

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 127.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-ONE.

AN ACT to incorporate the Madawaska Log Driving
Company.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. W. H. Cunliffe, Robert Conors, B.
2 W. Mallett, C. H. Dickey, John Kilburn, Duncan
3 McIntosh, Arthur M. Dechene, John A. Morrison, Jr.,
4 Daniel Chisolm, J. J. Wheelock, S. W. Stevens, Neal
5 McLean, William Sewall, John Sweeny, John Sinclair,
6 Darius Nixon, their associates and successors, are hereby
7 made and constituted a body politic and corporate by the
8 name of the Madawaska Log Driving Company, and by
9 that name may sue and be sued, prosecute and defend to
10 final judgment and execution, both in law and in equity,

11 and may make and adopt all necessary regulations and
12 by-laws, not repugnant to law, and may adopt a common
13 seal, and may purchase and hold real and personal estate
14 sufficient for carrying on its business, and may raise
15 money by loan for all its necessary purposes.

SECT. 2. The said company shall have the right, privi-
2 lege and authority each year to drive down the Saint John
3 river from a line drawn across said river from its north
4 bank to its south bank directly across the head of Gard-
5 ner's island, near the mouth of the Allegash river, said
6 line being at right angles with the river and not being
7 intended to include a small grassy island above said
8 Gardner's island, thence to the eastern boundary line of
9 the State all logs and timber belonging to said company,
10 or any member thereof floating or coming down the Saint
11 John river within the upper and lower limits above speci-
12 fied. And said company may, for the purposes aforesaid,
13 make such necessary improvements as may be required.
14 Said company shall have all the powers and privileges and
15 be subject to all the liabilities incident to corporations of
16 a similar nature.

SECT. 3. The officers of said company shall be a secre-
2 tary, treasurer and a board of five directors, to be chosen
3 by ballot, and such other officers as may be deemed neces-
4 sary, who may be appointed by the directors, unless they
5 are chosen at the annual meeting, all of whom shall hold
6 their office until the next annual meeting, or until others
7 are chosen or appointed in their stead. The treasurer
8 shall give a bond to the acceptance of the directors. The
9 directors shall at their first meeting elect one of their
10 number to be president of the company; they shall also

MADAWASKA LOG DRIVING COMPANY.

11 then elect a secretary and a treasurer, and the same person
12 may hold both offices. No person shall be eligible to the
13 office of director except he be a member of the corpora-
14 tion. The secretary or treasurer may be a director. It
15 shall be lawful for any director to contract for the whole
16 or any part of the driving or work of the corporation.

SECT. 4. Any person, persons or corporations, or their
2 agents, owning logs or other timber to be driven on the
3 Saint John river within the limits above specified, at the
4 date of the annual meeting in each year, shall be members
5 of the Madawaska Log Driving Company, and shall so
6 continue for one year at least from that date, and shall
7 have all the privileges and be subject to all the liabilities
8 thereto. Each member shall at all meetings have one
9 vote for each one hundred thousand superficial feet of
10 lumber, so to be driven.

SECT. 5. The members of said company owning logs or
2 other timber so to be driven shall at the annual meeting
3 file with the secretary a sworn statement of all such logs
4 or timber, of the number of feet, woods or stumpage scale,
5 with the mark or marks thereon, together with the place
6 from which the logs are to be driven and their destination.
7 Such statement shall be signed by such owner, or his
8 authorized agent. And if any owner or agent shall refuse
9 or neglect to file such statement in the manner herein pre-
10 scribed the directors may assess such delinquent or delin-
11 quents for his or their proportion of the expenses such
12 sum or sums as the directors deem just and equitable.

SECT. 6. The directors shall annually select or elect
2 the driver or drivers of said logs, timber and lumber for
3 the year and fix and determine the prices for driving logs,

4 timber and lumber between the points aforesaid and be-
5 tween intermediate points within said upper and lower
6 limits. If the said directors cannot make satisfactory
7 arrangements with any person or persons for the said driv-
8 ing, or if the person so elected fails to perform his contract
9 therefor, then the said corporation shall, through its direc-
10 tors, do the driving itself and the charges made therefor
11 and the cost of driving the same shall be made up propor-
12 tionally, with reference to said charges and costs, keeping
13 in view less or more cost and expense required therefor
14 between the points at the greatest or least distance from
15 said lower limits. Said company shall have a lien on all
16 logs and other timber by them driven for all sums due
17 therefor which shall not be discharged until such sums so
18 due are finally paid. One-half of the sum to be paid for
19 driving shall be paid to the treasurer by the person liable
20 therefor when the rear of the drive of the logs of such
21 person shall be driven into the limits of the corporation
22 during the then present driving season and the balance
23 when such logs are driven over the Grand Falls on the
24 Saint John river. All logs and other lumber must be
25 delivered within the limits of said corporation on or before
26 the twentieth of each August to entitle the owners thereof
27 to have the same driven by said corporation during said
28 driving season. All logs delivered within said corpora-
29 tion limits on or before said August twentieth shall be
30 driven without unnecessary delay.

SECT. 7. Any person marking or causing to be marked
2 any unmarked log within the limits of said corporation, or
3 defacing any mark upon any logs therein, shall forfeit
4 twenty dollars, to be recovered by action of debt, one-half

5 to be paid to the treasurer and one-half to the person fur-
6 nishing the evidence thereof, such action to be brought in
7 the name of said corporation before any trial justice in the
8 county of Aroostook.

SECT. 8. The president and directors shall receive no
2 pay for their services but they may be paid their necessary
3 travelling expenses. The compensation of all other offi-
4 cers and agents shall be fixed by the directors.

SECT. 9. The first meeting of said company shall be
2 held in Fort Kent on the second Wednesday of April
3 next ensuing, and shall be called by notice therefor signed
4 by any two corporators above named, and published at
5 least seven days before said date in one newspaper pub-
6 lished in each of the following places, at Presque Isle in
7 the State of Maine and at Woodstock in the province of
8 New Brunswick. At such meeting all persons entitled
9 to be members as defined in section four shall be admitted
10 into said corporation.

SECT. 10. The manner, place and time of calling annual
2 and special meetings of the company, and meetings of the
3 directors, may be regulated by vote of the company at any
4 meeting thereof. Such meetings may be held in the
5 province of New Brunswick.

SECT. 11. The said corporation is hereby authorized to
2 accept such franchises, powers and privileges as may be
3 conferred upon it by the province of New Brunswick, and
4 to perform such acts within said province as may be
5 required or permitted by said province.

SECT. 12. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 20, 1891. }

Tabled, pending third reading, by Mr. PACKARD of Searsport, and
ordered printed.

W. S. COTTON, *Clerk.*