

THE SCRIBBLER.

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

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

CICERO.

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

Dii captis (nam vos mutastis et illas)

OVID.

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

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

VIRGIL.

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

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

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

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

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

and authorities, arising under the English common law. But it is impossible for this court to add any thing to the deep, learned, and conclusive arguments of judge, now chancellor, Kent, and of the late Alexander Hamilton; both of them among the greatest men and lawyers of the age. Their arguments stated at large in 3 Johnson's cases, p. 337, are as complete as they are unanswerable.

"The doctrine here maintained is deduced by them from the ancient fountains of the common law, as they existed in its earliest purity; the modern doctrine of libels being, in the course of their analysis, satisfactorily proved to be" an usurpation on the rights of the jury, "not justified by the fundamental principles of the common law." To adopt the language of chancellor Kent, "*The true rule of law is, that the intent and tendency of the publication, is, in every instance, to be the substantial enquiry on the trial, and that the truth is admissible, in evidence, to explain the intent, and not, in every instance, to justify it.*" The comprehensive and accurate definition of Alexander Hamilton is perfectly correct, that, "THE LIBERTY OF THE PRESS CONSISTS IN THE RIGHT TO PUBLISH, WITH IMPUNITY, *truths, with good motives and for justifiable ends, WHETHER THEY RESPECT GOVERNMENT, MAGISTRACY, OR INDIVIDUALS.*"

The opinion of the Court having thus been delivered, rendering evidence of the truth admissible, some discussion took place as to the receiving of depositions taken in other States, of persons who were out of the legal controul of the Court; but these were not admitted; and the defendant opened his defence which, as a masterpiece of its kind, I am induced to give almost entire.

"GENTLEMEN OF THE JURY; I am indicted by the grand jury of the county of Suffolk, for an alleged offence against the peace and dignity of the commonwealth. To this charge I have said that I am not guilty; I have appealed to my

nature of her defence; his exposition of the law was rejected; his precedents and cases in point vanished before her arguments, his interruptions were unheard, unnoticed, or disregarded; the bench sat confounded; the bar stood aghast; and notwithstanding the Judge told the Jury in his charge to them that they were to consider nothing but the fact of the publication of the libel (which the defendant had admitted,) and that they were neither to judge of the intention and tendency, nor of the truth or falsity, of the libel, which were points that solely belonged to the court; yet the jury exercised their right of likewise judging as to *whether the judge was right or wrong in his charge*, and acquitted the defendant. Mrs. Turner was afterwards generally and facetiously called Mrs. Mary Ann Ticklewig.

country, of which you are the legal representatives, for the truth of my plea ; and now, under leave from this honourable court, I stand before you, in person, to assert my innocence, and to speak in its defence.

“This is to me an awful moment—full of uncertainty, apprehension, and peril. I am oppressed with sensations and feelings never known before. I am conscious that I am travelling a new and unknown path, where unexpected difficulties attend every step,—whose end is enveloped in obscurity and darkness. It is not from the impulse of vanity or conceit that I have assumed the responsibility of any part of this defence. No foolish desire to exhibit myself in a novel character, in which success could bring me no reputation, & in which defeat must inevitably be attended with disgrace, has induced me to adopt this course : I have been urged to it by other reasons, not necessary for you to know, and which it would be painful for me to disclose.”

In soliciting the indulgence of the Court and Jury, Mr. Buckingham added :

“I am unlearned in the law, having never attempted to explore its uncertainties and secrets, or to unravel its dark, though interesting, mysteries. I am also unused to public declamation. My profession, and my labours, from my childhood, have been mechanical. No academic halls, devoted to letters, to eloquence, and philosophy, have ever resounded with my voice. No groves, sacred to the muses, have ever whispered their airy responses to any poetical breathings of mine. The flowers of rhetoric never bloomed for me ; and I have never been admitted to pass even the vestibule of the temple of science.

“How then can I hope to win your favour ? How expect to disengage myself from the net in which I have been taken ? How escape from the dangers of the thick and thorny wood in which I am entangled, where every step is pregnant with fear, and a single false one may plunge me into irrevocable misfortune ?

“I depend for victory, gentlemen, on a single weapon which the ignorant may wield as safely as the learned. This honourable court has placed in my hand that two-edged sword, which, I trust, will clear my way before me. This weapon is TRUTH ; before which the impostor and the hypocrite, shrink and disappear like shadows beneath a vertical sun. Aided by this, and the justice of my cause, I rely, gentlemen, on your intelligence, your magnanimity, your love of virtue, your scorn of hypocrisy, your aversion to mean-

ness and vice, your detestation of imposture and quackery, for a triumphant acquittal.

