

134. In any such civil action, suit or proceeding, the parties thereto and the husbands or wives of such parties respectively, shall be competent and compellable to give evidence to the same extent and subject to the same exceptions as in other civil suits in the same Province; but such evidence shall not thereafter be used in any indictment or criminal proceeding under this Act against the person giving it.

Evidence of husbands and wives.

Proviso.

R.S.C., c. 8, s. 108.

***135.** No person shall be excused from answering any question put to him in any action, suit or other proceeding, in any court, or before any judge, commissioner or other tribunal, touching or concerning any election, or the conduct of any person thereat, or in relation thereto, on the ground [of any privilege, except that no elector shall be obliged to state for whom he voted at any election]; Provided that no answer given by any person claiming to be excused on the ground of privilege shall be used in any criminal proceeding against such person other than an indictment for perjury, if the judge, commissioner or president of the tribunal gives to the witness a certificate that he claimed the right to be excused on such ground, and made full and true answers to the satisfaction of the judge, commissioner or tribunal.

No excuse of privilege allowed for not answering questions in proceedings touching elections.

R.S.C., c. 8, s. 109, *part*; 1893, c. 31, s. 5.

136. Any criminal court before which a prosecution is instituted for an offence against the provisions of this Act may order payment by the defendant to the prosecutor of such costs and expenses as appear to the court to have been reasonably incurred in and about the conduct of such prosecution; but the court shall not make such order unless the prosecutor before or upon the finding of the indictment or the granting of the information enters into a recognizance, with two sufficient 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.

Criminal court may allow costs to prosecutor in certain cases,

R.S.C., c. 8, s. 110.

137. 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.

Or to defendant acquitted.

R.S.C., c. 8, s. 111.

138. 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 cases 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

Allegation and evidence of corrupt practice.