

growing in their several appropriate climates. And yet a tree of one species engrafted upon the stock of another of the same species, will grow vigorously, producing fruit of a different kind, and wood of a very dissimilar appearance from that on which it grows. It is remarkable, that the branches of the resinous trees consist almost wholly of wood, of which the organization is even more perfect than in the body of the tree; the reverse is observed in trees with deciduous leaves. 2 *Mich. Am. Sylva*. 274. There are six times more concentrical circles in a given space of the yellow pine, (*pinus mitis*,) than there are in the pitch pine, (*pinus regida*,) or loblolly pine, (*pinus taeda*.) 2 *Mich. Am. Sylva*. 254, 268. The wood of the black oak, (*quercus tinctoria*,) is coarse grained with empty pores, 1 *Mich. Am. Sylva*. 92; that of the red oak, (*quercus rubra*,) is also coarse-grained, with pores large enough for the passage of a hair. 1 *Mich. Am. Sylva*. 104. The wood of the sweet gum, (*liquidamber styraciflua*,) when sawn into boards, is observed to be transversely marked at considerable distances, with blackish belts, 1 *Mich. Am. Sylva*. 318; that of the black gum, (*nysssa sylvatica*,) and its genus, has its fibres interwoven and collected in bundles. It is difficult to split the wood, which, in the arrangement of its tubes and woody fibres, strikingly resembles that of a tree of the endogenous class. 2 *Mich. Am. Sylva*. 166. The internal structure of the sugar maple, (*acer saccharinum*,) seems to undergo several changes in the course of its life. As the growing tree rises to maturity, the grain of its wood becomes more undulated or curled; and, at an advanced age, by an inflexion of its fibres, from the circumference toward the centre, there are produced a kind of spots, which, when the wood is polished, resemble birds' eyes. 1 *Mich. Am. Sylva*. 227. So, too, as age advances, the wood of the oak likewise undergoes some sensible changes; for it has been said by a person in *England, that of a multitude of oaks he had felled there, he counted the concentrical rings of one of about thirty-four inches in diameter, which was sound at the butt, as nearly as he could ascertain them, to the number of two hundred; but those of the last fifty years' growth, next the bark, were so thin, he could not count them with certainty; though, as he thought, with sufficient accuracy to ground a calculation upon as to the proper age for felling timber; ranging as to oaks from one to two hundred years of age; and as to elms, from fifty to an hundred years of age. *Rees' Cyclo. v. Timber*.

There is, according to the law of England, not only a custom as to what may properly be regarded as timber; *Co. Litt.* 53; *Chandos v. Talbot*, 2 *P. Will.* 606; but also a custom as to what is called a husband-like manner as well in regard to the best season as to the proper growth at which trees should be cut. And to prevent the violation of such customs an injunction may be obtained. *Aston v. Aston*, 1 *Ves.* 264; *Chamberlyn v. Dummer*, 1 *Bro. C. C.*