

manner be issued to him forthwith, and his name, and the name of the position for which he is a candidate shall be omitted from the said official ballot, so that such official ballot of such political party shall contain only the names of such candidates for position, offices, or delegates where there are qualified contestants for such positions. Any vacancy which may exist in respect to any office, delegates to convention, or position named in this sub-title occurring after the returns have been canvassed and finally announced or which may exist by reason of there being no candidate for the same in any such primary election or otherwise, shall be filled as the rules and regulations of the governing bodies for the respective parties in the counties, city or State may now or shall hereafter provide.

The nomination of candidates for the office of Senator from Maryland in the United States Senate, as provided for in Section 258 of this Article, shall be made according to the provisions of this section as amended.

Purchase of voting machines not invalid because ballot at primary by machine shows names of each three candidates more than once, since machine precludes voter from voting for any candidate more than once under Sec. 265. *Jackson v. Norris*, 174 Md. 579.

This section is broad enough to include a case where two candidates receive an equal number of votes, and in such case there is a vacancy within meaning of this section. Action of newly elected state central committee in designating a nominee held valid. *Usilton v. Bramble*, 117 Md. 12 (decided prior to the act of 1912, ch. 2).

The provisions of this section as to the filling of vacancies applies to primary elections in Annapolis under sec. 3 of art. 2 of the Code of Public Local Laws. *Rawlings v. Russell*, 165 Md. 267.

See notes to secs. 90, 229 and 238.

An. Code, 1924, sec. 204. 1912, sec. 189. 1910, ch. 741, sec. 160L (p. 126). 1912, ch. 2, sec. 160L.

242. The provisions, all and singular, from sections 133 to 161 of this article, both inclusive, and the offenses defined and the penalties and punishments prescribed therefor in said sections, respectively, shall be fully applicable in all respects to the same persons, matters and omissions in connection with or pertaining to the primary elections of any primary election held under this article, sub-title "Primary Elections"; and said sections are hereby made applicable to all primary elections provided for and held hereunder; except the penalty upon the vote seller, etc., so as not to conflict with section 254, which places the penalty on the vote buyer alone, and any judge, clerk or other officer of any primary election, or any voter or other person, except the vote seller as aforesaid, who would be deemed guilty of any offense against the General Election Law, or under provision or provisions thereof, in a general election, who is found guilty of the same offense in any primary election, as herein provided for, shall be deemed guilty of the same crime of which his offense is made to consist by and under the General Election Law, and particularly under any of the above-mentioned sections, respectively, thereof, and shall be liable to the same punishment or penalty as is prescribed for such sections thereof; provided, that sections 243 to 253, of this article with respect to offenses, penalties and punishments under the Primary Election Law shall have full force and effect in all cases to which the same are applicable.

Where a repealing law contains a substantial re-enactment of previous law, the operation of the latter continues uninterrupted. There is nothing in this section as re-enacted by act of 1912, ch. 2, which imposes any additional penalty or affects rights of any person under sec. 244, or under this section, of which traverser can complain. *Cochran v. State*, 119 Md. 543.