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.

CHAP. 560.—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

Whereas the population of the said joint cities is of the number of sixty-five thousand inhabitants; and,

Whereas two presidential post offices are in existence within the limits of the said cities to be consolidated: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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 One hundred thousand dollars is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated.

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.

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.

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,
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 hear-
ings in relation thereto as they shall deem necessary; and said com-
mission 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 docu-
tments 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 fin-
ally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Sec-
retary 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 Depart-
ment shall be paid only his actual traveling expenses.

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 im-
mediately available.

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

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.

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.

Approved, March 3, 1891.

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

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That an act enti-
tled "An act to amend an act entitled 'An act to encourage the
growth of timber on the Western prairies,' approved June four-
teenth, eighteen hundred and seventy eight, and all laws supple-
mentary 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 per-
fected upon due compliance with law, in the same manner, upon the
same terms and conditions, and subject to the same limitations, forfeit-
ures, and contests as if this act had not been passed: And provided fur-
ther, That the following words of the last clause of section two of said

Examination.
Hearings.
Report.
Determination of location.
Compensation of commissioners.
Treasury member.
Advertising, etc., expenses, immediately available.
Compensation of commissioners.
Proviso.
Treasury member.
Appropriation for plans, etc., available on approval of site.
No expenditure until valid title, etc., pass.
Balance for construction, etc.
Open space.

Timber culture laws repealed.
Vol. 20, p. 113.
Provisos.
Existing rights preserved.
Number of trees per acre.