

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, the Forty-First Legislature at its First Special Session, passed House Bill No. 28, being "AN ACT providing for the concentration of the Texas Prison System; increasing the duties, powers and functions of the Texas Prison Board; providing for the construction and building of buildings and walls and the location of a new penitentiary; providing for the removal of prisoners; providing for the purchase and sale of land and the sale and manner thereof of property now controlled and used by the Prison System; providing for purchase and sale of products by said System and also by the Board of Control for said System and for other State Institutions and purposes; making an appropriation; repealing all laws in conflict herewith; and declaring an emergency;" and

WHEREAS, said Bill has been vetoed for the reasons set out in the following statement, which has been filed with said Bill in the office of the Secretary of State;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT I,
DAN MOODY, Governor of the State of Texas, under and by virtue of the
authority vested in me by the Constitution and Laws of this State, have
vetoed said Bill for the reasons stated and on file, and do hereby proclaim
said action to have been taken.



IN TESTIMONY WHEREOF, I have hereunto
signed my name officially and caused
the seal of State to be impressed
hereon at Austin, Texas, this the
10th day of June, A. D. 1929.

Dan Moody
Governor of Texas

BY THE GOVERNOR:

John W. McCallum
Secretary of State

The attached bill, House Bill No. 28, being An Act

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is hereby vetoed.

In substance this Bill provides that the Commission of nine members shall be appointed by the Governor to consider the feasibility of concentrating the prison system on land now owned by the State as a part of its prison properties, and if after such survey the Commission should decide that there is no suitable site thereon or that it is not expedient or in keeping with good business judgment to concentrate the prison system on such land, then the Commission shall so report to the Governor, and the Texas Prison Board, acting in conjunction with the three members of the State Senate and five members of the House shall make a survey for the purpose of selecting a suitable site for the concentration of the prison system. If the Commission should determine that it is sound business to concentrate the system on some property now owned by the prison system then the bill gives the *Prison Board* ~~Commission~~ authority to proceed with the concentration of the system.

If the first Commission concludes that the system should not be concentrated on land now owned by the system, then the second Board, that is the Commission to be composed of the Prison Board and three members of the Senate and five members of the House of Representatives could determine that the first Commission was in error and select some of the present properties.

This bill is simply prolonging the controversy concerning the concentration of our prison system. In my judgment the ideal way to handle it would be to delegate the authority to a group of men to concentrate our prison system, but the Legislature desires to retain its control over the transaction. I think this ^{bill} will merely prolong the matter as a political issue in the State, and that it cannot serve to facilitate the solution of this most vexing and expensive problem.

The next best way to handle the matter is to pass a bill which will direct that the present Prison Board shall formulate plans for the concentration of the system, and present these plans to the Legislature. Such a bill is much more desirable than the bill hereby vetoed. One objection to the bill under consideration is the fact that the body created to pass upon the question is so large that no reasonable conclusion can be fairly anticipated as a result of the work to be done under this bill.

Texas has long maintained a prison system that does the State no credit. Theoretically we have been in the business of reforming prisoners, and practically we have been in the business of manufacturing them. Theoretically we have been in the business of maintaining a prison system upon a basis which it was hoped ^{would} ~~be~~ be self-sustaining, while practically we have been closing our eyes to good business methods and losing money at times in enormous sums. Theoretically we have been modern, and practically we have failed to take advantage of any of the modern developments in the operation of a penal institution.

It would seem wise to use the proceeds of property now owned by the prison system in the construction of a modern penitentiary, and if it is

found that the present owned properties are not desirable for the site of a modern system; however, I have no desire to sell a foot of it. The State is able to own it and keep it. It may be wise to hold it because of possible oil and other mineral developments in the immediate territory of some of it, and it is my judgment that none of it should be sold without proper reservation of the oil and mineral rights.

This phase of the matter is not important because this land can be held and handled as the future dictates to be best *if it is not desirable for a prison location.*

The matter of constructing a modern penitentiary, however, should not be permitted to wait. Heroic treatment is desirable, and authority should be given to concentrate the system, put modern business ideas into it, construct it and operate it according to the latest developed plans applicable to the operation of a penal institution.

I am vetoing this bill, and I hope that this Legislature will enact a bill under which the problem can progress at least part the way, if not all the way, toward solution.


Governor.