

**FOREST MANAGEMENT IN VIRGINIA,
FORESTRY TRAINING, AND TIMBER MEASUREMENT**

**REPORT OF
THE VIRGINIA ADVISORY LEGISLATIVE COUNCIL
To
THE GOVERNOR
And
THE GENERAL ASSEMBLY OF VIRGINIA**



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COMMONWEALTH OF VIRGINIA
Department of Purchases and Supply
Richmond
1959

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VIRGINIA ADVISORY LEGISLATIVE COUNCIL

RICHMOND, VIRGINIA,
September 29, 1959.

To:

HONORABLE J. LINDSAY ALMOND, JR., *Governor of Virginia*
and

THE GENERAL ASSEMBLY OF VIRGINIA

The General Assembly of Virginia has manifested its interest in the forest resources of the Commonwealth in many ways in recent years. It has maintained the Division of Forestry in the Department of Conservation and Economic Development for the purpose of conserving our forests and assisting landowners in solving their forest management and timber marketing problems. In 1954 it created a Commission to study the growth and utilization of the forest resources of the people of Virginia and this Commission after a thorough study found a great deal of timber cutting "of the destructive type with little or no regard for forest management methods" resulting in "a marked reduction in the amount of pine growing lands, and an increase in the predominance of undesirable tree species." This Commission recommended remedial measures and the General Assembly at its 1956 session took action generally in accord with the Commission's recommendations.

Feeling that an evaluation of the results of these measures was in order and that certain other specific problems should be given study, the General Assembly at its 1958 session adopted two resolutions directing studies in the field by the Virginia Advisory Legislative Council. These two resolutions were as follows:

SENATE JOINT RESOLUTION NO. 55

Directing the Virginia Advisory Legislative Council to study laws and practices relating to timber harvesting and measurement and forest rehabilitation and management.

Whereas, the timber resources of Virginia constitute one of its most important natural resources and form the basis for a major segment of the State's economy; and

Whereas, this State has had for ten years legislation designed to foster natural reseeding of timber lands but there is some question as to whether the present statutes require or encourage forestry practices which will produce the best results in the conservation and propagation of our timber resources; now, therefore, be it

Resolved by the Senate of Virginia, the House of Delegates concurring, That the Virginia Advisory Legislative Council is directed to study the laws of Virginia relating to the harvesting of timber, reforestation and the rehabilitation of forest lands, and the practices of those engaged in this State in raising and harvesting timber, and the standardization of the rules for the measurement of logs, including a consideration of Doyle's Rule and the International Rule. The Council shall consider whether our laws are adequate and proper to encourage or require the best forestry practices and what would be the best course for the State and the officials thereof directly concerned to pursue to achieve the maximum in timber production and utilization of the timber producing capacities of this State. All agencies of the State shall assist the Council upon its request in connection with this study. The Council shall conclude its study and make a report to the Governor and General Assembly containing its findings and recommendations not later than September one, nineteen hundred fifty-nine.

HOUSE JOINT RESOLUTION NO. 79

Directing the Virginia Advisory Legislative Council to study and report upon the means of providing adequate and accredited training in forestry for Virginia students.

Whereas, there exists no school of forestry in the Commonwealth of Virginia accredited by the Society of American Foresters; and

Whereas, Virginia students who wish to take training at an accredited school of forestry are forced to attend an institution in another state and pay out-of-state tuition fees; and

Whereas, the number of Virginia students seeking training in forestry is increasing together with the need for their services; and

Whereas, our forests and forest products are of vast importance to the general welfare and economy of our citizens; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That the Virginia Advisory Legislative Council be directed to make a study to determine whether a desirable plan can be established to send Virginia students, with out-of-state fees waived, to an accredited school of forestry in the South under a compact between the Commonwealth of Virginia and the Southern Regional Education Board, or whether it would be more desirable to establish an accredited school of forestry at an existing institution within the State. The Council shall complete its study and make its report to the Governor and the General Assembly by not later than April one, nineteen hundred fifty-nine.

