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THE SCRIBBLER.

Vol. II.] MONTREAL, THURSDAY, 10th Oct. 1822. [No. 67.

Alterius soris est scribendis legibus apta. MANILIUS.

T' engross law papers is another's lot.

For I must speak what wisdom would conceal,
And truths invidious to the great reveal. POPE—*Iliad.*

I can make speeches in the senate too, Nacky.
OTWAY—*Venice Preserved.*

——— *Quos curriculo pulverem Olympicum
Collegissq' juvat: ———* HORACE.

Who in the dusty race-course take delight,
Pleased with the mirthful noise, and varied sight.

The letter that appeared in No. 61, from a DISGUSTED QUILL-DRIVER has given birth to a variety of epistles to me from young gentlemen employed in the offices of the gentlemen of the bar, both in Montreal and in Quebec. Some of them coinciding with my first correspondent, and others deprecating and condemning the line he wishes to be drawn as to the indiscriminate admission to that pursuit of all who are able to write. I am sorry to observe that personal motives of pride, vanity, or envy, appear more to predominate in the writers, than a desire either to add respect to the station of "students at law," or to improve themselves in that profession of which they have made choice. Above all other things nothing can scarcely be more ridiculous in this country than pride of birth, where almost the whole community (the British community that is) have their origin from trades-people, and

men of business: whether the "students" are descended from a butcher, a blacksmith, a merchant, or a lawyer, is indifferent; whether even they were originally shoe-blacks, or stable-boys; provided they do not carry the manners and habits of the shoe-black, or the stable, the anvil, or the slaughter-house, along with them, and that they have an adequate degree of education to fit them for the noviciate they are undergoing. This last, however, is essential, and it is, I believe, a just complaint that the gentlemen of the profession in Canada do not pay sufficient regard to this in the clerks or students at law they take. That there is a radical defect in this respect is true, and it is not inaptly illustrated by one of my correspondents (A FRIEND TO A DISGUSTED QUILL-DRIVER*) who states that "in most places law-students are more respectable than shop-keeper's clerks, but in this place it is the reverse, as, for instance, there is a rule made by the managers of the Montreal assembly that no law-students shall be admitted, whilst shop-keeper's clerks may." This gentleman very candidly allows, that in addition to the impediments before mentioned to the furnishing of law-reports for the Scribbler, there is likewise a great lack of ability, and which is less the fault of the patrons than that of the students themselves, to whom he very judiciously hints, that "reading novels and plays will teach them very little law, and that walking the streets, insulting ladies, drinking in taverns, and contracting debts they never mean to pay, is not calculated to make them shine at any bar, but an alehouse-bar, and that only for a short season."

* This gentleman will perceive I have made use of his observations in my own way, yet, from the complexion of his letter, I beg to assure him, I am convinced that if he will, as he says he means to do, "try his luck at reporting," his further communications will be both acceptable to me and valuable to the public.

Another cause of the *decadence* of "students at law," is traced by A SYMPATHISER, to the parents of some, (honest trades-people who have acquired some money,) determining that their sons shall study the law, without any regard to their mental capacity, or their improvement, and thinking their credit requires them to support them in maintaining a dashing exterior, consider that as sufficient.

Yet no avenue to honour and fortune ought to be closed against the aspiring youth, however low his origin, or however depressed (not degraded) by circumstances of poverty and station. Nor ought any taunts or sneers on those accounts to be indulged in at his expense, provided that along with the station he can also acquire the manners of a gentleman; that his industry, application to business, and genius, are adequate to the pursuit he is engaged in; and that he is not ashamed of his origin, and does not assume any airs of pride, or consequence, either arising from consciousness of his own progress, or from an idea of the comparative elevation of the situation into which he has been lifted. With this view of the subject I give insertion (in part and with some corrections) to a letter from one who is evidently a very young man, but possessing both talents and ingenuity, which when developed by application, and kept in check by prudence, and a proper degree of diffidence, may enable him to outshine his competitors who are more fortunate in point of birth and circumstances.

30th August.

