

**Practical Law Talks for Farmers.**

**X.—SALES AND BARTER.**

**The Law as to the Sale of Land.**

*No. 10 of a Series of Articles on "Law for Farmers," prepared especially for The Progressive Farmer by Hon. Waller A. Montgomery, formerly Judge of the North Carolina Supreme Court.*

Land in its legal sense extends indefinitely upwards; and therefore no man can erect a building to overhang another's land. It includes also whatever is in a direct line from the surface to the center of the earth. Land, therefore, includes not only the surface of the ground but every thing under it, or over it. So, that in a deed wherein one's tract of land is conveyed, all mines of metal—gold, silver, copper, iron, etc.,—or fossil, forest, water, houses, fields and meadows, will pass.

If it is intended in a deed to convey the title to water, as a pond or a lake, to pass more than a right of fishing, it should be described as a certain piece of land (giving boundaries or measurements) covered by water.

A house, being in the eye of the law land, may be conveyed by deed separate and apart from the land on which it stands; and so may any story of the house.

And a stratum of mineral may be sold apart from the surface of the soil.

**Sales of Land Must be in Writing.**

All sales of land must be in writing, and signed by the owner. Such writings are usually called deeds of bargain and sale. They are good against subsequent purchasers and creditors of the grantor or bargainor only from registration in the county where the land lies. That is, if A conveys by deed to B a tract of land and A should afterwards convey the same to C who should register his deed before B registers his, the title and property to the land would vest in and belong to C, the subsequent purchaser, B having lost his title by his failure to register his deed in time.

And likewise without the registration of the deed by the purchaser, the land is liable to be subjected to the demands of creditors of the grantor or bargainor. Nothing, therefore, can be of more importance to the purchaser of land than the proper registration of his deed, and a little time and space may be well spent in considering this subject.

**Every Deed Should be Promptly Registered.**

Registration of a deed cannot be made until probate or acknowledgement of the same has been had before some officer qualified to take such probate and acknowledgement, and an order for its registration made by the clerk or the deputy clerk of the Superior Court of the county in which the land conveyed in the deed lies. The execution, or signing, and delivery of the deed, must be acknowledged by the grantor or bargainor, or its execution proved by a witness or witnesses before some officer qualified by law to take the probate or acknowledgement. Such officers in this State are, the Judges of the Supreme and Superior Courts, Commissioners of Affidavits appointed by the Governor, the Clerk of the Supreme Court, the several Clerks of the Superior Court and their deputies, the Several Clerks of the Criminal Court, Notaries Public, and the several Justices of the Peace.

If any person, resident or non-resident of this State, outside of North Carolina, desires to convey by deed to any person, whether residents or non-residents of this State, such deed can be proved or acknowledged before any of the following officers of the United States, or the District of Columbia, of the States or Territories of the United States, of countries under the dominion of the United States, viz.: Any Judge of a Court of Record, any Notary Public, any Mayor or Chief Magistrate of an incorporated town or city, any Ambassador, Minister, Consul or Commercial Agent of the United States. A Justice of the Peace of any State or Territory of the United States can also take the probate or acknowledgement of deeds.

**Where Land is Bought in Another State.**

If the probate or acknowledgement is had before a Justice of the Peace of any county of this State, other than the county in which the land lies and in which the deed must be offered for registration, or if the probate acknowledgement is had before a Justice of the Peace of another State or Territory, then, in the first instance, there must accompany the certificate of the Jus-

tice of the Peace a certificate of the Clerk of the Superior Court of the Justice's county; and in the second instance, a certificate of a Clerk of a Court of Record of the county of such Justice, the certificate of each of said Clerks to be under his hand and official seal, in which such certificates of said Clerks, it shall appear that such Justice of the Peace was at the time of his said Justice's certificate was made, an acting Justice of the Peace of such county, and that such Justice's genuine signature is set to his certificate.

(Concluded Next Week.)  
W. A. MONTGOMERY.

**TOBACCO FARMERS MUST CO-OPERATE.**

**They Do Not Now Work Together as Cotton Farmers Do—They Must Unite for Better Prices.**

Tobacco is a peculiar crop, and in many respects different from any other crop raised in this country. Some times I think a large per cent of the tobacco farmers take on some of the peculiarities of the crop. There is a certain rivalry between tobacco farmers that does not exist between cotton growers or any other class of farmers I know of, and I think that is one of the many difficulties in the way of organizing the tobacco farmers—as well as the great variety and different types of tobacco found in one crop, and also the great difficulty of preparing it in a safe way to keep it sound and have it ready for the market when the price gets satisfactory.

Tobacco is in some respects a perishable product, and if not kept in the right order will damage very soon. There is no crop where skilful management and handling has so much to do with the appearance when it is put on the market as tobacco, and the condition it is in when offered for sale has a great deal to do with the price received.

Some tobacco farmers feel a great pride in their ability to prepare and manipulate their tobacco for market and are almost sure to think theirs is better than anyone else's. I have often heard them say if they could get a higher price than some neighbor they would be satisfied. And the man who gets the highest price for a few pounds on the warehouse floor—you will hear him brag about it for a month. Neither stops to think that he has not received half of what the raw material is worth as compared with the manufactured article. Such rivalry as this is unfavorable to organization.

