

Cut-Leaved Weeping Birch.

The above handsome cut is from the Catalogue of Elwanger and Barry. They are the leading nurserymen of Rochester, which is the American head-quarters for trees of all kinds. We may not all be prepared, or have a desire, to expend our money for such as the above, nor do we recommend them above other varieties. Our readers generally will admire the beautiful appearance of the tree in the engraving, but engravings are not equal to the trees themselves. Were we prepared to beautify our ground as we would wish, we should plant the Horse Chestnut, the Mountain Ash and the Norway Spruce. If you procure a tree or two of the above varieties this spring, take care of them, you will not regret it. Some of you that can afford to beautify your estates, may lack the spirit to do so; and a smaller number may say they cannot afford to plant trees. Stuff and nonsense. Any person can go to the woods and get a tree, either a maple, a pine, a chestnut, or a butternut, and plant it some place where a tree is wanting—first giving preference to your own land; if you have no room there, plant one by the road side, or even by a sidewalk. If you are debarred from doing this, plant a shrub or flower in a pot to place in your window. Let your boys and girls plant one each. Give your tree a name. Call it the Emporium tree if you choose. When you have noticed its gradual growth and beauty for a few years, it will create a desire for more; and instead of bare walls, bare rails, bare fields, and long, dreary monotonous roads, with nothing to relieve the eye, we shall see clumps and avenues of trees, spreading their luxuriant shade around; and our poor cattle, sheep and horses will pay a better profit by being sheltered under them from the scorching hot sun. Have you not often seen your cattle and sheep laying panting by the side of the fence that does not half shield them? Have you not noticed how restless the poor cows are on a hot summer day, if they cannot find shade? Have you not observed that old favorite mare standing with her head over the fence, where shade is not to be procured? Then make your dumb animals comfortable, and the pleasure and the profit will be increased to you. Plant your Emporium tree before another Farmer's Advocate comes to your house.

Legal Hints for Farmers.

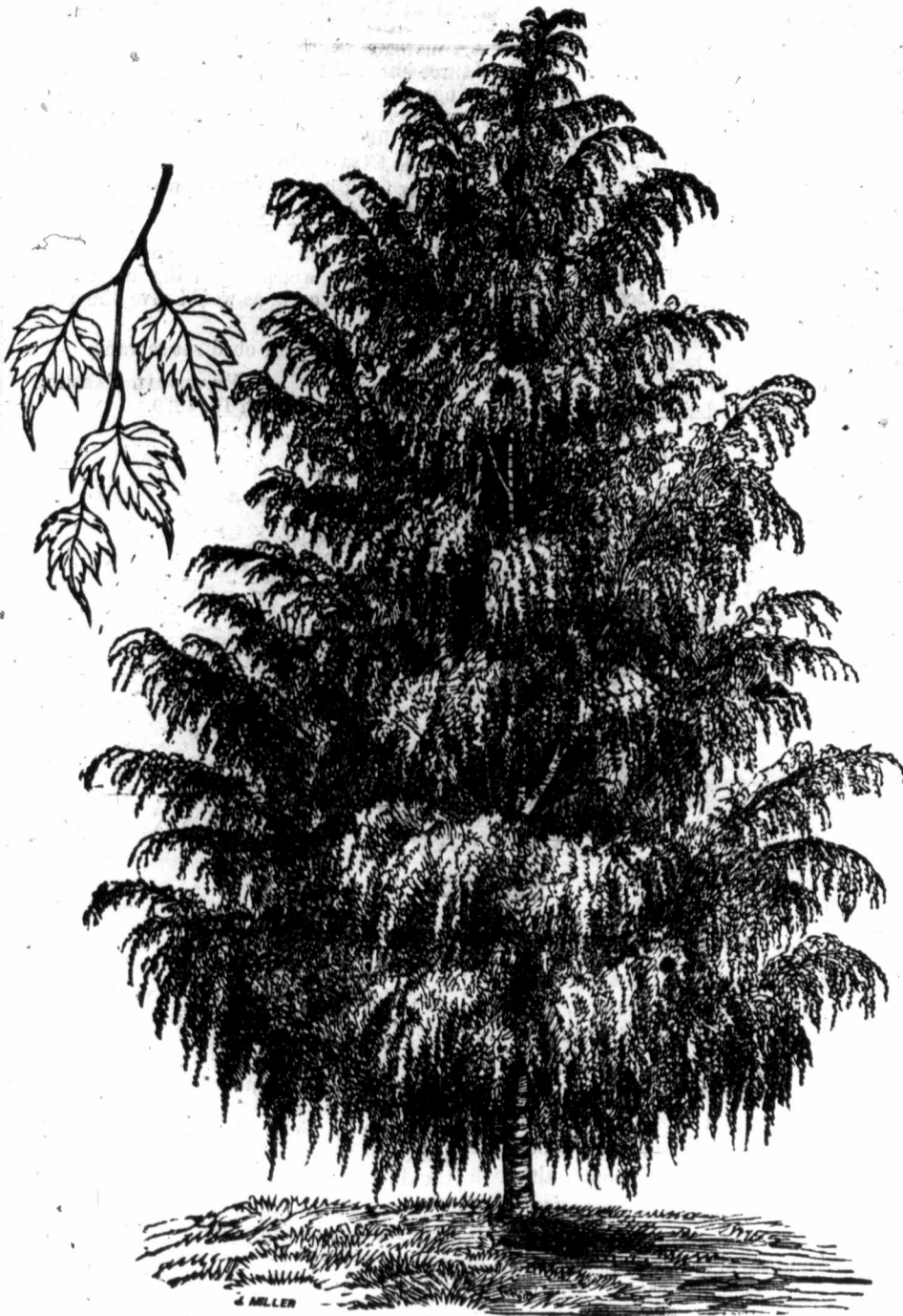
By GEO. P. LAND, BARRISTER-AT-LAW.