MR. MACCULLOH,

As your maxim is "open to all and influenced by none," I beg permission to have a word with Mr. Quilldriver, who seems in a terrible quandary how to support the very elevated rank of a

student at law. I conceive this self-conceited gentleman, though perhaps fortune has been favourable to him, to be both devoid of candour, and good sense; for if every lawyer was to require a premium of a hundred guineas* with a clerk, many worthy young men of talents would thereby be excluded from the bar, who might otherwise be an ornament to his profession. "At home," as you Mr. Quilldriver affect to talk, I believe, the humble unassuming youth is distinguished from the "stable-boys," as you style your brethren, by his abilities, not by his proud bustling through the streets, or overbearing and envious disposition, but by his sober and gentlemanly conduct, and undeviating politeness; and would you, Mr. Quilldriver, wish to be respected, and become eminent in society, abandon at once the mistaken idea of attaining those truly laudable views in the manner prescribed in your letter. Be reminded of the following observation of Tully: *Difficile est plurimum virtutem revereri qui semper secunda fortuna sit usus*: and remember that Pope says,

"All fame is foreign but of true desert,
Plays round the head, but comes not near the heart:
One self-approving hour whole years outweighs
Of stupid starers and of loud huzzas;
And more true joy Marcellus exiled feels
Than Cæsar with a senate at his heels."

By giving this a place in some corner you will convince of your liberality, and oblige

A STUDENT AT LAW.

I beg, however, to point out to this student at law, that the chief complaint made by the Dis-

* Although a hundred guineas is the sum required in England; it was not that sum that was recommended to be demanded here, but an *adequate premium*; a recommendation in which I fully coincide, and if requested to name the amount, I would state £25, Halifax, as one which I consider under all circumstances, as the proper one, for admission into an attorney's office in Canada.

gusted Quilldriver, was not of the indiscriminate admission of every one who was merely able to write, although he assigned that as the cause of the treatment the students received from their patrons; but it was that treatment, the employing them in menial offices and as errand-boys, which formed the ground of his complaint. That certainly ought to be remedied, and the gentlemen of the bar ought never to put a mean or degrading office upon any of their clerks, if they wish them to be either attached or useful to themselves, or to become worthy of attaining the toga.

Before I quit this subject I have to notice the following communication, which along with one from another quarter, is pointed at an individual who I am led to believe does require a little wholesome reprehension.

MR. SCRIBBLER,

I was in company some time ago with some young men, one of whom was attentively perusing No. 61 of the Scribbler, and said "pon honour, 'twas damn'd fine;" at length he came to that part which touches the lawyers' students, when, as if he was seized with hysterics, he threw the before admired book to the ground, and swore it was a damn'd shame to patronize such a vile production. I have since been told that he was the very person to whom allusion appeared to have been made, being both a turned-off carpenter and shoe-black, and is now a student at law. (The letter then proceeds to give some particulars of character and history which I decline inserting, and adds;) He copies poetry from old magazines and the devil knows what, and strives to pass them off as his own composition. He denies his father (an honest blacksmith,) out of pride, and when going to dine at his humble

mansion, he looks round to see if any body perceives him, before he enters, and if so, he will pass the door as if he knew it not.

I am, &c.

PAT.

In conclusion, however, I entreat my young correspondents of the profession to endeavour more to improve themselves, than to pick holes in the coats of their fellow-students, lest they subject themselves to the imputation,

“ Thus one fool lolls his tongue out at another,
And shakes his empty noddle at his brother.”

And as the superior term of the Court of King's Bench is now in session, I hope some of my friends will not forget to send me their minutes of such matters as may be interesting to the public, by which they will not only confer an obligation on me, but likewise benefit themselves, and “ deserve well of their country.” L. L. M.

“ If the *Mountain* will not come to Mahomet, why Mahomet must go the *Mountain*.”

TO THE PROTESTANT CARDINAL.

