

HOUSE No. 1219.

Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 8, 1901.

The committee on Street Railways, to whom was referred the communication from the Board of Railroad Commissioners, in response to an order of the House (not a joint order) adopted January 29, transmitting answers to certain questions relative to the Massachusetts Electric Companies, (House, No. 1003) submit the following report:—

The order adopted by the House contained seven questions, each of which asked for certain information in the nature of facts, and none of which asked for suggestions or conclusions from the Board of Railroad Commissioners as to the sufficiency of present legislation or the need of further legislation.

The report of the Board of Railroad Commissioners was dated February 12, and was received by the House February 14.

The report of the Board of Railroad Commissioners is addressed to the House of Representatives and contains full answers to the questions addressed to that board, but makes no recommendation or suggestion as to legislation.

This report of the Board of Railroad Commissioners was referred to the committee on Street Railways without instructions and without authority to base proposed legislation thereon, unless authority can be inferred from the reference of the report to the committee, or from the subject matter in the report itself.

The committee gave a public hearing and carefully investigated the question whether in the light of the facts hereinbefore set forth it can, under the rules of the legislature, report a bill or recommend any legislation, and has been forced to the conclusion that the question must be answered in the negative. Any other conclusion would seem to lead to the result that a majority of either branch of the legislature could at any date prior to prorogation inaugurate new business by the adoption of an order asking for information from some State board, and the joint rules designed to limit the period within which new business can be introduced would thus be rendered inoperative at the will of a majority of either branch without the concurrence of the other.

For these reasons the committee reports no legislation, and respectfully asks to be discharged from further consideration of House Document No. 1003.

For the Committee,

FRED C. GILPATRIC.

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Accepted.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*