

gully had. According to the judgment of the eminent men examined, Mr. Dalrymple was sufficient a domicile resident, in Scotland, tho' minor by the laws of England: for the same law that gives him that power supposes a sufficient discretion in its exercise. By the Scotch law, too, *consensus non concubitus facit matrimonium* and that without the intervention of a priest; it was a civil contract, and consent was the very essence of a contract, & was therefore equally so in this, to which heaven was a witness. This too, was conformable to the ancient canon law derived from the theological principles of the religion of Europe, and till the council of Trent the consent of two parties was deemed a sufficient marriage; afterwards three sorts of marriage only were allowed; regular, which were complete both in civil contracts, and wanted the religious requisites; irregular, which were only civil contracts, and wanted the religious ceremony, & promises of marriage at a future period followed by conjugal rights. The statute of the 26th of George III. however, sweep away all three doctrines in England. The court would itself trace the progress of the Scotch law, and consent, therefore, was the real marriage in Scotland. He then referred to the text authorities, and thence to the decisions of the Scotch courts confirmatory of that doctrine; and, applying that to the circumstances of the present case, was clearly of opinion that the marriage was a valid one, and that the lady had used no unnecessary delay in claiming her remedy. He pronounced, therefore, that her claim to conjugal rights was a just one, and that Mr. Dalrymple was bound to receive and treat her accordingly.

FROM THE UNITED STATES.

Charleston, Dec. 17, 1811.

At three o'clock yesterday morning a severe shock of an Earthquake was felt here.—The bells in the church steeples rung by the agitation to a degree that some supposed there was fire. The houses shook sensibly; & the clocks generally were stopped. The southern papers mention, these shocks having been felt in Raleigh, (N. C.) Richmond, Norfolk, Portsmouth and Alexandria, (Virg.) Georgetown, (Md.) Philadelphia, &c.—They were more sensibly experienced in some places than others.

Extract of a letter from a gentleman at Mobile, dated Nov. 18.

"The court of Spain has given orders to the Gov. of Pensacola, to give up the Floridas as far as the Perdido." This news I received to day from my correspondent at Pensacola, dated the 14th inst. I have also seen several other letters mentioning the same."

Extract from the debates in Congress, December 30.

Mr. Seybert, (Penn.) candidly confessed that it was his object to bring the house to a direct vote on the question of war. If war were not seriously meant, he would not vote a cent to raise troops of any description. Can gentlemen think of invading Canada with any other than regular troops? Against what kind of force should we have in that province? Against, probably, the disciplined armies of Spain & Portugal. Could

volunteers or militia oppose such armies? The Canadians too would resist an invasion of their terra firma. He had seen a statement that Canada could command 60,000 able bodied and well disciplined militia. He gave no credit to the statement; but spoke from a personal knowledge of the situation of that province, when he asserted that it would require a strong & numerous regular force to subdue it.—Let gentlemen look to it, & not think of carrying on this war like children.

The speaker asked whether volunteers or militia would answer to lay siege to Quebec, or to carry the war to Halifax itself, or even to hold possession of these provinces when once subjugated?

Secrets worth knowing.—It appears from the report of Mr. Stanford's speech in the House of Representatives on Monday the 9th Jan. that some secrets have been divulged not very palatable to our good democrats. Mr. Stanford is a staunch republican, and an honest man, and has been on that floor almost as long as any man there. The following is a sketch of his speech, as reported for the Alexandria Gazette.—*Exc. Post.*

Mr. Stanford insisted that the U. States had as good if not better cause of war with France in '98-'9, than we had now with England. As to the opinion that the fears entertained at that time of a French invasion were merely visionary, he observed, there was good authority for believing that the Executive Directory did meditate such a project. The former French decrees were as flagrant violations of neutral rights as the present British orders in council; and the depredations under those decrees even exceeded the captures under the latter.

Mr. Blackledge made some remarks relative to what had fallen from Mr. Stanford on the subject of the projected invasion of this country by the French Directory.

Mr. Stanford said he had nothing to retract. He could prove that such a project was in contemplation, and that a person had been asked by a member of the French Directory, *Whether the Democrats in this country would join them*, who, possessing a republican heart, immediately answered *no, no, no, nobody will join you*. Mr. S. repeated that he could prove this fact, but he did not feel himself at liberty to mention his authority. It was one, however, entitled to full credence. He appealed to

Mr. Randolph, who confirmed Mr. Stanford's statement; and added, if Mr. S's speech should go before the public unmutated, it was possible the evidence alluded to would be produced.

Mr. Blackledge could see no impropriety in the gentleman's stating his authority for a fact so important. He had often heard it mentioned before, but never had believed it. He still entertained doubts, which could only be removed by the proof alluded to.

Mr. Stanford said he was deterred alone from giving his authority, by his respect for private confidence.

Washington, January 14.

The President of the U. States did, on the 11th inst. approve and sign the act passed by Congress for raising an additional military force.

A DOUBLE MURDER.

Extract of a letter from an officer in the Navy, dated Norfolk, December 26.

"A most horrid circumstance took place here last evening. Young Mercer, whom you have often heard me mention, had received an insult from the mate of some merchantman—a challenge ensued, and last evening about sundown they met within a mile of the town—their distance of fighting was only sufficient for them not to touch the body with each other's pistols—the word was given—both fired, and both fell DEAD!—The whole town is in an uproar on the occasion. The seconds have taken safety by flight, leaving their dead comrades without a soul near them. Their bodies were brought to town last evening, and will this day be interred."