*My Lord,**

You, who possess the well-known toleration and humility of a churchman, will excuse my presumption on the present occasion. Yet do I approach with awe so grave and dangerous a subject as the character of your lordship. I feel my heart tremble when I attack a priest, having already experienced the lenity with which they usually treat those they consider as enemies. I will take courage, however, and proceed to my task; can I, who have so often heard you preach mercy to others, can I doubt that you will exercise it yourself? You must allow me, nevertheless, to take the not unnecessary precaution of

* The critical reader must pardon the inaccuracy of addressing a Cardinal by the title of my Lord: the only way to correct it is by considering the former a disguised title, the latter as a real one.
T. B.

keeping you in ignorance as to the person of your monitor. When I first had the honour to become acquainted with your lordship, I was one of the many dupes of outward appearance. I had no expectation of finding a gay Lothorio in lawn.* A head silvered with age and a heart burning passion, a prelate and a libertine, I then thought incompatible. My lord, you have been the one to undeceive me, for in you I have found these discordant qualities unite. I was early taught to consider pride in a priest as very much misplaced; I was told that charity hid a multitude of sins, not the open ostentatious charity that does a good deed for the praise that attends it, but that which asks no approval but its own. You well knew the force of this maxim, and followed the advice of "assume a virtue if you have it not," but in truth it was like covering the skull of a skeleton with a beautiful mask, which to it adds no grace, but serves only to render the remainder more hideous. I was also taught that the practice of virtue for six days in the week, was better than only preaching it on the seventh. How far these plain and wholesome precepts agree with your lordship's practice I have endeavoured to discover, and the conclusion I have come to is, that you must have chosen some other creed, as your's differed from this so materially: where I expected to find you meek and humble, you were proud and overbearing, where charitable, self-interested, and where continent a libertine. Can you say,

"You never rode to Paul's, the public fair,
To chaffer for preferment with your gold,
Where bishoprics and sinecures are sold?"

Let me recommend to you, my lord, not to add

* The Cardinal makes good the saying; *Cucullum non facit monachum*, the hood does not make the monk; the mitre may grace a head which, though grey, still thinks of "the ripe ruddy dew of a woman's dear lip."

to your faults by denying what I now advance; its truth has been too long known, and too often canvassed to be overturned. Now deepening in the vale of years, take a review of your life; see if it accords with the excellent precepts you have dealt forth so liberally; and which I suppose you expected others to follow, as if you would say, "Practice what I preach, not what I do." These words of the poet will not apply to you.

"His preaching much, but more his practice wrought,
(A living sermon of the truths he taught.)
For this, by rules severe, his life he squared
That all might see the doctrine which they heard."

Your *excellent* gospel, and your reverse conduct, form a very different picture. Ambition, my lord, has also led you, like many others, astray. Your mind is framed more after the model of the prelates of Rome, "who set their sandalled feet on princes," than that which ought to grace a priest of the mild and tolerant creed which you profess; and it is a well-known fact that the true feelings of the man oftener break out at the Council-board, than when they are under good priestly controul in the pulpit. What but ambition led you to oppose the wily Justice Intrigue? What but ambition made you coalesce with him, so ill fitting a friend for a man of God? When you were known to have left the Council-chamber in anger, declaring that again you would never enter it, that again you would never deliberate, or in any way act, with such a man; why was this anger so soon soothed, why were these resolves so soon forgotten? Ambition led you back, led you to leave your more proper station of humble quiet

* The question on the part of the Justice is easily solved. The Justice was ever watchful for his interest, and has discovered that it will conduce to that to have as few enemies as possible in the Council; he has sons intended for the church, which said sons want livings, this is one reason; another quite as strong is, that the Justice yet dreads impeachment.

for the bustling and active pursuit of power. Take the admonition of one who has no interest in advising you, resume your good resolutions, retire from public affairs, and meddle not with the affairs of state: be the good shepherd of your flock, set them a good example as well as preach it, and you will do greater honour to yourself and your cloth, than by your present life. But, alas! I might as well endeavour to wean a miser from his gold, as a priest from ambition. It seems as if a fatality attended your order, and that the moment the sable garb is flung over the shoulders of an ingenuous layman, it communicates its two inseparable attendants, hypocrisy and ambition; and he who before was mild, frank, and open-hearted, is transformed, at the instant, into the vindictive, mysterious, and hypocritical churchman. To this rule there are indeed many *exceptions*, but *exceptio firmat regulum*, and you (I would not wish to flatter you, my lord,) are not one to grace such an exception: on the contrary, you are a strong argument in favour of the general rule, for, a libertine by nature, and a bigot by education, you have endeavoured to appear exemplary and tolerant.*

I am, My Lord,

Your obed't humble servant,

TOM BROWN.

