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THE SCRIBBLER.

MONTREAL. THURSDAY, 13th SEPTEMBER, 1821. No. XII.

..... *Venient annis*
Secula, seris, quibus Oceanus
Vincula rerum laxet et ingens
Pateat tellus, Tiphysque novos
Detegat orbes.———SENECA.

..... As roll the ages on,
His secrets Ocean shall unchain, and shew
New and stupendous worlds, new scenes and seats
Of arts and arms.

Parcere subjectis et debellare superbos.—VIRGIL.

To raise th'oppress'd, and bend the proud man's neck.

GIBBON, at the end of the 38th chapter of his History of the Decline and Fall of the Roman Empire, when speaking of the irruption of the Northern nations by which civilized Europe was overthrown, and taking occasion, with a fanciful species of anticipation, to consider what would be the effect of such a deluge of barbarians bursting forth in modern times, has this passage :

“ If a savage conqueror should issue from the deserts of Tartary, he must repeatedly vanquish the robust peasants of Russia, the numerous armies of Germany, the gallant nobles of France, and the intrepid freemen of Britain; who, perhaps, might confederate for their common defence. Should the victorious barbarians carry slavery and desolation as far as the Atlantic Ocean; ten thousand vessels would transport beyond their pursuit the remains of civilized society, and Europe would revive and flourish in the American world, which is already filled with her colonies and her institutions.”

In the present situation of the globe, such a catastrophe is not to be expected; nor was it then; but the renovation, or rather the duplication, of Europe in the American continent is every day making its silent progress, and from Hudson's Bay to Patagonia, all the nations of Europe, with their manners, religions, governments, and peculiarities, find their respective representatives. It has been, with many learned men, a favourite theory, that civilization proceeds slowly, but incessantly, from east to west. However much I may be disposed to dispute this hypothesis, (and I think the empires of Hindostan and China anciently, and the Russian and British Asiatic dominions in modern times, are instances in point to the contrary,) I will assume it on the present occasion as well founded. If this be so, it behoves all the component parts of the transatlantic world to see that, instead of degenerating, they improve upon, or, at least, keep pace with, their prototypes and ancestors. In Canada, particularly, where "the gallant nobles of France and the intrepid freemen of Britain," are renescent and reunited, arms and arts ought to flourish, and to acquire "*vires eundo*," to strengthen as they grow. In colonies, a reversed order frequently takes place, from that which is the natural one, and commerce is too often the first object, and takes precedence before agriculture. Here it is so; but here they ought, at least, to advance "*passibus æquis*," with equal steps. Amongst public plans and institutions, a chamber of commerce has been often talked of. Useful to a certain extent as such an institution would be, a public board of agriculture would be more so.—Agricultural societies do something, but nothing comparatively to what a public board would do, if it be kept free from the contamination of job-

bing and of patronage. Such a board ought to join the scientific and patriotic researches which characterise the board of agriculture at home to the functions of the land board in Upper Canada, and should have a species of jurisdiction, not only over the agricultural concerns of the country, but likewise over the distribution and allotment of all the ungranted lands in the province.

Chambers of commerce, boards of agriculture, and royal institutions, are but so many ramifications of popular government devised to ameliorate the condition, discipline the practices, and keep within bounds the various propensities, of mankind. The Athenians had their *Prytaneum* to collect the wisdom of the wisest for the benefit of the republic. They had their *Sitownai*, to furnish corn for the use of the city, and their *Sitophulakès*, to prevent imposition in over-rating the sale of it. The Romans had their *Senaculum*; their *Fora Venalia*, where the markets were kept and regulated; the *Prætores ceriales* were magistrates appointed to inspect the wants of the people, and to see that the city of Rome was amply supplied with corn, and the office of *Præfectus frumenti* was to inspect the corn markets, and to report the true state of them to the *Præfectus urbis* or chief magistrate, who, as guardian of the city, was to see that no imposition, no fraudulent reports, might set the agents of avarice at work to distress the people. Charlemagne, from his regard to justice, established the *Missi dominici*, through every province of his dominions, with instructions to hear complaints from the lowest, and full power to punish the loftiest, subject who should be convicted of oppression, or any other enormous crime against his people; and, from a respect to industry, the cause of the labourer was always, in those ambulatory courts, first heard