No. III.

Our last paper was confined to lands for which Patents had issued. There are many farms, however, throughout the country which have been improved, occupied, bought and sold, for which no patents have been issued, and the legal title to which is therefore still vested in the crown. As to these, it will generally be found that the reason why patents have not issued for them is because the purchase money, or some part of it, remains unpaid, or the government duties, or some of them, have not been performed. A purchaser, or intending purchaser, of a farm in this condition, (that is, unpatented,) will require to be very careful, how he accepts an assignment or deed of such a lot, and parts with his purchase money, or gives a mortgage for it; as it may be confidently asserted that no other species of landed property is such a fruitful source of Chancery litigation as these unpatented farms. At present we shall not stop to enquire the causes of this. A good deal of it may be attributed to a notion which appears to prevail pretty extensively among farmers, that the widow of a locatee, or purchaser from the Crown of an unpatented farm, is not entitled to any dower out of it. Now this is quite a mistake; she is just as much entitled to dower, provided the farm has been improved for the purposes of cultivation (see 32 Vic. cap. 7, s. 3), as if the patent had issued to her

husband in his life-time; the only difference being that she cannot recover it in a court of law, but must resort to a court of equity to obtain it. The reason of this I cannot explain in a paper of this kind. Suffice it that it is so; and the intending purchaser will be careful to see that the deed he is getting is executed by the wife of the seller, if he has one; and also to ascertain whether the wives or widows of prior owners (if any) have barred their dower by properly executed instruments. Another source of this litigation is, beyond doubt, the indiscriminate recording by County Registrars of all sorts of instruments relating to these unpatented lands, in order to obtain the fees for registering them. Now the only instrument affecting unpatented lands which can be legally registered in a County Registry Office, is a mortgage, or instrument creating a lien or in-

cumbrance upon the property. The registration of all others is void, and hence a purchaser of an unpatented lot is afforded no protection whatever by registering his deed or assignment in the County Registry Office. To remedy this a register is kept at the Crown Land Office in Toronto, in which all properly executed assignments of rights in unpatented lands can be registered. Hence if a purchaser instead of registering his deed or assignment in the County Registry Office, registers it in the Crown Land Office, the seller may at any time afterwards, but before the patent has issued, execute an assignment of his interest to another purchaser, who had no notice of a prior sale, (and the registration of the deed or assignment in the County Registry Office would not be sufficient notice for this purpose) and that other purchaser, upon recording his



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assignment in the Crown Land Office, would be entitled to the patent to the exclusion of the first purchaser, who would lose his farm. A purchaser, therefore, of an unpatented farm should never register his assignment or deed in the County Registry Office, but have it registered in the Crown Land Office in Toronto. An intending purchaser of an unpatented lot should be careful not to accept a bond or agreement for a deed, as these instruments cannot be registered in the Crown Office, it being a rule of that office that none but absolute, unconditional instruments or assignments can be registered there. The consequence is that a purchaser accepting a bond or agreement for a deed would lose his farm if a subsequent purchaser, or mortgagee, obtained from the government the patent of the lot. (See Holland vs. Moore, 12 Grant, 296.) It should be the first care of the buyer of an unpatented lot, to ascertain before paying his money what, if any thing, remained due to the government on it, and to retain sufficient out of his purchase money to pay it. He should also see that the patent for the lot is issued in his (the purchaser's) name. As unpatented lands in the hands

of locatees, or purchasers from the Crown, are now subject to taxation like other lands, the intending buyer should see that all taxes are paid before purchasing, or arrange that they shall be paid out of the purchase money. In short, unpatented lands being liable to all the incumbrances mentioned in our last paper, the same precautions should be taken by a purchaser as are requisite in cases where the patent has issued.