What better breastplate than a heart untainted ?
Thrice is he arm'd, who hath his quarrel just,
And he but naked, tho' lock'd up in steel,
Whose conscience with injustice is corrupted.

"I stand before you gentlemen, as a criminal. The indictment accuses me of having written and published a false, scandalous, and malicious libel on the character of John N. Maffitt, a preacher of the christian religion, of the methodist persuasion. The offence is stated in the indictment to have been committed *with force and arms,** against the peace and dignity of the commonwealth; you will observe, however, that the real prosecutor in this case is Maffitt himself. The commonwealth, by a fictitious and mischievous personification, is likened to an individual, and endowed with character, sensations and feelings; while Maffitt, the prosecutor, who, in reality, is as much on trial as I am, is admitted to be a witness in his own case † Are the peace and dignity of this commonwealth, gentlemen, such airy and evanescent qualities, such frail and perishable possessions, as to be put in jeopardy by the mere exposure of the ignorance, the quackery, and the folly, of a single individual? Are they so deeply involved in the uncertain & slippery reputation of an itinerant preacher? No, gentlemen, this is the formal, technical, phraseology of an indictment, as sublimely ridiculous, as it is profoundly absurd ‡ Maffitt is the only person injured by the publication; he and his friends are the prosecutors and the witnesses;

*The using such words in an indictment for libel, obviously is for the purpose of bringing it within the definition of a breach of the peace, by attributing the offence to the use of some weapon or instrument, and strongly corroborates the argument of the court before detailed, in which it is assimilated to the use of an instrument.

†This is certainly a most powerful objection against prosecutions for libels against individuals, upon indictment; and upon this ground alone, it is obvious that they ought to be confined solely to actions of damage, the case alone excepted in which they may have actually produced breaches of the peace.

‡It is rather astonishing that amidst the many reforms which, in American jurisprudence, have been introduced into the law of England, which is the basis of their own, they have not scouted from their practice, those numerous absurd, and unnecessary tautological fictions that form so great a part of all English legal documents. There is scarcely a process, either in civil or criminal cases, in the practice of law in England, which does not bear upon its face a downright lie. These legal fictions as they are called have found many advocates, alleging the necessity of their existence; but I deny it utterly in every instance. Can it be possible that justice stands in need of **SALSMOOD** to support it?

theirs will be all the disgrace and the shame, unless they can convict me of a public and criminal offence ; it is their peace and dignity, (forgive me for the inadvertent profanation of the term,) it is their dignity which is offended, and to appease their resentment, the liberty of the press is to be sacrificed, and I, one of its humblest advocates, am to be offered up as a victim to their offended dignity, on the polluted altar of justice.

“It is not necessary to go into a discussion upon the justice or injustice of the law of libel. This court has given me leave to introduce testimony to prove that, in the publication alleged to be libellous, I have asserted nothing but what is true. If I can establish this point, or if I can satisfy you that I had good grounds for believing what I published to be true, I shall be entitled to an acquittal.” “My defence is therefore predicated in the proposition that I have published nothing but truth ; & that truth & good intention, justify the publication,—a doctrine which, however novel in the practice of courts, is one which corresponds with the wishes, the feelings, and the good sense of every man in the nation.”

“But it is not merely as a defender, gentlemen, of my own innocence that I now stand before you. I appear here as the advocate of order, religion and morals ; the advocate and supporter of the very peace and dignity, which the indictment charges me with having violated. In the course of this defence, I shall attempt to prove, that what I have published is not an exaggeration of facts. I shall endeavour to prove to you that the conduct of the prosecutor is not that which becomes a follower of the humble Jesus, and a successor of the lowly fisherman of Gallilee—that instead of teaching the precepts of the Gospel by his example (whatever he may do by his precept in the pulpit) he is scattering the infection and the seeds of vice ; his way, like that of the snail, is indicated by the filth and the slime which track his progress.” “I contend that it is the duty of every good citizen—it is the imperious duty of every honest man, to use his influence to stop the progress of this moral pestilence. Far from me be any attempt to magnify my cause by vain and ostentatious boasting ; but I feel, gentlemen, that in opposing this man, I have done no more than my duty. I feel a consciousness and am proud to avow it, that, like the high priest of the Israelites, I have taken the censer of fire in my hand, and gone forth into the camp, and stood between the dead and the living, to stay the plague which raged among the people.”