Quebec, 12th Sept.

FRIEND MACCULLOH,

News in abundance. A report is now circulating that a Jackal is to hold his court in this city on the 10th of November next, and that it is to continue sitting till the 20th, for the determina-

* His lordship will pardon this *anonymous* attack, as it is merely using his own weapons against himself. He has often appeared in this "questionable shape," and has always pleased most when anonymous. T. B.

tion of all matters in litigation between the judges and the judgees. To induce all his Majesty's liege subjects to *appeal* to him for justice, he has lately given a delineation of the first characters who intend shining at this court, and knowing your natural inclination for every thing that conveys information, I hasten to transcribe, for your amusement, the characters of the principal personages.

The first in the list is, if I mistake not, one of your old friends. He is generally known by the name and style of the Hon. Tory Loverule of Mount-Royal, and occasionally takes a trip to Government-City, for the purpose of protecting the whole colony from the diabolical attacks of its direst enemies, the contemptible, self-sufficient, intriguing, treacherous, Canadians. Our guardian-angel, conscious of his superior abilities, directed his attention, during the last winter, to the inhabitants of our city, who would most assuredly have been massacred in their houses by an assembly of Jacobins, sitting every day, *à huit clos*, and transacting business of a most extraordinary nature. The vigilance and activity of our hero soon discovered their detestable projects of seizing our *Grand Chef* and butchering their fellow-citizens. Oh! friend Mac! had you heard this speaker, giving full vent to his enthusiastic ardour: the very pillars of the house, if not of the constitution, literally shook! His charming voice, (far different from that of a bull,) his penetrating eye, (piercing the opposite wall,) commanded universal attention; and, to crown the whole, success finally attended his patriotic exertions. As an adequate reward, the *Grand Chef*, whose life was preserved, has given him the rank of president of this court.

The next in command is an enormous *Colt*:

greatly admired by some for his innocence and sobriety. His keeper, determined to obtain a prize at the next agricultural show, has been feeding him for some time past, with the very best of viands and brandy, and is in high expectation, though contrary to the opinion of the best physicians, of rearing a few of his breed. The president too seems to entertain some hopes of meeting with much public approbation, in consequence of the good condition the colt is kept in.

But all is sorrow and anxiety when we turn our eyes towards a baboon, who is extremely *hale* both in mind and memory. This baboon was imported by a West-India planter, with a view of gratifying our curiosity with the sight of one of the most extraordinary of the species. He is indeed a strange figure, about eight feet in height, continually shewing his dirty teeth, and stands upon two spindles, measuring nearly six feet. I am told a very extraordinary case is to be submitted to the court, and the lawyers say that, to judge by appearances, the claim is well founded. A baboon, who has lately elected his domicile on Goudie's wharf, intends filing in court a claim of fraternity to the said first mentioned baboon, and will demand from the judges, in virtue of the old law of the country, an *Exposé de vue et de montée*. The poor fellow is so afraid of the intended fraternity, that he has already procured the opinion of several commissioners, who have hitherto given him little hopes of escaping the brotherhood; not that he fears being placed near his intended brother, for the place is already occupied by a *Smith*, who is continually forging both law and common sense. It is useless to enter into a minute description of this member, suffice it to remark that his face is of the colour of a blacksmith's apron, his legs go

dingle dangle, like the fins of a dying turtle, and his neck is so singularly placed on his shoulders, as if he had been under the hands of Jack Ketch. The other ape who is to accompany our Jackal, is of so mean and insignificant a character that he is not worth noticing.

