

(f) In case the decision or finding filed with the Governor under the provisions of subsection (e) above shall be that any successful candidate so petitioned against was in person, or in the person of his agent or agents acting for or in his behalf, so guilty of corrupt practices, such election shall be void, except as hereinafter 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.

(g) If any candidate shall have been so found or decided to have been 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. The mere finding or decision that his agent or their agents were so guilty shall not render said candidate ineligible for office. Where the judge or judges shall decide or certify upon his or the 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 no corrupt practice was committed by the candidate personally and the offense was committed without his sanction or connivance, then the election of such candidate shall not be void, nor shall the candidate be subject to any ineligibility therefor.

#### **26-24 Witnesses and costs in court proceeding.**

The courts in which a proceeding under Sec. 26-23 of this Article 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 Sec. 26-23, 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.

#### **26-25. Duties of State's attorney.**

It shall be the duty of the State's Attorney of Baltimore City and of the State's attorney of each county of this State to prosecute, by the regular course of criminal procedure, any person whom he may believe to be guilty of having violated any of the provisions of this subtitle within the city or county for which said State's attorney may be acting as such. And in any criminal prosecution under this subtitle or for violation of any of the provisions thereof, no witness, except the person who is accused and on trial, 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.