Pursuant to the authority conferred upon it by Senate Joint Resolution No. 32 of the same session, the Virginia Advisory Legislative Council consolidated these two resolutions and appointed a single committee to make the initial study and report to it. John H. Daniel, member of the House of Delegates from Charlotte County, and Chairman of the Council, was selected to head this Committee. Chosen to serve with Mr. Daniel on the Committee were:

Paul W. Bartholomew, Drakes Branch; Thos. H. Blanton, Bowling Green; W. H. King, Burkeville; Dabney S. Lancaster, Millboro Springs; J. Clifford Miller, Jr., Richmond; Garnett S. Moore, Pulaski; Earle E. Shaffer, Arlington; Shelton H. Short, Jr., Chase City; R. M. Smith, Ken-

bridge; Lee J. Spangler, Emporia; Victor W. Stewart, Petersburg; A. L. Wenrich, Hopewell; and Herman Work, Staunton. Senator Blanton was elected Vice-chairman of the Committee. John B. Boatwright, Jr., and G. M. Lapsley served as Secretary and Recording Secretary, respectively.

The Committee collected all available data bearing on the problems of the study. It sought the advice of those especially informed concerning the matter of forestry training and held a conference with persons especially interested in this phase of the study including representatives of Virginia Polytechnic Institute and the State Council of Higher Education. It held a hearing at which members of the public were afforded an opportunity to give the Committee their views concerning the general subject of forest management and the particular subject of timber measurement.

The Committee concluded its deliberations and made a report to the Council. The Council has carefully considered the report of the Committee and additional material which was presented to it, and has reached the conclusions and makes the recommendations which are hereinafter set forth.

THE IMPORTANCE OF THE FOREST RESOURCES OF VIRGINIA

The resolution directing this study states that "the timber resources of Virginia constitute one of its most important natural resources and form a basis for a major segment of the State's economy". This statement is amply borne out by the facts. The vital importance of the forests of Virginia, to the landowners, to the wood-using industries, and to the whole economy of the State can hardly be over emphasized. The 1957 Annual Survey of Virginia Manufacturers made by the Virginia Department of Labor and Industry shows that of all manufacturing in the State, the forest-based industry accounts for 41% of plants, 21% of persons employed, 18% of salaries and 20% of capital investment. The industry is by far the largest commercial employer in Virginia, leading textile and chemicals by more than 15,000 persons. The lumber industry leads in this employment with an average of 26,000 men, most of them employed in 2,000 small sawmills which are widely distributed throughout the rural areas of the State. Next in importance is the furniture industry, with its employment of 16,000. The third major wood-using industry is pulp and paper with an employment of 11,000. Forestry and forest products have a manufactured value in Virginia of about \$600,000,000 each year. Every county, but one, and every magisterial district in our State is affected in some way by forestry, and forests are unlike some of our other resources that once depleted, do not come back. Forests will, when given an opportunity, come back in one specie or another.

The Statewide importance of this industry is further indicated by the fact that 63% of the area of the State is in forest land. Although the State contains large national forests, 90% of forest land is in private ownership, and 65% of this belongs to farmers. Most of these holdings are small—80% of the forest land is in tracts of 500 acres or less.

SUMMARY OF RECOMMENDATIONS

The matters directed to be considered by the Council in the two resolutions set forth above are interrelated but may be broken down into three major phases. These are Forest Management, Forestry Training and Timber Measurement. For convenience, we set forth in summary form our recommendations dealing with each of these three topics which are hereinafter discussed in further detail:

1. The statutory period during which seed trees must be left uncut should be reduced from 10 years to 5 years.

2. The number and size of seedlings required to exempt an acre of ground from the operation of the seed tree law should be reduced from 600 to 400 in number and from 6 feet to 4 feet in size.

3. If an optional forest management plan is filed with the office of the State Forester, as presently permitted by the law, and the same is not disapproved by the State Forester with a statement of his reasons for such disapproval in writing, within a period of 60 days, such plan should be deemed to be approved.

