

the best of his ability. Such commission shall, on the second Monday in June and December of the year 1928, and each year thereafter or oftener, if they shall deem it necessary, under such rules and regulations as it may prescribe, hold examinations for the purpose of determining qualifications of applicants for positions of Chief of Police, Assistant Chief of Police, patrolmen or policemen of the police department, which examination shall be practical in their character and shall relate to such matters as will fairly test the fitness of the person examined to discharge the duties of the position to which he seeks to be appointed.

Such commission shall, as soon as possible after every such examination, certify to the Mayor and Councilmen the names of the persons for said police department who, according 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 the said list so certified; provided, however, if the list for any cause shall be reduced to less than two for the position of Chief of Police and Assistant Chief of Police or three for the position of policemen or patrolmen, then the Mayor and Councilmen may temporarily fill a vacancy until the next examination of the commission. From the list so certified by said commission to the Mayor and Councilmen, the latter shall select one person as Chief of Police of said City and one as Assistant Chief of Police of said City and as many persons as policemen or patrolmen for said City as the Mayor and Councilmen may from time to time designate by ordinance. All persons subject to such civil service examination 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 Mayor and Councilmen. The Chief of Police 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 Police Commissioner of the Mayor and Councilmen who shall thereupon affirm or reject such suspension or discharge according to the merits under the facts of the case. Every officer or employee so discharged or suspended and whose suspension and discharge has been affirmed or the officer or person so suspending or discharging his 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 Mayor and Councilmen, and such commission or Mayor and Councilmen, 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