is to be declared incorrigible, till he hath been frequently guilty of the same fault, it would be but little for the advantage of the commonwealth, to defer the punishment of a criminal, till he had frequently repeated perhaps the first of villainies." The evil arising from the granting of pardons to such as have repeatedly been guilty of great crimes, is forcibly illustrated by a story related by H. Stephanus, in his *Apolog. pro Herod. c. 17*, of a man who, having petitioned the king of France for a pardon of the seventh murder he had been guilty of, and finding that he could not obtain it, boldly told the king that he would only acknowledge the first murder to be his own proper act and crime, but that the guilt of all the rest must lie upon the king's own head; for that he should never have committed the other murders, had not the king given him encouragement by pardoning the first.

L. L. M.



advice. Her uncle being absent in the bush† one day, Kennedy pressed the girl to give her reasons for refusing him, which she did; and he asked her where her uncle was:—she told him, and he then said, “I’ll go and settle that with him,” and went out. The uncle never returned, and his body was found eighteen months after. Suspicion was so strong against Kennedy that the girl never would see him again.

A pedler also lost his life and was robbed, very near to where this same man resided, and suspicion, for which there were strong grounds, marked him for the tragic actor.

Yet, Mr. Macculloh, this is the man that is recommended to be set at liberty amongst his majesty’s loyal and inoffensive subjects, and to escape punishment, because it was not proved that he had said any thing about his bearing malice against the deceased, before he dispatched him: wherefore, it was laid down that the jury could only find it manslaughter. But they thought otherwise, and declared it to be wilful murder.

*It is certainly very unpleasant for a great man to have any of his relations hanged, but I say again that, in this cruel, unmanly, case, justice requires “blood for blood.” But, when he is again let loose upon the public, you shall then be made*

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† *The bush*, is commonly used all through North America, and great part of the coast of Africa, to signify the woods or uncleared lands, at the back of, or interspersed among, the settlements of the whites. It appears to me to have, on both continents had its origin from the Dutch settlers, namely those of Nieuw Nederland, now New York, in America, and of the Cape of Good Hope, in Africa; and to be nothing more than the Dutch word *bosch*, signifying a wood or forest; and that it has no relation to the English word *bush*, a dwarf-tree or shrub. In no part of the British settlements in India is it used, but there they express the same idea by the native word *jungle*.

acquainted with the "wheels within wheels," that work this lenity.

To shew a contrast. Three or four years ago a man was hanged in Quebec, for stealing a few pounds of tea from the stores of Munro and Bell, which was his first offence. Can it then be denied that people's lives are the sport of those who are in power ?

TELL-TRUTH.

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FOR THE SCRIBBLER.

*Translations of passages in TASSO'S JERUSALEM DELIVERED.*

ERMINIA.

Meanwhile, Erminia's started steed, away,  
 Through a thick forest took his foaming way.  
 Her feeble hand soon lost the curbing rein,  
 And scarce from swooning did the maid refrain:  
 Yet her fleet courser, speeding on his flight,  
 Quick bore her, through the forest, from the sight  
 Of those dread foes that chased her o'er the plain,  
 And still pursued, but still pursued in vain.  
 At length, like as the weary hounds retire,  
 Beaten and windless, from both bush and briar,  
 And leave the fruitless chace, when neither eye,  
 Nor snuffing scent, the quarry can descry,  
 Ashamed and sullen, so, with fainting pace,  
 The christian knights their footsteps vain retrace.  
 Yet still, swift as the wind, the dame forlorn,  
 Through wood and field, o'er hill and dale was borne,  
 Behind she look'd not, but all night, all day,  
 Her bounding steed pursued his onward way.



No comfort save her tears, nor company,  
But only of her griefs the luxury.

Now, when the sun his burning chariot laid,  
In Thetis' cooling wave, her course was stay'd.  
To Jordan's sandy banks she came at length,  
And there, devoid of hope, bereft of strength,  
Alighting, on the earth she laid to rest,  
And ease the sorrows of her heart oppress'd.  
Tears, and complaints, and sighings were her fare,  
And all that night, exposed to the air,  
Her tender form was wetted by the dew;  
While still she courted sleep, who long withdrew,  
But, at the last relenting, softly spread  
His smooth and balmy pinions o'er her head;  
(Midst care, distress, and grief, all potent sleep,  
Thou only canst the mind in quiet steep!)  
Within his drowsy arms the virgin lay,  
And felt-shod Silence\* paced around till day,  
Whilst Love, bright Venus, and the Graces, kept  
Strong watch and ward, while fair Erminia slept.