(To be continued)

I have to apologize to my fair correspondent,

Sappho, for the delay that has taken place in inserting her favour. She will, I hope, perceive that the press of matter upon me is such that I am, in many instances, unable to do that justice to the pieces of my correspondents, which an early insertion of them would afford, whilst the circumstances they relate to, and the sentiments arising from them are fresh upon the memory. But I am falling into a similar practice with that which she condemns in so lively a strain; and shall merely add that I hope the delay she has experienced will not prevent her from favouring me with chapter II.

L. L. M.

MY DEAR SCRI—

I had like to have forgotten that that most significantly enticing cognomen, has been expunged from my vocabular nomenclature; and, after all, I almost fear, that I repent of having done so; for, to tell the truth, I feel strong suspicions that I am more, much more, than half in love with it, but for the present—mum.

There are probably but very few, who, situated as I am, after giving some encouragement of more stability than has, as yet, been justified, who would not commence an epistle, with a long string of trifling and useless excuses; and, though I might with some propriety, attempt to make them, I am not weak enough to suppose that such counterfeit coin as I myself would spurn, could, for a moment, be received, as a lawful tender from me; and there is nothing that I would not sooner be suspected of, than a base attempt at imposition.

If it meet your approbation, I purpose to send you, as it suits my convenience, a desultory composition, which, (as it must have a name,) I will christen,

“THE WEDDING.”

Chapter I.

First to my readers I will make
 An awkward courtesy, and then
 At once proceed—I dare not take
 The liberty allow'd to men,
 Or by the hand I'd give a shake,
 And ask a benediction. When—
 Ever we become familiar,
 You may allow me that auxiliar.

Apollo ! break the chains asunder
 That check my fancy's wandering flight ;
 Let me here shew a modern wonder,
 Who, with his devils, black and white,
 Fulminates his paper-thunder,
 Assisted by one, *who can write* ;
 And, if I meet with no miscarriage,
 Something of a daughter's marriage.

“Whose daughter's—do you mean his wife's ?”
 Then, say his wives—I've no objection,
 For nothing happens thro' our lives,
 That is more stubborn in detection ;
 And one's accused that e'en arrives
 At a suspicion of defection—
 Preserve my tribe from 't, says Iago ;
 But you can't mend it by embargo.

Some months ago, for lack of wit,
 In a mix'd, angry, lazy, fit,
 I dash'd my harp, in fury, down,
 (Altho' it whisper'd once renown,)
 For sending forth such ragged notes,
 As might untune my readers' throats,
 About the time when “Florio”—
 That noble songster whom you know,
 Had hung his up—upon a nail,
 Because hereafter it *might* fail,
 Along with fame, to bring him bread,
 And prizing trash, (this much he said,)
 Above the *laurel'd godlike* crown,
 Chose babbling lies, 'bove great renown,
 And be, for pence, the hireling slave
 Of every purseproud, worthless, knave.
 Not so with me—when hope had flown,

And fell despair had wrock'd my own,
 Which lay in fragments strew'd around,
 In deathlike silence, most profound,
 Tho' from its shell, and silent string,
 A cheering splendour seem'd to spring,
 Yet I, in one promiscuous heap,
 Brush'd it all by, in songless sleep,
 And there resolv'd that it should rest
 Till *time* should chill my heaving breast.
 But this same *time* such changes makes,
 Resolves and vows in pieces breaks,
 And, rolling on, oft brings about
 Some *puzzling things* no one can doubt—
 And one has now, in radiant bloom,
 Just burst from *time's* prolific womb,
 Which should not to oblivion float,
 Without at least a passing note.
 But, finding oft conjoin'd with skill
 An inclination to sit still,
 I have suspicions it may take
 A trip across the Stygian lake,
 Unless my harp I mend again,
 And try to sound a feeble strain—
 And, having heard musicians tell,
 A smash'd up old Cremona shell,
 When once repair'd, may hold dispute
 With Orpheus' persuasive lute,
 I'll make th' attempt on this of mine ;
 And, when repair'd, should it combine
 Sufficient notes for what should follow,
 I'll thank my stars, and thank Apollo—
 'The Muses I need not invoke—
 My incense would be—useless smoke ;
 Altho' in volumes it should roll,
 With theirs 't would prove incurrent toll—
 "Nor is there now, beneath the skies,
 "An owner of a pair of eyes,"
 Whose noted gender's feminine,
 Who would not instantly combine
 To smother every dreaming hope,
 If not entwine the fatal rope,
 And while their swains in raptures sing,
 Give me a most tremendous swing.
 But if Apollo lends his fire,
 I'll laugh at all the Muses' ire.
 This preface has so lengthen'd out,
 I must prepare to turn about—