4. The seed tree law should be amended to make it clear that a person who cuts timber and complies with the law cannot be held liable if the landowner or some other person later cuts the seed trees within the five year period.

5. Sufficient staff should be provided the State Forester to enable him to meet all requests for services to landowners.

Forestry Training

The program of forestry training at V. P. I. should be strengthened to the end that basic courses in forest management will be available to, and such courses should be required of, all students who are training for careers as county agents or vocational agriculture teachers, and students majoring in agriculture who in the judgment of the college administration and faculty would profit by such training.

An amount not to exceed \$10,000 per year should be appropriated to pay the cost differential for those students who wish to pursue specialties in forestry at out-of-State institutions.

Timber Measurement

No legislation should be adopted to require the use of a single unit of measurement for timber; but the International Rule should be adopted as the standard unit of measurement, which would be applicable in case of any dispute in the absence of agreement by the buyer and the seller on a different unit.

REASONS FOR RECOMMENDATIONS

Forest Management

Obviously the continued existence of the forest-based industry is dependent upon its raw material—the forests. Long ago in most of this country, the virgin stands of timber were cut for firewood, for buildings,

and to clear land for agricultural purposes. Fortunately, unlike other natural resources, timber is renewable, but with increased utilization of wood and wood products there have been serious doubts as to whether the supply could keep up with the demand.

A survey of the forest resources of the State was conducted in 1940; in 1957 a similar survey was completed by the U. S. Forest Service in cooperation with the Virginia Division of Forestry and State pulp and paper industries. The new survey revealed a striking growth in hardwoods, accompanied by a decline in softwoods. The following specific findings are especially significant:

1. A gain of 19% in cubic volume and of 13% in sawtimber for all species left no question but that the forest land of the State is better stocked, even though it is in hardwoods.

2. The gain in hardwoods was 34% in cubic volume and 29% in sawtimber. Hardwoods account for two-thirds of the State's growing timber stock, half of which is in oaks.

The overall increase in timber resources during this 17 year period would appear to the casual observer to be encouraging. However, when it is realized that pine accounts for 50% of the sawtimber cut in Virginia and it is also understood that many of the hardwoods which are growing all over Virginia are of undesirable species and of little commercial value, the acute nature of the timber resources problem facing the State is apparent. The practice of sound forestry methods could increase both the quantity and quality of timber grown and harvested. One of the most important of these practices is the natural reseedling of land from which timber is cut and this is the purpose of the seed tree law.

This statute, adopted in 1948 (replacing an earlier statute which was enacted in 1940) and made Statewide in its application in 1956 has been of vital importance to the propagation of desirable and commercially valuable softwoods. It is almost universally approved by the wood-using industries and by the landowners. However, it is felt that the statute can be made even more effective and our recommendations are designed to this end.

1. We recommend that the statutory period during which seed trees must be left uncut be reduced from 10 years to 5 years.

Some landowners have objected to the seed tree law on the ground that it required them to leave saleable trees standing and after the lapse of ten years it is not economically feasible to go in and cut these trees. Also, it is felt by some that the presence of these trees actually impedes the growth of the seedlings which they produce. In five years after cutting there is ample opportunity for the area to reseed itself and the young trees will not have grown sufficiently to preclude the cutting of the seed trees. We feel that this change will be beneficial to the landowner and at the same time will not adversely affect the operation of the statute. Also, if the area has not been reseeded naturally in five years it is not likely to do so in ten.

2. We recommend that the number and size of seedlings required to exempt an acre of ground from the operation of the seed tree law be reduced from 600 to 400 in number and from 6 to 4 feet in size.

This is a relaxation of the seed tree law in favor of the landowner and is not considered detrimental by forestry experts. Its adoption will not materially weaken the law and may make it easier in some cases to secure compliance.

3. We recommend that if an optional forest management plan is filed with the office of the State Forester, as presently permitted by the law, and the same is not disapproved by the State Forester with a statement of his reasons for such disapproval in writing, within a period of sixty days, such plan shall be deemed to be approved.

