

12. In case of a vacancy in the office of Mayor, by death or otherwise, or in case any person who may have been elected Mayor at any general election shall fail or refuse to qualify as Mayor within five days after service of notice of election, as hereinafter provided, the Council, at any general or special meeting shall elect some legally qualified person to fill the office of Mayor for any unexpired term caused by a death or otherwise, or for the term of any person who may have failed or refused to qualify; and in case of any election of Mayor by the Council, the person receiving a majority of the whole number of members of the Council shall be declared elected Mayor; and the Council shall immediately certify the vote so taken to elect any such successor, or to elect any person for any term as aforesaid, to the Clerk of the Circuit Court for Washington County; and the said Clerk of the Circuit Court, upon receipt thereof, shall forthwith notify the person so elected, who shall, within five days after the service of such notice, qualify by taking the oath prescribed for city officers; and if such person elected shall fail to qualify as herein provided, another election shall be held by the Council, to fill the vacancy; and until such vacancy is filled, or in case of sickness or absence of the Mayor, or his inability to be present and preside at any meeting of the Council called by not less than four of its members when in their judgment such meeting is necessary, and said Councilmen are hereby authorized to call any such meeting, the Council shall choose one of its members as Mayor, who shall discharge the duties of the office protempore, and all Acts done by the Mayor and Council as thus constituted shall be valid and binding in law.

13. Candidates for Councilman shall be nominated by the voters of each ward in the city of Hagerstown in a primary election or in such other manner as may be provided by law. The said nominees for councilman shall be elected by the voters of each ward. The nominee in each ward receiving the highest number of votes shall be elected to the Council. An election for Councilmen shall be held on the fourth Tuesday of March in the year 1949, and not before, and on the same day every four years thereafter. All Councilmen elected shall hold office until their successors are duly elected and qualified. The qualifications of the voters for Councilmen shall be the same as for Mayor and each voter shall have resided for six months next preceding the election in the ward in which he offers to vote; and in case of removal or until