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purpose of manufacture, but such shipment shall be subject to provisions of the Act of August fifth, nineteen hundred and nine.

Adulterations.

SEC. 2. That seed shall be considered adulterated within the meaning of this Act—

Red clover.

First. When seed of red clover contains more than three per centum by weight of seed of yellow trefoil, or any other seed of similar appearance to and of lower market value than seed of red clover.

Alfalfa.

Second. When seed of alfalfa contains more than three per centum by weight of seed of yellow trefoil, burr clover and sweet clover, singly or combined.

Other seeds.

Third. When any kind or variety of the seeds, or any mixture described in section one of this Act, contains more than five per centum by weight of seed of another kind or variety of lower market value and of similar appearance: *Provided*, That the mixture of the seed of white and alsike clover, red and alsike clover, or alsike clover and timothy, shall not be deemed an adulteration under this section.

Proviso.
Clover, etc.

Unfit for seeding.

SEC. 3. That seed shall be considered unfit for seeding purposes within the meaning of this Act—

Clover and alfalfa.

First. When any kind or variety of clover or alfalfa seed contains more than one seed of dodder to five grams of clover or alfalfa seed, respectively.

Other seeds.

Second. When any kind or variety of the seeds or any mixture described in section one of this Act contains more than three per centum by weight of seeds of weeds.

Penalty.

SEC. 4. That any person or persons who shall knowingly violate the provisions of this Act, shall be deemed guilty of a misdemeanor and shall pay a fine of not exceeding five hundred dollars and not less than two hundred dollars: *Provided*, That any person or persons who shall knowingly sell for seeding purposes seeds or grain which were imported under the provisions of this Act for the purpose of manufacture shall be deemed guilty of a violation of this Act.

Proviso.
Seeds imported for manufacture.

Approved, August 24, 1912.

August 24, 1912.
[H. R. 23043.]
[Public, No. 330.]

CHAP. 383.—An Act To patent certain semiarid lands to Luther Burbank under certain conditions.

Public lands.
Semiarid lands set apart to Luther Burbank for spineless cacti propagation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be set aside for a period of five years such portions of the unappropriated, nonmineral, nonirrigable, nontimbered, and unreserved public lands situated in California, New Mexico, Arizona, and Nevada as Luther Burbank, of Santa Rosa, California, may select, not to exceed twelve sections in all, and the right to enter the same and propagate the spineless cacti thereon, erecting all necessary improvements, and clearing and tilling the soil thereof, be granted the said Luther Burbank, his heirs, and successors in interest.

Patent if payment made in five years.

SEC. 2. That the Secretary of the Interior be directed to issue patent to the said Luther Burbank, his heirs, or successors in interest, for all or any legal subdivision of the said lands so set aside upon the payment of one and twenty-five one-hundredths dollars per acre, or two and fifty one-hundredths dollars per acre if the same be reserved sections within any railroad grant, as purchase price, provided said payment is made within the said five years: *Provided*, That no patent shall issue until the said Luther Burbank or his heirs or successors in interest shall have had at least one hundred thousand growing plants of spineless cacti of a character suitable for animal food upon said lands or some part thereof for the period of two years, and until it has been shown to the satisfaction of the Secretary of the Interior that the lands to be patented are suitable for the growth of spineless

Proviso.
Conditions.

Certificate required of character of lands.

cacti valuable for domestic animal food: *Provided further*, That the land selected shall be approved by the Secretary of the Interior, when the Commissioner of the General Land Office shall certify to the Secretary of the Interior, is semiarid, nonmineral, nonirrigable, nontimbered, unreserved, and unsuitable lands for agricultural purposes under present methods of agriculture before the same shall be set aside as herein provided, and that said certificate shall be conclusive as to the character of said lands.

Approved, August 24, 1912.

August 24, 1912.
[H. R. 24458.]
[Public, No. 331.]

CHAP. 384.—An Act Authorizing the Secretary of War, in his discretion, to deliver to certain cities and towns condemned bronze or brass cannon, with their carriages and outfit of cannon balls, and so forth.

Obsolete ordnance. Grants of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized, in his discretion, to deliver

Dolton, Ill. George W. Spencer Grand Army Post.

to the village of Dolton, in the county of Cook and State of Illinois, for the use of the George W. Spencer Post, Numbered Four hundred and eighty-nine, Grand Army of the Republic, two condemned bronze or brass cannon or fieldpieces, with their carriages and a suitable outfit of cannon balls, to be subject at all times to the order of the Secretary of War.

Appleton City, Mo.

To Appleton City, in the State of Missouri, for the use of the Appleton City Academy, one condemned fieldpiece or cannon, with a suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

Elizabeth, W. Va.

To the town of Elizabeth, West Virginia, for the use of the Grand Army post at that place, two condemned bronze or brass fieldpieces, with their carriages, same to be subject at all times to the order of the Secretaty of War.

Lebanon, Tenn.

To the city of Lebanon, Tennessee, two condemned bronze or brass cannon or fieldpieces, with their carriages, same to be subject at all times to the order of the Secretary of War.

Pittston, Pa.

To the city of Pittston, Pennsylvania, for the use of the State armory, two condemned mortars or cannon, with a suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

Sheridan, Wyo. John Schuler Grand Army Post.

To the town of Sheridan, Wyoming, for use at John Schuler Post, Numbered Sixty-seven, Grand Army of the Republic, two condemned twelve-pound bronze cannon, now at the Rock Island Arsenal, Rock Island, Illinois, the same to be subject at all times to the order of the Secretary of War.

Orange, N. J.

To the city of Orange, State of New Jersey, two condemned bronze or brass cannon or fieldpieces, with their carriages, for use on the lawn of the Orange city common, in said city, the same to be subject at all times to the order of the Secretaty of War.

Gallatin, Mo.

To the city of Gallatin, State of Missouri, two condemned bronze or brass cannon or fieldpieces, with their carriages and a suitable outfit of cannon balls, the same to be mounted and used in the courthouse square in the said city, and to be subject at all times to the order of the Secretary of War.

New York. Revolutionary relics.

To the State of New York, the condemned brass fieldpieces and one brass howitzer captured by General Burgoyne at the Battle of Saratoga, the same to be subject at all times to the order of the Secretary of War.

Madison, S. Dak.

To the city of Madison, South Dakota, two condemned bronze or brass cannon, the same to be subject at all times to the order of the Secretary of War.