

3. No person who, in any criminal proceeding, is charged with the commission of an indictable offence, or any offence punishable on summary conviction, shall be competent or compellable to give evidence for or against himself, nor shall any person be compellable to answer any question tending to criminate himself, nor, in any criminal proceeding, shall any husband be competent or compellable to give evidence for or against his wife, nor shall any wife be competent or compellable to give evidence for or against her husband, except as now allowed by law, nor in any case, civil or criminal, shall any husband be competent or compellable to disclose any communication made to him by his wife during the marriage, nor shall any wife be compellable to disclose any communication made to her by her husband during the marriage.

4. In all cases where a party to any suit, action or other proceeding shall be examined by any opposing party, the testimony given on said examination may be rebutted by adverse testimony and by proof of admission made by the party so examined.

5. Nothing in any of the preceding sections contained, authorizing the examination of the parties litigant, and making them competent witnesses, shall apply to any suit, action, bill or other proceeding instituted in consequence of adultery, or for the purpose of obtaining a divorce, or to any action for breach of promise of marriage.

Sub-Sec. 1. In all cases it shall be competent for any of the parties to the proceedings to prove by legal evidence any facts showing the interest of any witness in the matter in controversy, or in the event of the suit or the conviction of such witness of any infamous crime; and, in order to prove such conviction, it shall not be necessary to produce the whole record of proceedings containing such conviction, but the certificate, under seal of the clerk of the court wherein such proceedings were had, stating the fact of the conviction, and for what crime, shall be sufficient.

Sub-Sec. 2. No negro or mulatto, whether slave or free, shall be admitted as evidence in any matter depending in any court