

of nominations for offices where the certificate is required to be filed with the Supervisors of Elections, with the Board of Supervisors of Elections not later than fifteen days before the day on which the primary election is held or should be held under the primary election law; and in case of any vacancy which may exist in respect to any office or Delegates to Convention, by reason of their being no candidate to file for the same in any such primary election such vacancy shall be filled and the certificate of nomination filed with the Secretary of State or the Board of Supervisors of Elections as the case may be, not later than fifteen days before the day on which the primary is held or should be held under the primary election law.

The requirement that certificates of nomination be filed not less than 15 days before primary applies to certificates of nomination filed by independent candidates under sec. 85. *Tull v. Fitzgerald*, 167 Md. 429.

This section does not require certificate of nomination to be filed with secretary of state personally, but it should be filed in his official office at Annapolis; it does not follow that if such certificate were delivered to the secretary of state in person elsewhere (than in Annapolis), and he accepted it, this section would not be complied with. If certificate is delivered to office of the secretary of state at Annapolis, his absence would not prevent certificate being filed within meaning of this section. Where chairman of a political party calls personal office of secretary of state on telephone, and is told that he is out of the state and will so remain until a certain date, and no attempt is made to deliver the certificate until that date, certificate is not filed until such date. How time within which certificates are to be filed under this section is computed. This section is mandatory and not directory merely, as to time of filing certificates of nomination. This section applies to persons nominated under sec. 241. When certificates of nomination are filed too late under this section, they are "inoperative" within meaning of sec. 94, and nominations to fill vacancies may be made as provided in latter section. Vacancies which exist by reason of there being no candidates for offices at primary elections are not within meaning of sec. 94. *History* of this section. *Graham v. Wellington*, 121 Md. 659.

This section does not require nomination certificates for municipal offices to be filed with election supervisors nor with any other official; where such practice exists, such certificate need not be filed within fifteen days before a city election. Injunction refused. *Annapolis v. Gadd*, 97 Md. 735.

Cited but not construed in *Duvall v. Swann*, 94 Md. 616.

An. Code, 1924, sec. 56. 1912, sec. 48. 1904, sec. 47. 1896, ch. 202, sec. 43.

91. Not less than eighteen days before an election to fill any public office, the secretary of state shall certify to the supervisors of elections of each county within which any of the voters may, by law, vote for candidates for such office, the name and description of each person nominated for such office, as specified in the certificates of nomination filed with the secretary of state, and shall certify the same to the supervisors of elections of Baltimore City, if any of the voters of said city may by law vote for candidates for such office.

The eighteen days' certification required of the Secretary of State means eighteen clear days. *Iverson v. Jones*, 171 Md. 649.

Secs. 91-93 referred to in construing sec. 90. *Tull v. Fitzgerald*, 167 Md. 434.

This section referred to in construing secs. 90 and 94—see notes to the former. *Graham v. Wellington*, 121 Md. 661.

Cited but not construed in *Wells v. Munroe*, 86 Md. 447.

An. Code, 1924, sec. 57. 1912, sec. 49. 1904, sec. 48. 1896, ch. 202, sec. 44. 1908, ch. 614. 1910, ch. 456 (p. 103). 1912, ch. 1. 1912, ch. 124. 1914, ch. 307, sec. 48. 1918, ch. 51, sec. 49. 1924, ch. 424.

92. Within not less than two nor more than ten days before an election to fill any public office, the Supervisors of Elections of each county and in the City of Baltimore shall cause to be published by one insertion in two or more newspapers within such county, except in Howard County where the Supervisors of Elections may publish in one newspaper, and in all the daily papers published in said city which will publish the same at