While the leaving of seed trees is one of the most effective methods of insuring reforestation of a tract from which the timber has been cut, it is not the only means of so doing. Furthermore, the landowner may desire to grow other kinds of trees than have previously been on the land. Under the present law he may submit his plan for planting, cutting or management of the land so as to produce commercially valuable timber and if the plan is approved by the State Forester the provisions of the seed tree law are no longer applicable to the tract of land. However, the staff of the State Forester is limited and as will be noted later, the State Forester's office is not able to meet all of the demands made upon it. Instances have been reported in which there has been what the landowner considered an unreasonable delay in action upon a plan which had been submitted. We feel that it would be no hardship to require such action within a stated period of time. The State Forester's staff should be enlarged so as to permit the statute to be complied with.

4. We recommend that the statute be amended to make it clear that a person who cuts timber and complies with the seed tree law cannot be held liable if the landowner or some other person later cuts the seed trees within the five year period.

The seed tree law imposes liability both on the landowner and the saw-mill operator or other person who actually does the cutting of timber. It is the exception rather than the rule that the landowner cuts his own timber. It is possible under the law that an operator might buy and cut the large timber on a tract of land, leaving seed trees as required by law, and the landowner might later sell the remainder of the timber for pulpwood and when this is cut, that the seed trees might also be removed. It is obviously not the intent of the law that the one who cut the timber be thereafter held responsible for the maintenance of seed trees on land which he does not own. We therefore recommend that the statute be so amended as to spell this out.

5. We recommend that sufficient staff be provided the State Forester to enable him to meet all requests for services to landowners.

One of the most valuable functions of the State Forester's office is to advise with and assist landowners both in proper forestry practices and in connection with the marketing of timber. We are advised that the State Forester is unable to meet a large number of the requests made for such services. We feel that in view of the value of timber to the economy of the State, the State Forester should be in a position to fill completely the requests of landowners for these services. It is estimated that the addition of 12 service field foresters at an annual cost of approximately \$67,000 would enable the Forestry Division to comply with all requests for forestry assistance for landowners who are ready and willing to manage their timber lands properly when shown how, and we recommend that these funds be provided for this purpose.

Forestry Training

Virginia must preserve and develop its forest lands to maintain a supply of raw material for present and future wood-using industries, to meet future demands for timber and forest products, to conserve soil and

water and regulate the streamflow, to put many nonproductive acres into productive use and to provide supplemental incomes for many small forest owners.

It is estimated that production of sawtimber in the eastern United States must be increased from 37 billion board feet annually to 73 billion board feet to meet the future demands. Virginia now produces 4% of the nation's timber requirements but it is doing this at the expense of future timber stands. Timber is "mined" rather than "farmed" in far too many cases.

Better management will enable Virginia to maintain and improve its forests and increase its share of the market. The State has the potential to increase its timber resources vastly. For example, the present forest land has an average volume of 2280 board feet per acre but it is estimated that this could be increased to nearly 8000 board feet per acre with better forest management. The present yearly growth is estimated to be worth about 16 million dollars whereas the potential yearly growth could be worth as much as 56 million dollars, a possible increase of 40 million dollars a year.

This result can only be achieved if Virginia's landowners have the advantage of expert advice from persons trained in forest management, and such trained personnel will be readily available only if the training now given at V. P. I. is expanded and made more attractive to students who desire to specialize in forest management or who plan careers as county agents or teachers of vocational agriculture or soil conservationists.

We accordingly recommend that the program of forestry training at V. P. I. be strengthened to the end that basic courses in forest management be given to all those who are training for careers as county agents or vocational agriculture teachers and all others who in the judgment of the college administration and faculty would profit by such training. V. P. I. will require for this purpose only a very modest and insignificant amount of money when compared to the total income from products manufactured from forests in Virginia. V. P. I. is requesting \$53,500 now of which approximately \$22,000 is for equipment, and \$31,500 for salaries. The last amount would be a recurring amount.