THE SECLUDED RETREAT.

"But, father, since these castles, towns, and land,  
Are wasted all with rapine, fire, and brand,

\* This idea is not in the original, Tasso not having made Silence one of the allegorical attendants upon Erminia's sleep. It seems to have been borrowed from Ariosto, whose line description of the house of sleep, has been feitchously translated by Hoole. It must have been from the following passage that CARDO took his "felt-shod Silence:"

"Silence maintains the watch, and walks the round,  
In shoes of felt, with sable garments bound;  
And oft, as any thither bend their pace,  
He waves his hand, and warns them from the place."  
L. L. M.

How may it be that ye unhurt remain:  
 Whilst desolate, and smoking, yonder plain  
 Attests war's ravages, you till the soil,  
 In safety, plying here your harmless toil?"  
 "My son" th' old man replied, "our poor estate  
 Keeps us from strife; from plunder, and the great.  
 Safe from all warlike broils is this retreat;  
 No trumpet brays, nor thundering drum is beat.  
 The circling wilds us here in safety keep:  
 No horses' clattering hoofs disturb our sleep.  
 Just heaven doth shield the poor and simple swain;  
 For thunderbolts but seldom strike the plain:  
 'Tis on high mountains and aspiring towers,  
 The lightning all its awful vengeance pours.  
 Thus kings may tear Bellona's dread array,  
 Not he, whose toil his dinner gains each day;  
 Nor e'er was greedy soldier's rage enticed  
 By poverty, neglected and despised.  
 O, poverty! thou chiefest heavenly good!  
 'Tis false that thou art hard, and rough, and rude:  
 Dearer to me than wealth or regal crown,  
 Honour or fame:—contented with our own,  
 We quench our thirst from this sweet limpid spring,  
 Nor fear that poison or disease 't will bring.  
 A little flock of sheep, of fruits some store,  
 Give food and raiment; what can man wish more?  
 Strangers to cares that do to wealth belong.  
 Little we want below, nor want that long;  
 See here my sons, their care the flock to guard,  
 Our little garden till, and reap reward  
 From sweet content, for servants none we need;  
 But for each other's wants and comforts heed.  
 Oft 'neath these groves I walk and see around,  
 All living things, in sky, and flood, and ground,  
 Birds, fishes, beasts, in forest, spring, and lake,  
 And their contentment for example take.

CARDO.



## FOR THE SCRIBBLER.

## SOLEMN REFLECTIONS ON THE WIND.

When the fierce tempest rages, and the roar—  
 Of foaming waves, dashes each rocky shore:—  
 The tall ship, scudding 'fore the fearful blast,  
 The crew expect on shoals to breathe their last:—  
 The elemental war,—commotion dire!  
 What strange and solemn thoughts do all inspire!  
 Or,—if on land,—the ages-rooted oak,  
 Torn, prostrate, by the storm's unerring stroke,—  
 The unroof'd cottage, and the wasted field,—  
 All solemn subjects for reflection yield:—  
 But most in cities—where, exposed to gaze,  
 The gale—the ladies' legs, and every shape displays.

MAURICE MASK.

—+—

I sincerely hope the following will be the last I shall hear of the acrimonious personal bickerings between the parties alluded to. It will be very mortifying to me to receive any "more last words," relative to them.

L. E. M.

Montreal 8th May, 1825.

Mr. Macculloh,

As Vindicator, in my opinion, and, I believe, in every person's, is as insignificant a character as Veritas, I shall be as laconic with him as possible, and only say, "cease viper, cease, thou bitest a file."

ACHATES.

## TO THE EDITOR OF THE SCRIBBLER.

Qu bec, May, 1825.

SIR,

The subjoined communication was forwarded to you, some time in January last; but as it never appeared, nor any acknowledgement was made respecting it, I am inclined to believe that it has been miscarried, rather than to attribute to you a violation of that law, which you have so carefully prescribed for your editorial jurisdiction.\* Its appearance at this distant hour, may be considered in the *paulo post futurum*,† still I think the design to be such, as will form an apology for it, in that point.

