but also destroys seed; planting after burning does not appear entirely successful. In addition to the plots, a grid survey shows a very satisfactory state of re-establishment. A small amount of planting up of poorly regenerated areas has been carried out.

The presence of slash, deer, insects and fungi has had only a minor effect on regeneration, so that in spite of them, stocking is still good.

FURTHER WAR IMPRESSIONS OF SOME WOODS IN SOUTHERN ENGLAND.*

By A. L. POOLE.

Amongst the numerous woodland areas at present being worked by the New Zealand Forestry Companies in the South of England, are two of considerable historical interest in that they were once Royal Forests. These are Woolner Forest in Hampshire, and Savernake Forest in Wiltshire.

The use of the term "Forest" in England originally implied areas annexed by a despotic monarchy for the purpose of providing him with revenue and for the preservation of animals, usually deer, for the hunt. This seizing of land commenced in Saxon times, but the practice was greatly increased under the Norman kings, and excessively stringent "Forest Laws" were passed dealing exclusively with these "Forests." Such afforested areas reached their peak in the eleventh and twelfth centuries when whole counties such as Devon, Cornwall, Essex, Leicestershire etc. came under Forest Law: estimates of their extent during these times range to as high as one-third of the total area of the Kingdom. A Forest therefore included within its bounds open land, cultivated land and woods, but in some instances, such as the Forest of Dartmoor, may have possessed no woods at all. From time to time the hunting rights on parts of the areas were granted to subjects, and they were sometimes even allowed to enclose areas which became known as Parks. The chief officers of the King's Forests were men of high standing known as Keepers or Wardens and in some instances these positions were even hereditary.

* This article was received in 1942. Mr. Poole contributed "War Impressions of Some Woods in Southern England" to the last issue of the Journal while he was attached to the 15th Forestry Company, N.Z.E.—Ed.
The severity of the Forest Laws by which the Forests were
governed became so great that at the time of Magna Carta and at
later dates the reigning sovereigns were forced to modify them;
and in 1640 Forest Laws were to all intents and purposes cancelled
and the power of afforesting new country ceased. In the 17th
century enclosures of these Forests, which were in reality mainly
common land, commenced in order to increase areas for cultivation.
This power of enclosure was used by the Lords of Manors to repudiate
common rights and many areas were lost to the public. Towards the
end of the 19th century an organised attempt was made by the
people to prevent further enclosures. Thus some of the Royal
Forests have been preserved to the public while some have passed
into the hands of the Forestry Commission and some Local Bodies.

Woolmer Forest lay at the very door of the home of that great
naturalist, Gilbert White, who for many years dwelt at Selborne
just north of the forest. Frequent are his references to Woolmer
in his “Natural History of Selborne” written in 1789, and so interest-
ing are these that one is tempted to quote at length; first comes a
description of the forest . . . . “The royal forest of Woolmer is a
tract of land of about seven miles in length, by two and a half in
breadth, running nearly from north to south . . . . This royalty
consists entirely of sand covered with heath and fern; but is some-
what diversified with hills and dales, without having one standing
tree in the whole extent.” . . . . This statement is somewhat modi-
ified later and reference is made to the fact that “in those days, as
at present, there were hardly any trees in Woolmer Forest,” although
no mention is made as to what trees were present. This is surely
not a pleasing picture for the forester: but to-day it has been consid-
erably altered by the appearance of Scots pine in the area, and the
astounding natural regeneration of this species on the “sands” of
Woolmer Forest.

Ecologists tell us that this area was at one time a dry oakland
forest and indeed Gilbert White confirms this when he states that
“The fossil wood buried in the bogs of Woolmer Forest is not yet all
exhausted; for the peat-cutters now and then stumble upon a log.
I have just seen a piece which was sent by a labourer of Oakhanger
to a carpenter of this village: this was the butt-end of a small oak
about five feet long, and about five inches in diameter. It had
apparently been severed from the ground by an axe, was very ponder-
ous and as black as ebony.”