KINGSTON:

TUESDAY, JANUARY 28, 1812.

No foreign intelligence, later than we have already given to the public, has been received.—The piece signed A Canadian, which will be found in the preceding columns of this day's Gazette, we recommend to the attentive perusal of every reader.

Fire!—The Malt-kiln belonging to Mr. James Robinson, was consumed by fire on Friday morning last; which for a while threatened the whole Brewery with destruction, but by the timely interference of the inhabitants, we are happy to state that that valuable building sustained but trifling injury.

A Richmond paper states, "that the unclaimed remains of upwards of fifty of the unfortunate persons who perished in the fire, were deposited in two large boxes and buried in the Pit of the Theatre.

"The Citizens have purchased the lot of ground on which the Theatre stood, for the purpose of erecting a CHURCH in its place; and more than two thousand dollars have already been subscribed for that pious purpose. The writer adds, that among the number who so awfully perished, there were not six of the poorer class of people."

The resolution before Congress authorising merchant vessels to arm, has passed the House of Representatives by a large majority.

COMMUNICATION.

PERMIT me, Mr. Editor, through the medium of your weekly publication, to lay before the public a few remarks suggested by the late disastrous event on Friday morning.

Fires being very frequent on the Continent of America, and from the nature of the materials of which the buildings are composed, extremely destructive, it behoves individuals of all classes to unite in their endeavors, to arrest the progress of this all subduing element. I would therefore propose that a sum of money be raised by subscription, to effect the following most desirable ends: To procure from Europe a Fire Engine, on a large scale, with its latest improvements—Two Fire Hooks, with light handles, capable of being moved by human power—Three Ladders, of different lengths, and a sufficient number of Leather Buckets, Pipes, &c.

These articles should be placed in or adjoining to some public building, as the Market House, or the Church; and two or more keys left at such houses near, from whence they might be soon obtained when wanted.—I make no estimate whatever of the expence, but should hope it might be compensated by the united means of the community.—To prevent this property from ever becoming the source of litigation or of profit to opulent individuals, I would suggest that when completed, a statement of the expences, and a list of the subscribers be deposited among the records of the established Church, or in the hands of the resident minister, with a declaration added thereto, specifying that it

is intended for the whole and sole use of the Public.—As it is requisite that this apparatus should be kept in complete order, let some responsible inhabitant of Kingston be annually chosen to inspect it, once a month at least, and that he should look upon this as a post of honor.

But, Mr. Editor, as there are few persons philanthropists enough to give their services to the public gratis, I propose that a small sum shall be set apart for the necessary repairs, and as a remuneration for his services, but let it not be such a sum as to enable him to perform the duty by deputy.

Such are the floating ideas in my mind which I have thought proper to submit, and leave them to abler heads to embody and carry into effect.—Left it should be furnished that I have some particular end in what I here recommend, let it suffice to say, that I am but an obscure individual; but who will nevertheless most cheerfully contribute my mite towards these ends in whatever way proposed.—If, Mr. Editor, in our present state of poverty, we are obliged to contemplate these great objects at a distance, surely we ought to make the best use of the means already in our power, & as a step to improvement, let me request that the wheels of the present Engine be removed, and the body placed on a sleigh; that thereby its motions may be facilitated, and rendered more uniform than was displayed on the late occasion.

I am, Sir, yours,

AN EXILE.

FOR THE KINGSTON GAZETTE.

TO THE EPIGRAMATIST.

The lines that Sandy wrote, review,
And know, sweet lass, 'twas F****'s praise;
Soft beauties form and virtue true,
Were subjects of his artless lays.

When such perfection was his theme,
Is't strange he heard not wisdom's voice?
Not vain might you his verses deem
Had thy paneg'ric been his choice.

But banish spleen, my witty fair,
Nor let envy sour thy mind;
Thy charms may prove some Damon's care,
In whom more Intellect you'll find.

SANDY.



DIED,

At Montreal, after a long and very afflictive illness, Col. William Johnson, in his 79th year, on the 21st inst. JOHN JOHNSON, Bart. Inspecting Field Officer of the Militia of Lower Canada.

"Punctuality is the life of Business."

THE most pressing necessity compels the subscribers to address in direct terms every person indebted to them, whose Notes or Accounts have become due. They most earnestly request all those to make immediate payment without further notice.

C. WILLISTON & Co.

Kingston, January 28, 1812.

New Tavern.

THE subscriber respectfully informs his friends and the public, that he has opened a House of

Public Entertainment

directly opposite Sir John's Park, at the Sign of the *Violin, Bottle & Glass*; where those who may please to favor him with their custom, may be assured that every attention will be paid in the house both to Board and Lodging, and the best of Stabling for the accommodation of Horses.

JOHN PONCET.

Kingston, January, 1812.

Notice.

THE subscriber informs the Public that he has provided himself with a good Sleigh and Horses, for the purpose of conveying passengers between Kingston and York, which he will engage to perform on as reasonable terms as any other person.

SIMEON MOREY.

January, 1812.

FOR SALE

By the Subscriber, excellent
Coniac Brandy.

H. C. THOMSON.

Nov. 23d, 1811.

Wanted Immediately,

As an Apprentice to the Printing Business, a boy from 15 to 16 years of age.—One of good recommendations will meet with good encouragement by applying at this Office. Jan. 7.