

said section line sixty-six feet, then easterly along a line parallel with the right of way of said railway for a distance of about three-quarters of a mile to the west line of the public highway, running north and south, thence north along the west line of said public highway sixty-six feet, thence westerly along the south line of the right of way of the aforesaid railway to the place of beginning, be, and the same is hereby, set apart as a public highway for the use of the public as such, on condition that the city of Anadarko, Oklahoma, erect and maintain a substantial and suitable fence along the south side of the road hereby set apart, subject to the approval of the Secretary of the Interior: *Provided*, That should said highway ever be abandoned, or vacated by any competent authority the title to the said described tract of land shall inure to the then owner of the tract of which it formed a part by the original survey.

Approved, August 24, 1912.

Condition.

*Proviso.*  
Reversion on abandonment.

August 24, 1912.  
[H. R. 21826.]

[Public, No. 328.]

Public lands.  
Enlarged homesteads.  
Validation of technically disqualified entries.

**CHAP. 381.—An Act Validating certain homestead entries.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all pending homestead entries made in good faith prior to September first, nineteen hundred and eleven, under the provisions of the enlarged homestead laws, by persons who, before making such enlarged homestead entry, had acquired title to a technical quarter section of land under the homestead law, and therefore were not qualified to make an enlarged homestead entry, be, and the same are hereby, validated, if in all other respects regular, in all cases where the original homestead entry was for less than one hundred and sixty acres of land.

Approved, August 24, 1912.

August 24, 1912.  
[H. R. 22840.]

[Public, No. 329.]

Grain and seeds.  
Importing adulterated, for seeding, prohibited.

Regulations to prevent.

*Proviso.*  
Delivery in bond.

Release after cleaning.

Shipments in transit, etc., excepted.

**CHAP. 382.—An Act To regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after six months after the passage of this Act the importation into the United States of seeds of alfalfa, barley, Canadian blue grass, Kentucky blue grass, awnless brome grass, buckwheat, clover, field corn, Kafir corn, meadow fescue, flax, millet, oats, orchard grass, rape, redbud, rye, sorghum, timothy, and wheat, or mixtures of seeds containing any of such seeds as one of the principal component parts, which are adulterated or unfit for seeding purposes under the terms of this Act, is hereby prohibited; and the Secretary of the Treasury and the Secretary of Agriculture shall, jointly or severally, make such rules and regulations as will prevent the importation of such seeds into the United States: *Provided, however*, That such seed may be delivered to the owner or consignee thereof under bond, to be reclaimed in accordance with and subject to such regulations as the Secretary of the Treasury may prescribe, and when cleaned to the standard of purity specified in this Act for admission into the United States such seed may be released to the owner or consignee thereof after the screenings and other refuse removed from such seed shall have been disposed of in a manner prescribed by the Secretary of Agriculture: *Provided further*, That this Act shall not apply to the importation of barley, buckwheat, field corn, Kafir corn, sorghum, flax, oats, rye, or wheat not intended for seeding purposes, when shipped in bond through the United States or imported for the

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

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

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.

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.

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.

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

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.

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.

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.

Approved, August 24, 1912.

Adulterations.

Red clover.

Alfalfa.

Other seeds.

*Proviso.*  
Clover, etc.

Unfit for seeding.

Clover and alfalfa.

Other seeds.

Penalty.

*Proviso.*  
Seeds imported for  
manufacture.

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

August 24, 1912.  
[H. R. 23048.]

[Public, No. 330.]

*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.

Public lands.  
Semiarid lands set  
apart to Luther Bur-  
bank for spineless  
cacti propagation.

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

Patent if payment  
made in five years.

*Proviso.*  
Conditions.