

Section 5 (Incriminating questions). Applies to any evidence given under oath. Evidence cannot be subsequently used though witness does not claim privilege: *Reg. v. Hendershott*, 26 O. R. 678; *Reg. v. Hammond*, 29 O. R. 211. Contra, *Reg. v. Williams*, 28 O. R. 583; *Reg. v. Connolly*, 25 O. R. 151.

Covers evidence of party as well as independent witness: *Chambers v. Jaffray*, 12 Ont. L. R. 377; *Reg. v. Fox*, 18 Ont. P. R. 343.

And applies to examination on discovery in Ontario: *lb.* And to examination of judgment debtor as to his means: *Rex v. Van Meter*, 11 Can. C. C. 207.

On trial for perjury, evidence of incriminating answers to questions at preliminary hearing before coroner was improperly received, though privilege not claimed: *The Queen v. Thompson*, 2 N. W. T. 383. And on trial for murder, depositions of prisoner before coroner's court not admissible, though privilege was not claimed: *Reg. v. Hendershott*, *supra*.

Section 7 (Expert witness). Qu. If more than five are examined without objection, can evidence of extra witnesses be considered? *Dodge v. The King*, 38 S. C. 149; 10 Ex. C. 208, at p. 214.

DOCUMENTARY EVIDENCE.

Section 28 (Notice). Does not apply to certified extracts from registers of acts of civil status produced to explain alias: *The King v. Long*, Q. B. 11 K. B. 328.