

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 315

S. P. 284

House of Representatives, February 5, 1935.

Referred to Committee on Interior Waters in concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Senator Thatcher of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
· THIRTY-FIVE

AN ACT Relating to Incorporating the Madawaska Log Driving Company.

Emergency preamble. Whereas, the lumbering and pulpwood industry is of great importance to the people of our state, and particularly in the sections constituting the watershed of the Saint John river, and

Whereas, the legislation hereinafter set out is necessary to facilitate the driving of logs and pulpwood on the Saint John river, and

Whereas, that river constitutes a boundary between this state and the Province of New Brunswick in the Dominion of Canada, and therefore legislation respecting the charter of the Madawaska Log Driving Company in order to be fully effective must have the assent of the lieutenant governor and legislative assembly of the Province of New Brunswick, which body is expected to meet during the months of February and March, 1935, and would be unwilling to assent to legislation passed in this state but not finally effective until after the adjournment of the legislative assembly of New Brunswick, and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16 of article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety,

Now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. P. & S. L., 1891, c. 258, § 4, amended. Section 4 of the private and special acts of 1891 is hereby amended so as to read as follows:

‘Sec. 4. Qualification of members. Any person, persons or corporations, or their agents, owning logs or other timber to be driven on the Saint John river within the limits above specified, at the date of the annual meeting in each year, shall be members of the Madawaska Log Driving Company, and shall so continue for one year at least from that date, and shall have all the privileges and be subject to all the liabilities thereto. Each member shall at all meetings have one vote for each 100,000 superficial feet of lumber and each 200 cords of pulpwood either rough or peeled so to be driven. All owners of land in either Maine or the Dominion of Canada from which any of the lumber or pulpwood so to be driven has been cut shall likewise be members of such corporation, but without liability for payment of tolls and shall have one vote for each 100,000 superficial feet of lumber or each 200 cords of pulpwood either rough or peeled cut from their land so to be driven. Any owner of a fractional interest in common and undivided of any such land shall have such vote with respect to lumber or pulp cut from the land in which he is a part owner as is proportionate to his fractional interest therein. Fractional votes shall be counted but in no event shall the sum of the votes cast by the owners of any tract amount to more than one vote for each 100,000 superficial feet of lumber or each 200 cords of pulpwood cut thereon. Landowners may vote in person or by proxy, and the owners of a majority interest in any tract may cast all votes which any of their absent co-owners might have cast if present or represented at the meeting with respect to the lumber or pulpwood cut therefrom.’

Sec. 2. P. & S. L., 1891, c. 258, § 5, amended. Section 5 of chapter 258 of the private and special laws of 1891 is hereby amended to read as follows:

‘Sec. 5. Owners to file statement. The members of said company owning logs or other timber to be driven shall, at the annual meeting file with the secretary a sworn statement of all such logs or timber, of the number of feet, woods or stumpage scale, with the mark or marks thereon, together with the place from which the logs are to be driven and their destination and the tracts from which cut and the owners thereof. Such statement shall

be signed by such owner, or his authorized agent. And if any owner or agent shall refuse or neglect to file such statement in the manner herein prescribed, the directors may assess such delinquent or delinquents for his or their proportion of the expenses such sum or sums as the directors deem just and equitable.'

Emergency clause. In view of the emergency created, as recited in the preamble, this act shall take effect when approved.