When once a man falls, all will tread on him, is an apophthegm which we see daily verified:—but never has there been a stranger instance of it, than that which was manifested on the day on which the late Mr. Goudie was committed to his “cauld house o’ clay.”

A poor, unfortunate, maniac, in his heedless ramblings, accidentally came to the grave where the sons of Caledonia were assembled, in all the paraphernalia of mourning, to pay the last sad tribute to the remains of their esteemed countryman. This miserable creature, having, in the wild ravings of a distempered mind, made some remarks, not altogether chiming in with the fine feelings of many of the spectators, was by them knocked down, kicked, battered,

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\* The communication alluded to never reached me, or it would certainly have been acknowledged. Spricklybag will probably, recollect through what channel it was sent, and avoid the same another time. The present one came through the post office at Montreal, the most safe and certain mode.

L. L. M.

† Rather, under correction, the *præter-plu perfect*.

L. L. M.



and mangled, in a most pitiable manner.†

Those who were foremost in this transaction, will no doubt, take to themselves what I say, without the necessity of my naming them to you. There is many a manly bold-hearted fellow, who is only so, when he knows there can be no resistance. This puts me in mind of a little dog, which my grandmother had, that would always fight most courageously with a rat, when the poor animal happened to be well secured in a trap, but the moment the rat was at liberty, *Pinkey*, for that was his name, would instantly run under the old woman's wheel for protection, and bark, and yelp, and tremble.

† This transaction was particularly noticed, and partly detailed, in some of the public papers of the day. I am not, however, able to find, amongst my miscellaneous hoard, any one in which it is mentioned; but from what my recollection furnishes, it appears to me: that the person, supposed to be a lunatic, who interrupted and profaned those few ceremonies, which the fanatic church of Scotland allows to be performed, at the interment of one of its members, getting into a situation, (upon a wall or fence, I believe,) which gave him an opportunity of being heard and seen by all present, uttered a variety of curses, and blasphemous expressions, as regarded the soul of the deceased, I believe he stigmatised him with having cheated and deceived him, &c. I can make allowance, for the dreadful soreness which injury and oppression opens and irritates in the minds of the sufferers; but the open violation of all decorum, and public feeling, which such conduct exhibited, required, undoubtedly, immediate repression, and termination, "by the strong hand." If, however, this occurred with unnecessary violence, and wanton barbarity, especially when the mental state of the offender is considered, (and the very outrage implied derangement as we can reprobate, those ebullitions of the human mind which are the consequences of its being suddenly, and unexpectedly, moved, on occasions when passion gets the better of reason

L. L. M.

Several of our English essayists, in describing the noble station which man holds in the scale of created beings, have proudly termed him the paragon of all animals. That this is not the case, I have no intention to argue—but that there are frequently more marks of tenderness and affection, perceivable among those animals to whom we deny the faculty of reason, than are often to be found in the bosoms of some of the proud lords of creation, I could readily prove.

The high opinion most men seem to have of themselves, one would think, ought to be a strong inducement to “act nobly, and to love mercy;” yet, it is to be regretted, that those whom we find making great professions of charity, and declare themselves the warm votaries of whatever is noble in sentiment, and honourable in conduct, but too frequently fall short of common decency. You may easily, sir, perceive, that my object is to bring to a due sense of duty those untoward beings amongst the children of men, who still conceal their vices under professions of piety in the blaze of day, but, who, in the hour of darkness and silence, “turn to the evil of their ways, and all manner of uncleanness.”

In thus exposing the faults of some, and vices of others, *eliter vitium vivitque tegendo*, I hope thereby to be a “terror to evil-doers,” and to check the ungoverned rage of the unmerciful and the stubborn-hearted.

Having taken the trouble of writing this article, for the benefit in fact of those implicated, I think that, instead of their bristling with rage, I deserve their acknowledgements. And I will add, in short, that, as the poor sufferer is still in the Quebec asylum, an expiation should be made, in some way or other, for the barbarity with which he was treated; and if some reparation is not made, I may be expected to be again seen, armed with my feathered weapon, to demand satisfaction for the poor and the powerless.

