

DOCKET 12

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Application of International Lumber Company for  
Approval of Plans for Boom in Rainy River, at  
International Falls.



C. J. ROCKWOOD,  
*Attorney for Petitioner,*  
606 Andrus Bldg.,  
Minneapolis, Minnesota.

**Application of International Lumber Company for  
Approval of Plans for Boom in Rainy River, at  
International Falls.**

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To the Secretary of War,  
Washington, D. C.,

Sir:—

The undersigned, International Lumber Company, respectfully represents that it is a corporation, organized under the laws of the state of Minnesota, for the purpose among other things, of manufacturing lumber, and that it is engaged in the operation of a large sawmill at International Falls, Minnesota; that its mill is located on the bank of Rainy River, in the easterly part of Section thirty-four (34), town seventy-one (71), north, range twenty-four (24); that the only feasible and practicable method of supplying the mill with logs is by placing them in booms in the river at and above the mill, to-wit: along the front of Lot one (1), in Section thirty-four (34), and the entire front of section thirty-five (35), in said town and range; and that, for such purpose, it is necessary to maintain booms and sorting gaps in the river for storing, handling and sorting, not only the logs intended for the Company's mill, but also such other forest products as may become mingled therewith.

The Company has been using booms which were constructed under a permit granted to the Minnesota and Ontario Power Company, but the booms have become

inadequate and require reconstruction.

The Company respectfully requests the approval of the accompanying plans for such booms, and authority to construct and re-construct in accordance with such plans. The Company finds your authority for such approval in Section 10 of the Act, March 3, 1899, Volume 30, Statutes at Large, Chapter 425, page 1151.

Appended to this application and printed herewith are:

1. A copy of said Section 10 of the Act, March 3, 1899.
2. A copy of the Articles of Incorporation of International Lumber Company and copy of the amendments thereto, duly certified by the Secretary of State.
3. A certificate by the secretary of the Company showing the organization and present officers of the Company.
4. The necessary duplicates and copies of this application required by the rules of the International Joint Commission.
5. The plans, in triplicate, on which approval is requested.

INTERNATIONAL LUMBER COMPANY.

By E. W. BACKUS,  
President.

Dated May 15th, 1916.

C. J. ROCKWOOD,  
*Attorney for Applicant,*  
606 Andrus Building,  
Minneapolis, Minnesota.

Section 10 of the Act, March 3, 1899, Chapter 425, Volume 30, Statutes at Large, page 1151.

Sec. 10. That the creation of any obstruction not affirmatively authorized by Congress, to the navigable capacity of any of the waters of the United States is hereby prohibited and it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established harbor lines or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of War; and it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same.

ARTICLES OF INCORPORATION  
OF  
INTERNATIONAL LUMBER COMPANY.

The undersigned do hereby associate themselves together and agree to form a corporation under title two (2), of Chapter thirty-four (34), of the General Statutes of the state of Minnesota, 1894, and for that purpose do adopt and sign the following articles of incorporation.

ARTICLE I.

The name of this corporation shall be International Lumber Company. The principal place for the transaction of its business shall be the city of Minneapolis, in the county of Hennepin, and state of Minnesota.

The general nature of its business shall be the manufacture of lumber, lath, shingles, sash, doors, mouldings and the usual products thereof. Its functions shall be limited to the business of manufacturing, and the business essential thereto.

ARTICLE II.

The time of the commencement of the corporation shall be the first day of October, 1905, and the period of its continuance thirty (30) years.

## ARTICLE III.

The amount of the capital stock of the corporation shall be six hundred thousand dollars (\$600,000.00), which shall be divided into six thousand (6,000), shares of one hundred dollars (\$100.00) each, and which shall be paid in as called for by the Board of Directors.

## ARTICLE IV.

The highest amount of indebtedness or liability to which the corporation shall at any time be subject shall be one million dollars (\$1,000,000.00).

## ARTICLE V.

The names and places of residence of the persons forming this association for incorporation are: Edward W. Backus, William F. Brooks, Augustus E. Horr and Renselaer L. Horr, all residing at Minneapolis, in the county of Hennepin, and state of Minnesota, and Ronald S. McDonald, residing in the village of International Falls, in the county of Itasca and state of Minnesota.

## ARTICLE VI.

The government of the corporation and the management of its affairs shall be vested in a board of five (5) directors, who shall be elected by the stockholders at the annual stockholders' meeting to be held on the first Tuesday after the first Monday in January, of each year, be-

ginning with the year 1906. The directors shall elect a president, a vice-president, a secretary and a treasurer of the corporation immediately after the annual meeting. All officers and directors shall hold office until their successors are elected and have accepted. The stockholders may remove any director at pleasure and fill the vacancy; and the directors may remove any officer at pleasure and fill the vacancy. The stockholders may make by-laws for the government of the corporation; and the directors may make by-laws not inconsistent with those made by the stockholders.

