

sureties, in the sum of five hundred dollars, and to the satisfaction of the court, to conduct the prosecution with effect and to pay the defendant his costs in case he is acquitted.
R.S.C., c. 8, s. 110.

- 5 **138.** In case of an indictment or information by a private prosecutor for an offence against the provisions of this Act, if judgment is given for the defendant he shall be entitled to recover from the prosecutor the costs sustained by the defendant by reason of such indictment or information, which costs shall be taxed by the proper officer of the court in which the judgment is given.
10 R.S.C., c. 8, s. 111.

Or to defendant acquitted.

- 139.** In an indictment or prosecution for a corrupt practice, and in any action or proceeding for a penalty for a corrupt practice, it shall be sufficient to allege that the defendant was, at the election, at or in connection with which the offence is intended to be alleged to have been committed, guilty of a corrupt practice, describing it by the name given to it by this Act, or otherwise, as the case requires; and in any criminal or civil proceeding in relation to such offence the certificate of the returning officer shall be sufficient evidence of the due holding of the election and of any person named in such certificate having been a candidate thereat.
15 R.S.C., c. 8, s. 112.

Allegation and evidence of corrupt practice.

- 25 **140.** It shall not be necessary on the trial of a suit or prosecution under this Act to produce the writ of election or the return thereof, or the authority of the returning officer founded upon such writ of election, but general evidence of such facts shall be sufficient evidence; and if the original ballot papers or other papers are required, the clerk or registrar of the court having cognizance of the election petition may, at the instance of any of the parties thereto, notify the Clerk of the Crown in Chancery to produce them on the day fixed for the trial, and the said Clerk of the Crown in Chancery shall, on or before the said day, deposit them with such clerk or registrar, taking his receipt therefor.
30 R.S.C., c. 8, s. 113.

Production of writ of election, etc., not required in suits under this Act.

- 141.** Whenever it appears to the court or judge trying an election petition that any person has violated any of the provisions of this Act, for which violation such person is liable to a fine or penalty (other than fines and penalties imposed for any offence amounting to an indictable offence), such court or judge may order that such person shall be summoned to appear before such court or judge, at the place, day and hour fixed in such summons for hearing the charge.
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Summons by election court to person who is liable to penalty.

2. If, on the day so fixed by the summons, the person summoned does not appear, he shall be condemned, on the evidence already adduced on the trial of the election petition, to pay such fine or penalty as he is liable to pay for such violation, and in default of paying such fine or penalty, to the imprisonment prescribed in such case by this Act.
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Disobeying summons.

3. If, on the day so fixed, the person summoned does appear, the court or judge, after hearing such person and such evidence
Trial