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THIRTY-SEVENTH

Annual Report

OF THE

New Hampshire Timberland

Owners Association

Constitution and By-Laws



Handwritten signatures and initials, including 'H.S.' and 'H.S.' with a checkmark.

From January 1, 1948
to January 1, 1949

OFFICERS

C. S. HERR, President, Brown Company,
Berlin, N. H.
F. E. MOSES, Vice-President,
Groveton Papers Co., Groveton, N. H.
EMMETT R. BUCKLEY,
Secretary-Treasurer
Maynesboro Farm, Berlin, N. H.

DIRECTORS

C. S. HERR, Brown Company.
F. E. MOSES, Groveton Papers Company.
LEE ABBOTT, David Pingree Heirs.
W. A. RUCH, International Paper Co.
A. M. BEAN, A. M. Bean, Inc.
GEORGE KEAZER,
St. Regis Paper Company.
*MARK TWITCHELL,
C. M. C. Twitchell Estate.

AUDITORS

HOWARD WOODWARD, Berlin, N. H.
HARRY KILGORE, Gorham, N. H.
*Deceased.

MEMBERSHIP FOR 1948

Brown Company, Berlin, N. H.
R. H. Bryant, (Coe-Pingree Estate), Bangor,
Maine.
Joseph Sewall, (Coe Est.), Oldtown, Maine.
Dartmouth College, Hanover, N. H.
M. Richardson (Stone Farm Ass'n), Shel-
burne, N. H.
Gilman Paper Co., New York, N. Y.
Groveton Papers Co., Groveton, N. H.
C. N. Hodgdon Estate, Berlin, N. H.
E. Libby Sons Co., Gorham, N. H.
Dalrymple & Towers, (Trustees), Andover,
Mass.
David Pingree Estate, Bangor, Maine.
C. M. C. Twitchell Estate, Berlin, N. H.
International Paper Co., North Stratford,
N. H.
Town of Gorham, Gorham, N. H.
Howard T. Woodward, Berlin, N. H.
Northern New Hampshire Lumber Co., Bath,
N. H.
Alvan E. Kallman, The Balsams, Dixville,
N. H.

Connecticut River Power Co., Boston, Mass.
St. Regis Paper Co., West Stewartstown,
N. H.

A. M. Bean, Errol, N. H.

Blanchard Heirs, Berlin, N. H.

Herbert L. Malcolm, Jefferson, N. H.

Public Service Co. of N. H., Berlin, N. H.

Water Resource Board, Concord, N. H.

Whitefield Savings Bank and Trust Co.,
Whitefield, N. H.

The New Hampshire Timberland Owners Association consists of twenty-five listed members.

The total acreage of the Association which was under protection in 1948 was 602,000 acres.

REPORT

Season of 1948

With this report the Association closes its thirty-seventh continuous year of service in Forest Fire control in Northern New Hampshire. The Association is a thoroughly serviceable agency in that it serves each year without any great amount of publicity or commendation from anyone.

It is desirable to include in this annual report a copy of the Constitution and By-Laws, in order that the members may be more fully informed as to the manner in which the Association operates.

The favorable ten-year Forest Fire record was affected this season by a rather serious and troublesome fire that occurred early in the season in Berlin-Milan. This fire burned for three or four days in spite of all the assistance and equipment which could be brought to bear upon it.

The patrol program is the Association's principal activity and has proved beyond any doubt that it is extremely effective, principally in fire prevention and to an important degree in fire suppression as well, since many of the patrolmen from time to time put out

small fires which are not even reported. The Association operated this past season again on the basis of one and one-quarter ($1\frac{1}{4}$) cents assessment per acre. Every effort has been made to operate the Association as economically as possible, keeping in mind that complete fire control is after all the objective of the Association.

The President, on behalf of the Association, wishes to thank both the New Hampshire and Maine Forest Service for the assistance they have rendered to the Association's Forest Fire control program. Messrs. Chase and Buckley of the State Forest Service are likewise to be complimented for the very faithful and loyal service they have again given the Association in the capacity of agents administering the field program.

