

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.

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 the 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, chapter 2).

See notes to sections 47, 178 and 185.

1910, ch. 741, sec. 160L (p. 126). 1912, ch. 2, sec. 160L.

189. The provisions, all and singular, from sections 89 to 117 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 199A, 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 190 to 199, 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 the previous law, the operation of the latter continues uninterrupted. There is nothing in this section as re-enacted by the act of 1912, chapter 2, which imposes any additional penalty or affects the rights of any person under section 191, or under this section, of which the traverser can complain. *Cochran v. State*, 119 Md. 543.

190.

Cited but not construed in *Cochran v. State*, 119 Md. 547.

191.

This section was not repealed nor in any way affected by the act of 1912, chapter 2, and there is nothing in section 189 as re-enacted by said act which imposes any additional penalty or affects the rights of any person under section 189 or under this section, of which the traverser can complain. An indictment held to correctly charge the offenses set out in this section. Since an indictment was based upon this section, an instruc-