

the Territory of Utah in any criminal prosecution or civil action by the United States for a trespass on such public timber lands or to recover timber or lumber cut thereon it shall be a defense if the defendant shall show that the said timber was so cut or removed from the timber lands for use in such State or Territory by a resident thereof for agricultural, mining, manufacturing, or domestic purposes under rules and regulations made and prescribed by the Secretary of the Interior and has not been transported out of the same, but nothing herein contained shall operate to enlarge the rights of any railway company to cut timber on the public domain, provided that the Secretary of the Interior may make suitable rules and regulations to carry out the provisions of this act, and he may designate the sections or tracts of land where timber may be cut, and it shall not be lawful to cut or remove any timber except as may be prescribed by such rules and regulations, but this act shall not operate to repeal the act of June third, eighteen hundred and seventy-eight, providing for the cutting of timber on mineral lands.

Approved, March 3, 1891.

March 3, 1891.	<b>CHAP. 560.</b> —An act to provide for the purchase of a site and the erection of a public building thereon at Saginaw, in the State of Michigan.
Preamble.	Whereas the Legislature of the State of Michigan, at its biennial session, in the year Anno Domini Eighteen hundred and eighty-nine, by law provided for the consolidation of the cities of Saginaw and East Saginaw in the State of Michigan, under the name of Saginaw; and
Saginaw, Mich. Public building.	Whereas the population of the said joint cities is of the number of sixty-five thousand inhabitants; and,
Site.	Whereas two presidential post offices are in existence within the limits of the said cities to be consolidated: Therefore,
Cost.	<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fire-proof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Saginaw and State of Michigan, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of One hundred thousand dollars, which said sum of
Appropriation.	One hundred thousand dollars is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated.
Proposals to be advertised for.	Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.
Responses.	Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.
Examination by Treasury agent.	If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons,
Appointment of commission.	

one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

Examination.  
Hearings.  
Report.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed six dollars per day and actual traveling expenses: *Provided, however,* That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

Determination of location.  
Compensation of commissioners.  
*Proviso.*  
Treasury member.

So much of the appropriation herein made as may be necessary to defray the expenses of advertising for proposals, actual traveling expenses of said agent, and the compensation and actual traveling expenses of said commissioners, and other expenses incident to the selection of the site, and for necessary survey thereof, shall be immediately available.

Advertising, etc., expenses, immediately available.

So much of said appropriation as may be necessary for the preparation of sketch-plans, drawings, specifications, and detailed estimates for the building by the Supervising Architect of the Treasury Department shall be available immediately upon the approval by the Secretary of the Treasury of such site.

Appropriation for plans, etc., available on approval of site.

No money appropriated by this act shall be available, except as hereinbefore provided, until a valid title to the site for said building shall be vested in the United States, nor until the State of Michigan shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

No expenditure until valid title, etc., pass.

After the said site shall have been paid for and the sketch-plans and detailed estimates for the building shall have been prepared by the Supervising Architect and approved by the Secretary of the Treasury, the Secretary of the Interior and the Postmaster-General the balance of said appropriation shall be available for the erection and completion of the building, including fire-proof vaults, heating and ventilating apparatus, elevators, and approaches.

Balance for construction, etc.

The building shall be unexposed to danger from fire by an open space of at least forty feet on each side, including streets and alleys.

Open space.

Approved, March 3, 1891.

**CHAP. 561.**—An act to repeal timber-culture laws, and for other purposes.

March 3, 1891.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That an act entitled "An act to amend an act entitled 'An act to encourage the growth of timber on the Western prairies,'" approved June fourteenth, eighteen hundred and seventy eight, and all laws supplementary thereto or amendatory thereof, be, and the same are hereby, repealed: *Provided,* That this repeal shall not affect any valid rights heretofore accrued or accruing under said laws, but all bona fide claims lawfully initiated before the passage of this act may be perfected upon due compliance with law, in the same manner, upon the same terms and conditions, and subject to the same limitations, forfeitures, and contests as if this act had not been passed: *And provided further,* That the following words of the last clause of section two of said

Timber culture laws repealed.

Vol. 20, p. 113.

*Provisos.*  
Existing rights preserved.

Number of trees per acre.