Whatever caused the oak to disappear, clearing for agriculture,
since the land is light and easily worked, extensive fires and depreda-
tions by red deer probably played the largest parts. Gilbert White
refers to the herd of red-deer, “. . . which towards the beginning
of this (eighteenth) century amounted to about five hundred head
and made a stately appearance.” About thirty years before writing
the Duke of Cumberland cleared the herd out, and . . . . “In the
course of the summer they caught every stag, some of which showed

27
extraordinary diversion; but in the following winter, when the hinds were also carried off, such fine chases were exhibited as served the country people for matter of talk and wonder for years afterwards.” Later the peculiar reference is made that “though large herds of deer do much harm to the neighbourhood, yet the injury to the morals of the people is of more moment than the loss of their crops.” This reference is, of course, to poaching, for . . . “unless he was a hunter, as they affected to call themselves, no young person was allowed to be possessed of manhood or gallantry.”

In the time of Gilbert White too, fires were extensive and frequent. The excuse was that the old heath was burned, and that young sprouts took its place. “. . . such vast heath fires are lighted up, that they often get to a masterless head . . . but where there is large old furze, the fire following the roots, consumes the very ground: so that for hundreds of acres nothing is to be seen but smoother and desolation, the whole circuit round looking like the cinders of a volcano; and, the soil being quite exhausted, no traces of vegetation are to be found for years.” Extensive peat diggings must also have exposed large sandy tracts.

The above picture is to-day greatly modified: The area is still a sandy waste in many parts, with acres of shifting sand. But the greatest change is the incoming of the Scots pine. The continental variety of Scots pine (Pinus sylvestris L.) was extensively planted in the south of England, including Woolmer Forest, in the eighteenth and nineteenth centuries, particularly after the Napoleonic wars, and the trees on Woolmer Forest are reputed to be derived entirely from these. It has found such a suitable home on the bare sands that it now covers extensive areas; and regeneration, where it occurs, is so prolific that it forms pure, densely packed thickets of seedlings and saplings.

During the last war it was cut over extensively, using the strip method of cutting. There is little doubt that the whole of this forest would soon be covered by Scots pine were it not for the occurrence of fires. These keep wide areas treeless, and on them the common ling (Calluna vulgaris) and two ericas (E. tetralix and E. cinerea) commonly grow. These are usually accompanied by the bilberry (Vaccinium myrtillus) and several grasses frequent the damper places. In this association are found numerous Scots pine and birch seedlings (Betula alba, B. pubescens and their hybrids) as well. Where these seedlings are allowed to get away they quickly form dense clumps of saplings. The Scots pine matures into trees 60 feet to 70 feet high and 18 inches to 24 inches in diameter. Amongst these, occasional maritime pine trees (Pinus pinaster) occur. We therefore have the picture of an extensive undulating country with many open areas covered by low heath-like growth alternating with groups of Scots pine and birch saplings and mature trees. It is these mature areas that have been cut out, but “seed trees” have
been left behind to regenerate the areas. It is an ideal area for regeneration by seed trees, and an excellent pine forest could be made of it.

Savernake forest in Wiltshire was a Royal Forest created during Saxon times. It was first administered by wardens who in the time of Henry II acquired hereditary rights and finally came to own the forest. Recently it has been leased to the Forestry Commission. It is a most delightful park-land area, highly typical of a "Royal Forest," having been developed as a park and hunting ground with some forestry and farming activities. There are consequently many famous historical trees, mainly oaks, and a renowned avenue of beech trees running for four miles through the forest.

Most of the trees are very poor from the timber point of view, and are usually overmature. The beech has, in the main, been lopped to provide deer fodder, so that barrels are short and this timber is unworkable. The oaks are somewhat better and produce good though somewhat short timber. A small herd of deer is confined to one area of the forest and the poaching tradition is carried on by the Dominion troops.

SOME ASPECTS OF THE LEGAL POSITION OF FORESTS UPON MORTGAGED LAND IN NEW ZEALAND.

By A. F. CLARK.

While the course in forest law taken by University forestry students in the Dominion was extensive, it did not deal with the important question of the legal position of forests standing upon land subject to mortgage. With the continued depletion of forests owned by the Crown there is no doubt that greater attention will be paid in future to privately owned forests, and their legal position when the land is subject to mortgage is worthy of examination.

Definitions and Intentions.

When a person wishes to borrow money and in support of his promise of repayment tenders by way of security his interest in land, he does so by offering to the lender a mortgage over his land. Again, when wishing to acquire land, a purchaser may not be able or willing to pay the whole amount of the purchase price at once and he therefore arranges with the vendor for a proportion of the purchase money to remain as a debt and gives as security a mortgage over the land purchased. The person who receives the accommodation and gives