

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1860. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1860.

23 Victoria – Chapter 90

**An Act to incorporate a Company for the improvement of Pirate Brook, in the County of York.
Passed 9th April 1860.**

Section.

1. Company incorporated.
2. First meeting, where to be held and how called - object.
3. Annual general meeting; election of Directors and President; quorum for business.
4. Votes of sockholders regulated.

Section.

5. Power to hold personal property and construct dams, &c.
6. Power to assess expenses on owners of logs.
7. Lien granted for amount of assessments.
8. Exemption as to logs, &c. below place of improvement.
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Whereas the incorporation of a Company for the improvement of Pirate Brook, on the Saint Croix River, for the purpose of facilitating the driving of logs therefrom, and to enable the owners thereof to assess the expense of driving them equally among themselves, in proportion to the quantity owned by each, would be of great benefit to them;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That Freeman H. Todd, Daniel Hill, H. N. Hill, Ephraim Gates, John M'Adam, Abner Hill, William Porter, Seth M. Todd, their associates, successors, and assigns, be and they are hereby erected into a body corporate by the name of 'The Pirate Brook River Driving Company,' for the purpose of improving said Brook, and driving logs from the same, as the Corporation may deem necessary or think advisable.
2. The first meeting of said Corporation shall be held at Saint Stephen, and shall be called by F. H. Todd, or in case of his death, neglect, or refusal, by any two of the said Company, by giving notice in any Newspaper printed in the County of Charlotte, or by written notice posted at the public landing in Saint Stephen, at least ten days previous to such meeting, for the purpose of making bye laws, and choosing five Directors and such other officers as may be necessary for the management of the affairs of said Corporation, which Directors and officers so chosen shall serve until the annual meeting, or until others are chosen in their stead, and shall have full authority and power to manage the concerns of said Corporation, subject to the rules and regulations hereinafter provided.
3. A general meeting of the stockholders of the said Corporation shall be held on the first Monday in February in each and every year, for the purpose of choosing five Directors and such

other officers of the said Corporation as may be deemed necessary for their affairs, which Directors so chosen shall remain in office for one year, or until others are chosen in their place, and shall at their first meeting after due election choose one of their number President of such Company: provided always, that not less than three Directors do form a quorum for the transaction of business, and in case of the absence of the President, the Directors shall have power to appoint one of their number Chairman for the occasion.

4. Each stockholder shall be entitled, when in conformity with the provisions of this Act the votes of the stockholders are to be given, to one vote, and absent stockholders may vote by proxy, providing such proxy be a stockholder and produce sufficient authority in writing.

5. The said Company may hold personal estate not exceeding one thousand pounds at any one time, and the said Company shall have full power to make and construct Dams, Piers and Booms, and other improvements on said Pirate Brook, and to employ a superintendent or driving master with the necessary number of men, and to furnish such tools and provisions for the purpose of driving all logs on said Brook in each year, as may be necessary and useful for the common interest of the proprietors and public.

6. The said Corporation shall from time to time, first giving ten days' notice in manner and form as aforesaid, have power to levy and collect from all the owners of logs on said stream, such sum or sums of money as may be expended by them in improving said stream and in driving the logs on the same, and assessing each owner of logs with his proportion of the money so expended, and no more.

7. The Corporation shall have a lien on all timber or logs so driven by them for the payment of such assessments, and in case of refusal or neglect to pay, so much of said timber or logs of each owner thereof so refusing or neglecting, as may be necessary to meet such assessment with the expenses, may be sold by the said Corporation to pay the same, after ten days' notice thereof in manner aforesaid, and the surplus (if any) shall be returned to the party assessed.

8. No person hauling logs or other lumber into the said Pirate Brook below the place where the improvements are required to be made, shall be subject to any toll or other exaction in the exercise of their legal right in driving the same, nor shall the Company have any lien or claim on such lumber by virtue of this Act.

9. The stockholders of said Company, in their individual capacity, shall be holden for all debts that may be due from said Corporation.