

HOUSE BILL NO. 61.

Executive Office,
State of Texas.

Austin, May 29, 1909.

To the Secretary of State:

I herewith transmit for file in the office of the Secretary of State House bill No. 61 without my approval. This is a bill to amend Subdivision 21 of Article 642 of the Revised Civil Statutes of the State of Texas adopted in 1895, as amended by an Act of the Twenty-eighth Legislature, Chapter 44, page 62, entitled "An Act to amend Subdivision 21 of Article 642 of the Revised Civil Statutes of the State of Texas adopted in 1895, so as to provide that corporations organized for the purpose of constructing or acquiring with power to maintain and operate street railways and suburban or belt lines of railways within and near cities and towns which use electric power, shall be authorized to supply and sell electric light and power to the public and to municipalities," so as to authorize corporations organized under said subdivision of said act to use electricity, steam or other motive power, and to confer upon such companies the right of eminent domain; provided, that such railways shall not be subject to the control of the Railroad Commission, and declaring an emergency.

This bill is objected to and disapproved on account of the following provision found in Section 1 of the same: "Provided, that all street and suburban railways authorized or incorporated under and by virtue of this act, engaged in transporting freight and passengers or either, shall not be subject to the control of the Railroad Commission."

The interest of the public demands that such railways, at least when engaged in the transportation of freight, should remain subject to the control of the Railroad Commission.

The bill is otherwise meritorious and would receive my approval if the amendment had not changed the law so as to take such railways from under State regulation and control through the Railroad Commission.

T. M. CAMPBELL,
Governor of Texas.