As I now carry about me a note-book, in which I enter every particular that comes under my observation, and which



I may deem worthy of remark, you will find me a regular correspondent. In the mean time I must assure you, that it is foreign to my wishes to wound the most delicate feeling, —but, if the calm and wholesome words of admonition prove unavailing, I intend adopting a more severe method of castigation; like the good old man, who first threw tufts of grass at the mischievous boy, who was on one of his apple-trees stealing the fruit, but, finding that gentle means proved ineffectual, he was obliged to make trial of the virtue that lay in stones.

SPRICKLYBAG.

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### IMPRISONMENT for DEBT.

(Subject continued.)

Since the publication of No 140, I have obtained a copy of the act then alluded to. It does not appear to go the length that public report gave to it; and as it is by no means an easy matter in Canada, for unprivileged persons to have access to the laws by which they are ruled, and many are interested in this statute; I print those clauses of it which are important, and contain the sum and substance of the measure; with the intention of making such remarks on the same as the occasion may seem to require.

Anno quinto GEORGH IV. A. D. 1825.

Cap. II. 22 March.

And it is hereby enacted, by the authority of the same, that from and after the passing of this act, the condition of e

very recognizance of special bail, or bail to the action, to be given or put in by any defendant, who shall have been arrested under and by virtue of any writ of *capias ad respondendum*, issued agreeably to the provisions of the said ordinance, shall be such, that the cognizors thereof shall not become liable, unless the defendant shall leave this province, without having paid the debt, interest, and costs, for which the action shall have been brought: and such special bail may be put in and given at any time after the arrest of the defendant in virtue of such *capias*, either before the Court from which the same shall have issued, or before any judge or justice of such Court, at any time before or after judgment.

II. Provided always, and be it further enacted by the authority aforesaid, that nothing in this act contained shall be construed, or taken in any manner, to affect the right of the bail to take and surrender the defendant in discharge of themselves.

III. And whereas persons residing in the province of Upper Canada, coming into this province with an intent speedily to return to the said province of Upper Canada, have oftentimes been arrested and imprisoned in this province, by virtue of *capias ad respondendum*, issued therein, at the suit of their creditors, also resident in the said province of Upper Canada, to the intolerable vexation of such debtors, and contrary to the true intent and meaning of the said ordinance, which was made for the province of Quebec, comprehending the provinces of Lower Canada and Upper Canada; for remedy whereof, be it further enacted by the authority aforesaid, that from and after the passing of this act, no writ of *capias ad respondendum* shall be granted or issued at the suit of any person or persons residing in the province of Upper Canada, against any person or persons residing within the said province, unless, in addition to the affidavit required by the said ordinance, the plaintiff or plaintiffs, or some other person or persons, shall make oath before a judge or justice of any Court of King's Bench, or provincial judge, that the defendant or defendants is or are immediately about to resort to some country or place without the limits of the province of Upper Canada, and hath not, or have not, within the limits of the said province, any lands or other immoveable estate, out of which the plaintiff or plaintiffs can reasonably expect to be satisfied the amount of his or their debt.

My remarks hereon must be deferred till another time.

L. L. M.

(To be continued.)



## DOMESTIC INTELLIGENCER. N<sup>o</sup> 57.

ERRATUM in last number, page 346, line 13 from bottom;  
for EBORENSIS, read ELBORACUM:

We are rather deficient in articles of *Domestic Intelligence*, owing, probably, to the removal of the Scribbler-Office and letter box, and its not having been properly announced to the public, whereby correspondents have been at a loss to know where to deposit their communications. The new address is advertised in another place; and both Mr. Macculloh, and we, (Dicky Gossip,) anticipate a renewal of those repeated favours, which we have been accustomed to receive, at times in voluminous profusion, from our numerous friends. We are indeed aware that this season of the year, when the early arrival of European importations gives incessant occupation to the whole of our commercial population, is the most unfavourable in that respect: but we flatter ourselves that those friends whose faculties are not absorbed in trade, (and indeed it is their communications that are the most valuable,) will, on that account, be the more assiduous in giving us their observations and lucubrations. In the interim, we avail of what we have on hand, and begin with a letter, with the handwriting of which being well acquainted, we have looked upon that in the light of a *particular request* for its insertion:—*verbum sat*.

