

## CHAPTER 102.

[S. B. 41.]

## APPEALS FROM SCHOOL BOARDS AND COUNTY SUPERINTENDENTS OF SCHOOLS.

AN ACT relating to appeals from boards of school directors and county superintendents of schools, and amending Sections 4, 5 and 6 of (Sub) Chapter 15 of Title III of Chapter 97 of the Laws of 1909.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That section 4 of (Sub) chapter 15 of Title III of chapter 97 of the Laws of 1909, page 363, (section 5067 of Remington's Compiled Statutes; section 5214 of Pierce's 1919 Code) be amended to read as follows:

§ 4, L. 1909,  
p. 363;  
§ 5067, Rem.  
Stats.;  
§ 5214,  
Pierce's  
1919 Code.

Section 4. Having received the basis of appeal, as set forth in the preceding section, the officer to whom the appeal is taken shall within ten days notify in writing the party from whose action the appeal is taken of the taking of such appeal and of its nature and scope. Within twenty days after such notice the said party shall file a complete transcript, properly certified to be correct, of the record and papers and proceedings relating to the decision complained of. Upon the filing of such transcript notice shall be duly given to all parties interested of the time and place where the matter of the appeal shall be heard and determined.

Notice of  
appeal.

Filing of  
transcript.

Notice of  
hearing.

SEC. 2. That section 5 of (Sub) chapter 15 of Title III of chapter 97 of the Laws of 1909, pages 363-364, (section 5068 of Remington's Compiled Statutes; section 5215 of Pierce's 1919 Code) be amended to read as follows:

§ 5, L. 1909,  
p. 363-4;  
§ 5068, Rem.  
Stats.;  
§ 5215,  
Pierce's  
1919 Code.

Section 5. At the hearing of an appeal, properly presented in accordance with this chapter, the county superintendent shall hear testimony of all parties interested, and for the purpose may administer oaths

Hearing by  
County Su-  
perintendent.

if necessary, may summon witnesses or demand records or certified copies of the same. In the case of a hearing on appeal by the superintendent of public instruction no new evidence may be admitted but in case of an appeal to the superior court, the court may hear the case *de novo*.

By superintendent of public instruction.

By superior court.

§ 6, L. 1909, p. 364 ;  
§ 5069, Rem. Stats. ;  
§ 5216, Pierce's 1919 Code.

SEC. 3. That section 6 of (Sub) chapter 15 Title III of chapter 97 of the Laws of 1909, page 364, (section 5069 of Remington's Compiled Statutes ; section 5216 of Pierce's 1919 Code) be amended to read as follows :

When decision final.

Section 6. In decisions of appeal by the superintendent of public instruction the decision or order shall be final unless set aside by a court of competent jurisdiction in an action brought therein to review such order or decision.

Passed the Senate February 1, 1927.

Passed the House January 28, 1927.

Approved by the Governor February 8, 1927.

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## CHAPTER 103.

[S. B. 42.]

### CRIMINAL CHARGE BY INFORMATION OR INDICTMENT.

AN ACT relating to the rights of parties accused of crime, and amending Section 764 of the Code of Washington Territory of 1881, and repealing Section 10 of Chapter XXVIII of the Laws of 1891.

*Be it enacted by the Legislature of the State of Washington:*

§ 764, Code of 1881 ;  
§ 2023, Rem. Stats. ;  
§ 9148, Pierce's 1919 Code.

SECTION 1. That section 764 of the Code of Washington Territory of 1881, (section 2023 of Remington's Compiled Statutes ; section 9148 of Pierce's 1919 Code) be amended to read as follows :

Information or indictment essential in criminal actions.

Section 764. That no person shall be held to answer in any court for an alleged crime or offense,