

# Campaign Violations Laid to Holt Backers

9/20/73  
By Paul G. Edwards  
Washington Post Staff Writer

ANNAPOLIS, Sept. 19— Allegations that supporters of Rep. Marjorie Holt (R-Md.) violated state election laws last year by circulating anonymous charges against her opponent will be presented to a state grand jury soon, Anne Arundel County State's Attorney Warren B. Duckett said yesterday.

"There certainly have been violations of the law—the state fair elections practice law," Duckett said in an interview. "The question is, who violated them?"

"We are going to present it to the grand jury and advise them on the law. That's all I'm going to say," Duckett said.

Duckett declined to describe any evidence he has of campaign violations or say who has furnished information about violations.

Mrs. Holt, in a telephone interview yesterday, denied that she was guilty of any election law violations.

Werner Fornos, the Democrat defeated by Mrs. Holt last November for the Fourth Congressional District seat, said in an interview that he has discussed alleged campaign violations against him with Duckett.

"He has documents proving violations," Fornos said. Fornos said he had promised Duckett he will not discuss the evidence while the investigation is going on.

Recently, after the Holt Fornos campaign, it was reported that an FBI report on Fornos, made when he was appointed to a federal Manpower Administration job during the administration of President Kennedy, was circulated by his opponents. The documents reportedly contained criticism of Fornos relating to his efforts to enter the United States from his native Germany as a youth after World War II.

It is a violation of Mary-



REP. MARJORIE HOLT  
... denies guilt

land election law to distribute campaign literature supporting or attacking a candidate unless the literature includes a statement identifying its source. The purported FBI reports allegedly did not include such a statement.

In denying responsibility for any anonymous literature critical of Fornos, Mrs. Holt said:

"No charge has been made against me and Mr. Duckett

See ARUNDEL, A14, Col. 1

## ARUNDEL, From A1

has said publicly that I am not involved. I authorized no literature that was not identified as coming from our campaign. His opponents have circulated thing against him for years, but I have not been involved."

Violation of the Maryland election law prohibiting unfair practices is a misdemeanor carrying a maximum penalty of one year in jail and a \$1,000 fine.

The law also specifies that a winning candidate found guilty of violating the law must forfeit his office and be barred from holding public office for four years.

The law does not hold candidates responsible for unauthorized illegal acts by supporters.

Even if a candidate elected to the U.S. House of Representatives were found guilty of a state election law violation it is far from certain that he could be required by state courts to for-

feit his seat. The U.S. Constitution provides that only the House itself has jurisdiction over the seating or unseating of its members.

Fornos said that he also has discussed allegations of campaign law violations with special Watergate prosecutor Archibald Cox. "Mr. Duckett has promised to act," Fornos said, "and the law requires him to act. But we have other options." losing candidate may seek losing candidate may seek to have an election voided by reporting alleged violations to a state court within 30 days of the voting.

Fornos said he did not have the investigative resources to prove violations so quickly and said he so doubts that this provision of the Maryland law would apply under the U.S. Constitution with respect to House seats.

Duckett said that the allegations of unfair campaign practices in the congressional race will be the first matter other than routine criminal cases considered by the Anne Arundel grand jury that was impaneled Sept. 4.

The election law requires that prosecutions must begin within one year of alleged violations, meaning that any indictment must be handed down by one year from last Nov. 7, the date of the 1972 election.

Duckett said his office may also present evidence to the grand jury about alleged failure of U.S. Sen. J. Glenn Beall (R-Md.) to report all his 1970 campaign contributions to Maryland officials.

Beall has said that he received donations of \$140,000 that were not reported in Maryland, but said they were made to District of Columbia committees that were not subject to Maryland reporting requirements in 1970.