The names of the first Board of Directors are: Edward W. Backus, William F. Brooks, Augustus E. Horr and Renselaer L. Horr and Ronald S. McDonald.

In witness whereof, we have hereunto set our hands and seals this 22nd day of September, 1905.

EDWARD W. BACKUS (Seal)

WILLIAM F. BROOKS (Seal)

RONALD S. McDONALD (Seal)

RENSELAER L. HORR (Seal)

AUGUSTUS E. HORR (Seal).

Signed, sealed and delivered in presence of:

WASHINGTON GRAY,

WM. T. MOORE.

STATE OF MINNESOTA,

ss.

County of Hennepin.

On this 23rd day of September, 1905, before me, a Notary Public, within and for said county, personally appeared Edward W. Backus, William F. Brooks, Augustus E. Horr and Renselaer L. Horr and Ronald S. McDonald.

(Notarial Seal)

WASHINGTON GRAY,  
Notary Public,  
Hennepin County, Minn.

STATE OF MINNESOTA,  
County of Itasca. ss.

On this 24th day of October, 1905, before me, a Notary Public within and for said county, personally appeared Ronald S. McDonald, to me known to be the person described in and who executed the foregoing articles of incorporation and acknowledged that he executed the same as his free act and deed.

(Notarial Seal).

C. W. STANTON,  
Notary Public,  
Itasca County, Minn.

421896.

Office of Register of Deeds,  
State of Minnesota, County of Hennepin.

I hereby certify that the within instrument was filed for record in this office on the 27th day of Oct., A. D. 1905, at 9 o'clock A. M. and was duly recorded in book .....of ..... page.....

GEORGE C. MERRILL,  
Register of Deeds.  
BY L. H. HAND,  
Deputy.



Filed for record in this office October 28, A. D. 1905, at  
9 o'clock A. M.

P. E. HANSON,  
Secretary of State.

K-3-484.

AMENDMENT TO ARTICLES OF INCORPORATION OF INTER-  
NATIONAL LUMBER COMPANY.

Edward W. Backus, and Renselaer L. Horr, do each hereby certify that they are respectively President and Secretary of the International Lumber Company, a corporation organized under the laws of the State of Minnesota, and that Renselaer L. Horr, as such secretary, has possession and custody of all the records and proceedings of such corporation, including records of the stockholders of said corporation.

That at a meeting of the stockholders of the said corporation, held on the 14th day of November, 1910, at which all of the stockholders of said Company were present, a resolution was adopted in the following words, amending the articles of incorporation of said corporation, viz:

"Be it resolved by the stockholders of International Lumber Company that Article I of the Articles of Incorporation of this Company, as adopted September 22,

1905, be and the same hereby is amended so as to read as follows:

"ARTICLE I.

The name of this corporation shall be International Lumber Company. The principal place for the transaction of its business shall be the city of Minneapolis, in the county of Hennepin and state of Minnesota.

The general nature of its business shall be to manufacture lumber, lath, shingles and the usual products thereof; to buy, sell, acquire, and hold stock in other corporations, and while owning such stock to exercise the usual rights and powers of a stockholder, including among others, that of voting the stock; to promote the interest of any corporation in which this corporation may hold stock, by loaning money thereto, or by endorsing or guaranteeing its notes, bonds, or other evidences of indebtedness; to engage in a contracting business for the construction and equipment of railroads, bridges, docks and buildings, and for excavating, grading and similar work; to buy, sell, lease, own and improve land; to buy and sell personal property.

Also that Article III of said Articles of Incorporation be and the same hereby is amended so as to read as follows:

"ARTICLE III.

The amount of the capital stock of the corporation shall be one million (1,000,000), dollars which shall be divided into ten thousand (10,000), shares of one hun-

dred (100) dollars each, and which shall be paid in as called for by the Board of Directors.

Also that Article VI of said Articles of Incorporation be and the same hereby is amended so as to read as follows:

“ARTICLE VI.

The government of the corporation and the management of its affairs shall be vested in a board of not less than three nor more than seven directors, who shall be elected by the stockholders at the annual stockholders' meeting to be held on the first Tuesday after the first Monday in January, of each year, beginning with the year 1906. The directors shall elect a president, a vice-president, a secretary and a treasurer of the corporation immediately after the annual meeting. All officers and directors shall hold office until their successors are elected and have accepted. The stockholders may remove any director at pleasure and fill the vacancy; and the directors may remove any officer at pleasure and fill the vacancy. The stockholders may make by-laws for the government of the corporation; and the directors may make by-laws not inconsistent with those made by the stockholders.

