

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

NEW DRAFT

EIGHTY-SECOND LEGISLATURE

S. P. No. 597

S. D. No. 259

In Senate, March 27, 1925.

Five hundred copies ordered printed.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT to Incorporate Dexter P. Cooper, Incorporated, for
the Purpose of Developing and Utilizing the Power of the
Tides in the Bay of Fundy and Waters Adjacent Thereto.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Dexter P. Cooper, Gertrude S. Cooper and
2 F. A. Harvey of Eastport and E. H. Bennett of Lubec, in
3 the County of Washington and State of Maine, their asso-
4 ciates, successors and assigns, are hereby made a body cor-
5 porate by the name of Dexter P. Cooper, Incorporated, with
6 all the powers, rights and privileges, and subject to all the
7 duties and obligations incident to corporations organized to
8 sell, distribute and supply electricity for light, heat and
9 power under the general laws of the state, except as other-
10 wise provided herein.

Sect. 2. The principal office of said corporation shall be
2 located in the City of Eastport, County of Washington, and
3 said corporation may establish such other offices and places
4 of business as it shall deem necessary and convenient in
5 the transaction of its business.

Sect. 3. The objects for which the corporation is formed
2 are: To develop and utilize the power of the tides of the
3 Bay of Fundy at or near Eastport and Lubec in the State
4 of Maine; the project being located partly in Maine, United
5 States of America, and partly in New Brunswick, Canada;
6 to acquire all grants, rights, or privileges from the United
7 States and Canada and Great Britain or from any state,
8 county or municipality therein, necessary or proper to carry
9 out such objects; to erect, construct, operate and maintain
10 dams in Bobscook Bay, Passamaquoddy Bay at or near
11 Eastport and Lubec, and such other dams and such canals,
12 locks, docks, power stations, structures and other improve-
13 ments and accessories as may be necessary or convenient
14 to demonstrate, develop and utilize such tide power and to
15 generate, accumulate, store, utilize, transmit and distribute
16 electric energy and other power to be derived from such
17 tide power; to appropriate, dam, pump, acquire, accumu-
18 late, transmit, sell, lease and supply tide power, and to
19 manufacture, generate, acquire, accumulate, store, trans-
20 mit, sell, lease, distribute and supply electric energy and
21 power for any lawful purpose or use, public, or private, to
22 which the same are now or hereafter may be applied, and

23 to apply the same or any of them to any use or utilize them
24 for any purpose; and to utilize such power for manufac-
25 turing purposes and to engage in manufacturing through the
26 use of such power; provided, however, that said Dexter
27 P. Cooper, Incorporated, shall not sell, distribute or supply
28 electricity to any persons, firms or corporations in any city or
29 town in which any other person, firm or corporation is
30 legally conducting the business of making, distributing or
31 selling electric light, power or heat or is authorized so to
32 do, without the consent and approval of the Public Utilities
33 Commission, obtained under the same proceedings as pro-
34 vided for under the general laws, except that it may sell and
35 distribute electricity to any other public utility as provided
36 under the general law.

Sect. 4. The capital stock of said corporation shall not
2 exceed one million dollars, a part of which may be preferred
3 stock, the amount of which stock, the proportion of pre-
4 ferred stock, and the privileges and conditions of such pre-
5 ferred stock, if issued, to be fixed and determined from
6 time to time by the stockholders of said corporation.

Sect. 5. Said corporation is hereby empowered for any
2 of the purposes hereinbefore stated, to set poles, extend
3 wires, and lay pipes, and to maintain and operate the same
4 upon, along, over, across and under the streets, roads and
5 ways within the territory wherein it is hereby authorized to
6 do business; subject, however, to the general law regulating
7 the erection of poles and wires and the laying of pipes and

8 conduits for the purpose of the transmission and sale of
9 electricity.

Sect. 6. Said company is hereby authorized to issue bonds
2 for the construction of its works upon such rates and time
3 and in such amounts as it may deem necessary and to
4 secure the same by appropriate mortgage upon its fran-
5 chises and property, present or future.

Sect. 7. Inasmuch as the tide waters that will be utilized
2 in the development of power as provided for by this act, are
3 international waters, the allocation of such power between
4 the United States and the Dominion of Canada shall be
5 determined by the International Joint Commission, and the
6 portion so allocated to the Dominion of Canada may be
7 transmitted and sold there. That portion of the power so
8 developed from tide waters that may be so allocated to the
9 United States may be sold and transferred by the company
10 outside the state; provided, however, that whenever noti-
11 fied by the Public Utilities Commission that there is a
12 demand for electric power anywhere within the state, it
13 shall endeavor to adequately meet such demand at fair
14 rates before transmitting or selling said power out of the
15 state, but it shall not be lawful for said corporation to
16 transmit electric current generated in any other manner
17 than by tide power beyond the limits of the state.

Sect. 8. The first meeting of this corporation may be
2 called by any corporator, by mailing, postage prepaid, a
3 written notice naming the time and place of such meeting,

4 to each of the other corporators, seven days at least before
5 the day of the meeting. Any member may act at such
6 meeting by written proxy.