Should you think, sir, your readers will relish the above information, I trust you will insert it in your useful paper ; and I promise to send you in due time an account of the business transacted at this court.

OBSERVATOR.

MOUNT-ROYAL RACES.

Head-Quarters, Sept. 24, 1822.

L. L. MACCULLOH, Esq.

The races held some days ago differed from those of preceding years only in the trifling circumstance of being better attended than conducted.

Notwithstanding the very unfavourable state of the weather, the main street of St. Laurent suburbs was crowded with barouches, landaulettes, marche-doncs, and common carts, bearing the precious freight of female beauty, heightened by the adornments of fashion, following each other in quick rotation, to the scene of action ; whilst counter-jumpers and apprentices, who had begged, borrowed or stolen the means which mounted them on livery-stable tits, performed sundry gambado feats of horsemanship, as they dashed helter skelter along, to the no small danger of less aspiring pedestrians.

On arriving at the race-course, a most delightful scene of bustle and noisy animation presented itself ; applemen fighting, dogs barking, stewards shouting, jockies swearing, with the cry now and then of " all hot, here ! " &c. forming altogether such a combination of sweet sounds,

as could not fail of pleasing the most fastidious amateur of musical blackguardism; but, if the ear was regaled, the eye enjoyed a tenfold greater treat. Nobility and mobility familiarly intermingled, sauntering among the booths and tents which adorned the course with their flags and streamers that might have served Sir Walter Scott as well as the Scottish camp for his description in *Marmion*.

———"In the air

A thousand streamers flaunted fair;
 Various in shape, device, and hue,
 Green, sanguine, purple, red, and blue,
 Broad, narrow, swallow-tail'd, and square,
 Scroll, pennon, pencil, bannerol, there,
 O'er the pavilion flew."

Four-wheeled and two-wheeled carriages occasionally running foul of each other; the ladies in the stands, particularly in a certain one near the winning-post, demonstrating the pleasure they derived from witnessing such "bits of fun," (as one of them elegantly expressed it) by the most obstreperous laughter; all combined to form the most delectable moving panorama.

Count Oldjoseph, it was observed by many, seemed to be quite a new man, so much was he puffed up by the momentary consequence he enjoyed as a steward, for being

"dress'd in a little brief authority,"

He play'd such fantastic tricks upon the course,
 As made the blackguards laugh.

I have, during my long attendance on racing and race-courses, paid particular attention to the method the stewards take to keep the course clear, but I never saw one to be compared to Count Oldjoseph's. He generally singled out an individual, to whom he addressed the following pithy and polite admonition. "I say, you fellow there, do you not know the consequence of standing

in the way, you damn'd rascal, you," and immediately seconded it, not with a feint as if going to run him down, but a downright charge, whip in hand, butt-end foremost, which he laid on, with all his might and main, if the offender did not make an expeditious retreat; indeed the count, with his loaded whip in one hand, and an apple in that which held the reins of his bridle, together with his ducking every now and then to get a bite, attracted general admiration.

Where such a concourse of all classes was assembled, it may reasonably be supposed that some ludicrous adventures would take place. A pursy gentleman, rather heated with the tisan he had taken at Johnny Groat's house, (the name of a particular booth,) managed somehow to get up into a stand, and there fell asleep. A dashing beau of the first water, thinking to quiz him in high style, loosened, unperceived, the braces from the buttons of his small clothes, and then, with a hearty shake of the shoulder, awakened him; the poor man stood up, and immediately began to make apologies for the intrusion, accompanied by a profusion of bows, in the course of which, "Oh! horrible to relate," his breeches fell to his heels, and he stood a very *lusus naturæ* exposed to the gaze of all. In another quarter, a young blood, one of Fuller's protégés, wishing to attract attention, shoved a man who was standing near a ditch, into it, and then bade him come out and he would fight him and be damned to him; an invitation which was accepted, to the cost of the puppy who gave it, for he received in spite of his science, what I trust he will not forget in haste.*

* I take this opportunity again to stigmatise that custom which disgraces the English name and nation, treating boxing as a science, and encouraging the practicers, champions, and teachers of it. A man of this name of Fuller now professes and advertises to teach the blackguard art in Montreal; he is

Among the nobility present were Tom Tar, Sir Plausible M'Killaway, the Hon. Tory Love-rule and lady, the Hon. Miss Jarrett, etc. The Misses Armytinkers, in all the "pomp of state," sate in statu quo in the old marche-donc of their worthy father, and looked, for all the world, "like turnips in a flower-garden;" a beautiful simile, by the bye, and taken from a North-West gentleman, whose elegance of expression is proverbial.

