Scarce treating the Laws of this Country, with due Decency, to suppose it cand be legal, or to contend for the Sanction of a Court of Justice in support of it. What is it they rely upon?

They say, it is, it must be admitted, that these Marriages, are valid in Scotland, therefore, they must be allowed, in England, & all over the World: by the known Rule, that a Contract binding where it is made, is binding all over the World..

And it must be allowed, that this is a Rule, of the Law, of Nations; but it is a Rules, liable to as many Exceptions, as any Rule, that can be named..

The World, & Europe in particular, having in these later Ages, been divided, into so many distinct, & independent Governments, under very different Systems of Laws; & the Communication, & Commerce, between these different Societies, having been so much extended & facilitated, a mutual Regard of this Kind, from one Country, to another, became absolutely necessary. For every Man being personally Subject to the Governing Power, of every Country, where he sets his Foot, the Acts he does in that Country, must be done, according to the Rules, laid down by the Laws of that Country; And, to say that an Englishman in a foreign Country, cant enter into a valid Contract, (whether Marriage, or any other,) without observing the Solemnities of the Law of England, would be laying him under a Prohibition, to do the Act at all. The Country he resides in, would not permit it, as a Violation of its Sovereignty; would not allow it the effect of a Contract there, as not entered into agreable to its own Laws; & besides, if an Englishman were allowed, to enter into a Contract, in that manner abroad, it would, in many Instances, be impossible, for want of the Officers, & other Requisites, required by the Law of England..

Again, if a Foreigner removes into England, with his Wife & Family, it would be, the most unreasonable thing, in the World, to say, that tho, he was lawfully married, according to the Laws of the Country, where he was, at the time he married & that his Children were lawfully begotten, according to the same Laws, yet, because the Marriage was not entered into, according to the Solemnities required, by the Law of England, his Wife should not enjoy the Privileges of a lawfull Wife; nor his Children be considered as legitimate, nor

Entitled to the Privileges of the legitimate Children of such a Person in England....

It has therefore, been established as a Rule, among different Nations, from a Principle of mutual Convenience, as well as Curtesy, to each other, reciprocally, to allow each others Contracts, to be good: But this is only to be understood, in such Cases, in which such allowance will not be prejudicial, to the Interests of the Country, in which it is demanded, of which the Governing Power in that Country, is the Sole Judge.....

The Instances of this, in Practice, in every Country, & the Restrictions laid upon it, are infinite: By the Law of England there is no particular form prescribed, for a Will of personal Estate. There is no doubt, therefore, that a Will, executed according to the Forms, of any Country, upon Earth, would convey the Testators Personal Estate, in England. But by the Law of England, a Devise of Land, is not good, excepting the Testator be 21, & gives it, by a Will in writing, executed in the Presence of 3 Witnesses. In Irizeland, a Person may make a Will, at the Age of 18; in other Parts of the United Provinces, at 20. without distinction of Real & Personal Estate. Suppose an Englishman of 18, resident in Irizeland, to make a Will, disposing of his Lands in England; could that Will be supported: a Person would not be heard, in any Court of Justice, who should claim under such a Will: and Why? because the Legislature of England, has declard in general Terms, that a Will made of Lands, by any Person within the Age of 21, should not be taken to be good or effectual in Law.

Q. by the Laws of Ireland?
A. Null.....

By the Law of England, a Marriage, between a Protestant, & a Roman Catholic, is allowed to be good: In France such a Marriage is void by an Edict of Lewis XIV. published in 1680, wch declares, "We Will, that our Subjects of the Catholic, Apostolical, " & Roman, Religion, may not, upon any Pretence whatsoever, " contract Marriage, with those of the pretended Reformed " Religion; Declaring such Marriages to be void, & the Children " illegitimate, & incapable of succeeding to the Moveable, or " Immoveable Goods of their Fathers & Mothers - # # # " an English Protestant, & Catholic may be married in France, & the Marriage, would be good in England.

Mricourt. p. 449

A French Catholic & Protestant, married in England, accord: to the Laws of England, would, likewise, be, undoubtedly, a good Marriage in England.

But, can it be conceived, they would be suffered to return to France, & claim their Goods there!! upon what Pretence; if they should say, We were Man & Wife in England they might be answered, that is very true; but you are French Subjects; you knew the Law of France did not