

be made to repay us for our past labours, as well as support us in future comfort? To this there can only be one reply, viz., by improved husbandry. Now the first step towards improved husbandry, unquestionably is *drainage*. As regards the law on this subject, it is sadly defective, and requires not only to be amended, but entirely remodelled. It is true there are those who think it perfectly good, as it is, and such will probably say, let well enough alone, but it will generally be found that such persons are strongly tainted with the principle of selfishness, and are at present so situated that the law as it stands is in their favour. Place these gentlemen in the position of their neighbours, and they will at once recall to your memory the fable of the farmer and lawyer discussing the question of the bull, having gored the ox. It will be remembered that when Old Legality understood that the farmer's bull had gored his (the lawyer's ox) he considered it right that he should receive one of the farmer's oxen in return for the injured animal, but when informed that the case was misstated, and that it was his (Legality's) bull that had gored the farmer's ox, he considered the case so materially altered as to require serious consideration. So it is with the parties who are satisfied with the existing law on the subject of drains and water courses. Place farmer A in the position of farmer B or C, and, like the lawyer, he will see the case in another light. One of the principal defects in the existing law is that in all cases where it is necessary that a farmer, for the purpose of obtaining sufficient fall for the proper drainage of low or swampy lands shall have to pass through his neighbour's farm, the law provides for the cutting of an open drain which shall remain and be kept open.

Now, sir, I contend that this is manifestly wrong, as, I think, will be admitted by any unprejudiced mind. It is certainly right that the law should allow A to pass through the land of B for the purpose of getting a sufficient fall to allow the surplus water on his farm to pass off, but it is equally certain that it is wrong to allow A to place a permanent open ditch on the farm of B without full remuneration to B for the damage done by such obstruction; nor should A in any case be permitted to pass through the farm of B with his ditch if he can get the water off his farm by the roadside or any other way without much additional cost. Another point is, if B can improve his lands by closed drains—and in so doing it is necessary to carry his drain to the line dividing his farm from A's—shall A be permitted to drain his farm into B's drain without remunerating B therefor? as it is self-evident that the drain, which may be quite sufficient for the carrying off of all the water rising on B, may not be sufficient to carry off the water from 10, 20, or it may be 50 acres of A's in addition. Thus it will be seen that unless by agreement with B, or on the decision of competent and disinterested judges, A should not be permitted to run his drain into B's without compensation therefor to at least half the cost of making and keeping in repair. Another question arises as to whether such drain should be cleaned out by A or B in the event of its becoming obstructed, as circumstances may arise in which it may be necessary for A's interest that the drain shall be immediately cleared out, while on B's part there is no urgent necessity for haste in the matter. Similar difficulties are incident to open drains, as in the case of covered drains. B may have the field through which the drain passes in grass, or pastured; in either case a little extra moisture from a summer rain may be a benefit rather than an injury to him; while A having the field so drained under fall wheat or barley, mildew or rust may result from the drain not taking off the water. Just the same with an open ditch or water course, A's fall wheat may require that the ditch be kept clear of any obstruction, while B having the field through which it passes under pasture, his cattle are daily crossing and re-crossing the ditch and breaking down the sides; also his hogs will wallow in the ditch, and certainly it is their just and inalienable right to do so; yet, in the exercise of their natural right, they will often raise such obstructions as may be a ground of action against their owner by his neighbour A, unless the law protects both B and his porkers in the enjoyment of their rights. But, let the law be so framed that in all cases where it is possible for A to send the water requiring to pass through B's farm, through an ordinary tile-pipe or sluice of any kind, he (that is A) shall be compelled to cover his drain, and when obstructed, clear it out at his own expense, and a fertile source of contention and litigation will be removed; and I think, whatever may be A's opinion in the matter, all disinterested parties will say that B, in such a case, is subjected to quite sufficient disadvantage in having his crops liable to be trespassed upon by A in cleaning out his drains. Hoping that the public mind may be prepared for an amendment of the law,

I am, yours, &c.,

Fullarton, Dec. 26th, 1864. D. McPHAIL.

"E. M.'s" Experience in Raising Flax.

To the Editor of THE CANADA FARMER:

SIR,—I was rather surprised to notice an article in THE CANADA FARMER of 2nd Jan., signed "E. M.," Sidney, Co. of Hastings, endeavouring, to all the extent in his power, to bring flax culture into disrepute. Having felt considerable interest in flax culture, I have taken steps to investigate the case alluded to, the particulars of which, I think I am now enabled to lay before you, so that others of your readers may judge for themselves.

In the first place, however, I quite agree with your just remarks, that "E. M.'s" letter is a very vague and meagre one. Had he given the quantity of ground, quantity of seed per acre, time it was sown, number of hands required to pull it, nature of the season, &c., &c., it would have enabled one to have arrived at a more satisfactory conclusion. I had, therefore, intended to request "E. M." to oblige your readers with these particulars, but reflecting that considerable time must elapse—as THE CANADA FARMER is only issued once a fortnight—and as the seed time will soon be upon us, there is not much time to spare. Moreover, there was a degree of uncertainty as to getting the details from him at all, while in the meantime, this article, if left unheeded, had the opportunity of doing injury, amongst those who were not acquainted with the details. I have, therefore, taken the initiative, and have learned from the books of the flax mill in this county, that a party from Sidney, whose name bears the initials of "E. M.," did bring in his crop of flax straw last autumn, that he was paid at the rate of \$14 per ton, receiving 95 cents. This may not, however, be your correspondent, but it looks extremely like his case as he states it. The extent of his crop, about which he complains so much, and which he says required "over two days' work to pull it," actually amounted to the formidable quantity of one hundred and thirty-eight (138) pounds weight of straw! You are well aware of the extraordinary season of drouth we experienced last summer. Old, intelligent, and reliable farmers admit that they have not known its like within the past fifty years. It was not altogether the severe drouth that formed this unpropitious and almost unprecedented year. The spring rains continued so incessantly that this section of the country was, in many parts, quite inundated, thereby preventing the farmers from getting all their ploughing done until about the middle of June, consequently the flax seed was sown about an average, at least, of five weeks beyond its proper time. From that date the rains ceased, and I do not think the crops received another beneficial shower so long as they remained in the earth.

