

to be filed with the Governor shall be that any successful candidate so petitioned against was in person or in the person of a treasurer or sub-treasurer or his political agent, or through any political committee acting for or in his behalf, so guilty of corrupt practices, such election shall be void, except as herein-after provided, and in case of such void election the Governor shall, within five days after the receipt of such decision, issue his proclamation declaring such election void, and the vacancy in the office to have been filled by said election shall be filled in the same manner as would be required by law in case said vacancy had arisen from the death of the successful candidate after his election. If any candidate shall have been so found, or decided to have been so guilty in person of corrupt practices, he shall be ineligible to election or appointment to any public office or employment for the period of four years from the date of said election; but the mere finding or decision that his political agent was so guilty, shall not render him ineligible to office; but where the judge or judges shall decide or certify upon his or their or a jury's findings in any case that any such successful candidate was guilty of corrupt practices only in the person of his agent, and that, (a) no corrupt practice was committed by the candidate personally and the offense was committed contrary to his order and without his sanction or connivance; (b) the offense was of a trivial, unimportant and limited character; (c) in all other respects such election was free from corrupt practice on the part of such candidate and of his political agent, then the election of such candidate shall not be void, nor shall the candidate be subject to any ineligibility therefor. An appeal to the Court of Appeals may be taken on questions of law from any decision relative to ineligibility to public office or employment of any such candidate.

SEC. 174. The courts in which such petitions shall be filed shall have authority to tax the costs as in equity cases, and also to subpoena witnesses and require them to testify as in other civil cases, and to compel by subpoena duces tecum the production for examination of any books or papers of any kind, or of any other thing which may be required or desirable in the conduct of such inquiry. In any proceeding held under the provisions of this or the preceding section, no witness shall be excused from answering any question or producing any book, paper or other thing on the ground or claim that his answer or the thing produced, or to be produced by him, may tend to incriminate or degrade him, or render him liable to a penalty, but his answer, or the thing produced by him shall not be used in any proceeding against him, except in a prosecution for perjury in so testifying.