

1904, art. 33, sec. 50. 1896, ch. 202, sec. 46.

51. Should any person so nominated die before election day or decline the nomination, as in this article provided, or should any certificate of nomination be or become insufficient or inoperative from any cause, the vacancy or vacancies thus occasioned may be filled in the manner required for original nominations. If the original nomination was made by a party convention which had delegated to a committee the power to fill vacancies, such committee may, upon the occurring of such vacancies, proceed to fill the same; the chairman and secretary of such committee shall thereupon make and file with the proper officer a certificate setting forth the cause of the vacancy, the name of the person nominated, the office for which he was nominated, the name of the person for whom the new nominee is to be substituted, the fact that the committee was authorized to fill vacancies, and such further information as is required to be given in an original certificate of nomination. The certificate so made shall be executed and acknowledged in the manner prescribed for the original certificate of nomination, and shall, except in case of a nominee dying, be filed at least eight days before the day of election, and in cases of either resignation or death shall be filed within six days after the vacancy shall have occurred, and upon being so filed shall have the same force and effect as an original certificate of nomination. When such certificate shall be so filed with the secretary of state, he shall in certifying the nomination to the supervisors of elections insert the name of the person who has been thus nominated to fill a vacancy in place of that of the original nominee; and in case he has already sent forth his certificate he shall forthwith certify to the supervisors the name and description of the person so nominated to fill a vacancy, the office for which he is nominated, the party or political principle he represents, and the name of the person for whom he is substituted. In the case, however, of any nominee dying within so short a time before the day of election that the certificate of nomination of the new nominee shall not have been filed with or certified to the supervisors of elections until after six days before the day of election, thus being too late for the name of the new nominee to be printed on the ballots in any county, or the city of Baltimore, as hereinafter provided, the board of supervisors of such county or city shall at once cause to be printed a sufficient number of stickers bearing the name of such substituted nominee, and shall deliver the same in due time to the judges of election for all of those precincts in said county or city wherein said nominee may be voted for, and said judges shall affix such stickers in the proper place on each ticket before it is given out to the voter. If the resignation or disqualification or death and consequent change of nominee shall have occurred and been made after the first publication provided for in section 49 and before the second publication, the board of supervisors shall, if possible, make the proper change in the second publication.

Cited but not construed in *Annapolis v. Gadd*, 97 Md. 735.