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Such tediousness will never do—
 Take my advice, and when you wooe,
 Attempt no lengthy rigmarole,
 It will not answer, on my soul.
 So here, at present I must rest,
 For reasons which may not be press'd—
 I may not be a welcome guest,
 And all *encroachments* I detest.
 But should you be inclined for more,
 I have a little more in store,
 And crude materials, rather rough,
Quod satis est—"enough, enough."
 Thus ends the chapter—chapter first—
 Which I'd fain hope may prove the worst.

SAPPHO.

Cataroqua, April 1823.

MR. SCRIBBLER,

I hasten to transmit to headquarters, the enclosed, which has just been received by one of my scouts.

PAUL CRIMPS

Deputy-Inspector-General in expectancy.

DEAR PAUL,

In promenading Milk-and-water-Street, the other day, I picked up a kind of liturgy, composed, as I suppose, by some of the directors of a late rotten and defunct institution.

Your's, &c.

PETER.

Unto you lift we up our eyes, O ye! who dwell in the temples of convocation, in seedtime. Behold, even as the eyes of servants look unto their masters, and the eyes of an handmaid unto her mistress, so our eyes wait upon the Chronicle and the Herald; until that ye have mercy upon us. Have mercy upon us, O, ye men of York! for we are exceedingly filled with fear.

Our souls are exceedingly filled with the scorning of those who are at ease, and with the contempt of the stockholders.

If it had not been for the *lawyer* who was on our side, when the stockholders rose up against us, then they had swallowed us up quick, when their wrath was kindled against us.

Then they had overwhelmed us in their wrath. Blessed be the wise, who have not given us a prey to their teeth.

We have escaped as a bird out of a snare.

Our help was in Kit Cut, who made Jonas to sin. They that trust in him shall be as Mount Sion that abideth for ever; even as the mountains are round about Jerusalem, so the lawyer was round about the members, even unto the end of the session.

For the rod of the claimants shall not rest upon all the directors, lest they put forth their hands unto iniquity.

Spare, O ye commissioners! those that did good, and those that are upright in their hearts. But as for such as turned aside unto the crooked ways, lead them forth for their iniquity, but let peace be upon the honest.

When the Herald shewed us the work of Kit Cut, we were like unto them that dream.

Then were our mouths filled with rejoicings, and we brake forth into songs; then was it said among the stockholders, Kit Cut hath done great things for them.

He that goeth forth weeping, and bearing a heavy load of bills, shall doubtless come again, rejoicing, *with his certificate*.

But have mercy, O men of York, upon those that have been misled; for Jonas was led astray by the mouth of the wicked.

Mem. Mr. Crimps' commission as deputy-inspector-general, for the district of Cataroqui is now going through the forms of office and will appear next week,

SUPPLEMENT TO THE
DOMESTIC INTELLIGENCER, No. XXI.

CONTINUED.

PRICES CURRENT, *Mount Royal, May 1823.*

Cash. 10 per cent above par—very scarce—in great demand—expected to be more plentiful when the sky falls.

Duns. Plenty, but do no good.

Promises. A great stock on hand, and offered to every one, but worth nothing.

Credit. Below par—declining—very little good in market—much wanted.

Religion. Large assortments at the various shops; but many counterfeits in circulation.

Friendship. Nominal.

Confidence. The real not to be met with—the spurious is very common, particularly about the Court house.

Dust—fine. Tolerably plenty; low at present, but will rise with the first fair wind.

Ladies of Pleasure. Quite a drug—cheap—large importations arrived and expected from Quebec.

Newspapers. Very dull.

Removals. Abundant, and extremely fluctuating.

Discount at the Banks. Very scarce and in demand; can only be obtained by favour.

Scribblers. In constant demand—Have become a fashionable article—supply pretty regular—smuggled in where prohibited.

OLIVER QUIZ, & Co.