It should be emphasized at the outset that what we are recommending is not the type of diversified professional forestry training which is offered in excellent schools located in neighboring states. We are advised that the courses offered both at the undergraduate level and at the graduate level in nearby states are of excellent quality and that these institutions have ample facilities to train as many professional foresters as are likely to apply. The resolution directing this study suggests as one means of providing better forestry training, that the State underwrite the cost differential for students desiring to go out of the State to study forestry. This course was strongly urged by many with whom the Committee conferred during the course of its deliberations and it has considerable merit.

We have seen a shift in our population from the rural to the urban areas. A number of causes have brought this about but chief among them is the fact that employment opportunities in rural areas are not as good as they should be. While the effort to establish industries throughout the State has met with some success, it must be intensified in order to provide a means of livelihood for our rural population and to restore and maintain the population balance which so long prevailed in this State. The resurgence

of our forests would do much to attract and hold industry in the rural areas with consequent employment in wood-consuming plants and the satellite businesses with which such manufacturing establishments would be associated.

The trend in agriculture to a type of farming which requires fewer farmers will not be halted. In order for our youth to stay in rural areas and be productive, they must have employment. The enlarged forestry activity at V. P. I. which we contemplate will bring about better forestry practices and an improvement in the supply of timber and pulpwood. Industry based on forests can then be expected to locate in our rural areas and provide employment. This process will benefit not only the rural areas but also the urban areas to which these people will come for major purchases. If V. P. I. is going to continue to serve our rural areas it can improve its services through the forestry activity outlined in this report. If Virginia is to maintain a balanced economy it can best do so through the program we outline here.

V. P. I. trains most of the county agents and teachers of vocational agriculture for the State. These are the men who go throughout the State and come into constant contact with the small landowners upon whom we must depend if Virginia's forests are to be managed up to their full potential. We cannot depend on the already overburdened staff of the State Forester to provide the advice and counsel needed by farmers throughout the State if they are going to best use their timber lands. The work of the foresters is a highly technical field and is different from the type of educational or promotional activity which is needed. This is a proper function of the teachers and of the county agents.

We, therefore, recommend that training in the management of farm forest land be required of all students who plan to teach vocational agriculture or to become county agents and of all students who are majoring in agriculture and who in the judgment of the administration and faculty of the college would profit by such training. If these students are given proper training in forestry management they will, upon graduation, do more to disseminate good forest practices in the Commonwealth than any other means by which this could be accomplished.

With these facts in view and believing that we should proceed conservatively while at the same time strengthening the program in forestry and while studying developments as they occur, we recommend that two additional faculty members be employed for teaching and needed research in forestry at V. P. I. This would mean the additions to the budget for forestry at V. P. I. as set forth below:

	First year	Thereafter
Equipment	\$22,000	
Additional Staff (2 men and secretarial help)	\$16,000	\$16,000
Supplies, material and operations	\$ 9,000	\$ 9,000
Total	\$47,000	\$25,000

We further recommend that an amount not to exceed \$10,000 per year be appropriated to pay the cost differential for those students who wish to pursue specialties in forestry at out-of-State institutions.

We do not feel that V. P. I. can or should offer specialized professional training in forestry at either the undergraduate or graduate level on a basis comparable to that which is offered in nearby States. These schools have adequate capacity to provide for the relatively few students who intend to make forestry their whole career. However, we do feel that the State has an interest in seeing that Virginians who need and want such courses are in a position to get them. We therefore recommend an appropriation to pay the cost differential which a Virginian must face in seeking this training, on a basis similar to that now being done with respect to other regional programs for education in specialized fields.

Timber Measurement

There are three systems used in the measurement of timber. These are the Doyle and International Rules and a third system, the Scribner Decimal C. System. The result of a survey which was made in a number of counties in the State indicates that the Doyle Rule is the most generally prevalent method of timber measurement but that the International Rule also is widely used and the Scribner System is used by some persons and in some places. In some localities two or all three of the systems of measurement are employed.

