

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE SESSION

A. D. 1891.



AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1892.

Sixty-Fifth Legislature.

SENATE.

No. 141.

STATE OF MAINE.

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

AN ACT to incorporate the Dead River North Branch Log
Driving Company.

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

SECTION 1. That Milton G. Shaw, Charles D. Shaw,
2 William M. Shaw, Albert H. Shaw, Stephen A. Nye,
3 F. B. Purinton, G. A. Phillips, C. H. Phillips, Elias
4 Milliken, E. P. Niles, James Dudley, Lucius Dudley,
5 their associates and successors be and they are hereby made
6 and constituted a body politic and corporate by the name
7 and style of the Dead River North Branch Log Driving
8 Company, and by that name may sue and be sued, prose-
9 cute and defend to final judgment and execution both in

10 law and equity, and may make and adopt all necessary
11 regulations and by-laws not repugnant to the constitution
12 and laws of the State and may adopt a common seal and
13 the same may alter, break and renew at pleasure, and may
14 purchase and hold real and personal estate sufficient for
15 carrying on the business of said Dead River North Branch
16 Log Driving Company, and may grant and raise money
17 by loan or assessment for the same and for driving.
18 And said company shall drive all the logs and lumber on
19 the north branch of Dead river, from the mouth of Alder
20 stream at said Dead river to the forks of the north and
21 south branches of said Dead river, and into the limits of the
22 Dead River Log Driving Company. And said company
23 for the purposes aforesaid may erect dams, booms and
24 sluices, remove rocks and other obstructions in said north
25 branch of said Dead river, and in said Dead river and may
26 take land and material for building said dams and making
27 said improvements by making compensation therefor to
28 the owners thereof. Said company shall have all the
29 powers and privileges and be subject to all the liabilities
30 incident to corporations of a similar nature.

SECT. 2. The officers of said company shall be a clerk,
2 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 said directors, unless they
5 shall be chosen at the annual meeting, all of whom shall
6 hold their offices until the next annual meeting or until
7 others are chosen or appointed in their stead. The clerk,
8 treasurer and directors shall be sworn to the faithful per-
9 formance of their duties. The treasurer shall give a bond
10 to the acceptance of said directors. The directors shall

11 at their first meeting elect one of their number, who shall
12 be president of said company. And no person shall be
13 eligible to the office of director, unless he is a member of
14 said corporation.

SECT. 3. Any person, persons or corporations or their
2 agents owning logs or lumber to be driven on said north
3 branch of Dead river or said Dead river at the date of the
4 annual meeting shall be members of the Dead River North
5 Branch Log Driving Company, and shall so continue for
6 one year at least from that date and shall have all the
7 privileges and be subject to all the liabilities thereto.
8 Said members shall be entitled to vote at any meeting of
9 the company as follows: each member one vote.

SECT. 4. The members of said company owning logs or
2 lumber to be driven down said north branch of said Dead
3 river and said Dead river shall once upon the first day of
4 May in that year file with the clerk of the company a cor-
5 rect statement in writing signed by a sworn surveyor of
6 all such logs or lumber of the number of feet full scale
7 with the mark or marks thereon. And it shall be the
8 duty of the directors to keep an accurate account of all
9 the expenses incurred for driving all said logs and lumber
10 and shall ascertain the number of feet full scale and the
11 ownership of said logs and lumber driven as aforesaid and
12 assess thereon, to owners if known or to owners unknown
13 a tax sufficient to pay said expenses with such further
14 sums as may be necessary to pay damages, losses and
15 expenses for booms, buoys, dams and removing obstruc-
16 tions and other expenses as may be voted by the company
17 or the directors. If any owner or agent shall refuse or
18 neglect to file such a statement in the manner herein pre-

19 scribed, the directors may assess such delinquent or delin-
20 quents for his or their proportion of expenses such sum or
21 sums as may be by the directors considered just and equit-
22 able and such assessment shall be final. Said assessment
23 shall be made at any time after the first day of July each
24 year at the discretion of the directors. And said com-
25 pany shall have a lien on all logs and lumber by them
26 driven for the expense of driving and such other neces-
27 sary expenses as may be incurred and included in the
28 assessment as aforesaid, which shall not be discharged
29 until all assessments shall be finally paid. The directors
30 shall keep a record of the assessments in the office of the
31 clerk which shall be open to the inspection of all persons
32 interested.

SECT. 5. The directors shall give the treasurer a list
2 of all assessments by them made with a warrant in due
3 form under their hands. And it shall be the duty of the
4 treasurer immediately after he shall receive from the
5 directors a list of assessments in due form to notify in
6 writing all the owners when known of the amount
7 assessed upon their several marks and all owners of logs
8 and lumber shall be required to pay or satisfactorily secure
9 the amount of their several assessments on demand, and
10 in default of payment of the whole or any part of any
11 member's assessment the treasurer shall have power to
12 take possession of a sufficient quantity of the logs and
13 lumber of any mark owned or assessed to said member
14 and advertise the same for sale at public auction by post-
15 ing up in some conspicuous place in Gardiner and Fair-
16 field a notice of such sale stating therein the names of
17 the persons taxed if known, with the mark or marks

18 assessed with the amount of assessment unpaid, ten days
19 at least before the day of sale; and unless such assess-
20 ments with all the expenses incurred are previously paid,
21 he may then proceed to sell to the highest bidder a suffi-
22 cient quantity of such logs or lumber to pay such assess-
23 ment with all proper costs together with twelve per cent
24 interest from the date of such assessment, such sales to
25 be at the office of the company or where the logs are
26 situated. No person shall mark any logs that shall come
27 within the limits of said corporation unmarked unless such
28 person can satisfy the directors of said corporation that
29 he is the owner thereof.

SECT. 6. 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
5 meeting thereof.

SECT. 7. The first meeting of said corporation shall be
2 called by any one of said corporators giving written notice
3 thereof to each of the other corporators of the time and
4 place of said meeting, by mailing such notice to said mem-
5 bers ten days prior to said meeting.

SECT. 8. Nothing in this charter shall be construed as
2 changing or limiting the rights of others to the use of the
3 water for driving purposes outside of the location of the
4 territory covered by this charter.

SECT. 9. This act shall take effect when approved.



STATE OF MAINE.

IN SENATE, March 4, 1891.

Reported by Mr. WALTON, from Committee on the Judiciary, and laid
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*