

RECENT MUNICIPAL CASES.

DIARY FOR APRIL.

1. Fri. Local School Supt. term of office begins.
3. SUN. 5th Sunday in Lent.
4. Mon. County Court (York) Term begins.
7. Thur. Local Treasurers to return arrears of taxes due to County Treasurer.
9. Sat. County Court Term ends.
10. SUN. Palm Sunday.
15. Fri. Good Friday.
17. SUN. Easter Sunday.
18. Mon. Easter Monday.
22. Sat. St. George.
24. SUN. 1st Sunday after Easter.
25. Mon. St. Mark.
30. Sat. Articles, &c., to be left with Secretary Law Society, Last Day for L. C. to ret. occupied lands to Co, Tr. Grammar and Common School Fund to be apportioned. Co. Treas to make up books and enter arrears.

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The usual crop of applications to unseat municipal councillors of various kinds and degrees is now nearly gathered in. There have not been many, but those of any general interest which we propose to notice are the following:—

*Reg. ex rel. Ford v. McRae*, which appears in another column, speaks for itself. The others are not as yet reported.

*Reg. ex rel. Gibb v. White* was a novel application, to test the right of an Indian, as such, to hold office as a Municipal Councillor. Mr. White, whose election was sought to be set aside, is the son of a Chief of the Wyandott or Huron Indians of Anderdon. For many years past he has been engaged in trade, and is the owner in fee simple of patented lands (apart from the Indian Reserve, to a share of which he is also entitled) on which he lives, the value being beyond the necessary qualification. It was contested that as he was not an "enfranchised" Indian under the provisions of the statutes in that behalf he had not become entitled to all the rights and privileges of other British subjects. It was however held that the provisions as to enfranchisement related only to the property acquired from that set apart for the tribe, and that there is no law in existence in this country which prevents an Indian, who is otherwise qualified, from holding any municipal office. We cannot regret that such is the law, and we should have been

much surprised to have found it otherwise. It would certainly be a reproach to us if a descendant of the former owners of the soil—our allies and friends in many a hard fight for this very country—one who, in the opinion of his white neighbors, is of sufficient intelligence and position so to command their respect as to be elected in preference to a white man—should be debarred from holding the position to which he has been chosen.

Amongst the papers filed on shewing cause was a copy of the treaty between Sir Wm, Johnson and the Huron Indians of Detroit, dated 18th July, 1764, the original of which is in the possession of Mr. White's brother, and was produced on the argument. It may be interesting to many of our readers to know its contents:—

"Articles of Peace, Friendship and Alliance, concluded by Sir William Johnson, Baronet, his Majesty's sole Agent and Superintendent of Indian Affairs for the Northern District of North America, and Colonel of the Six United Nations, &c., on behalf of his Britannic Majesty, with the Huron Indians of the Detroit.

ARTICLE 1ST.

Sir William Johnson, Bart., doth agree with the Hurons that a firm and absolute peace shall take place from the date of these presents between the English and them, and that they be admitted into the chain of Friendship and Alliance with his Britannic Majesty; to which end the Hurons are immediately to stop any attempts towards hostilities which might be meditated by any of their people, and they engage never to attempt disturbing the public tranquility hereafter, or to conceal such attempts of any others, but will use their utmost endeavours to preserve inviolable the peace they hereby enter into, and so hand it down to posterity.

ARTICLE 2ND.

That any English who may be prisoners or deserters, and any Negroes, Panis, or other slaves amongst the Hurons, who are British property, shall be delivered up within one month to the Cammandant of the Detroit, and that the Hurons use all possible endeavours to get those who are in the hands of the neighboring nations; engaging never to entertain any deserters, fugitives, or slaves, but should any such fly to them for protection, they are to deliver them up to the next commanding officer.

ARTICLE 3RD.

That they will not from henceforth maintain any friendship with any of his Majesty's enemies.