

shall be taken under such rules and regulations as the Secretary of Agriculture may prescribe, reduced to writing, and made a part of the record therein. If upon such hearing the Secretary of Agriculture shall be of the opinion that such association monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any agricultural product is unduly enhanced thereby, he shall issue and cause to be served upon the association an order reciting the facts found by him, directing such association to cease and desist from monopolization or restraint of trade. On the request of such association or if such association fails or neglects for thirty days to obey such order, the Secretary of Agriculture shall file in the district court in the judicial district in which such association has its principal place of business a certified copy of the order and of all the records in the proceeding, together with a petition asking that the order be enforced, and shall give notice to the Attorney General and to said association of such filing. Such district court shall thereupon have jurisdiction to enter a decree affirming, modifying, or setting aside said order, or enter such other decree as the court may deem equitable, and may make rules as to pleadings and proceedings to be had in considering such order. The place of trial may, for cause or by consent of parties, be changed as in other causes.

The facts found by the Secretary of Agriculture and recited or set forth in said order shall be prima facie evidence of such facts, but either party may adduce additional evidence. The Department of Justice shall have charge of the enforcement of such order. After the order is so filed in such district court and while pending for review therein the court may issue a temporary writ of injunction forbidding such association from violating such order or any part thereof. The court may, upon conclusion of its hearing, enforce its decree by a permanent injunction or other appropriate remedy. Service of such complaint and of all notices may be made upon such association by service upon any officer or agent thereof engaged in carrying on its business, or on any attorney authorized to appear in such proceedings for such association, and such service shall be binding upon such association, the officers, and members thereof.

(Feb. 18, 1922, ch. 57, § 2, 42 Stat. 388.)

**Statutory Notes and Related Subsidiaries**

RESTRICTION ON USE OF FUNDS RESPECTING STUDY, INVESTIGATION, OR PROSECUTION OF ANY AGRICULTURAL COOPERATIVE OR STUDY OR INVESTIGATION OF ANY AGRICULTURAL MARKETING ORDERS

For provisions restricting the use of funds authorized to be appropriated to carry out section 41 et seq. of Title 15, Commerce and Trade, for fiscal year 1980, 1981, or 1982, for the purpose of conducting any study, investigation, or prosecution of any provisions of this chapter, see section 20 of Pub. L. 96-252, set out as a note under section 57c of Title 15.

**CHAPTER 13—AGRICULTURAL AND MECHANICAL COLLEGES**

**SUBCHAPTER I—COLLEGE-AID LAND APPROPRIATION**

Sec.  
301. Land grant aid of colleges.

Sec.  
302. Method of apportionment and selection; issuance of land scrip.  
303. Management expenses paid by State.  
304. Investment of proceeds of sale of land or scrip.  
305. Conditions of grant.  
306. Repealed.  
307. Fees for locating land scrip.  
308. Reports by State governors of sale of scrip.  
309. Land grants in the State of North Dakota.

**SUBCHAPTER II—COLLEGE-AID ANNUAL APPROPRIATION**

321. Secretary of Agriculture to administer annual college-aid appropriation.  
322. Annual appropriation.  
323. Racial discrimination by colleges restricted.  
324. Time, manner, etc., of annual payments.  
325. State to replace funds misapplied, etc.; restrictions on use of funds; reports by colleges.  
326. Ascertainment and certification of amounts due States; certificates withheld from States; appeal to Congress.  
326a. Annual appropriations for Puerto Rico, Virgin Islands, American Samoa, Guam, Northern Mariana Islands, Federated States of Micronesia, Republic of the Marshall Islands, and Republic of Palau.  
327. Repealed.  
328. Power to amend, repeal, etc., reserved.  
329. Additional appropriation for agricultural colleges.

**SUBCHAPTER III—RETIREMENT OF EMPLOYEES**

331. Retirement of land-grant college employees.

**SUBCHAPTER IV—AGRICULTURAL EXTENSION WORK APPROPRIATION**

341. Cooperative extension work by colleges.  
342. Cooperative agricultural extension work; cooperation with Secretary of Agriculture.  
343. Appropriations; distribution; allotment and apportionment; Secretary of Agriculture; matching funds; cooperative extension activities.  
343a to 343g. Repealed or Transferred.  
344. Ascertainment of entitlement of State to funds; time and manner of payment; State reporting requirements; plans of work.  
345. Replacement of diminished, lost or misapplied funds; restrictions on use; reports of colleges.  
346, 347. Repealed.  
347a. Disadvantaged agricultural areas.  
348. Rules and regulations.  
349. "State" defined.

**SUBCHAPTER I—COLLEGE-AID LAND APPROPRIATION**

**§ 301. Land grant aid of colleges**

There is granted to the several States, for the purposes hereinafter mentioned in this subchapter, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the census of 1860: *Provided*, That no mineral lands shall be selected or purchased under the provisions of said sections.

(July 2, 1862, ch. 130, § 1, 12 Stat. 503.)

**Editorial Notes**

**CODIFICATION**

Act July 2, 1862, with the exception of section 7, was not incorporated into the Revised Statutes, probably