and determined. The *Grands jours* constituted an early establishment in France, and had for their object an enquiry into the abuses which might escape the notice of parliament. In England the ancient *Troylebaston* was an inquisition upon all men bearing offices who had abused their power to the injury of the people; and when princes were more at liberty, and less encumbered with the multiplication of office, and with crowds of place-hunters, the kings of England used to visit the distant parts of their dominions. * Justice unconfounded by points of law, and unperplexed with legal subtleties, was thus administered faithfully; magistrates were punished for neglect, partiality, or oppression; the wealthy found no paramount protection; and the poor were assisted and relieved. So jealous is the English constitution to guard against the oppression of magistrates, that by 4. Henry VII. cap. 12, the king

“chargeth and commandeth all manner of men, as well the poor as the rich, (which be to him all one in due ministration of justice,) that is hurt or grieved in any thing that any justice of peace may hear, determine, or execute in any wise, that he so grieved make his complaint to the justice of peace that next dwelleth unto him, or to any of his fellows, and desire a remedy; if it be nigh such time as his justices of assize come into such shire, that then he so grieved shew his complaint to the same justices; and if then he have no remedy, or if the complaint be made long after the coming of the justices of assize, then he so grieved come to the king's highness, or to his chancellor for the time being, and shew his grief, and his said highness then shall send for the said justices to know the cause why his said subjects be not eased, and his laws executed; whereupon, if he find any of them in default, he shall do him so offending to be put out of the commission, and further to be punished according to his demerits. And over that his said highness shall not let for any favour, affection, cost, charge, nor

* The approaching visit of his present Majesty to Ireland and Scotland, is of most auspicious aspect, and bespeaks the adoption of a system that will set inequalities more upon a par.

other cause, but that he shall see his laws to have plain and true execution, and his subjects to live in surety of their lands, bodies, and goods, according to the said laws."

The preamble or first clause of this excellent act orders, that

"every justice of the peace within the shire wherein he is justice of peace, do cause openly and solemnly to be proclaimed yearly, four times a year, in four principal sessions, the tenor of the proclamation to this bill annexed" (being in the words as above,) "and that every justice of peace, being present at any of the said sessions, if they cause not the said proclamation to be made in form above-said, shall forfeit unto our sovereign Lord, at every time xxs."

This act remains on the statute-book, unrepealed, unaltered, unmodified, and is as applicable to Canada as to England. Query? Is it observed, or is it observable?

This, however, is tender ground, and more the province of the political reformist than the weekly essayist; and I will revert to the more congenial subject of the establishment of a theatre in Montreal.

A subscription it is stated, is in circulation for the erection of a new one on a liberal plan, in the Olympic style, capable of being occasionally converted into a Circus. Whilst the cultivation of talent, the lofty dignity of the tragic muse, the electrifying effects of the *vis comica*, and the "combination of sweet sounds" of music, form the attraction within, it is to be hoped that architectural grace, may be consulted without, as well as the convenience of the citizens, and ornament of the town, in the site. It is intended, it is said, should the plan prosper, to procure performers in the French language. That would certainly be a desirable object, but when we reflection the total discouragement which is given by the French clergy here to all theatrical entertainments, it

may well be doubted whether any French performances would receive that patronage which would be necessary. The discouragement which the otherwise liberal minded members of the Catholic religious establishment here lay in the way of such amusements, is the more to be wondered at, since in Catholic Europe dramatic performances are highly patronized, and even frequented, by the clergy. I have often in catholic countries, been to the theatre on Sundays, and sat along with members of the secular clergy in the same box.

Should a theatre be erected here, it is to be hoped that its frequenters will be more attentive to decorum and propriety of behaviour, than I have formerly experienced in this town. Lord Rochester's lines, though written for London in the reign of Charles II. were far from being inapplicable to Montreal in 1818 and 1819.

