

Baltimore City shall be paid by the Mayor and City Council of Baltimore, and all the expenses of holding said primary elections in each county, respectively, shall be paid by the County Commissioners of each county, respectively, precisely as the expenses of the State, City and County Elections are now paid under existing laws.

An. Code, 1924, sec. 199. 1912, sec. 184B. 1914, ch. 261.

237. In the event that the name of any candidate who shall have made a deposit with the Supervisors of Elections, as hereinabove provided, shall not appear on the official ballot at said primary election, by reason of there being no opposing candidate, such candidate shall not be entitled to a return of his deposit, but the same shall be retained by the Mayor and City Council of Baltimore, or the County Commissioners of the County to which the same shall have been paid by the Supervisors of Elections, and used in defraying the expenses of such primary election.

An. Code, 1924, sec. 200. 1912, sec. 185. 1908, ch. 737, secs. 160D, F, G and H. 1910, ch. 741, sec. 160H (p. 119). 1912, ch. 2, sec. 160H. 1916, ch. 160, sec. 185.

238. The names of candidates for nomination for each office or for each place or position aforesaid, respectively, shall be arranged alphabetically upon the ballots according to the surnames of the candidates. Ballots in all said primary elections shall be cast, counted and canvassed and the result of the election announced and certified in Baltimore City and in each of the counties of the State, as now provided by this Article for general elections; and the said primary elections shall be held and conducted and determined in the manner and form provided by this Article for general elections, and subject to all the regulations, requirements and provisions as prescribed by this Article for general elections in so far as the same are or may be applicable to said primary elections and except as may be herein provided. And the provisions of the general election law, governing election contests are hereby expressly declared to be applicable to such primary elections. Challengers and watchers representing the candidates in any said primary elections shall be allowed to be present at the several voting places during the voting and counting of the ballots, as provided in this Article with respect to general elections. As each voter's name shall be entered in the poll book kept by the two clerks of election, there shall be entered opposite his name the name of the party whose candidate or candidates he voted for. If in Baltimore City or in any county more names are marked for any office than there are persons to be voted for, such ballots shall not be counted for such candidate or delegates, or other persons to be voted for, as the case may be; but the whole ballot shall not for that reason be rejected for candidates for other offices or positions, if any.

Votes are not to be rejected because they are not marked with black lead pencil when they are marked with indelible pencil. *White v. Laird*, 127 Md. 123.

The words "shall be held and conducted and determined" refer to the primary election, and not to a contest of such an election after it is over. *Foxwell v. Beck*, 117 Md. 3 (decided prior to the act of 1912).

This section referred to in construing sec. 255. *Fitzgerald v. Quinn*, 150 Md. 545.

See notes to sec. 181.

See sec. 116 and notes.

An. Code, 1924, sec. 201. 1912, sec. 186. 1910, ch. 741, sec. 160-I (p. 122). 1916, ch. 292, sec. 1. 1937, ch. 95, sec. 201. 1939, ch. 29.

239. Nominations for Mayor, comptroller, president of the City Council and members of the City Council of Baltimore shall be made by direct