

"Sixth. To the defendant upon judgment in his favor upon a trial upon the merits, five dollars, exclusive of disbursements.

"Seventh. To the defendant upon judgment in his favor upon a trial upon the merits when the money or the value of the property claimed in the complaint, or in his counterclaim, exceeds \$100.00, ten dollars, exclusive of disbursements.

"Eighth. Costs may be allowed on a motion or demurrer, in the discretion of the judge, not exceeding ten dollars, and may be made absolute or directed to abide the event of the action.

"Ninth. Save as hereinbefore provided, costs shall be allowed in all cases to the prevailing party, as in the district court."

Sec. 2. Effective June 1, 1927.—This act shall take effect and be in force from and after June 1, 1927.

Approved March 11, 1927.

CHAPTER 34—H. F. No. 369

An act to authorize school districts to provide for instruction of certain pupils in other districts.

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

Section 1. School boards may provide for instruction of certain pupils in other districts.—That the board of any school district, however organized, may by unanimous vote provide for the instruction of any resident pupil in another school district when inadequate room, distance to school, unfavorable road conditions, or other facts or conditions make attendance in his own district unreasonably difficult or impractical, in which case such district shall pay to the district so attended the tuition agreed upon, or charged; provided, however, that such pupil shall continue to be a pupil of the district of his residence in the apportionment of the current school fund and the payment of state aid.

Approved March 11, 1927.

CHAPTER 35—H. F. No. 784

An act to authorize school districts in cities of the fourth class to condemn public easements in alleys in certain cases.

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

Section 1. School districts may condemn property.—That any School District of which the greater portion lies within the corporate limits of a city of the fourth class may with the

consent of the governing body of said city acquire by condemnation the public easement in any public alley which the school board of such district deems it necessary to use for school purposes.

Approved March 11, 1927.

CHAPTER 36--H. F. No. 77

An act to regulate the employment of teachers in the public schools in cities of the first class and fixing the conditions under which they may hold their positions or may be discharged or may be demoted.

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

Section 1. Definition.—The term “teacher” shall include every person regularly employed, as a principal, or to give instruction in a class-room, or to superintend or supervise class-room instruction, or as placement teacher and visiting teacher.

Sec. 2. Definition.—The term “school board” shall include a majority in membership of any and all boards or official bodies having the care, management or control over public schools; and the term “commissioner” shall include any and all instances where a single official has the care, management or control over public schools.

Sec. 3. Definition.—The word “demote” shall mean to reduce in rank or to transfer to a lower branch of the service or to a position carrying a lower salary or compensation.

Sec. 4. Probation period—discharge.—All teachers in the public schools in cities of the first class in the State during the first three years of consecutive employment shall be deemed to be in a probationary period of employment during which period any annual contract with any teacher may, or may not be renewed as the school board or commissioner shall see fit. The school board or commissioner may during such probationary period discharge or demote a teacher for any of the causes as specified in Section 6. A written statement of the cause of such discharge or demotion shall be given to the teacher by the school board or commissioner at least 30 days before such removal or demotion shall become effective, and the teacher so notified shall have no right of appeal therefrom.

Sec. 5. No discharge except for cause.—After the completion of such probationary period, without discharge, such teachers as are thereupon re-employed shall continue in service and hold their respective positions during good behavior and efficient and competent service and shall not be discharged or