It is with deep regret that we note the passing of two individuals who have been extremely helpful to this Association. Mr. Mark Twitchell, who for many years served the Association as Director, died during the year, and Mr. E. J. Couture of the State Forest Department, who has always been interested in the Association's program and has been extremely helpful in connection with our many problems. These two good friends will be sadly missed.

C. S. HERR, President.

Patrol Routes

Town	Route
Pittsburg No. 1	1 Indian Stream Valley
	2 Perry Stream Valley.
	3 E. Inlet Stream Valley.
Acad'my Grant Clarksville, Skillings Gore and Pittsburg.	4 East and West Branch Dead Diamond and Little Dead Diamond Area.
	5 Dead and Swift Diamond Valleys.
College Grant Dix's Grant and Dixville.	6 Nash Stream and Tribu- taries.
Odell and Stratford	7 Old and recent cuttings in each town.
Errol, Went- worth Loc., Dix- ville and No. Millsfield.	8 Patrolled recent cuttings in each town.
Dummer-Pond, Newell Brook and Little Mills- field Pond.	9 Head Pond, Copperville, and Jericho Brook area.
Berlin and Milan	10 Phillips Brook Valley area.
Dummer and Millsfield.	Irving Location. and Odell.

- Cambridge 11 Chickwolnepy Valley, Bog Brook and Mollnidgevoc Valley.
- Success, Riley 12 Success Pond Railroad and Grafton, and tributaries, in cooperation with the State of Maine, and Grafton, Maine, and tributaries, in cooperation with the State of Maine.
- Randolph and 13 Stag Hollow Valley, Part Jefferson time patrol during very dry periods.
- Gorham and 14 Mill Brook, Peabody Shelburne Brook, Lead Mine Brook and Lary Brook.

Association Fire Record for Past Ten Years

Year	Number of Fires	Acreage Burned	Average Acres
1939	12	25	2
1940	10	21	2
1941	13	264	20
1942	10	19	2
1943	7	11	1
1944	14	16	1
1945	6	1	1/6
1946	13	40	3
1947	40	50	1.2
1948	32	751.	23

**CONSTITUTION AND BY-LAWS
OF THE
NEW HAMPSHIRE TIMBERLAND
OWNERS ASSOCIATION
ARTICLE I**

Name and Object

The name of this Association shall be New Hampshire Timberland Owners Association, incorporated under the laws of the State, and its object the preservation of the forests of New Hampshire from loss by fire, and to enlist the aid of the United States and State government in said work. Also such other matters as may be of mutual interest to its members, to encourage the enactment of such laws as will best serve the objects to be attained.

**ARTICLE II
Place of Business**

The principal place of business of this Association is hereby fixed as Berlin, N. H.

**ARTICLE III
Government**

The affairs of said Association shall be controlled by five (5) Directors; and five (5) Directors shall constitute a full Board of Directors of the Association.

ARTICLE IV Membership

Sect. 1: Any person, firm, or corporation, who, either as owner or agent, is interested in the ownership or management of timberlands within the State of New Hampshire, shall be eligible to membership in this Association. Those executing this instrument on or before the second Thursday in November, 1910, shall be considered members.

Sect. 2: Any person, firm or corporation in addition to those executing this instrument as aforesaid desiring to become a member of the Association must apply for membership in writing; the applicant must state the name, residence and post office address of the applicant and must be accompanied by a description of the timberland owned by the applicant and a statement of willingness to contribute yearly to the funds of the Association at least a minimum of twenty-five dollars provided his or its share of the yearly assessment per acre does not amount to this sum. The applicant must be recommended by at least two members of said Association in good standing, and the application with such recommendation shall be filed with the Secretary-Treasurer.

ELECTION

Sect. 3: All applications for membership

on file with the Secretary-Treasurer and awaiting action shall be considered by the Board of Directors at each meeting.

Sect. 4: Applications for membership must be passed upon and candidates elected or rejected by the Board of Directors. It shall take a majority affirmative vote of all the Directors to elect a candidate to membership.

Sect. 5: No person, firm, or corporation, shall exercise the rights or be entitled to any privileges of membership until he or it shall have signed the roll and subscribed to the By-Laws of the Association.