DICKY GOSSIP, ESQUIRE;

Having some business with a gentleman of the bar the other day, I found him closeted with a round, plump, ruddy, country lass, who was introduced to me as *Mrs. Fawn from the country!* I gave her a bow of pity, and passed into an adjoining room, supposing that she was taking legal advice as to the means of obtaining a divorce; but what was my astonishment, when joined by my friend, to learn that she wished to oblige Mr F. to return to her bed and board, from which he had eloped, without assigning any other cause, than—another fairer mistress *en ville*.

Is it not laughable to see this picture of fun and vanity, et-

tempt to pass himself off as a *stiff old he-virgin*? Is it not a pity, on tracing him through his libertine paths, to discover that he has found fools silly enough to listen to his seductive promises? Is this the man with whom mothers will trust their budding daughters? Is this the man with whom husbands will allow their pretty wives to chat away a winter's night? The consequences of their misplaced confidence and credulity be upon them. Horns and illegitimates are the returns they may expect for their hospitality.

But what compensation can he make to the poor, ruined, Margaret, for her loss of honour? How can he ease the pangs of her aged and afflicted parents? Unhappy Margaret! Profligate Fawn!

P.

Next comes one of a different description.

DEAR GOSSIP,

Mount Royal, May, 1825.

Pope, in one of his epilogues, says :

“Would you enjoy soft nights and solid dinners,  
Faith, gallants, board with saints, and bed with sinners.”

But when one finds the saint and the sinner united in a fine woman—that's your sort! I am rather a stranger here, and came from the old country, but it has been my good fortune to fall in with a lady, who, as to all but the money-taking part, (an exception which suits the state of my purse exactly, as

“who steals *my* purse steals trash,”

for, like my head, I need not shake it, as “there's nothing in it, ) reminds me, in addition to the above couplet of Pope's, of *Keaton's* Olivia :

“Olivia's lewd, but looks devout,  
And scripture-proofs she throws about,  
When first you try to win her :  
Pull but your fob of guineas out ;  
Fee Jenny first, and never doubt  
You'll find the saint a sinner.”

Baxter by day, is her delight :  
No chocolate must come in sight  
Before two morning-chapters :  
But, lest the spleen should spoil her quite,  
She takes a civil friend at night,  
To raise her holy raptures.”



I must, however, be cautious of letting fall a hint, by which you may know who *my* Olivia is, lest her husband, "Good easy man!"—when he comes home, should find out that,

"there runs more water by the mill,  
Than wots the miller of——"

(A most apt illustration, by the bye, of master Shakespeare's; for what is a miller, but a grinder, and a mill, but a thing that is set a going by waterworks?)

Yet, thus much I can tell you; that 'twas coming up in the steamboat last year from Government city, that I first got acquainted with this S. S. You know, no doubt, that according to the Huntingtonian system of hieroglyphic theology, S. S. stands for *sinner saved*, but I think it is more applicable, in all cases, to *sinning saint*, as Solomon informs us, that, "a just man falleth seven times, and riseth up again,"—(a text which, once when a priest was discoursing upon it, gave occasion, according to Grecourt, to an old woman, who deplored the degeneracy of modern times, to exclaim

"y a t-il encore de ces justes au monde?")

Well, sir, this S. S. (call it, *sweet sister*, if you like, for she has a number of brothers, and sisters, who visit her for edification of the soul, and refreshment of the body,) took pity upon a friendless, but robust youth, a wandering, but gay, stranger: and somehow or other, we put our horses—now do n't mistake the word, by leaving out the aspirate;—together; and I am installed as an inmate, where—O, Earth! what dinners!—O, Seas! what wines!—), sir! what charms!—O, Fire! what nights!—'T is true, I am forced to read the bible, and to sing hymns, and say my prayers by the bedside, before I get in; and am obliged to refrain from—you know what—from Saturday night at twelve, till Sunday night at twelve—but, nevertheless, I dine with Apicius, sleep with Venus, and am myself now an S. S. that is a SAUCY SAM. Olivia sometimes calls me,

#### EXPECTED NUPTIALS.

Mr. Water-it, and Mr. Ennik, both from the States, are going to try what kind of wives Canadian girls make. Report has not yet decided who are to be honoured with their regards.