“ Laughers, buffoons, and an unthinking crowd
Of gaudy fools, impertinent and loud,
Insult in every corner; want of sense
Confirm'd with an outlandish impudence
Among the rude disturbers of the pit
Have introduced ill breeding and false wit.
To boast their lewdness here young scowerers meet,
And all the vile companions of a street
Keep a perpetual bawling at the door,
Who beat the bawd last night? who bilkt the whore?
They snarl, but neither fight nor pay a farthing,
A play-house is become a mere bear-garden,
Where every one with insolence enjoys
His liberty and property of noise.

I lately mentioned Lavoisne's Atlas; I have since had an opportunity of seeing it. It is Le Sage's very much improved, and is really amply deserving of the patronage of the public. It is an epitomized library of chronology, history and geography. A short time ago I animadverted on what at first sight appeared an impropriety, namely the

permission given to import the book into Canada whilst other literary works do not enjoy the same privilege. This has been explained in a manner that, instead of casting blame on the government, reflects honour on the liberality and spirit of the Governor and the Council. The London editions being out of print, notwithstanding the books are of American manufacture, liberty has been given to import them, duty-free, and it forms a favourable augury for the advancement of literature in these provinces, when the government thus look upon works of science not as articles of traffic, not as objects of fiscal regulation, but as belonging only to the great and universal republic of letters.

A brother of the quill (S. H. Wilcocke,) has advertised for employment in various branches, and offers to write for a moderate compensation ;

*Letters, Memorials, Petitions, Representations, &c.
Pamphlets, Sermons, Paragraphs, Verses, Mottos, &c.
In English, French, German, Dutch and Latin.*

From the eccentricity of the advertisement, it was supposed that it was not meant seriously, but only as a vehicle conveying to the public the complaints it contains, but I have reason to believe he will do all he professes. I think I shall give the poor devil the title-page, preface, and index of the Scribbler to prepare, when the first volume is completed, as I intend to present my subscribers with those appendages, gratis.

On reference to the Literary Calendar, the reviews, magazines, and catalogues of the last twenty-five years, I find this gentleman has not been idle, and that he has published

Britannia, a poem, 8vo. 1797.

Essay on National Pride, from the German of J. G.

Zimmermann, 8vo. 1797, with Zimmermann's life,*
Tissot's life of Zimmermann, from the French, 8vo. 1798.
Dutch and English Dictionary, in two parts, 8vo. 1798.
An abridged edition of the same.

Stavorinus' voyages to the East Indies, from the Dutch,
with voluminous notes, and additions, 8vo. 3 vols.
1799. *

History, Regulations, and Catalogue of the Liverpool
Library, 8vo. 1802.

History and description of Buenos Ayres, 8vo. 1812.
Considerations for the Commissioners at Ghent, 8vo.
1814.

He appears likewise to have been a frequent contributor to the *Monthly Mirror*, *Dr. Aikin's Atheneum*, the *Universal Magazine*, the *Eclectic Review*, and the *Literary Panorama*; and latterly I recognize him as the compiler of

Narrative of Occurrences in the Indian Countries of
North America, 8vo. 1817.

Report of N. W. Trials at Quebec, 8vo. 1818.

Report of ditto at York, U. C. 8vo. 1819.

Report of Proceedings at Quebec, 8vo. 1820.

Letter to the Solicitor General on the seizure of Pa-
pers, 1821.

Making an aggregate of about fourteen octavo volumes; so that if industry and versatility of talent can recommend him, *ecce homo*.

L. L. M.

Johnson's dictionary devoured. This article was mislaid, for which the editor begs to apologize; it will receive attention next week.

Jeremy Tickler, will appear in No. 13, having come too late for this.

JUST PUBLISHED,

Recueil de Chansons choisies, chez Bossange et Papineau, price 2s. 6d.

* These works are in the Montreal Library; in the wretched jumble of letters and figures which is facetiously called a Catalogue of that Library, and which to the disgrace of the institution is not yet burnt by the common hangman, Stavorinus is called Stavarina.