

CHAPTER 162.

(H. B. No. 182)

COMPULSORY ATTENDANCE OF CHILDREN IN PUBLIC SCHOOLS.

AN ACT relating to the compulsory attendance of children between the ages of eight and fifteen years in the public schools of the State of Washington.

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

SECTION 1. All parents, guardians and other persons in this State having or who may hereafter have immediate custody of any child from eight to fifteen years of age shall cause such child to attend the public schools of the district in which the child resides for the full time in which such school may be in session, or private school for the same time, unless the child is physically or mentally unable to attend, has already attained a reasonable proficiency in the branches required by law to be taught in the first eight grades of public schools in this State or provided by the course of study of the said school, is otherwise being furnished with the same education, or has been excused from such attendance for some other sufficient reason by the superintendent of the schools of the district in which the child resides, if there be such a superintendent, or, in all other cases, by the county superintendent of common schools.

Exceptions.

Employment
of prohibited,
when.

SEC. 2. No child under the age of fifteen years shall be employed in any manufacturing, mechanical or other mercantile establishment, or by any telegraph or telephone company, or by any other corporation in this State during the time in which the public schools of the district in which such child resides are in session, unless the said child shall present a certificate from a school superintendent, as provided for in section one of this act, excusing the said child from attendance in the public schools and setting forth the reason for such excuse, the residence and age of the child, and the time for which such excuse is given. Every owner, superintendent, or overseer of any establishment, corporation or company employing any such child shall keep such certificate on file so long as such child is employed by him

or her. The form of said certificate shall be furnished by the Superintendent of Public Instruction.

SEC. 3. Any person violating the provisions of the two preceding sections shall be fined not more than twenty-five dollars. Attendance officers shall make complaint for violation of the provisions of this act to a justice of the peace or to the judge of the superior court. Penalty.

SEC. 4. To aid in the enforcement of this act, attendance officers shall be appointed and employed as follows: In city districts the board of directors shall annually appoint one or more attendance officers; in incorporated towns or in villages the board of directors shall appoint an attendance officer who may also be a regularly appointed constable or marshal; in all other districts the county superintendent shall act as attendance officer. The compensation of the attendance officer shall be fixed and paid by the board appointing him, or, in case of clerks, by the board of which he is a member. The attendance officer shall be vested with police powers, the authority to make arrests and serve all legal processes contemplated by this act, and shall have authority to enter all stores, mills, shops or other places in which children may be employed, for the purpose of making such investigations as may be necessary to the enforcement of this act. The attendance officer is authorized to take into custody the person of any child between eight and fifteen years of age who may be a truant from school and to conduct said child to his parents for investigation and explanation, or to the school which he should properly attend. The attendance officer shall institute proceedings against any officer, parent, guardian, person, company or corporation violating any provisions of this act, and shall otherwise discharge the duties described in this act and perform such other services as the superintendent of schools or the board of directors may deem necessary. The attendance officer shall keep a record of his transactions for the inspection and information of the board of directors and the city or county superintendent; and shall make a detailed report to the superintendent of the city or of the county, as often as the same may be required. Attendance officers—how appointed.

Powers of.

Authority of

Proceedings by.

Records of.

SEC. 5. Any attendance officer, sheriff, deputy sheriff, marshal, policeman, or any other officer authorized to make arrests in the city or district, shall arrest without warrant a child who, under the provisions of this act is required Arrest of truants without warrant.

to attend school, such child being then a truant from instruction, upon which he is lawfully required to attend within the city or district of the aforesaid officer. He shall forthwith deliver a child so arrested either to the custody of a person in parental relation to the child or of a teacher from whom the child is then a truant or, in case of habitual and incorrigible truants, shall bring them before a justice of the peace. The justice of the peace shall if he is convinced that the child so arrested is an habitual truant or that the child is guilty of wilful and continued disobedience to the school rules and regulations or laws or that the conduct of the child is pernicious and injurious to the school, bind the child over to the superior court with a view to his commitment to the State Reform School or other school for incorrigibles.

Duty of district clerk as to census report.

SEC. 6. It shall be the duty of the district clerk at the beginning of the school year to provide the teacher with a copy of the last census of school children taken in his district. It shall be the duty of principals and teachers to report to the attendance officer, the Superintendent of Public Instruction, or the clerk of the board of education, all cases of truancy or incorrigibility in their respective schools immediately after these offenses have been committed.

Jurisdiction.

SEC. 7. In cases arising under this act all justices courts, municipal courts, and superior courts in the State of Washington shall have concurrent jurisdiction.

County attorney to act.

SEC. 8. The county attorney shall act as attorney in all court proceedings relating to the compulsory attendance of children as required by this act.

Annual report to state board of education.

SEC. 9. The board of directors of each school district under the provisions of this act shall annually report to the State Board of Education whether their respective districts have made provisions required by this act; and in case the said board of any district shall in any year refuse or neglect to comply with the provisions of this act after having been duly notified by the Superintendent of Public Instruction, twenty-five per centum of the money appropriated to such district from the State for school purposes shall be withheld until the provisions of this act have been complied with.

Failure of officers—penalty.

SEC. 10. Any superintendent, teacher, attendance officer, constable or other officer who shall fail or refuse to perform the duties prescribed by this act shall be deemed guilty of

a misdemeanor and, upon conviction thereof, be fined not less than twenty or more than one hundred dollars: *Provided*, That in the case of a district officer such fine shall be paid to the county treasurer and by him placed to the credit of the school district in which said officer resides, and in case of other officers such fine shall be paid to the county treasurer and by him placed to the credit of the general school fund of the county.

SEC. 11. All fines except as otherwise provided in section two, under the provision of this act, shall inure and be applied to the support of the public schools in the district where such offense was committed. Fines.

SEC. 12. No officer performing any duty under any of the provisions of this act, or under the provisions of any rules that may be passed in pursuance hereof, shall in any wise become liable for any costs that may accrue in the performance of any duty. Liability for costs.

Passed the House February 14, 1905.

Passed the Senate March 8, 1905.

Approved by the Governor March 11, 1905.

CHAPTER 163.

(H. B. No. 201)

RELATIVE TO THE PROTECTION OF CLAMS.

AN ACT relating to the protection of clams; providing penalties for its violation and declaring an emergency.

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

SECTION 1. It shall not be lawful for any person or persons, firm or corporation, or any person whatsoever, to take, or dig clams from the sands on the ocean beach of the Pacific Ocean, in the State of Washington, or to have in their possession after the same have been taken, for the purpose of canning or for the purpose of sale, between the first day of May and the thirty-first day of August of each year. May 1st to
September 1st

SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and subject to a fine of