

north shore of Lake Superior in the vicinity of Beaver Bay, not more than \$82,000 for radio navigational aids; and not more than \$52,000 for the purchase of aircraft \$2,112,500 including not more than \$1,250,000 on the key system airports; not more than \$305,000 on the secondary airport system; not more than \$255,000 on the state landing strip system; not more than \$160,000 for navigational aids and airborne test equipment; not more than \$28,000 for the purchase of aircraft; not more than \$8,000 grant-in-aid in cooperation with the department of business development for promotional material; not more than \$31,500 assistance in updating flight instructors and mechanics in cooperation with the department of education, division of vocational education; and not more than \$75,000 for the hangar construction revolving fund, money to be added to the hangar construction revolving fund to be expended in accordance with Minnesota Statutes, Section 360.385.

Approved May 22, 1965.

CHAPTER 607—S. F. No. 1742

An act relating to the civil appeal code; appeals to the Supreme Court from certain judgments or orders; amending Minnesota Statutes 1961, Section 605.09, as amended.

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

Section 1. Minnesota Statutes 1961, Section 605.09, as amended by Laws 1963, Chapter 806, Section 8, is amended to read:

605.09 Civil actions; appeals to supreme court; appealable judgments and orders. An appeal may be taken to the supreme court:

- (a) From a judgment entered in the district court;
- (b) From an order which grants, refuses, dissolves, or refuses to dissolve, an injunction;
- (c) From an order vacating or sustaining an attachment;
- (d) *From an order involving the merits of the action or some part thereof;*
- (e) From an order refusing a new trial, or from an order granting a new trial if the court expressly states therein, or in a memorandum attached thereto, that the order is based exclusively

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upon errors of law occurring at the trial, and upon no other ground; and the court shall specify such errors in its order or memorandum, but upon appeal, such order granting a new trial may be sustained for errors of law prejudicial to respondent other than those specified by the trial court;

(e) (f) From an order which, in effect, determines the action, and prevents a judgment from which an appeal might be taken;

(g) From a final order or judgment made or rendered in proceedings supplementary to execution;

(g) (h) Except as otherwise provided by statute, from the final order or judgment affecting a substantial right made in a special proceeding, provided that the appeal must be taken within the time limited for appeal from an order;

(h) (i) If the district court certifies that the question presented is important and doubtful, from an order which denies a motion to dismiss for failure to state a claim upon which relief can be granted or from an order which denies a motion for summary judgment.

Approved May 22, 1965.

CHAPTER 608—S. F. No. 1750

An act relating to costs and disbursements in the Supreme Court; amending Minnesota Statutes 1961, Section 607.01.

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

Section 1. Minnesota Statutes 1961, Section 607.01, is amended to read:

607.01 **Supreme court; costs and disbursements.** *Sub-division 1.* Costs in the supreme court may be allowed, in the discretion of the court, as follows:

(1) To the prevailing party, upon a judgment in his favor on the merits, not exceeding \$25;

(2) Upon dismissal, not exceeding \$10.

Subd. 2. In all cases the prevailing party shall be allowed his

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