Now sir, I would ask you, if you consider "E. M." has been justified in rushing into public print, after such a miserable one year's trial of such a paltry crop? Had he thoroughly prepared, say 5 or more acres of suitable land, sowed it about the first of May, or last week of April, if possible, with a suitable quantity of seed, had it been an ordinarily good season, had he got it pulled in something like a reasonable amount of time, &c., &c., and when all was done that could be done, by way of a fair trial, had he then found his returns so unremunerative he might have been justified in ceasing to grow this crop, and even in warning his neighbours; but as it is, his is a widely different case.

I will now take the other side of the question, and give the experience of farmers with whom I am acquainted, some of whom have grown flax for years past. They admit that they realized double and treble the amount last year for their flax crop that they did for any other crop they had on the same extent of ground, and others realized, had as the season was, \$20 to \$25 per acre, after paying for their seed and pulling. Did any other crops in the county of Hastings realize such sums this past year? As to the pulling which "E. M." seems to make such a bugbear of, I admit it is not a job for kid gloves, but I have heard many respectable farmers state that they would much rather pull it than cut it (even although the flax-mill owner would take it in that shape, which he cannot) as the weight of the roots pays for the extra labour, and they got their land

thoroughly cleaned, and ready for a second crop, which, if the flax is off by the last week in July or so, as it can be by early sowing, there is plenty of time for turnips, rye or buckwheat.

"E. M." further states that he prefers adhering to his favourite crop, "hay," as he can get at least an equal weight per acre and the same price. I notice by the *Globe* that at a meeting held lately in Toronto, it was stated that 3 tons of straw and seed per acre was considered an average crop of flax in a good season. This, at \$11, would be \$42, or at \$15—the price paid in numbers of cases at the flax-mill here for a really good quality—would be \$45. Will the hay crop yield this sum? But I have known 4 tons per acre grown in the township of Thurlow before there was a flax-mill here at all. It is not every year that hay brings \$14 a ton. Probably "E. M." will remember when hay was sold in Belleville for about \$6 a ton; and it is not impossible that hay may tend in that direction again before many years, although it is to be hoped it will not.

As to the absurdity of comparison which "E. M." attempts to draw in alluding to the harvesting of wheat versus flax, I really cannot see it, unless the matter be turned the other way. I suspect the fullest and most solid explanation of "harvesting" a crop is when the money is harvested in one's pockets in the shortest time possible. With wheat it has to be cut, bound up in sheaves, driven to the barn, then threshed and cleaned, then driven to a market, universally an uncertain one (as to prices), because about the most speculative business in the world.

With flax, when it is pulled and properly winnowed on the field for a few days in hot dry weather, it has simply to be bound up in moderately-sized sheaves and taken direct to the flax-mill, where, for a good article, the price is known beforehand, and what is probably of still greater moment, in many cases, it is about the first money in the shape of a crop that the farmer can lay his hands on. I fear I have transgressed in sending you so lengthy an article, but I trust the importance of the subject in question will be a sufficient apology, as it is very desirable to see the cultivation of the flax plant carried out as successfully as possible, it being the first step towards getting linen manufactories and oil-cake mills in our midst.

In conclusion, then, I must confess I can see no justifiable reason whatever in "E. M.'s" bringing his embryo grievance so hastily before the public, except it be that memory still painfully reminds him of the toilsome days he had in jerking out his 138 lb. crop from mother earth. These days we may assume to be 2½, and I would also have the charity to include the field time of two stout horses, necessary to collect this burden.

CANDOUR.

Thurlow, Co. of Hastings, C. W.,
18th January, 1865.

"Why Hedge Rows are scarce in Canada."

To the Editor of THE CANADA FARMER:

SIR,—I am sorry that your correspondent "A Farmer," at Port Oshawa, should be annoyed at my having written of his class "as too lazy and short-sighted to give the subject of hedge-rows attention." I do not withdraw the imputation, though it is possible that I may have very "imperfect conceptions about the shrub," available here for the purpose indicated. I think otherwise! I have had forty-five years' experience as a farmer at home, and have been and am a proprietor of hedge-rows, and these fences have consisted of the much-esteemed hawthorn, beech, and hornbeam. To the first of these, the English land-owner and farmer give the preference, and I will state the reasons hereafter.

Since I have commenced writing to you about hedge-rows, I have met with a lecture delivered nine years ago, by a then farmer, now the Provincial Secretary, the Hon. W. McDougall, M. P. P. I think you would do "the whole class of farmers in Canada" a great kindness, if you would re-produce at intervals, the interesting and instructive lecture.

To evoke some opinions upon this point, daily becoming of more interest, as the materials for making the hideous snake-fence are fast disappearing, and for which a substitute must be found, I suggest to you to begin with the very questions submitted to the farmers of Upper Canada, by Mr. McDougall. They appear to me to exhaust the whole subject. Here they are:—