

THE CHIEF JUSTICE OF ONTARIO—MARRIAGE.

DIARY FOR MARCH.

1. SUN.. *1st Sunday in Lent.* St. David.
2. Mon.. Last day for notice of trial County Court. Recorder's Court sits. Last day for setting down for re-hearing.
4. Wed.. Last day for notice re-hearing.
3. SUN.. *2nd Sunday in Lent.*
10. Tues.. Quarter Sessions and County Court Sittings in each County.
12. Thurs. Error and Appeal Sittings. Re-hearing Term commences.
15. SUN.. *3rd Sunday in Lent.*
18. Tues.. *St. Patrick's Day.*
22. SUN.. *4th Sunday in Lent.*
25. Wed.. *Lady Day.* Appeals from Chancery Chambers.
29. SUN.. *5th Sunday in Lent.*

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THE CHIEF JUSTICE OF ONTARIO.

We are glad to learn that Chief Justice Draper has at length been induced to take a short repose from the severe and unremitting labours incident to his high position.

For nearly twenty-one years, his pre-eminent abilities have been devoted to the service of his country, in a judicial capacity. His position has been no sinecure; and if any man ever earned a holiday, that man is he whom we of the professional are proud to call our Chief.

His request for six months' leave of absence, made at the urgent solicitation of his many friends, was acceded to with the alacrity of a government that had the good sense to appreciate the services of such an able and faithful servant; and though his absence even for a short time will be a severe loss, it will be borne patiently in the knowledge that he is enjoying and benefitting by his holiday, and in the confident hope that we shall soon again see him take his place in renewed health and strength.

MARRIAGE.

Whilst discussing the validity of Marriages solemnized between Christians it may not be uninteresting to notice a decision that has been given in the Superior Court at Montreal, in the Province of Quebec, as to the validity of a marriage celebrated after the manner of one of the Indian nations of this continent.

The marriage, the validity of which was disputed in the case of *Connolly v. Woolrich and Johnson et al.*, was one of an unusual character, at least in this age of the world's history, having been contracted by a Christian with a Pagan, a daughter of one of the chiefs of the Cree nation.

The case is reported at great length in the *Lower Canada Jurist*, vol. xi., p. 197, from which we take a summary of the case. From this it will be seen that a number of points, very interesting in themselves, but only incidentally connected with the main question, are touched upon. The facts of this curious case were as follows:

William Connolly was born about 1786, at Lachine, in Lower Canada, which was his original domicile, and remained there till the age of 16, when he went to the North West territory, where he resided at different posts of the North West Company for 30 years. In 1803 at the age of 17 years, he took to live with him, as his squaw or Indian wife, an Indian girl, the daughter of an Indian Chief, with the consent of her father, and cohabited with her as his squaw or Indian wife, according to the usages and customs of the Cree nation to which she belonged. They cohabited in the Indian country, and were faithful to one another there for 28 years, and had a family of six children. They came to Lower Canada in 1831 and cohabited there for a short time as husband and wife. In 1832 Connolly left his squaw, and had a marriage ceremony, after a dispensation by the Bishop, celebrated between himself and his second cousin Julia Woolrich, according to the rites of the Roman Catholic Church in Lower Canada where he continued to be, and she, from that time, till his death, in 1849, cohabited with her as wife.

Mr. Justice Monk, who heard the cause, gave a very elaborate judgment, which, with his full statement of the case is not contained in less than 67 closely printed pages of the *Jurist*. The principal points decided by him incidental to question principally involved, were shortly these:—

That though the Hudson's Bay Company's Charter is of doubtful validity, yet if valid, the chartered limits of the company did not extend westward beyond the navigable waters of the rivers flowing into the Bay:

That the English Common law, prevailing in the Hudson's Bay territories, did not apply to