# Chapter 768

## 1957 REPLACEMENT PART

(1969 reprint)

# Logging Road Companies


**768.010 Incorporation; corporate powers and status**

**768.020 Impartial service; reasonable rates; lien for charges**

**768.030 Condemnation procedure; limitations on use; abandonment and reversion to owner**


## CROSS REFERENCES

Forest roads and ways, Ch. 376

Political contributions, 260.280

Public use, use of roads and ways to transport forest products for a beneficial purpose as, Const. Art. I, §18

**768.010**

Franchise for logging road on county roads, 376.145

**768.010 Incorporation; corporate powers and status.** (1) Any three or more persons may incorporate a company, having for its principal object the construction, maintenance and operation of logging roads, chutes, flumes and artificial watercourses or waterways and other ways, for the transportation of logs and other timber products.

(2) Such corporation may:

(a) Acquire, hold, use and transfer any real and personal property reasonably necessary for carrying on the business of the corporation.

(b) Build, construct, maintain and operate logging roads whether skid roads, railroads or any other kind; also chutes, flumes and artificial watercourses, waterways and other ways, for the transportation of logs or any other timber products within the state, together with all necessary yarding grounds, railways and landings.

(3) Corporations organized under this section are considered to be quasi-public corporations and common carriers.

**768.020 Impartial service; reasonable rates; lien for charges.** (1) After any logging road, way, chute, flume or artificial watercourse or other improvements have been constructed, the corporation shall transport all timber products offered to it for carriage as its means of transportation are adapted to carry.

(2) The corporation may charge reasonable tolls for the use of the improvement, which tolls shall be uniform, having due regard to the portion or length of any such logging road, way, chute, flume or artificial watercourse or other improvements used by any person.

(3) The corporation shall have a lien for the amount of its reasonable tolls and charges upon all timber products transported by it over its logging road, way, chute, flume or artificial watercourse. The lien shall be enforced in the manner provided in ORS 768.270 and 768.280.

**768.030 Condemnation procedure; limitations on use; abandonment and reversion to owner.** (1) Any corporation organized under ORS 768.010 may condemn property for its use in the manner provided by ORS chapter 35, but this right shall not be exercised by any such corporation with respect to any residence, and any property acquired by the corporation under this section by condemnation shall be used exclusively for the purposes of ORS 768.010 to 768.030.

(2) Whenever the income from the operation of the logging road, or other way, of the corporation does not equal, for any period of six months, five percent per annum on the capital stock of the corporation, the corporation may abandon its logging road or way and discontinue the operation thereof. Upon filing in the office of the county clerk of the counties in which the logging road or way lies, a formal notice of such abandonment, the property of the corporation which was secured by condemnation under this section shall revert to the original owner at the time of such condemnation, his heirs or assigns.

(3) This section shall not be construed to authorize the taking or damaging of any power plant constructed or being constructed for the creation or utilization of water power.

**768.110** [Repealed by 1957 c.472 §1]

**768.120** [Repealed by 1957 c.472 §1]

**768.130** [Repealed by 1957 c.472 §1]

**768.140** [Repealed by 1957 c.472 §1]

**768.150** [Repealed by 1957 c.472 §1]

**768.160** [Repealed by 1957 c.472 §1]

**768.170** [Amended by 1957 c.459 §11; repealed by 1957 c.472 §1]

**768.180** [Repealed by 1957 c.472 §1]

**768.190** [Repealed by 1957 c.472 §1]

**768.200** [Repealed by 1957 c.472 §1]

**768.210** [Repealed by 1957 c.472 §1]

**768.220** [Repealed by 1957 c.472 §1]

**768.230** [Repealed by 1957 c.472 §1]

**768.240** [Repealed by 1957 c.472 §1]

**768.250** [Repealed by 1957 c.472 §1]

**768.260** [Repealed by 1957 c.472 §1]

**768.270** [Repealed by 1957 c.472 §1]

**768.280** [Repealed by 1957 c.472 §1]

**768.290** [Repealed by 1957 c.472 §1]

**768.300** [Repealed by 1957 c.472 §1]

**768.310** [Repealed by 1957 c.472 §1]

**768.320** [Repealed by 1957 c.472 §1]

**768.330** [Repealed by 1957 c.472 §1]

**768.410** [Repealed by 1953 c.185 §2]

**768.420** [Repealed by 1953 c.185 §2]

**768.430** [Repealed by 1953 c.185 §2]

**768.440** [Repealed by 1953 c.185 §2]

**768.450** [Repealed by 1953 c.185 §2]

**768.460** [Repealed by 1953 c.185 §2]

**CERTIFICATE OF LEGISLATIVE COUNSEL**

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 2, 1957.

Sam R. Haley
Legislative Counsel