The Chevalier de Bellemine, who has long fluttered in the gay round of female attraction, has, at last, it is said, singed his wings at the torch of love; but he keeps the object of his sighs so much to himself, that all the tabbies in town are in the fidgets to find out who the happy lady is, who has fixed this volatile Mercutio.

### Advertisement extraordinary;

The *Secret Tribunal* of the Montreal Bank, hereby warn all persons, who wish to procure discounts, or who desire to be well spoken of on the score of commercial credit, against corresponding with, or even taking, the Scribbler; as, if they do, they will be dealt with accordingly.

ILLIBERAL PURSEPROUD, ESQUIRE,  
Private Secretary.

### SELECTIONS FROM OTHER PAPERS.

*From the Smuggle-port Recorder.*—Having understood that amongst the recently unrolled papyri, alluded to on a former occasion, there are some that are peculiarly interesting to the Smuggletonians, we have procured a fac simile of one. We regret to find that it is in such a state of decomposition that only detached words of it can, at first sight, be made out. It appears to be a continuation of the history of Daniel the Judge. It is very indistinct: the principal decypherable parts are as follows:

— — — And Daniel the judge, came from a country to the eastward  
— \* \* \* they were idolaters, and worshipped the loaves and fishes.  
— married a wife—Tompkins or Thomson — it came to pass  
that Daniel changed his name— another wife— laws against bigamy—  
lawmakers are lawbreakers—old wife found him out, and un-  
aware, paid him a visit— matters hushed up— what do the new  
wife's family say?— secrets in all families— some say both wives  
live together in the same house: N B. Daniel being a patriarch all  
patriarchs have more wives than one— [ ] fit member to sit on the  
bench— some say Daniel would do best to clear out— good  
riddance of bad rubbish; etc. etc.

*From the South Cumberland Intelligencer.*— We lately gave an account of some of the patriotic improvements that are going forward here. We are happy to add that, for the instruction of the rising generation, a manual of swearing is about to be published, in order that boys under twelve years of age, may be enabled to swear and blaspheme as systematically as



grown-up men: not that such instruction is much wanted, only to teach the boys to distinguish properly cursing from swearing, as they are apt to damn themselves, instead of the object they are swearing at: a mistake which indeed too many of our townspeople, proficient as they are in the art, unconsciously fall into.

A humane society is also proposed for the resuscitation of drunken men, who, after having spent their last copper, are thrust out of the grog-shops late at night, and stagger about the streets, till they find a convenient dunghheap to repose on.

It is also in contemplation to erect a spacious amphitheatre in our principal square, for the exhibition of the powers of our orators, quizzers, manual wits, politicians, and other literati. Much facility will be afforded in the construction of this magnificent building by the flight of wooden steps in front of the horary-rotatory-time-machine store of Mr. Keemac, which is intended to form the centre of the proscenium, and is peculiarly adapted for the purpose, as being already the daily resort of the professors and students of lounging, and idlerism in this improving community, whose lucubrations upon ladies' ankles, blood-horses, potatoes, loads of wood, and other scientific matters, will be hereafter given to the public, as the "Transactions of the Quizzical society of South Cumberland."

*Printed and Published By DICKY GOSSIP,  
at the Sign of the TEA-TABLE.*



## NOTICE

IS hereby given that the Scribbler office in Montreal, is removed from St. Jean Baptiste Street, to the LATE HERALD OFFICE, in STE. THERESE STREET; where a letter-box is fixed, for the reception of letters, orders, &c.

TO CORRESPONDENTS.—OUTPOST from Terrebonne, is just received, and will be availed of in next number. It is gratifying to procure a correspondent at that place; and the continuance of his favours is solicited.

# BLACK LIST.

CONTINUED.



Lentz and forbearance, having been mistaken for weakness and irresolution, the BLACK LIST is recommenced, in the hopes that it will alarm the consciences of other defaulters and induce them to make an immediate remittance, as pointed out in the last page, before another call is required to be made, which alone can save them from figuring along with:

**E. WHITTIMORE**, merchant, and manufacturer, of Montreal, who has left that place, it is stated, for Upper Canada, without leaving any reference or orders for the payment of his arrears for the Scribbler:— which every good intentioned man ought to do. He owes for the 5th vol. l. 1. 2s. Halifax.

