

ing to its records, have the highest standing for the position they seek to fill, as a result of such examination and all vacancies in positions under Civil Service which shall occur before the holding of the next examination shall be filled from said list so certified; provided, however, if the list for any cause shall be reduced to less than three for any division or department, then the commissioner of said department may temporarily fill a vacancy until the next examination of the commission. The present officers and employees of the Police and Fire Departments heretofore appointed under Civil Service regulations shall hold their positions unless removed or disqualified under the provisions of this Act.

(c) All persons subject to such Civil Service examination, except the Chief of Police and the Chief of the Fire Department, shall be subject to removal from office or employment by a majority vote of such Civil Service Commission for misconduct or failure to properly perform their duties under such rules and regulations as may be adopted by the Council. The Chief of Police and the Chief of the Fire Department may peremptorily suspend or discharge any subordinate then under his direction for neglect of duty, disobedience of orders or misconduct, but shall, within twenty-four hours thereafter, report such suspension or discharge with the reason therefor, to the Commissioner of such department, who shall thereupon affirm or revoke such suspension or discharge according to the merits under the facts of the case. Every officer or employe so discharged or suspended and whose suspension or discharge has been affirmed, or the officer or person so suspending or discharging a subordinate when such suspension or discharge has been revoked as the case may be, may, within five days from the affirmance or revocation of any such suspension or discharge, appeal therefrom to the Civil Service Commission, if the person taking the appeal was subject to Civil Service, otherwise to the City Council, and such commission or council, as the case may be, shall fully hear and determine the appeal upon the merits of the case, and if it be determined that any such suspension or discharge was unwarranted, the appellant shall be reinstated, otherwise it shall be affirmed. Any such appeal may be taken by serving upon the proper commissioner a notice in writing, within said time, specifying the ruling appealed from, which notice shall be signed by the person taking the appeal. A true copy of such notice of appeal shall be filed with the chairman of the Civil Service Commission or Mayor as the case may be. Within five days from the service of such notice of