“The names of the first board of directors are: Edward W. Backus, William F. Brooks, Augustus E. Horr and Renselaer L. Horr, and Ronald S. McDonald.

Resolved further, that the president and secretary of the company be and hereby are directed to prepare a certificate embracing this resolution, and to execute the

same under the seal of the company and file the same for record and pay the fees and publish the certificate as required by law."

It is hereby certified that the meeting of stockholders of the said corporation at which said resolution was adopted, was duly called for the purpose of considering such resolution; that all of the stockholders of said corporation were present at such meeting and expressly consented to the holding of such meeting for the purpose of considering such resolution and that all of the shares of capital stock of said corporation were voted in favor of such resolution and that the resolution was duly declared to be unanimously adopted.

In Witness Whereof, the undersigned, as President and Secretary of the said company respectively, have, by authority and direction of the stockholders of said corporation, executed this certificate and have hereto affixed the corporate seal of said corporation, this 14th day of November, 1910:

EDWARD W. BACKUS,

President of International Lumber Company.

RENSELAER L. HERR,

Secretary of International Lumber Company.

(Corporate Seal).

STATE OF MINNESOTA,

ss.

County of Hennepin.

Edward W. Backus and Renselaer L. Horr, being first duly sworn, do upon oath say that they are the President and Secretary respectively, of International Lum-

ber Company, and that said Renselaer L. Horr, has the custody and possession of the records and proceedings of said corporation; that they have made and signed the foregoing certificate by express authority and direction of the stockholders of said corporation; that they have read the foregoing certificate and that the same in every part thereof, is true, and that the resolution embraced in said certificate is a true copy of the resolution adopted by the stockholders of said corporation at a meeting held on the 14th day of November, 1910, as such resolution is recorded in the records and minutes of said meeting; that said meeting was called expressly for the purpose of considering such resolution; that all of the stockholders of said corporation were present at such meeting and expressly consented to the holding thereof, for the purpose of considering such resolution, and that all of the shares of stock of said corporation were voted in favor of such resolution and the resolution was declared unanimously adopted.

EDWARD W. BACKUS,

RENSELAER L. HORR,

Subscribed and sworn to before me this 14th day of November, 1910.

WASHINGTON GRAY,

(Notarial Seal)

Notary Public,

Hennepin County, Minnesota.

My commission expires January 11, 1916.

Filed for record in this office on the 11th day of January, A. D. 1911, at 3½ o'clock P. M.

JULIUS A. SCHMAHL,  
Secretary of State.

T-3-591.

AMENDMENT TO ARTICLES OF INCORPORATION OF INTERNATIONAL LUMBER COMPANY.

Edward W. Backus and Wm. F. Brooks, do each hereby certify that they are respectively president and secretary of International Lumber Company, a corporation organized under the laws of the state of Minnesota, and that Wm. F. Brooks, as such Secretary, has possession, and custody of all the records and proceedings of said corporation, including records of the stockholders' meetings of said corporation.

That at a meeting of the stockholders of the said corporation, duly called and held on the 31st day of March, 1913, at which all of the stockholders of the said Company were present, excepting the owner of one share, a resolution by a majority in number and amount of the stockholders of the corporation was unanimously adopted in the following words, amending the articles of incorporation of said corporation, viz:

Be it resolved, by the stockholders of International

Lumber Company that Article III of the Articles of Incorporation of this Company, as adopted September 22, 1905, and as amended November 14, 1910, be and the same hereby is amended so as to read as follows:

ARTICLE III.

The amount of the capital stock of the corporation shall be fifteen hundred thousand (1500,000) dollars, which shall be divided into fifteen thousand (15,000) shares of one hundred (100) dollars each, and which shall be paid in as called for by the board of directors.

Resolved further, that the president and secretary of the Company be and hereby are directed to prepare a certificate embracing this resolution, and to execute the same under the seal of the company and file the same for record and pay the fees and publish the certificate as required by law.

It is hereby certified that the meeting of stockholders of the said corporation at which said resolution was adopted, was duly called for the purpose of considering such resolution; that all of the stockholders of said corporation were present at such meeting and expressly consented to the holding of such meeting for the purposes of considering such resolution, excepting the owner of one share, and that 9,999 of the shares of capital stock of said corporation were voted in favor of such resolution and that the resolution was declared to be unanimously adopted.

In witness whereof, the undersigned, as president and

secretary of the said company, respectively have, by authority and direction of the stockholders of said corporation, executed this certificate and have hereto affixed the corporate seal of said corporation this 31st day of March, 1913.

