HOUSE.... No. 381.

Commonwealth of Massachusetts.

House of Representatives, May 3, 1871.

The Committee on Railways, to whom was referred the Order relative to the method of burning fuel in locomotives and other generators, report that they deem it inexpedient to legislate upon the subject-matter of the Order for the reasons contained in the report of the Railroad Commissioners to them, which is submitted herewith.

Per order,

J. Q. ADAMS.

House of Representatives, May 3, 1871.

Accepted.

Sent up for concurrence.

W. S. Robinson, *Clerk.*

Commonwealth of Massachusetts.

RAILROAD COMMISSIONERS' OFFICE, 7 PEMBERTON SQUARE,
BOSTON, 26th April, 1871.

Report of the Board of Railroad Commissioners upon the Order referred to them by the Committee on Railways in relation to the mode of burning fuel in locomotives and other generators, &c.

The Commissioners have deferred making a report upon this subject at the request of certain gentlemen interested in it, who drsired them to make an examination into certain appliances supposed to be novel or of value. The delay of these parties in getting their appliances ready for examination is, however, so great, that the Commissioners do not deem it necessary to wait longer.

The Commissioners have given some attention and inquiry to the subject, and are led to conclude that, so far as locomotives are concerned, it would be wholly inexpedient at this time to legislate upon it. There is unquestionably a vast waste of fuel in the method of combustion now in use, causing clouds of offensive smoke and not unfrequently loss of property by fire. The inventions intended to obviate this waste and danger are very numerous. Hitherto, none have proved so satisfactory as to be commonly adopted; they are all pronounced open to some practical objection.

Meanwhile, no law could put the corporations under greater inducements than they now are to remedy this evil. The waste of [fuel is a heavy item in their expenses, and the law making them responsible for loss by fire caused by cinders from locomotives (G. S. 63, § 101) is very broad in its terms, and has received a liberal construction from the courts (98 Mass. Rep's,

44). The waste of fuel, cost of insurance and loss by conflagration would probably represent to the railroad companies many hundred thousand dollars per annum. All this they would save could they devise some practical smoke and cinder-consuming locomotive; not only this, all employés and officials would be relieved from a steady source of anxiety which, in dry years, like 1870, cannot easily be exaggerated. The Commissioners cannot believe that any legislation would affect that which the strongest inducements of self-interest and personal comfort have as yet failed to bring about. If enormous pecuniary losses and sacrifices have as yet failed to produce the desired invention, a small reward or penalty superadded by law seems hardly likely to do it.

The Commissioners have confined their report and inquiries to the consumption of coal, &c., in locomotives. They have no peculiar facilities for forming an opinion of value as to other methods of generating heat. The Order apparently looked only to the "lessening of risks" from fire and to "greater economy in the use of fuel." For the reasons stated, and limiting the inquiry to these points, the Commissioners would respectfully report that in their opinion it would be inexpedient to legislate.

E. APPLETON,
C. F. ADAMS, Jr.
Commissioners.