

(e) In case such petition relates to any other office than those above referred to, such case shall be heard by a judge or an uneven number of judges, who shall file immediately with the Governor his or their decision or the finding or verdict of the jury in cases where there has been a jury trial, as to whether or not the successful candidate, or his agent or agents acting for or in his behalf, engaged in any prohibited practice. Said trial judge or judges shall also file with the Governor his or their decision, and as to whether or not, upon the findings in such case, such election was void as hereinafter provided.

(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 in person, or in the person of his agent or agents acting for or in his behalf, engaged in prohibited 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.]

[26-19.

The courts in which a proceeding under § 26-18 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 § 26-18, 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.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 28, 1985.

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