—**FORSYTH**, Took the Scribbler, it is believed, in partnership with a Mr. JOHNSON, a tavern keeper in Montreal, where he boarded; when applied to for the arrears he owed, stated that he was going into partnership with Johnson, at Napierville, whither the Scribbler was to be sent thereafter, and where it should be paid for. On application to Mr. Johnson, he disclaims all knowledge of it: Forsyth is not there, and no money to be got:—owes l. 1. 2s.

**JASON C. PEIRCE**, mister, or esquire, at present merchant agent. &c. &c. at St. Johns. Ordered the Scribbler to be sent him, *by letter*, in actual existence, and upon which he will be sued; and when applied to for payment, denied having ordered it, and said he would never pay, intimating that it was out of the power of the editor to compel him. Honest man! He has had grace sufficient, as he was written to six weeks ago that he should be exposed in the Black list, if he did not send his six months subscription, l. 1. 2s.



## MAP OF MONTREAL.

**M**R ADAMS has the satisfaction of announcing the completion of his survey: every exertion has been made to ensure its correctness; and as no document has been copied with a view to save trouble or expense, the whole responsibility rests upon himself as projector and sole executor of the work.

More has been done than was originally promised, the length of the map was intended to have been "about four feet," but it was found necessary to extend it to more than six feet.

The drawing, in its present advanced state, may be seen at Mr Adams' office in St. Antoine street.

The subscribers being far short of what had been anticipated, only a few extra copies will be struck off, as the Map will occupy three large sheets of expensive drawing paper, and as the chance of an after sale is too precarious. The price of the extra copies will also be raised. In case any may wish to add their names, lists are still deposited at the Montreal Library and at the book store of Mr. Nickless.

A farther advance of ten shillings upon each copy subscribed for, will now be required as formerly notified in the prospectus, in order to meet the expenses of the engraving for which receipts signed by Mr. Adams will be furnished.

Montreal May, 1825.

✉ The Editors of the Montreal papers, who exchange with the Scribbler, are requested to send their papers by the U. S. mail to Plattsburgh, N. Y.

THE Scribbler is published every fortnight in Montreal  
 PRICE 1s, 9d, per number, or on the following terms,  
 To Subscribers in Montreal, 10s, Halifax per quarter, *payable in advance*; the proprietor reserving to himself the right of stopping the numbers of such as do not comply with these terms, who nevertheless will be held responsible for the quarter, and their numbers will be delivered to them on making payment

Those who pay in goods, must pay 1s, per quarter more.

To all subscribers in the Canadas who do not reside in Montreal, the same terms as above, with the addition of one shilling per quarter

No new subscriber taken for less than six months, and all subscribers will be bound to give three months previous notice in writing of their intention to discontinue.

To subscribers in the United States the price will be one dollar and a half, per quarter payable *in advance*; and to those who pay otherwise than in cash one dollar and seven-typfive cents per quarter; the carriage or postage from the place where the work is printed, to be paid by subscribers.

Should any arrears accrue, there will be an additional charge of 1s, Halifax for every quarter in arrear,

Subscribers who change their places of residence, either permanently or temporarily, are required to give notice thereof, with their new address, and directions how to forward the Scribbler to them; otherwise it will continue to be sent to the old address, and whether they receive it or not, they will be required to pay for it,

Communications, Orders and Advertisements, will be thankfully received, and are requested to be directed post paid, to the editor, LEWIS LUKE MAUGULLOH, Post Office, Montreal, or left at the Scribbler Office, Ste. Therese Street, Montreal; they may likewise be addressed, post paid, to Mr S. H Wilcocke, the proprietor, at Post-Office, Plattsburgh, N. Y.

*Subscribers at Quebec, Three Rivers, Sorel, etc and in Upper Canada, will please to remit the amount of their subscriptions, with any arrears they may owe, per post, (postpaid) to S. H. Wilcocke, post-office, Montreal.*

*N. B. The caution is again repeated that there is no person, either at Quebec, or Three Rivers, authorized to receive money for the Scribbler.*

*Lenders and borrowers are again reminded that they are guilty of literary petty larceny, and will be dealt with accordingly, when detected.*

*Editors of papers are requested to direct, for the present, & until further notice, for the Scribbler, Plattsburgh, N. Y.*

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PRINTED, SOMEWHERE IN THE STATE OF NEW-YORK  
BY AND FOR, S. H. WILCOCKE;

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