CHAPTER 38.

An Act to remove certain doubts with respect to the powers of the Parliament of Canada under section eighteen of the British North America Act, 1867. [19th July 1875.]

WHEREAS by section eighteen of the British North America Act, 1867, it is provided as follows: "The privileges, immunities, and powers to be held, enjoyed, and exer- " cised by the Senate and by the House of Commons, and by the members thereof " respectively, shall be such as are from time to time defined by Act of the Parliament " of Canada, but so that the same shall never exceed those at the passing of this Act " held, enjoyed, and exercised by the Commons House of Parliament of the United " Kingdom of Great Britain and Ireland, and by the members thereof:" 30 & 31 Vict. c. 3.

And whereas doubts have arisen with regard to the power of defining by an Act of the Parliament of Canada, in pursuance of the said section, the said privileges, powers, or immunities; and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Substitution of new section for section 18 of 30 & 31 Vict. c. 3.

1. Section eighteen of the British North America Act, 1867, is hereby repealed, without prejudice to anything done under that section, and the following section shall be substituted for the section so repealed.

The privileges, immunities, and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons, and by the members thereof respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that any Act of the Parliament of Canada defining such privileges, immunities, and powers shall not confer any privileges, immunities, or powers exceeding those at the passing of such Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof.

Confirmation of Act of Parliament of Canada. 31 & 32 Vict. c. 24.

2. The Act of the Parliament of Canada passed in the thirty-first year of the reign of Her present Majesty, chapter twenty-four, intituled "An Act to provide for oaths to " witnesses being administered in certain cases for the purposes of either House of Parlia- " ment," shall be deemed to be valid, and to have been valid as from the date at which the royal assent was given thereto by the Governor-General of the Dominion of Canada.

Short title.

3. This Act may be cited as the Parliament of Canada Act, 1875.

CHAPTER 39.

An Act to amend the provisions of the Metalliferous Mines Regulation Act, 1872, with respect to the annual Returns from Mines. [19th July 1875.]

WHEREAS by section ten of the Metalliferous Mines Regulation Act, 1872, the owner and agent of every mine was required to send annually such return as is mentioned in that section, and it is expedient to make further provision with respect to such return: 35 & 36 Vict. c. 77.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Returns by owners and agents of mines.

1. From and after the commencement of this Act, the owner or agent of every mine to which the Metalliferous Mines Regulation Act, 1872, applies shall, on or before the first day of February in every year, send to the inspector of the district on behalf of a Secretary of State a correct return, specifying, with respect to such mine, for the year ending on the

preceding thirty-first day of December, the quantity in statute weight of the mineral dressed, and of the undressed mineral which has been sold, treated, or used, during that year, and the number of persons ordinarily employed in or about such mine, below ground and above ground, distinguishing those who are employed below ground and above ground, and distinguishing the different classes and ages of the persons so employed whose hours of labour are regulated by the Metalliferous Mines Regulation Act, 1872.

The return shall be in such form as may be from time to time prescribed by a Secretary of State, and the inspector of the district on behalf of a Secretary of State shall from time to time, on application, furnish forms for the purpose of such return.

Every owner or agent of a mine who fails to comply with this section, or makes any return which is to his knowledge false in any particular, shall be guilty of an offence against the Metalliferous Mines Regulation Act, 1872.

Provided that—

(1.) In any mine where not more than twelve persons are employed underground, the returns specifying the quantity of mineral produced shall be made by the barmaster or other local officer, if any, employed to collect the dues or royalty; and

(2.) Where there is such a barmaster or other officer the owner or agent of such mine shall not be required to send any return specifying the number of persons employed in or about such mine.

Commencement of Act.

2. This Act shall come into operation on the second day of August one thousand eight hundred and seventy-five, which day is in this Act referred to as the commencement of this Act.

Short title and construction.

3. This Act shall be construed as one with the Metalliferous Mines Regulation Act, 1872, and that Act and this Act may be cited together as the Metalliferous Mines Regulation Acts, 1872 and 1875, and this Act may be cited separately as the Metalliferous Mines Regulation Act, 1875.

Repeal of section 10 of 35 & 36 Vict. c. 77.

4. Section ten of the Metalliferous Mines Regulation Act, 1872, is hereby repealed as from the commencement of this Act.

Provided that such repeal shall not affect anything done or suffered in pursuance of the said section, or any obligation or liability incurred under the said section, or any penalty incurred in respect of any offence committed against the said section, or any legal proceeding or remedy in respect of such liability or penalty; and any such legal proceeding or remedy may be carried on as if this Act had not passed.

CHAPTER 40.

An Act to amend the Law regulating Municipal Elections. [19th July 1875.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Provisions applicable to municipal elections.

1. The following provisions shall be enacted and apply to nominations at all municipal elections of councillors, auditors, and assessors after the passing of this Act:

1. Nine days at least before any such election the town clerk shall prepare, sign, and publish a notice in the form No. 1. set forth in the First Schedule to this Act, or to the like effect, by causing the same to be placed on the door of the Town Hall, and in some conspicuous parts of the borough or ward for which any such election is to be held.
2. At any such election every candidate shall be nominated in writing; the writing shall be subscribed by two enrolled burgesses of such borough or ward as proposer and seconder, and by eight other enrolled burgesses of such borough or ward as