Mr. Editor, did you ever attend a tobacco sale on some of the leading markets in what is known as the "bright belt?" If so, you have seen some of the peculiarities about which I am trying to write. Did you hear anything said about the best grade; or did you hear anything but best grade? I am not a betting man, but if you will excuse me for making one, I will bet a penny against somebody's best grade that if you had got out to one side and watched about the time the buyers began to come in to commence a sale, you could have counted all the best grades on the floor by the crowds standing around them, and the farmer it belonged to watching for the buyer of that grade to come in to ask a special favor on that pile—forgetting that he has any other tobacco on the floor; and if he gets thirty-five or forty cents for it, he will go home rejoicing, in a hurry to strip another load, and tell everybody he sees how much he got for his best grade. He forgets the fact that his second grade—not quite so bright, but in many respects as good or better for manufacturing purposes than the best grade—is scooped in by the Tobacco Trust for fifteen cents and the other grades for still less.

When the crop is sold, the balance struck and the average made out, it is far below the average price of cotton, though it cost more to raise a pound of tobacco than it does a pound of cotton. Think of it, brother tobacco farmers. See if you can't get that best grade out of your eyes, and look one time at your average, and if you have become so blind you can't see it, put your hand into your pocket and see if you can find it. But alas! it is so small, if you don't mind you will miss it and hit the bottom of your pocket.

Then the question arises, What shall we tobacco farmers do to increase the average price of our tobacco?

**Organize.**

Yes, brother farmers, we should organize for the protection of our homes, our wives, and our children.

I believe the day has come when we must meet organization with organization, and the bright tobacco farmers are about the only interest in this section that has no organization.

Now, Mr. Editor, if this escapes the wastebasket, I may have something to say in regard to the one-man rule in selling tobacco.

G. L. ALLEN.

Granville Co., N. C.

**THOUGHTS FOR FARMERS.**

**The Cotton Situation.**

The fight between the Cotton Growers' Association and dealers in futures is getting interesting. Some of the faint-hearted farmers believe that the contest is unequal and that the farmers will have to go under and be subject to the manipulations of speculators. The majority believe that they will be sure winners, if they stick together. With a census report indicating a crop of very little more than ten million bales, the price does not advance. The bears are holding out the idea that there has been enough cotton sold already to carry the spinners till the next crop is put on the market. They have even reported that President Archer of the County Association has been making an effort to put a lot of cotton on the market at 12 cents. This he denies most emphatically and says that in June he will see if any one wants his cotton at his price. He advises farmers having cotton on hand to hold for 15 cents.

Suppose the spinners are all stocked, as they say they are, what is the duty of the farmers? With a crop of only 10,000,000 bales they claim that there is a surplus of two millions. If they are correct the country will need only nine million bales another year. Plant for that amount and keep the price up. By raising an abundance of corn, oats, and peavine hay, a small cotton crop will bring in as much money as a large one, and it will cost less.

**Money in Peavine Hay.**

Special attention of farmers is called to the money and feeding value of peavine hay. Look at it in this way: Take an acre of land that with the aid of \$3 worth of fertilizer will make 1,000 pounds of seed-cotton. At ten cents a pound the lint and seed will be worth \$37.80. To raise and market that cotton will cost 5½ cents a pound, or \$18.30 for the acre leaving net \$19.50. Use the same guano and plant the acre in oats as soon as the ground is dry enough. Follow with peas sown broadcast. The yield should be 20 bushel of oats and a ton and half of peavine hay. The oats at 60 cents, and hay at \$18 a ton, and straw at \$2, would bring \$41.00. The expense of both crops, including baling the hay, would not be exceeding \$10, which would leave net \$31. Land would be improved to the value of \$3 an acre besides. Well-cured peavine hay is the best milk producer we know. Ton for ton it is worth more than genuine wheat bran, and twice as much as some of the mixtures sold under the name of bran. Let farmers make their own supplies, live at home, stick to the Cotton Growers' Association, and they will prosper and be happy.

CHARLES PETTY.

Spartanburg Co., S. C.

"Dear me! What's the matter?"

"I'm so sorry for my little brother, 'cause I'm goin' to eat all this candy, and he won't get none."  
—Woman's Home Companion.

**VALUE OF CORN STALKS.**

When one sees our cornfields now with the blades stripped and the stalks left to rot, he cannot help marveling that the shredder is not in more general use among our people. At one of our Experiment Stations recently with a crop of forty bushels per cent analyses of the different parts of the corn stalk proved that the relative values are as follows:

Parts of Plants.	Pounds Per Acre.	Value.
Butts of stalks .....	1,395	\$5.59
Tops of stalks .....	297	1.13
Bottom blades .....	357	1.27
Top blades .....	212	.82
Shucks and shanks .....	643	2.34
Tassel .....	75	.46
<b>Total .....</b>	<b>2,979</b>	<b>\$11.61</b>

Of course shredding cannot make all this material available for digestion, but it does save enough to convince anybody that the work means an enormous saving. There is no doubt that it pays.