We are advised that the Doyle Rule, as compared with the International Rule, will result, when small logs are measured, in a lesser volume of timber as expressed in board feet. When the trees are as much as 28 inches in diameter, the two rules give approximately the same results. In the measurement of timber larger than this, the International Rule may produce a slightly smaller volume.

It would appear that most landowners who sell timber by measurement would stand to gain by the use of the International Rule rather than the Doyle Rule. (We do not discuss the Scribner Decimal C. System because its use in Virginia is so limited.) However, those who deal in timber are aware of the difference in the rules and we are advised that the price paid for timber measured by the Doyle Rule is higher than would be the case if the International Rule were employed. The end result to the landowner therefore is the same.

Furthermore, we are advised that most timber is bought by "block", or boundaries—that is, the buyer will offer a stated price for the timber on a given tract of land. In this case the landowner has no interest in what unit of measurement, if any, is involved.

It has been suggested that adoption of the International Rule as the universal method of measuring timber, since it would result in a larger volume when applied to small trees, might encourage the cutting of trees at a smaller size than might otherwise be done. For reasons set forth above, we doubt the extent to which this result would be produced.

Finally, it should be emphasized that use of a given method of timber measurement in any locality is generally by longstanding custom. The people—both those who buy timber and those who sell—are used to the method of timber measurement which is locally employed and, as noted above, the prices paid for timber are based upon the known variation between the methods of measurement. Strong opposition was expressed by those who appeared before the Committee at its public hearing to the unnecessary imposition of legislative controls upon the timber business.

Accordingly, we feel that the purchasing of timber by measurement should be left a matter of contract between the buyer and the seller. However, there may be cases where, for some reason, the unit of measurement is not specified and there are some cases in which the "sale" of timber does not result from a contractual arrangement. This might result for instance, if a person cutting timber from a tract which he has purchased by boundaries, inadvertently goes beyond the boundaries and cuts some trees on adjacent land.

A survey has recently been conducted of the views of operators of sawmills throughout the State by the Lumber Manufacturers Association of Virginia. Sentiment revealed by this survey indicates that a large majority of these, the people most directly concerned, favor the adoption of a standard rule which would be applicable in the cases set forth above.

We, accordingly, recommend that the attached bill prescribing the "International 1/4 Inch Log Rule" as the standard rule for measuring lumber be adopted.

ACKNOWLEDGMENTS

We express our appreciation to the members of the Committee for their services and to the many persons throughout the State who assisted in the conduct of the study by providing information and expressing their views on this important subject.

Respectfully submitted,

JOHN H. DANIEL, Chairman
ROBERT Y. BUTTON, Vice-Chairman
C. W. CLEATON
JOHN WARREN COOKE
HARRY B. DAVIS
CHARLES R. FENWICK
TOM N. FROST
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A BILL to amend and reenact §§ 10-76 as amended, 10-76.1 and 10-77, 10-81 and 10-83, as amended, of the Code of Virginia relating to the leaving of uncut trees for seeding purposes and to the effect of forestry planting, cutting and management plans; and to amend the Code of Virginia by adding a section numbered 10-79.2, relating to liability for cutting of seed trees left standing according to law.

Be it enacted by the General Assembly of Virginia:

1. That §§ 10-76 as amended, 10-76.1 and 10-77, 10-81 and 10-83, as amended, of the Code of Virginia be amended and reenacted and that the Code of Virginia be amended by adding a section numbered 10-79.2, as follows:

