

## 16 U.S.C.

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Title 16 - CONSERVATION

CHAPTER 4 - PROTECTION OF TIMBER, AND DEPREDATIONS

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### **§604. Cutting timber on certain mineral lands; permits to corporations; railroad corporations**

All citizens of the United States and other persons, bona fide residents of the States of Colorado, Nevada, New Mexico, Arizona, Utah, Wyoming, North Dakota, South Dakota, Idaho, or Montana, and all other mineral districts of the United States, are authorized and permitted to fell and remove, for building, agricultural, mining, or other domestic purposes, any timber or other trees growing or being on the public lands, said lands being mineral, and not subject to entry under existing laws of the United States, except for mineral entry, in said States or districts of which such citizens or persons may be at the time bona fide residents, subject to such rules and regulations as the Secretary of the Interior may prescribe for the protection of the timber and of the undergrowth growing upon such lands, and for other purposes. It shall be lawful for the Secretary of the Interior to grant permits in accordance with the provisions of this section, to corporations incorporated under a Federal law of the United States or incorporated under the laws of a State or Territory of the United States, other than the State in which the privilege is requested. Such permits to confer the same rights and benefits upon such corporations as are conferred upon corporations incorporated in the State in which the privilege is to be exercised, but all such corporations shall first have complied with the laws of that State so as to entitle them to do business therein. The provisions of this section and sections 605 and 606 of this title shall not extend to railroad corporations.

(June 3, 1878, ch. 150, §1, 20 Stat. 88; Jan. 11, 1921, ch. 22, 41 Stat. 1088.)

#### **CODIFICATION**

The first sentence of this section is from section 1 of act June 3, 1878.

The words of this section reading "bona fide residents of the States of Colorado, Nevada, New Mexico, Arizona, Utah, Wyoming, North Dakota, South Dakota, Idaho, or Montana," read in the original section, "bona fide residents of the State of Colorado, or Nevada, or either of the Territories of New Mexico, Arizona, Utah, Wyoming, Dakota, Idaho, or Montana."

A proviso at the close of section 1 of act June 3, 1878, was combined with a similar proviso in act Jan. 11, 1921, to form the last sentence of this section.

Act of Jan. 11, 1921, is the source of the remainder of the section.

As originally enacted that act began with the following language: "Section 1 of an Act entitled 'An Act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes,' approved June 3, 1878, chapter 150, page 88, volume 20, United States Statutes at Large, and section 8 of an Act entitled 'An Act to repeal timber-culture laws, and for other purposes,' approved March 3, 1891, as amended by an Act approved March 3, 1891, chapter

559, page 1093, volume 26, United States Statutes at Large, and the several Acts amendatory thereof, be, and the same are hereby, extended so that," etc.

This language was omitted as having been given effect by the combination of the remaining language of the act with section 1 of act June 3, 1878, to form this section, by section 612 of this title.