Sect. 6: The vote of each member shall be equal to that of any other member, and no member can acquire any interest which will entitle said member to a greater vote, voice, authority or interest in the Association than any other member.

Sect. 7: A Membership in the Association may be terminated by the formal withdrawal of the member, which shall be in writing delivered to the Secretary; by death, or expulsion, provided that termination of membership shall not relieve the member of liabilities of the Association then existing or incurred.

Sect. 8: A member may be expelled from the Association for the following reasons:

A. The failure to timely pay any assessment levied by the Association.

- B. The sale by a member of all the timber land owned by said member in the territory of this Association, and failure to withdraw.
- C. Failure of a member to observe and conform to the By-Laws of this Association.
- D. The Board of Directors shall have the power to expel members, but it shall take a majority vote of all the Directors to expel any member, and then only upon a hearing and for cause.

Sect. 9: When an individual, firm, or corporation ceases to be a member of this Association for any cause, he shall receive no remuneration for any interest which he may claim in the property of the Association, and the termination of membership terminates such member's interest in all the property of the Association. Membership in the Association gives no interest to the Association in the land or timber holdings of any member of the Association.

Sect. 10: When a member changes his residence or post office address he may give notice of such change to Secretary-Treasurer, and thereafter be entitled to receive notice of all meetings at his new address.

ARTICLE V Assessments

Sect. 1: The funds necessary to defray the expenses of the Association shall be raised by assessment of the members of the Association as shown by the roll of membership. The total amount necessary for the ensuing year to be determined by a vote of the members at the annual meeting.

Sect. 2: The Board of Directors shall have the power to levy and enforce the payment of such assessments up to the total amount voted as fast as may be necessary.

Sect. 3: Which shall be made uniform, based upon the total acreage of timberlands of members, whether such lands are owned in fee simple or not, or whether such lands have been cut or burned over; it being the intent of this section that all timberlands in which a member claims a title or equity shall be assessed. Provided, however, that when two or more members are interested as co-owners or co-tenants in a tract of land each member shall be assessed only for their proportion of interest in each tract. Each member shall be required to pay assessments on the basis of the number of acres each member owns, controls or is interested in as hereinbefore stated.

Sect. 4: Each member shall, on the first

day of May and October of each year furnish the Secretary-Treasurer of this Association a description of plats of his timberlands situated in the territory of this Association, which shall be used for the purposes of assessments during that year, provided, however, that each member shall pay the full amount of all assessments levied by the Association on any and all timberlands acquired between May 1st and October 1st. On failure of any member to furnish such lists or any of them, the determination of the Board of Directors, shall be conclusive.

Sect. 5: All assessments shall be levied by the Board of Directors and notice thereof immediately sent by the Secretary-Treasurer to the members of this Association, and all such assessments must be paid within thirty days or as may be ordered by the Board of Directors, except as provided in the last section.

ARTICLE VI

Membership Meetings

Sect. 1: There shall be an annual meeting of the Association held at the principal place of business of said Association or such other place as shall be designated by the President or Board of Directors, on the second Thursday of the month of November of each year for the election of the Directors to manage

the affairs of said Association for the year next ensuing, and for the transaction of such other business as may properly come before it.

Sect. 2: Notice of the time and place of the annual meeting shall be sent at least ten (10) days before the time of the meeting by the Secretary-Treasurer to each member to the address appearing on the records of the said Association as the postoffice address of said member, and such notice shall be sufficient.

Sect. 3: Special meetings of the members of the Association may be called at any time by resolution of the Board of Directors or by the President.

Sect. 4: A majority of the members of the Association, or their representatives present, shall constitute a quorum for the transaction of business. Proxies shall be recognized in a membership meeting, and a majority of the votes cast shall decide any question that may come before the meeting.

Sect. 5: The order of business at all meetings of the members and Board of Directors shall be as far as practicable as follows:

- A. Call to order.
- B. Calling of the roll.
- C. Reading of minutes of the previous meeting.

- D. Approval of minutes of previous meeting.
- E. Report of the Fire Committee.
- F. Report of the Auditing Committee.
- G. Report of the Legislative Committee.
- H. Report of the Secretary-Treasurer.
- I. Election of Directors or Officers.
- J. Election of members.
- K. Unfinished business.
- L. Communications.
- M. New business.
- N. Adjournment.

