

or establishing or refusing to establish any drainage system. The appellant shall serve notice of appeal and give bond as provided in subdivision 2 hereof. *Upon such appeal being perfected, it may be brought on for trial by either party upon ten days notice to the other, and shall then be tried by the court without a jury. The court shall examine the whole matter and receive evidence to determine whether the findings made by the county board can be sustained. At such trial the findings made by the county board shall be prima facie evidence of the matters therein stated, and the order of the county board shall be deemed prima facie reasonable. If the court shall find that the order appealed from is lawful and reasonable, it shall be affirmed. If the court finds that the order appealed from is arbitrary, unlawful, or not supported by the evidence, it shall make such order to take the place of the order appealed from as is justified by the record before it or remand such matter to the county board for further proceeding before the board. After determination of the appeal, the county board shall proceed in conformity therewith.*

If such appeal be from an order establishing a ditch, the trial of any appeals from benefits or damages in the ditch proceeding shall be stayed pending the determination of such appeal; and, if the order establishing be affirmed, any such appeals from benefits or damages shall then stand for trial as provided by this section. If such appeal be from an order refusing to establish a ditch, and if the court thereafter by order establishes the ditch, the county auditor shall give notice by publication of the filing of the order. Such notice shall be sufficient if it refers to the ditch by number or other descriptive designation and recites the purport of the order and the date of filing in the court. Any person aggrieved thereby may appeal to the district court upon the grounds and as provided by subdivisions 1 and 2 of this section, and such appeal shall be made as required by subdivision 2 of this section within 30 days after the completion of publication of notice as herein required.

Approved April 9, 1949.

CHAPTER 358—H. F. No. 930

An act relating to the use or sale of firearms or air guns, and the aiming or discharging thereof; amending Minnesota Statutes 1945, Sections 615.09, 615.10, and 616.42.

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

Section 1. Minnesota Statutes 1945, Section 615.09, is amended to read :

615.09. Aiming or discharging of firearms. Subdivision 1. **Air Guns.** "*Air gun*" means any air rifle, air gun, B-B gun, spring gun, or similar device for the propulsion of shot or other metal pellet by means of compressed air, or mechanical spring action.

Subd. 2. **Misdemeanor.** Every person who shall aim any gun, pistol, revolver, or other firearms, or *air gun*, whether loaded or not, at or towards any human being, or who shall wilfully discharge any firearm, *air gun*, or other weapon, or throw any deadly missile, in a public place, or in any place where there is any person to be endangered, although no injury actually results, shall be guilty of a misdemeanor.

Sec. 2. Minnesota Statutes 1945, Section 615.10, is amended to read :

615.10. Use of firearms by minors. No minor under the age of 14 years shall handle, or have in his possession or under his control, except while accompanied by or under the immediate charge of his parent or guardian, any firearm or *air gun* of any kind for hunting or target practice or any other purpose. Every person violating any of the foregoing provisions, or aiding or knowingly permitting any such minor to violate the same, shall be guilty of a misdemeanor.

Sec. 3. Minnesota Statutes 1945, Section 616.42, is amended to read :

616.42. Sale of firearms or ammunition. Subdivision 1. No person, in any city in this state, shall sell, give, loan, or in anywise furnish any firearm, or *air gun*, or ammunition, to a minor under the age of 18 years without the written consent of his parents or guardian, or of a police officer or magistrate of such city.

Subd. 2. Any person who violates any provision of this section is guilty of a misdemeanor.

Approved April 9, 1949.