

*Corrupt Practices Prevention Act.*

mitted guilty of bribery, treating, or undue influence (as the case may require); and in any criminal or civil proceedings in relation to any such offence, the Certificate of the Returning Officer in this behalf shall be sufficient evidence of the due holding of the Election, and of any person therein named having been a Candidate thereat.

In actions for penalties, parties, &c., to be competent witnesses. 17. On the trial of any action for recovery of any pecuniary penalty under this Act, the parties to such action, and the husbands and wives to such parties respectively, shall be competent and compellable to give evidence, in the same manner as parties and their husbands and wives are competent and compellable to give evidence in actions and suits under the Acts of the Parliament of Great Britain and Ireland, 14th and 15th Victoria, Chapter 99, and "The Evidence Amendment Act, 1853," so far as the same are in force in this Colony, but subject to and with the exceptions contained in such several Acts. Provided, always, that any such evidence shall not thereafter be used in any indictment or criminal proceeding under this Act against the party giving it.

Candidate declared guilty of bribery, &c., incapable of being elected during existing Council. 18. If any Candidate, at an Election for any Electoral District, shall be declared by any competent authority guilty by himself or his agents of bribery, treating, or undue influence at such Election, such Candidate shall be incapable of being elected, or sitting in the Legislative Council for such Electoral District, during the time for which Members are elected for the Legislative Council then in existence.

No payment, &c., shall be made by or on behalf of Candidates, otherwise than through authorized agents. 19. No payment (except in respect of the personal expenses of a Candidate), and no advance, loan, or deposit shall be made by or on behalf of any Candidate at an Election, before, or during, or after such Election, on account of or in respect of such Election, otherwise than through an agent or agents, whose name and address, or names and addresses, have been declared in writing to the Returning Officer on or before the day of nomination, or through an agent or agents to be appointed in his or their place, as herein provided; and any person making any such payment, advance, loan, or deposit otherwise than through such agent or agents, shall be guilty of a misdemeanor.

Returning Officers to publish names and addresses of agents. It shall be the duty of the Returning Officer of the Electoral District to publish, on or before the day of nomination, the name and address, or the names and addresses of the Agent or Agents appointed in pursuance of this Section.

In the event of death, &c., of agent, another to be appointed. In the event of the death or legal incapacity of any Agent appointed in pursuance of this Section, the Candidate shall forthwith appoint another Agent in his place, on giving notice to the Returning Officer of the name and address of the person so appointed, which shall be forthwith published, in the manner hereinbefore provided, by the Returning Officer.

Bills, &c., to be sent in within one month to agent, or right to recover barred. 20. All persons who have any bills, charges, or claims upon any Candidate for or in respect of any Election, shall send in such bills, charges, or claims within one month from the day of the declaration of the Election to such Agent or Agents as aforesaid, otherwise such persons shall be barred of their right to recover such claims and every or any part thereof.

Provided, always, that in case of the death, within the said month, of any person claiming the amount of such bill, charge, or claim, the legal representative of such person shall send in such bill, charge, or claim, within one month after obtaining probate, or letters of administration, or confirmation as executor, as the case may be, or the right to recover such claim shall be barred as aforesaid. Provided, also, that such bills, charges, and claims shall and may be sent in and delivered to the Candidate, if and so long as during the said month there shall, owing to death or legal incapacity, be no such agent.

As to publication of statement of Election expenses. 21. A detailed statement of all Election Expenses incurred by or on behalf of any Candidate, including such expected payments as aforesaid, shall, within two months after the Election (or in cases where by reason of the death of the Creditor no bill has been sent in within such period of two months, then within one month after such bill has been sent in) be made out and signed by the Agent, or if there be more than one, by every Agent who has paid the same (including the Candidate, in case of payments made by him), and delivered, with the bills and vouchers relative thereto, to the Returning Officer; and the Returning Officer for the time being shall, at the expense of the Candidate, within 14 days, publish, or cause to be published, in the manner to be from time to time provided by the Governor in Council, an abstract of such statement, with the signature of the Agent thereto; and any Agent or Candidate who makes default in delivering to the Returning Officer the statement required by this Section, shall incur a penalty not exceeding Twenty-five Dollars for every day during which he so makes default; and any Agent or Candidate who wilfully furnishes to the said Returning Officer an untrue statement shall be guilty of a misdemeanor; and the said Returning Officer shall preserve all such bills and vouchers, and during six months after they have been delivered to him permit any Voter to inspect the same, on payment of a fee of One Dollar.

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