Sect. 6: The Board of Directors shall hold meetings on the second Tuesday of March and second Thursday of November of each year at the principal place of business of said Association, or such other place as they elect, and such other meetings as they deem proper and wise. The President or a majority of the Directors may at any time call a meeting of the Board of Directors.

ARTICLE VII.

Board of Directors

Sect. 1: The Board of Directors shall have the power to fix the time and place of the regular meeting, and to fix the time and place of all special meetings, and to appoint committees for various purposes from their own members, or from the members of the Association, or such members' representatives.

Sect. 2: To adopt and carry into effect such measures as they may deem proper and expedient to promote the objects of the Association.

Sect. 3: To appoint a Secretary-Treasurer and fix salary for same, who shall at all times be subject to their direction.

Sect. 4: To levy all assessments, based upon the acreage of each member compared with the whole acreage of the entire membership.

Sect. 5: To appoint and fix salaries of any and all agents and employees of the Association, except such as are fixed by law.

Sect. 6: To authorize the payment of all obligations incurred by the Association, and to transact all other business of the said Association.

Sect. 7: A majority of the members of the Board of Directors shall constitute a quorum for the transaction of general business, and the President shall be the chairman of the Board of Directors.

Sect. 8: The Directors may elect members of the Association to fill vacancies on the Board caused by death or resignation or from any other cause.

Sect. 9: The Board of Directors may, on the second Thursday of November of each year or at any later time in said year, hold

in the Treasury as an emergency fund or distribute back to the members of the Association any unused funds they may have in the Treasury of the Association, or such proportion thereof as they may deem wise and expedient, but any such distribution shall be made to the members only, or their assignees, who contributed said money, and shall be based upon the acreage system and upon the same list of acreage which was used for the purpose of assessment for said year.

Sect. 10: To do all other things and transact all other business that may lawfully be done and transacted under the statutes of the State of New Hampshire.

ARTICLE III

Officers

Sect. 1: The officers of the Association shall consist of a President, Vice-President, Secretary-Treasurer, and a Board of five Directors. The President and Vice-President shall be elected by the Board of Directors, and shall be selected from their own number.

Sect. 2: The President shall preside at all meetings, shall have general supervision of the affairs of the Association, shall sign or countersign all contracts or other instruments of the Association as authorized by the Board of Directors, shall make reports

to the Directors and to the members of the Association and perform all such other duties as are incident to his office or properly required by him by the Board of Directors.

Sect. 3: In the absence or disability of the President, the Vice-President shall exercise all the functions of the President.

Sect. 4: The Secretary-Treasurer shall issue notices of all meetings, either the meetings of the Board of Directors or members of the Association, and shall have charge of the Association books, shall sign with the President such instruments as require his signature, and shall keep on issue lists of the membership of the Association, collect all assessments levied by the Board of Directors, make out vouchers covering all legitimate expenses of the Association and attest the same, submit them to the Board of Directors, and shall make reports and perform such other duties as are incident to this office, or are properly required of him by the Board of Directors.

Sect. 5: The Secretary-Treasurer shall have the custody of all moneys and securities of the Association, shall keep regular books of account, and balance the same every month and submit same to the inspection of the Board of Directors. He shall sign or countersign such instruments as may require

His signature and shall perform other duties incident to his office properly required of him by the Board of Directors. He shall give bond for the faithful performance of his duties in such sum and by such surety as may be required by the Board of Directors. The Association shall pay the premium on the Treasurer's bond. The Secretary-Treasurer shall, at each bi-annual meeting, or as required to do so, make a report to the Board of Directors, and when his term of office expires he shall make a statement of the amount of moneys received by him and paid out during the term of his office, and shall deliver to his successor all moneys, books, vouchers and other records of his office. The Board of Directors shall also name a depository where the Secretary-Treasurer shall keep the money of the Association, and when so kept, the Secretary-Treasurer shall not be liable for loss by failure of such depository. The Secretary-Treasurer shall have authority to draw out money at the Association's authorized depository on requisition of the Association signed by himself as Treasurer and by the President or Acting President.

