

vided, shall not appear on the official ballot at the primary election by reason of there being no opposing candidate, such candidate shall not be entitled to a return of his filing fee. These sums shall be retained by the Secretary of State, the Mayor and City Council of Baltimore, or in the case of the counties, by the county commissioners or the county council to which the same shall have been paid by the board.

(b) In the event that any candidate who has paid a filing fee to any board or the Secretary of State, as hereinabove provided, enters into active duty with the armed services of the United States in the period between the last date allowed for withdrawal of his name as a candidate and the printing of the ballots or the voting machine ballot labels, he shall be entitled upon withdrawing as such a candidate and upon his request to a return of the filing fee.

4-9, 4A-8. Disposition of filing fees.

(a) The board in Baltimore City shall pay over all amounts received from filing fees to the mayor and city council of Baltimore; and the board for each county shall pay over the amount so received to the county commissioners or county council of each county, respectively.

(b) The Secretary of State shall divide and transmit the fees received by him from candidates for State-wide offices, in the sums of ten dollars (\$10) each to the board of each county of the State, and the sums of sixty dollars (\$60) thereof to the board in Baltimore City.

(c) The Secretary of State shall divide and transmit the fees received by him from candidates for the House of Representatives of the United States Congress and the State Senate, in equal amounts to the board of each county within the respective congressional or Senatorial districts and to the board in Baltimore City for any legislative district wholly or partly therein.

PRIMARY ELECTIONS

5-1. Parties using.

Any political party which at the general election next preceding any primary election to be held hereunder, shall have polled ten per centum or more of the entire vote cast in the State shall nominate (1) all its candidates for public office; (2) all delegates to local and State conventions; and (3) all members of the State and local central committees in said political party by means of primary elections conducted under the provisions of this subtitle. The several boards shall not print on the official ballot to be voted at any general or special election to be hereafter held the name or names of any such candidate or candidates for election in Baltimore City or any of the counties of the State of any of said parties who shall not be so nominated and whose nomination shall not be certified to them or to the Secretary of State as having been so nominated.

5-2. Date.

(a) The primary elections by the political parties shall be held throughout this State on the second Tuesday after the first Monday in September.