

"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