§ 10-76. Every landowner who cuts, or permits to be cut, or any person who is responsible for cutting, or actually cuts, or any person who procures another to cut, or any person who owns the timber at the time of cutting and knowingly and wilfully allows to be cut, for commercial purposes, timber from one acre or more of land on any acre on which loblolly pine (*Pinus taeda*), shortleaf pine (*Pinus echinata*), pond pine (*Pinus serotina*), or white pine (*Pinus strobus*), singly or together, occur and constitute ten per cent or more of the live trees on each acre or acres, shall, *unless there is in effect for such acre or acres a planting, cutting, or management plan as provided in § 10-83*, reserve and leave uncut and uninjured not less than four cone-bearing loblolly, shortleaf, pond or white pine trees fourteen inches or larger in diameter on each acre thus cut and upon each acre on which loblolly, shortleaf, pond or white pine, singly or together, occur as aforesaid; provided that where there are not present four cone-bearing loblolly, shortleaf, pond or white pine trees fourteen inches or larger in diameter on any particular acre, there shall be left uncut and uninjured in place of each cone-bearing loblolly, shortleaf, pond or white pine tree of this required diameter class not present two such cone-bearing pine trees of the largest diameter present less than fourteen inches in diameter. Such pine trees shall be left uncut for the purpose of reseeding the land and shall be healthy, windfirm, and of well developed crowns, evidencing seed bearing ability by the presence of cones in the crowns.

§ 10-76.1. Every landowner who cuts, or permits to be cut, or any person who is responsible for cutting, or actually cuts, or any person who procures another to cut, or any person who owns the timber at the time of cutting and knowingly and wilfully allows to be cut, for commercial purposes, timber from one acre or more of land on any acre or acres on which tulip poplar (*Liriodendron tulipifera*) occurs shall, *unless there is in effect for such acre or acres a planting, cutting, or management plan as provided in § 10-83*, reserve and leave uncut and uninjured not less than two tulip poplar trees fourteen inches or larger in diameter on each acre thus cut and on each acre or acres on which tulip poplar occurs as aforesaid; provided, that where there are not present two tulip poplar trees fourteen inches in diameter on any particular acre, there shall be left uncut and uninjured in place of each tulip poplar tree of this required diameter class not present two tulip poplar trees of the largest diameter present less than fourteen inches in diameter. Such tulip poplar trees shall be left uncut for the purpose of reseeding the land and shall be healthy, windfirm and of well developed crowns.

§ 10-77. Pine and tulip poplar trees, which are left uncut for purposes of reseeding, shall be the property of the landowner but shall not be cut

until at least * five years have elapsed after the cutting of the timber on such lands.

§ 10-79.2. *No person who actually cuts or permits to be cut or who is responsible for cutting, or procures another to cut any timber on land which he does not own and leaves uncut the seed trees required by this article shall thereafter be held criminally liable, or be required to post bond as provided in § 10-79.1, because such seed trees or any of them are later cut by any other person.*

§ 10-81. This article shall not apply to any acre of land on which there are present at the time of final cutting of the timber as many as * four hundred or more loblolly, shortleaf, pond or white pine or tulip poplar seedlings, singly or together, * four feet or more in height.

§ 10-83. The provisions of this article shall not apply to any acre or acres of forest land for which a planting, cutting or management plan has been prepared, designed to procure the reproduction of and maintain the growth of young thrifty trees of commercially valuable species, and which plan has been submitted to and approved by the State Forester previous to the cutting of any trees on the acre or acres concerned; *provided, that if such plan has been submitted to the State Forester by registered or certified mail and he has not approved the same, or disapproved it with a statement in writing of his reasons therefore, within a period of sixty days from the date of submission, such plan shall be deemed approved and shall be effective for the purposes of this section;* nor shall the provisions of this article which required the leaving of pine seed trees on acres where less than fifty per cent of the trees are loblolly or shortleaf pine, singly or together, apply to timber cutting rights acquired prior to July one, nineteen hundred fifty.

A BILL to amend the Code of Virginia by adding a section numbered 59-101.2, establishing a standard rule for measurement of trees and logs.

Be it enacted by the General Assembly of Virginia :

1. That the Code of Virginia be amended by adding a section numbered 59-101.2, as follows:

§ 59-101.2. The standard rule for determining the number of board feet in a tree or log in this State shall be the "International 1/4 Inch Log Rule." The provisions of this section shall not apply to contracts or transactions entered into prior to the effective date of this act; nor shall this section prevent the buyer and the seller from agreeing that some other unit of measurement shall be used to determine the number of board feet in trees or logs covered by a contract between them.