MR. GOSSIP,

It is with pleasure I can assure you that the gentleman to whom, by decree of the Court of King's Bench, the administration and distribution of the *ci-devant* voyageur's fund have been entrusted, fulfils the objects of that decree, with every attention, punctuality, and liberality. But your friend, Mr. Macculloh, knows him, and that, though he was one of the *bande des—associés*, he was every way unlike his partners, being a gentleman both in manners, education, and behaviour; but he was the only Canadian amongst them, and that accounts for it. Permit me, how-

ever, to ask what provision that decree makes for the ultimate disposal of that fund, or whether it is required to be put out to interest; for, the voyageurs and their families who may, under the provisions advertised, receive benefit from it, I believe do not amount to more than 150, who, receiving at the rate of £ 2—per annum, and annually decreasing in number, will of course, after all, leave a considerable sum undisposed of. I think an abstract of the whole decree ought to be published for the information and satisfaction of those who have, for a number of years, contributed part of their hard earnings to that fund, like

A DISABLED VOYAGEUR.

FASHIONS IN MOUNT-ROYAL. The ladies waists have increased in length in the most ungraceful way, and, added to their tight lacing, and stiff corsets, make them look like so many walking stakes. Stooping is impracticable, and turning round a matter of difficulty. Silks are much worn, but the new importations of fancy-articles from London not having yet arrived, the whole female world are yet uncertain as to the colours, shapes, and embellishments that will reign predominant during the summer.

Short coats or rather jackets for exquisites, giving them the appearance of jockeys, or of any thing but gentlemen, are still worn. We remarked not long ago a would-be *thing*, who thought himself *gay* in a bottle green short jacket, with a couple of spaniels at his heels; *unfortunately, and to his sorrow*, this *thing* was once acquainted with a gentleman, but did not profit much by it, except the advantage of being exposed in the blue book. A fashion was attempted to be set up here by a young dry-goods dealer, which he hoped to have seen followed and christened *à la Burn*: a black coat, with long sleeves, black gloves, and four inches of white wristband flaunting out between them, like the ruffles of the *ancienne cour*; but it would not take, in consequence of a wag giving it the name of a costume *à la magpye*.

The directors of the Mount-Royal library deserve the thanks of the public, for not causing a new catalogue to be made out, to supercede the old wretched abortion nicknamed a catalogue, and to include the

books imported since that time, as thereby those new books are not half so much read as they would be, and are saved from being soiled; readers are confined to their old diet; the institution disgraced in the eyes of strangers; and subscribers disappointed and disgusted.

On the 5th instant, a portentous meteor made its appearance in one of the principal cross-streets of this city. It was first observed by some of the late rat-catching company, who had been to take their luncheon at a house with two white pillars. It extended in awful length and breadth, and made Lord Goddamnhim stare with the utmost astonishment, and swear even more blasphemously than ever; whilst *Jean Baptiste* crossed himself, and hailed it as a good omen. It appeared to display various mystic characters, which were read and expounded, according to their respective fancies, by the crowds which passed and repassed, attracted by its blazing appearance. The general opinion was, that it announced the permanent empire of morality, literature, fortitude, and perseverance, over profligacy, ignorance, oppression, and perjury. Several sketches of the talismanic characters which the fancy of the observers had traced in its lurid aspect, have been handed to us, but the most distinct, though perhaps not the most intelligible, is the following:

S. C. R. ib. Bler. an. D. Fr. e. e. pres. soffi c. e.
The conjectures of the learned as to the meaning of these hieroglyphics are respectfully solicited.

Strayed from the sheep-fold of the subscriber, a few thoughtless sheep, supposed to have been led astray by two old unruly wethers (of coarse wool) and a young buck, which, for some time past, have wanted fetters. The loss of the sheep is regretted; and as a reward for their return, the shepherd will give up the wethers and young buck, and will dispose of

some of the old ewes, upon any terms that may be offered.

RUE ST. PIERRE.

Mr. Kill-her has sworn by the "north star of his affections" that he has received a mortal wound from Miss Wasp, and that if she refuses to grant the healing honey of her kindness, he will agree with the public, and term her a wasp indeed. We have to advise him, and another young gallant, to pay more attention to the discourses at the chapel, and look less languishingly upon this beautiful Kitty of the Clyde; who, if she accepts Mr. K's offer, is requested to purchase an amethyst, and exchange it for his wedding-ring.

Captivating Eve has concluded to imitate her ancient namesake, and eat the apple with Dr. Marrowbones, who it was supposed would have shrunk from the undertaking with a greater degree of perturbation than from the queries of the medical board *at ome!* It is a pity, says our reporter, to see so much loveliness and real merit thrown away upon such a figure of nought.

The fair maid of the Inn, (but whether it is at the sign of the *bull's head*, or the *pin-cushion*, no authentic account has been received,) it is said is getting *Thomson's* seasons by heart, set to the tune of the old hundredth.