FRUIT AND DISEASE.—An eminent French physician says the decrease of dyspepsia and bilious affections in Paris is owing to the increased consumption of apples, which fruit he maintains, is an admirable prophylactic and tonic, as well as very nourishing and easily digested.

Farmers, plant more apple-trees, they will pay. We can raise better apples than they can in France. They will be shipped there yet.

SALTING COWS.—A subscriber asks how often salt should be given to cows, and how much at a time? Once a week we consider often enough—a few ounces to each animal at a time.

Change of Seed.

The more the science of agriculture is advanced, the more we become convinced of the necessity of a change of seed or stock on a farm. This is a law that holds good in the vegetable as well as in the animal kingdom; in the human as well as in the brute creation. In and in breeding will not do when direct. It causes deterioration. We see it in our grain as well as in our cattle—our stock at large.

A new infusion has an influence, as a change of climate invigorates our health. The secret we may not know, but the fact we do know. Hence the old native stock—of all kinds—of this country is in the too wretched condition we find it. We have been growing from the same family, from the same stock of the farm—father to daughter, son to mother—till the incestuous thing is no more to be endured. Our stock has so degenerated that something must be done. Our potatoes rot—or did till the remedy was applied; our grapes are diseased; our fruit suffers, of almost all kinds, and in various ways our grain, the wheat, in many parts is running out. There is nothing the farmer nourishes, either animal or vegetable, that is not failing. We seem to be cursed. But if it is a curse we have brought it on ourselves.

Now look to the change that is being wrought. The potato is renovated. A new infusion was given—not an infusion—but an entirely new creation—a new seed, and from abroad, as was the case in the inception of the original diffusion. And what do we see? A miracle almost—certainly a revolution—has taken place. We now have potatoes again. We may put them to the earth in confidence. No rot, but the finest tubers, and so prolific; not the racy old times surpassed them; indeed we have the old times back again.

This is one of the great staples. What are we to expect of the rest? What has been done? Something has been done; and there is more doing. We have better wheat in some parts. All must have heard of the success of John Johnston, of Geneva, the changes of his wheat and the consequent good results. He is not alone; there are others. The age is awake; sharp-sighted men are at work. Experiment is the order of the day, and best minds are employed in our agriculture.

Our Indian corn grew as we found it, what varieties have we not since established? And this grain has been less subject to the in and in corruption, the different varieties being inducements to change.—And thus we have at least one healthy native plant.

Clover deteriorates. Raised long on the same land, the same seed used, it will run out; will not grow. Thus we know farms and sections that can raise no more clover, or at least not sufficient to make it remunerative, and these farms and sections were once famous for clover. Even if manure is used, it will not remedy the evil, or but to a slight and transient extent. Is it not the in and in practice that thus enfeebles and finally runs out the plant? We have the authority of science to say that it has an influence. We cannot disbelieve this; we must accept it. And, accepting it, what are we to do? We are to do one of the simplest things, to reach one of the most important; simply change the seed—not necessarily the kind—though that is a benefit, but get from abroad, get a foreignized seed, one acclimated to foreign uses; bred to new conditions. This will be a new thing to this old worn out soil—worn out in its uses for the plant, this degenerated thing. As by difference union is formed, so will it be here. (No doubt the plant's nutriment is also affected.)

We need go no further. The other grains and all organized beings are subject to the same laws of deterioration. It shows, and that pointedly, that we are to be constantly rotating with the seed as with crops.—*Exchange.*

AGRICULTURAL PAPERS ALWAYS PAY.—In an experience of publishing an agricultural paper about 20 years, we have never heard of a man who was a subscriber, say at the end of the year that he had not got the worth of his money. Nor did we ever hear of any subscriber to any good, reliable, agricultural publication complain that he had not been paid for the trifling cost of it. Mr. Clark Bell, in his address before the Steuben Co., N. Y. Agricultural Society said:—

"The farmer should, of all other men, take a good, reliable agricultural paper. I defy any farmer to try it for a year and then be able to say it has not paid and been in every way for his good."