

The Secretary of State appeared and delivered the following message :

EXECUTIVE DEPARTMENT,
ANNAPOLIS, MARYLAND.

April 1, 1904.

To the House of Delegates of Maryland:

I return, without my approval, House bill, chapter 201. I am constrained not to approve this bill for the following reasons:

The bill grants certain powers in relation to the granting and regulation of public franchises, to the County Commissioners of Baltimore county. While the powers are granted with more particularity and precision in this bill, substantially the same powers as those embraced in this bill are embraced in the grant to the County Commissioners by chapter 368 of the Acts of 1902, with the exception that this bill restricts the price which the County Commissioners may charge for the privilege to lay electric railway tracks on the public roads in portions of the county.

The main other difference between the legal effect of the Act of 1902, chapter 368, and the bill herewith returned to your Honorable Body, is that section 2 of this later bill provides "that all grants of franchises heretofore made under the terms and provisions of said chapter 368 of the Acts of 1902, entitled 'An Act to legalize and regulate the granting of franchises for public purposes in Baltimore county' are hereby sanctioned, ratified and confirmed as fully as if set out herein in full, and as fully as if the same had been specifically and directly granted by the General Assembly of Maryland by Acts duly enacted."

There is now pending in the Court of Appeals the case of the Consolidated Gas Company vs. The County Commissioners of Baltimore county, in which the Consolidated Gas Company is seeking to set aside a grant of the franchise to lay gas mains in certain of the public highways of Baltimore county, made by the County Commissioners in July, 1903, to Joseph Schreiber.