

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1860.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1860.

23 Victoria – Chapter 65

**An Act relating to the inspection and testing of Gas and Gas Meters in the City of Saint John.  
Passed 9th April 1860.**

Section.

1. Inspectors of Gas Meters, appointment and duties of:
2. Tenure of office.
3. Salary, by whom to be fixed and payable:
4. Salary, how payable when more than one Gas Company in the City.
5. Act to apply to future Gas Companies in the City.
6. Uninspected Gas Meters not to be used at instance of Gas Company.
7. Apparatus for testing Gas Meters and the illuminating power, how provided.

Section.

8. Inspector to test Meters on written application: cost.
9. Equivalent of illuminating power of Gas.
10. Inspector authorized to enter Gas Works; Company to afford facilities.
11. Record of examination to be kept.
12. Expenses of examination, when Meter found correct.
13. Inspector to give security by bond:
14. Penalty for neglect of duty.
15. Penalties, recovery of.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Mayor, Aldermen, and Commonalty of the City of Saint John, shall nominate and appoint from time to time an inspector of Gas Meters, whose duty it shall be when required to inspect, examine, prove and ascertain the accuracy of any and all Gas Meters used or intended to be used for measuring or ascertaining the quantity of illuminating Gas furnished by the Saint John Gas Light Company, or any other Gas Light Company to be established in said City, to or for the use of any person, Company, or Corporation, and to seal, stamp or mark all and every such Meters with some suitable device, which device shall be recorded in the Office of the Common Clerk of the said City; also to ascertain and determine the illuminating power of the Gas so furnished by the said Gas Light Company or Companies as aforesaid.
2. Such Inspector shall hold his office for the term of three years from the time of his appointment, and until another person is appointed in his place, but may be removed from office at any time by the Common Council of the said City for incompetency, neglect, or dereliction of duty.
3. The said Inspector shall receive an annual salary not exceeding fifty pounds, to be fixed by the said Common Council, to be paid in equal quarterly payments by the Saint John Gas Light Company aforesaid.

4. In the event of the establishment of any other Gas Light Company or Companies in the said City, the salary of the Inspector shall be paid in the first instance by the said Mayor, Aldermen, and Commonalty of the City of Saint John, who shall charge the several Gas Light Companies in the said City in just proportions, to be ascertained and assessed by the said Mayor, Aldermen, and Commonalty of the City of Saint John, according to the capital stock of the said Companies, and may sue for and recover the amounts so assessed, with interest at the rate of six per cent per annum, calculated from the time of payment of the said Salary or quarterly instalment thereof by the said Corporation, besides costs of suit, in any Court competent to try the same.

5. All and every the provisions of this Act shall apply as well to the said Companies so to be established, as to the Saint John Gas Light Company aforesaid.

6. It shall not be lawful for the said Saint John Gas Light Company, or any other Gas Light Company so to be established as aforesaid, to furnish or put in use any Gas Meter which shall not have been inspected, proved and sealed by said Inspector, except during the time said office of Inspector may be vacant, or said Inspector shall refuse or neglect to perform his duty in respect to such Meter, under penalty of five pounds for each and every offence.

7. That the Common Council of the said City shall provide a suitable and proper apparatus for testing and proving the accuracy of the Gas Meters furnished for use by said Saint John Gas Light Company, or other Gas Light Company aforesaid, which shall be the test or standard by which every Meter furnished for use by the Saint John Gas Light Company, or other Company as aforesaid, shall be proved and tested; they shall also procure a suitable and proper apparatus for ascertaining and determining the illuminating power of the Gas furnished by such Company or Companies.

8. It shall be the duty of the said Inspector at any time upon the written application of the consumer of any Gas supplied by any Gas Light Company, or of the President or Secretary of any such Company, to test and prove any Meter supplied by said Company, whether before or after this Law shall come in force: If any such Meter shall be found defective or incorrect, the necessary cost and expense of removing, correcting and replacing the same, shall fall upon the said Company, who are hereby required to make the necessary reparation with all dispatch, under the penalty of five pounds for each and every neglect.

9. The illuminating power of the Gas supplied by such Company or Companies shall be such that an Argand burner having fifteen holes and a seven inch chimney, consuming five cubic feet of Gas an hour, shall give a light equal to the light of not less than twelve sperm candles of six to the pound, each burning one hundred and twenty grains an hour.

10. The said Inspector shall have power and authority to enter into and upon the works, grounds and premises of the said Company or Companies at any and all reasonable times, when he may deem it expedient, for performance of any of the duties imposed upon him by this Act, and to do any and all acts and things that may be necessary to the complete and satisfactory discharge of the same; and the said Company and Companies, their servants or agents, shall afford to the said

Inspector all reasonable facilities for any test, examination or enquiry required or enjoined by this Act; and every person obstructing such Inspector in the exercise of his duties or any of them, shall for every such offence forfeit and pay the sum of ten pounds.

11. The said Inspector shall make and keep a record of all inspections, examinations and tests made and applied under and by virtue of this Act, and of the results, which shall be open at all times to the examination and perusal of the said Common Council, or any person or Corporation interested therein; and the said Common Council may publish the same if they deem it expedient, for general information.

12. Any person applying for any inspection of any Meter which shall be found correct on examination by the Inspector, shall be liable to pay for such inspection, for the use of the Company supplying them with Gas, the sum of five shillings, which may be charged to him by the said Company, and by them recovered against him, together with costs of suit, in any Court competent to try the same.

13. The Inspector shall give a Bond to the Mayor, Aldermen, and Commonalty of the City of Saint John, with two sufficient sureties, in the penal sum of two hundred and fifty pounds, conditioned for the faithful discharge of his duties as such Inspector.

14. The Inspector shall be liable to a penalty of five pounds for each and every wilful neglect or breach of any duty imposed upon him by this Act.

15. All penalties under this Act shall be recoverable before the Police Magistrate of the City of Saint John; the Summons or first process, shall be served on the President or Secretary of any Company or Corporation liable to any penalty, and the payment of such penalty may be enforced by Warrant of distress against the goods and chattels of such Company or Corporation.