

HOUSE . . . . No. 1812

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**The Commonwealth of Massachusetts.**

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HOUSE OF REPRESENTATIVES, Feb. 26, 1912.

The joint committee on the Judiciary, to whom was referred the report of the Attorney General for the year ending January 17, 1912 (Pub. Doc. No. 12), report, in part, the accompanying bill.

For the committee,

CLARENCE W. HOBBS, Jr.

## The Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Twelve.

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### AN ACT

To provide for the Recovery of Certain Penalties incurred  
by Gas Companies.

*Be it enacted by the Senate and House of Representatives  
in General Court assembled, and by the authority of the same,  
as follows:*

1 Section fourteen of chapter fifty-eight of the Revised  
2 Laws, as amended by section one of chapter four hun-  
3 dred and sixty-four of the acts of the year nineteen hun-  
4 dred and three, and by section three of chapter four  
5 hundred and eighty-three of the acts of the year nineteen  
6 hundred and nine, is hereby further amended by strik-  
7 ing out the words "a fine of one hundred dollars shall  
8 be paid by such company, city or town into the treas-  
9 ury of the commonwealth". in the twenty-eighth and  
10 twenty-ninth lines of said section, and inserting in place  
11 thereof the following: — such company, city or town shall  
12 be liable to a fine of one hundred dollars, which may be  
13 recovered by an information in equity brought in the  
14 supreme judicial court by the attorney-general, at the  
15 relation of the board of gas and electric light commis-  
16 sioners, and when so recovered shall be paid into the  
17 treasury of the commonwealth, — so that said section

18 shall read as follows: — *Section 14.* The gas of every  
19 company which supplies more than fifty consumers, ex-  
20 cept gas made and used exclusively for heating, cooking,  
21 chemical and mechanical purposes, shall be inspected at  
22 least twice a year and as much oftener as the board of  
23 gas and electric light commissioners may determine. The  
24 gas shall be tested for illuminating power by means of a  
25 disc photometer and, during such test, shall be burned  
26 from the burner best adapted to it, which is at the same  
27 time suitable for domestic use, and at as near the rate of  
28 five feet an hour as is practicable. The board of gas and  
29 electric light commissioners shall, for the purpose of es-  
30 tablishing a standard of purity for gas, and after a  
31 public hearing, determine how many grains of sulphur  
32 and ammonia per hundred cubic feet of gas may be per-  
33 mitted, and the board shall have power to change such  
34 standards from time to time, after a public hearing;  
35 but not more than thirty grains of sulphur per hundred  
36 cubic feet and no sulphuretted hydrogen shall be al-  
37 lowed.

38 If the gas of any gas company or of any city or  
39 town supplying gas is found on three consecutive inspec-  
40 tions or on three inspections made within a period of  
41 thirty consecutive days to give less light than sixteen  
42 standard English candles or upon such averaging of inspec-  
43 tions as the board may prescribe to be below the standard  
44 of purity fixed under this act unless such defect is in the  
45 opinion of the board due to unavoidable cause or acci-  
46 dent such company, city or town shall be liable to a  
47 fine of one hundred dollars which may be recovered by  
48 an information in equity brought in the supreme judi-  
49 cial court by the attorney-general at the relation of the  
50 board of gas and electric light commissioners and when

51 so recovered shall be paid into the treasury of the com-  
52 monwealth.

53 If during the test the consumption of gas varies from  
54 five feet an hour or the candle from one hundred and  
55 twenty grains an hour, a proportionate correction shall  
56 be made for the candle power. Upon such complaint and  
57 after such notice and hearing as are provided for by  
58 section thirty-four of chapter one hundred and twenty-  
59 one of the Revised Laws the board may require a com-  
60 pany to supply such gas as will give, when tested in the  
61 manner prescribed in this section, a light equivalent to  
62 such number of standard English candles, not less than  
63 sixteen, as said board may determine.