

by the State Superintendent of Schools, the State Superintendent of Schools shall still be dissatisfied he shall give such school a written order requiring such school to show cause, if any, at a hearing before the State Board of Education to be held at a specific time therein designated, not less than thirty days after the date of such order, why such school's certificate of approval should not be revoked. Upon such hearing or upon the failure of any representative of the school to attend such hearing, the State Board of Education may revoke such certificate of approval by an order of revocation effective fifteen days from the date thereof [.] ; provided, *however*, [that said revocation shall be stayed if within such fifteen day period] such school *may* [files an] appeal from the Board's decision to the circuit court of the county wherein the applicant purposes to operate, or to the Superior Court of Baltimore City, if the applicant purposes to operate therein. *The State Board may stay its order pending the determination of such appeal.* Any applicant who has been denied a certificate shall be entitled to a hearing before the State Board of Education which may affirm or reverse the action of the State Superintendent of Schools. Any applicant adversely affected by a decision of the State Board of Education affirming the action of the State Superintendent of Schools in denying a certificate may appeal from the Board's decision to the circuit court of the county wherein the applicant purposes to operate, or to the Superior Court of Baltimore City, if the applicant purposes to operate therein. On any such appeal from the action of the State Board of Education in either revoking such certificate or in affirming the action of the State Superintendent of Schools in denying a certificate, there shall be a rebuttable presumption that the action of the State Board of Education is proper and in the public interest. The burden of proof shall be upon the appellant to show that the decision complained of is either against the public interest, or that the State Board of Education's discretion in rendering its decision was not honestly and fairly exercised or was arbitrary or unsupported by any substantial evidence, or was unreasonable or beyond the powers of the Board or illegal. The appeal shall be heard by the court without a jury or with a jury if either party so requests. *The State Board may be a party to such appeal.* If the court affirms the action of the State Board of Education in revoking a certificate, the revocation of such certificate shall thereupon become effective, *if previously stayed.* [but e] Either party shall have the right of appeal to the Court of Appeals from any decision of the court on the question of denial or revocation of a certificate [provided that no such appeal shall have the effect of further staying the revocation of a certificate. There shall be no other remedy in any other courts by way of mandamus, injunction, certiorari or otherwise].

SEC. 49. *And be it further enacted, That Section 42 of Article 78 of the Code, title "Public Service Commission Law", sub-title "Public Service Companies", sub-heading "Railroad Companies"; sub-section (a) of Section 91, Section 92, sub-section (a) of Section 93 and sub-sections (a) and (b) of Section 94 of Article 78 of the Code, title "Public Service Commission Law", sub-title "Judicial Review" be and they are hereby repealed and re-enacted with amendments, to read as follows:*