To say that much money was either lost or won would be telling an untruth, as all the money shewn on the occasion was very genteelly pocketed by old General Barndoor, whose Cock crows to some tune. The knowing ones were cursedly out of their reckoning, and Jockey Flat, who thinks himself *sharp* at times, was observed to leave the course as melancholy as a horse in a pound, or a pig in the jaundice. So much for the races.

Your's truly,

JEREMY TICKLER.

Complaints having been made to me from several places where I have only one or two subscribers, that all their neighbours are mad to read the Scribbler, yet won't go to the expense of taking it, and therefore pester those who do, to lend it out, whereby their copies get soiled and lost, this is therefore to will and command my said subscribers henceforward to refuse to lend their Scribblers, or suffer them to be read out of their own houses, for which this shall be their sufficient warrant; and their importunate neighbours are desired to consider this my order, as an adequate excuse for not lending them the Scribbler; and the names of those who continue to be troublesome in that way are to be transmitted to me that I may deal with them as to me may seem fit and to justice may appertain.

LEWIS LUKE MACCULLOH.

not to be blamed, for it is probably the only way in which he could gain more than a livelihood, but those who patronise and frequent such exhibitions ought to be hooted at, as wholly degrading themselves and setting a most pernicious example. I was surprised too, after the public admonition on the subject I have formerly given, to see the Courant copy from an English paper an account of a battle with all its degrading particulars and vulgar slang language. I shall look a little more narrowly into these things, and be more severe if they are not amended.

L. L. M.

TO CORRESPONDENTS. JUNIUS received; AN OLD WOMAN. (whom I must dress up according to my own taste) will appear; MAC NAP being political, referred to the Editor of the Free Press. TRISTRAM, and SAUL SAGACITY in next number. The explanation of APE OF MINE OWN DAYS will enable me to work up some of his materials, but he is still so obscure, and oracularly sententious, that I must compare him to Tacitus, whose laconism occasioned the remark that he was rather a writer of hints and inuendoes, than an historian.— SOLOMON SNEER and AMANDA, as soon as space will permit; so also SOUR-CROUT AND SCHWEINE-FLEISCH, who, although he will be understood by very few of my readers, will be admitted for his singularity. NICK has been before acknowledged, and shall find a nook, so I beg he will not put himself in a passion, but let me have some more of his “devilish good things”; “damn the one of which,” he says, I shall otherwise get. I never received NEDDY LANGUISH. HECTOR I must curtail to hitch him in somewhere; the same with respect to UN DOCTEUR. I feel gratified by the letter from VERITE; I shall certainly make use of it, and solicit his further correspondence. DONALD McDABBLE’s humorous law report, will afford much amusement, but it’s length is an objection, considering the heavy load of communications under which my tottering table groans; it shall, however be squeezed in. WILL O’ THE WISP is not so happy this time as usual either in his subject or execution. MARGERIE MCKASLOUM under consideration. THE PRIEST OF THE PARISH should have sent a key. BOX-EM, IM QUIET-EM, and others referred to Mr. Gossip. ADELAIDE, TOM TOUCHY, and SIMON, rejected. I have not yet been able to revise C. from Notre-Dame Street: I take this opportunity to assure him that the report of my keeping all my communications *for sinister purposes* is wholly calumnious: not a tittle of any thing ever goes to the printer without being copied out by myself, nor is any communication ever seen by any but myself and one confidential friend.

L. L. M.

Owing to the present state of the communication between Burlington and Montreal, it will in general be Friday morning before the Scribbler can be delivered.