One of the merchants (we beg pardon, we mean *chapmanes*.) of Mount-Royal, not so fastidious or virtuous as *Joseph* of old, it is said, has thrust a bodkin at a wrinkled disciple of Noah Webster, fancying her surrounded by her motley group of pupils, a *Venus* with her attendant cupids. She proves the polar star that draws the *needle* of his affections. Backstitching and spelling will give them full employment during the honeymoon.

MR. GOSSIP,

The other Sunday night I saw a friend of mine, who said he was going to the methodist chapel for the laudable purpose of giving a *bawbee* towards the support of the Mount-Royal general hospital, and to hear a good *Sarmont*. On Monday morning, I met him, and asked him how he felt. "I'm unco well," says he, "but, lord, mon, your's unco droll folk, altho'" says he, "there vara considerate of the purses of their hearers, and I wish the folk in the Scots Kirk were only in the same way of thinking." What's that you have hav, now to say," says I, "about the

Scotch Kirk: you have now got a Mr. Black, who I am told is a very excellent preacher." "Oh! a vara gude mon, but ye ken, we ha' three o' them; there," says he, "is Mr. Winterville, at so many hundreds a year, Moral Police, at £ 300, a year, and Mr. Black, at I don't know how much; but am told the lasses hae gi'en him a bra' new goon to preach in next Sunday, won't you go and hear him; but I forgot," says he, you are a turncoat, and gang to hear the organ, so good morning mister." I thought this would do for your tea-table. Your's, &c. ALICK.

Indignant at the treatment he has received at the hand of Dr. Ignoramus Pedanticus, WHITE SWELLING, desires to know why he is left, all alone by himself, in understandable English, amongst his numerous brothers and friend, in the last quarterly report of the general hospital. He would have Dr. Pedanticus to know that he has as good a claim to be dressed up in Latin pontificals, as Fractura Cranii, who to his knowledge was always known amongst his schoolfellows by his old name of Broken head, or Vulnerus, or Congelatio, or Explosio, or any others of his brethren named after the common accidents of human life; and he is determined upon insisting that the doctor shall, in his next report, put him in a learned coat, that he may not stand in the ranks like a raw recruit that has not yet got his uniform from the regimental taylor.

An accumulation of matter will require the publication of No. 22 of the Domestic Intelligencer, sooner than usual.

Printed and published by DICKY GOSSIP, at the sign of the Tea-table.

The difficulty of preserving consistency of character in interlocutory composition, was well illustrated by Goldsmith, in a conversation which he

had with the leviathan of literature, Dr. Johnson, on that species of writing; "I could write," said he, "a good fable on the story of the little fishes who envied the birds flying over their heads, and its chief merit should consist in making them *talk like little fishes.*" Here Johnson laughed, "Why, doctor," said Goldsmith, rather piqued, "that is not so easy a matter as you seem to think, for if *you* were to attempt it, all the *little fishes* would talk like *whales.*"

TO SUBSCRIBERS AND CORRESPONDENTS. Preparatory to the commencement of the fourth volume, which is fast approaching, I have to call the attention of my subscribers and wellwishers to the statement made in No. 93, respecting the payment of arrears, and advances upon the current and ensuing quarters, in order to prevent the increase of price which must otherwise necessarily take place, for Vol. IV. A memorandum relative to the plan in view, is left, for the inspection of those gentlemen who wish actively to support the work, at the Scribbler offices in Montreal and Quebec. In the hopes that some more of the old arrears may be collected, the Blacklist is still deferred; and subscribers in the country, or who prefer it, are respectfully requested to make remittances, by post, directed to me, post-office, Montreal, whence all letters are forwarded in my own mail-bag, every Thursday, to Burlington. I have to testify my best acknowledgements to an unknown friend and subscriber for his very acceptable present of a cask of excellent Madeira, which reached me safe last week. I am fearful that my Quebec communications will lose their interest by being reluctantly delayed so long for want of room; but I hope my contributors there, will not, on that account, slacken in their efforts to forage for supplies. GREEN FAT, EGO SUM, and HOMUNCULUS are received and will be made use of. I have so many various, and contradictory letters on the intricate and almost unintelligible differences, and quarrels between the methodistic American, Presbyterian, and Scotch, congregations in Montreal that I can make neither head nor tail of them, and am almost, inclined, were it not for the respect I entertain for the writers, to consign the whole to the pigeon hole labelled "rejected communications:" what shall I do with them?

L. L. M.

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