

Show cause
why office
should not be
vacated.

Court for Allegany county against such officer, and said court, or the judge thereof, if in vacation, shall pass an order requiring such officer to show cause why his office should not be vacated and a new election ordered, and such order shall be made returnable not more than twenty days after its passage, and a copy thereof shall be served on such officer, and if he shall fail to answer the same said court or the judge thereof, in vacation, shall hear and determine such matter *ex parte*, and if such officer shall answer the same, then said court or the judge thereof, in vacation, shall at once hear and determine the issue raised by said petition and answer, and shall declare the office of said respondent vacant, and order a new election to fill the same, or shall dismiss the petition, as the proof may justify, and may award costs as may appear equitable and right.

Repeal.

SEC. 2. *And be it enacted*, That the act of eighteen hundred and seventy-four of this General Assembly, chapter one hundred, entitled "An act to amend the charter of the city of Cumberland by repealing sections twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-seven, thirty-eight, thirty-nine, forty-seven, forty eight, forty-nine, fifty, fifty-one, fifty-three, fifty-four, fifty-five and fifty-six of article first of the Code of Public Local Laws, entitled "Allegany County," sub-title "City of Cumberland," as also sub-sections one, two, three, four, five, six, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and seventeen of chapter one hundred and twenty-one of the acts of General Assembly passed at January session, eighteen hundred and sixty-four, entitled "An act to repeal sections twenty-three, thirty-one, thirty-two, thirty-three, thirty-five, fifty-three and fifty-four of the first article of the Code of Public Laws, and to re-enact the same with amendments, and insert additional sections relating to the charter of the city of Cumberland, and to re-enact the following instead thereof," be and the same is hereby repealed.

SEC. 3. *And be it enacted*, That the act of eighteen hundred and seventy-six of this General Assembly, chapter one hundred and thirty-six, entitled