ARTICLE IX **Term of Office**

The President, the Vice-President and Board of Directors shall be elected to hold

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office for one year, or until their successors are duly elected and qualified.

ARTICLE X **Committees**

Sect. 1: The Board of Directors at their first meeting following the annual meeting of the membership shall appoint the following committees: A. Committee on Fire Protection. B. Committee upon Legislation. C. Auditing Committee.

Sect. 2: The above committees and all members thereof shall hold their positions during the pleasure of the Board of Directors, and the Board of Directors shall appoint all other committees that they shall deem proper.

Sect. 3: The committee upon fire protection shall consist of three members of the Association, and shall have jurisdiction over all matters pertaining to forest fire protection within the territory of the Association, cooperate with the State Forester in the expenditure of its funds and incur any and all expenses necessary to most effectively protect the territory of this Association from forest fires. The committee upon fire protection shall submit a written report to the Board of Directors at each bi-annual meeting or oftener if required to do so, either by the President or Board of Directors.

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Sect. 4: The committee upon legislation shall consist of three members of the Association and shall have jurisdiction over all matters pertaining to the enactment of laws of the State of New Hampshire or of the United States touching any of the objects of this Association. The Committee upon legislation shall make written report and recommendations to the Board of Directors as often as required to do so by the Board of Directors or the President, or whenever in its opinion the best interests of the Association would be furthered thereby.

Sect. 5: The Auditing Committee shall consist of three members of the Association or their representatives, and shall have jurisdiction over all books of the Association in which the accounts of the receipts and disbursements of the moneys of the Association are kept; it shall audit the books of the Secretary-Treasurer at least once a year just preceding the November meeting, and oftener if requested to do so by the Board of Directors or the President, or if it is deemed necessary to the best interests of the Association. The auditing committee shall submit a written report to the Board of Directors at its regular bi-annual meeting on the second Thursday of November of each year, and oftener if requested to do so by

the Board of Directors or the President.

Sect. 6: All Committees created under these By-Laws shall have the authority to prescribe rules and regulations governing their deliberations and the conduct of their meetings, provided, however, that the Chairman of each committee shall be designated by the Board of Directors at the time the committee is appointed.

Sect. 7: Vacancies on committees shall be filled by the Board of Directors at its next meeting after such vacancies occur.

Sect. 8: All committees created by the Constitution and By-Laws, or by the Board of Directors shall have authority to dispose of such funds as are voted for the purpose of the committee at the annual meeting or shall be voted during the year from the unexpended balance in the treasury by the Directors for their purposes, and bills approved by the Chairman of such committees or by two members thereof shall be paid upon presentation to the Secretary-Treasurer out of the funds set aside for the purpose, it being the rule to pay all claims, except for labor, which shall be paid first, as nearly in the order of their receipt as possible.

ARTICLE XI Amendments

These articles may be amended at any an-

nual meeting or special meeting of the members by a majority vote of the members. Said amendment must, however, be submitted to the Secretary-Treasurer in writing in time for him to incorporate same in his notice or call for said meeting.

Any action necessary on behalf of the Association may be brought in the name either of the President or the Secretary-Treasurer as Trustee of the Association.

In any action to recover from any member any assessment due from him, there shall be recovered in addition to the amount of the assessment and interest reasonable attorney's fees and all other expenses of the action.

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FINANCIAL STATEMENT—1948

Receipts

Balance, December 31, 1947.....	\$ 900.56
Assessments, Season 1948.....	7,547.09
Other Credits	169.58

Total..... \$8,617.23

Expenditures

Patrol Expense.....	\$6,970.93
Salary, Secretary-Treasurer..	200.00
Salary, District Chief.....	200.00
Salary, Clerical Office.....	75.00
Telephone Line Repair.....	46.00
Bank Service Charge.....	.60
Office Expense.....	156.24
Advertising	20.00
Liberty Mutual Ins. Co.....	28.24
Unemployment Compensation Fund.....	171.27
Social Security Tax.....	74.47
Federal Excise Tax.....	22.34

Total..... \$7,565.09

Balance: December 31, 1948 \$ 652.14

Audited:
Harry Kilgore
Howard Woodward