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HOUSE No. 469.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 30, 1867.

The Committee on Manufactures, to whom was referred the Petition of the Mayor of Boston, praying to authorize the city of Boston to appoint an Inspector of Gas and Gas-meters, have duly considered said Petition, and

REPORT:

Your Committee have given a patient consideration to the merits of this case. The city of Boston prayed for authority to appoint an inspector of gas and gasmeters. In order to show how this could be properly done, agreeably to the views of the gentlemen representing the city, a bill was presented by them for our approval, and a hearing was had, of which public notice was given, and at which the gas companies of the State were represented by a committee appointed by them. They appeared as remonstrants for the reasons specified below.

To enable the legislature to understand precisely the question before us, it should be stated that the law regulating gas companies and appointing a State inspector was passed in 1861, and has since that time, so far as the testimony before the Committee would show, worked well; better, indeed, than similar laws framed for the same purpose in Europe; and the ability and integrity of the present State inspector was admitted on all hands.

To this law, however, objections were found in the progress of its administration, both by members of the city government of Boston and by the representatives of the gas companies.

Its chief failing is, that it does not provide a regular and efficient inspection of gas throughout the State. In view of this want, and desiring other powers beside the simple inspection of gas and gasmeters, the city of Boston asks, in its bill for a new standard of value, for a different system of meter inspection, and for other powers, enabling it to entirely control the gas companies now within its limits—three in number, and with the impending annexation of Roxbury—four companies. The passage of its bill repeals the State law, so far as Boston is concerned. Stripped of minute details, the objects principally in view are these: The authority to appoint a special inspector of gas and gasmeters, who should be responsible for his acts and doings to the city council of Boston, an officer from whose judgment no appeal was provided, an arbiter in any possible dispute between the city gas companies and the city government, appointed by one of the parties only; the substitution of a *specialy* described burner for the burner generally described in the State law, and a raising of the minimum standard to 14 candles, instead of the State standard of 12 candles. It was also desired to substitute a new form of testing meters, to which no objection was made by the gas companies, but the meter manufacturers were not consulted on this point so seriously affecting their manufacture.

The gas companies appeared as remonstrants, first, because, if the bill desired should become a law, the whole expense of carrying on the present State law would be thrown on the gas companies out of Boston. They also objected to the principles sought to be established, alleging that they were unnecessary and unjust, and if admitted in Boston, might hereafter seriously change the present State policy in reference to the matter.

The Boston Gas Light Company did not appear as a remonstrant against the city bill. It appeared from the evidence, however, that the burners used for ascertaining the value of their gas were the same, substantially, as were used in England; that they had been used by the State inspector since his appointment; and previous to that time had been in use in the

experimental rooms of that corporation since 1857. It also appeared that no change for the worse had taken place in the quality of the gas of the Boston Gas Light Company since the establishment of a minimum value of merchantable gas at twelve candles by the State law.

It was evident to your Committee that the committee of the city did not make out such a case as would require a change of the whole State legislation on the subject. Though entitled to respectful consideration, there did not appear to your Committee any conditions in the city of Boston, relative to gas, which would place it on a different platform from the other cities of the State.

If the State law needed improvement or alteration, they were as much in need of the change as Boston.

It is well known to all who have given attention to the subject, that the proper regulation of gas manufacture and supply is one of the most obscure and difficult subjects to which legislation can be directed. On the one hand, the public should be protected; on the other, the gas companies should have their proper legal rights. To set forth these claims minutely opens a class of details only known to experts. Your Committee frankly admit that they do not feel competent to prepare or arrange such a bill as shall cover the requirements of the case; no committee of the legislature is, in their opinion, a suitable tribunal to decide the details of such a law as seems to be demanded.

For these reasons, and in order that no hasty or oppressive legislation should take place, your Committee would recommend the reference of the petition of the city to a special commission, to be appointed by the governor, to sit during the summer and autumn, to hear the request of the city and also to report whether any further legislation is needed in this Commonwealth to regulate the manufacture and supply of gas.

It is obvious, that, whatever is done should be done under a general law, and that each city and town in the State should not be the subject of special legislation on the subject. The consumption of gas is daily increasing and forms an important part of the domestic economy of the majority of the householders in the Commonwealth, and the legal enactments that regulate

it should be simple, effective and systematic, as well as just, and a protection to all parties in interest.

The Committee, therefore, in accordance with the above Report, present the accompanying Resolve.

Per order of the Committee,

J. G. POLLARD.


Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-Seven.

R E S O L V E

For the appointment of a Commission on the Manufacture and Supply of Gas.

Resolved, That a commission of three persons be appointed by the governor, with the advice and consent of the council, on or before the first of July next, to investigate the subject of the manufacture and supply of gas, and to report to the next legislature whether any further legislation is required in reference to it.



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