



THE UPPER WORKS OF THE ST. CROIX BOOM, 1888

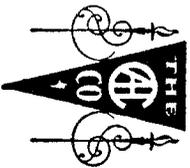
Log Transportation in the Lake States Lumber Industry

1840-1918

The movement of logs and its relationship to
land settlement, waterway development,
railroad construction, lumber
production and prices

by

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1953

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Michigan booming companies appeared even later upon the scene. Although logs were driven down the Muskegon river as early as 1847, it was not until 1852 that the Muskegon lumbermen organized "The Log and Mill Owners' Association" and agreed that the association would drive the logs and that each member voluntarily agreed to pay his just share of the costs and to assist in sorting the logs.⁴³ Finally in 1855 the Michigan legislature passed an act which provided for the formation of companies for "running, driving, booming and rafting logs" and for "regulating the floatage thereof."⁴⁴ The act provided for voluntary assessments to pay the costs and that "any person owning logs, timber or lumber . . ." or interested in any way in logging upon the particular stream, could become a member of the corporation simply "by signing the articles of the said company, and paying his just proportion of the

⁴² For example in 1854, Charles Shuter, D. A. B. Barnes, and Walter D. McIndee, *et al.*, were empowered to "keep and maintain certain dams, booms, and piers" in the Wisconsin river, but no provisions were made for collecting fees. Wisconsin, *Private and Local Laws, 1854*, ch. 82. In 1863 Pembroke B. Stearns, *et al.*, was empowered to boom the Wisconsin river, but no provision was made for boomage fees, Wisconsin, *Private and Local Laws, 1863*, ch. 366. In 1873 the Stevens Point Boom Company was given extensive powers to boom and to improve the Wisconsin river for log driving, but the provision providing the collection of fees was withheld. Wisconsin, *Laws, 1873*, ch. 126. The lack of such a provision could prove embarrassing to the company. In the 1890's the Northwestern Improvement and Boom Co. improved the Kettle river of Minnesota and drove about 75 million feet of logs belonging to William O'Brien, charging ten cents per thousand. O'Brien refused to pay and the state supreme court held that he was within his rights. The court held that an omission of four words in the company's charter failed to empower it to drive logs on the Kettle river, although it could improve it, and that if a company was not empowered to drive logs it was not entitled to collect a fee. 75 *Minnesota* 335-340. In this case the company lost some \$7,500 in driving fees which it thought rightly belonged to it, plus lawyers fees, and court costs for carrying a case to the state supreme court.

⁴³ *History of Muskegon County, Michigan*, 28 (Chicago, 1882).

⁴⁴ Michigan, *Statutes, 1855*, no. 40.

expense of managing and conducting its affairs." However, the companies were not given a monopoly upon the stream and if a logger wished to drive logs down a river and ignore the driving and booming company which operated on that stream, he could do so and the company was specifically enjoined not "to prevent or hinder any person or persons from running, driving, booming and rafting their own logs, timber or lumber, at such time and in such manner as their interest may require."⁴⁵

The Muskegon "Log and Mill Owners' Association" was reorganized under the act of 1855 and continued in operation until 1864 when the legislature came to the rescue of the various assessment associations, by now engulfed in a welter of recrimination and law suits. A general statute was enacted which provided for the formation of capital stock booming companies that could improve streams, own land, operate businesses, maintain booms, drive logs, and "charge and collect a uniform and reasonable sum" from boomage in all cases where no rate was previously fixed by contract with the log owner.⁴⁶ Thus, after seventeen years of trial and experimentation the Michigan log owners were following in the footsteps of Isaac Staples and Caleb Dort in implanting the Oldtown boom, operated by a private stock corporation, upon the streams of the western Lake states.

As in the case of dam charters the county was selected as the Michigan governmental unit that allowed the incorporation of boom companies, and the loggers were quick to take advantage of the new statute. Here are a few of the more important boom companies which were

⁴⁵ *Ibid.*, Section 5.

⁴⁶ *Acts of the Legislature of the State of Michigan, 1864*, p. 23-31.