

in any prosecution against such person for a violation of the provisions of this act such certificate or duly authenticated copies of the record in the office of the clerk or recorder relative thereto, shall be *prima facie* evidence of his citizenship and residence as in this act required. But in all prosecutions under this act the burden of proof shall be on the defendant to establish the facts of his citizenship and residence.

SEC. 3. Any person violating any of the provisions of this act, upon conviction thereof before any justice of the peace, shall be fined not less than five nor less than one hundred dollars.

Fee.

SEC. 4. For taking the affidavits and issuing the certificates herein provided for, the clerk shall collect from the party applying the sum of one dollar, to be paid into the county treasury; and he shall keep in his office a record of all certificates issued pursuant to this act.

Concurrent jurisdiction.

SEC. 5. Nothing in this act shall be construed to prevent citizens of any state having concurrent jurisdiction with this state over or upon any rivers or waters from fishing upon such rivers or waters: *Provided*, That this act shall not apply to Indians.

Approved March 6, 1891.

CHAPTER LXXXVIII.

[H. B. No. 139.]

TO PROVIDE FOR TAKING A CENSUS ON THE COLVILLE INDIAN RESERVATION.

AN ACT to provide for taking a census on the Colville Indian Reservation, and making an appropriation therefor, and declaring an emergency.

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

Enumerators.

SECTION 1. That the governor be and is hereby empowered and directed to appoint two (2) enumerators, at a salary of five dollars (\$5.00) per diem each, and that said

enumerators be allowed in addition to their per diem the sum of three hundred dollars (\$300.00) for traveling expenses, or such portion thereof as may be expended by them while enumerating the Indians on the Colville reservation.

SEC. 2. That the sum of fifteen hundred dollars (\$1,500.00) be and the same is hereby appropriated, out of any money not otherwise appropriated in the state treasury, for the purpose of taking a census of the Indians residing on the Colville reservation, or such portion thereof as may be necessary to carry out the provisions hereinbefore provided by this act. Whereas, there being no reliable data in existence relative to the actual number of Indians occupying the Colville reservation, and this data being absolutely essential for the information and guidance of the commission to open the reservation, or any part thereof, to occupancy by *bona fide* settlers, an emergency exists; therefore, this act shall take effect and be in force from and after its approval by the governor.

Approved March 6, 1891.

CHAPTER LXXXIX.

[H. B. No. 261.]

TO AMEND SECTION EIGHT OF THE LAW CREATING A CODE COMMISSIONER.

AN ACT to amend section eight of an act entitled "An act to appoint a commissioner to compile, re-arrange and annotate the laws of Washington, and to provide for the publication and distribution thereof, and for payment therefor," approved February 18, 1890.

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

SECTION 1. That section eight of an act entitled "An act to appoint a commissioner to compile, re-arrange and annotate the laws of Washington, and to provide for the publication and distribution thereof, and for payment therefor," is hereby amended to read as follows: "On receipt of the one thousand copies of the laws, as hereinbe-