E. W. BACKUS,  
President International Lumber Company.

WM. F. BROOKS,  
Secretary International Lumber Company.  
(Corporate Seal).

STATE OF MINNESOTA,

ss.

County of Hennepin.

Edward W. Backus and Wm. F. Brooks, being first duly sworn, do upon oath say that they are the president and secretary respectively, of International Lumber Company, and that said Wm. F. Brooks has the custody and possession of the records and proceedings of said corporation; that they have made and signed the foregoing certificate and that the same in every part thereof is true, and that the resolution embraced in said certificate is a true copy of the resolution adopted by the unanimous vote in number and amount of the stockholders of said corporation at a meeting held on the 31st day of March, 1913, as such resolution is recorded in the records and minutes of said meeting; that said meeting was called expressly for the purpose of considering such resolution; that all of the stockholders of said corporation were present, excepting the owner of one share, and expressly consented to the holding thereof, for the purpose



of considering such resolution, and that 9,999 of the shares of stock of said corporation were voted in favor of such resolution, and the resolution was declared unanimously adopted.

EDWARD W. BACKUS,

WM. F. BROOKS,

Subscribed and sworn to before me this 31st day of March, 1913.

C. J. ROCKWOOD,

(Notarial Seal)

Notary Public,

Hennepin County, Minnesota.

My commission expires Jan. 25, 1914.

Filed for record in this office on the 31st day of March, A. D. 1913, at 11 o'clock A. M.

JULIUS A. SCHMAHL,

Secretary of State.

W-3-656.

UNITED STATES OF AMERICA,

STATE OF MINNESOTA,

DEPARTMENT OF STATE.

I, Julius A. Schmahl, Secretary of State of the state of Minnesota, do hereby certify that I have compared the annexed copy with record of the original instrument in my office of Articles of Incorporation of International Lumber Company recorded in Book K-3, of Incorporations on page 484, Amendment thereto recorded in Book T-3 of Incorporations on page 591, and Amendment recorded in Book W-3 of Incorporations on page 656, and that said copy is a true and correct transcript of said

instrument and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in Saint Paul, this second day of March, A. D. nineteen hundred and sixteen.

JULIUS A. SCHMAHL,  
Secretary of State.

(State Seal).

CERTIFICATE OF THE SECRETARY OF INTERNATIONAL LUM-  
BER COMPANY.

I, R. L. Horr, do hereby certify that I am the Secretary of the International Lumber Company and have possession of the records and seal of said Company.

I further certify that the following is a true copy of the minutes of the meeting of the Board of Directors of said Company, held December 24th, 1915, as recorded in the records of the Company:

"On motion duly made, seconded and carried, the Secretary was instructed to cast the ballot of the directors for Seymour W. Backus as a director.

The Secretary stated that he had so cast the ballot and the President declared said Seymour W. Backus duly elected as a director of the Company.

On motion duly made, seconded and carried the Secretary was instructed to cast the ballot of the directors for the following officers:

Seymour W. Backus, Vice-President.

Renselaer L. Horr, Secretary.

The Secretary reported that he had so cast the ballot and the President declared said officers elected."

Also the following is a true extract of the minutes of the meeting of said Board of Directors held on the 26th day of February, 1909, as entered in the records of the Company:

"Mr. Brooks offered the following resolution:

Resolved: That Mr. E. W. Backus be elected President of the corporation. Carried unanimously, all of the directors voting in the affirmative."

I further certify that under said elections as above recorded, said E. W. Backus and R. L. Horr, have from the time of their respective elections down to the present time served, and are now serving, as President and Secretary respectively, of the International Lumber Company.

I further certify that the following is a true copy of an extract of the minutes of the meeting of the stockholders of the International Lumber Company, held on the 14th day of November, 1910, as entered in the records of the Company:

"The Secretary reported the following as a complete list of stockholders, and the number of shares held by each, as shown by the books and records of the Company:

E. W. Backus	1 share
Backus-Brooks Company	5996 shares
W. F. Brooks	1 share
R. L. Horr	1 share
Elizabeth H. Backus	1 share

The term of office of all the directors having expired, it was unanimously voted that the stockholders proceed to the election of three directors, who shall constitute the Board of Directors until the next annual meeting.

A ballot being taken, 6,000 shares of stock were voted in favor of E. W. Backus, 6,000 shares were voted in favor of W. F. Brooks, and 6,000 shares were voted in favor of R. L. Horr."

I further certify that under said election, said E. W. Backus, W. F. Brooks, S. W. Backus and R. L. Horr have since the time of such election continuously served, and are now serving as directors of said International Lumber Company.

In Witness Whereof, I have set my hand and the seal of the corporation, this 23rd day of March, 1916.

R. L. Horr,  
Secretary.

(Company Seal).