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**Veto Message: Governor Pingree
1884 (H.328)**

An act to to protect highways in Springfield village.

STATE OF VERMONT
Executive Department.
Montpelier, Vt., November 24th, 1884

*Hon. James K. Batchelder, Speaker of the House of
Representatives:*

SIR--I herewith return to the house, without my approval, house bill No. 328, entitled "An act to protect highways in Springfield village."

This bill in one respect clearly prohibits the owners of lands along and including the brook from improving and utilizing their real estate as they otherwise might. And it also provides for the control by the town, through the selectmen, of the land through which this stream runs for a distance of two miles, to the extent at least of removing the existing fences, or compelling their removal and replacing them by wire fences, and this in some cases may be at the expense of the land owners.

All this may be a necessity for the safety of the village of Springfield, but I do not regard it lawful or just to thus interfere with the property rights of the citizen without providing in the same act, by the usual legislation in such cases, for a proper appraisement and compensation to the land owners for the property so taken or interfered with for the public use, as in the case of lands taken for highways and other purposes.

I am confident that an omission of so great consequences for the protection of the property rights of the citizen, which cannot even be touched by the legislative authority without a just compensation being provided for, is not the purpose of the

legislature and is wholly unintentional on its part.

And for this reason I return the bill for the further consideration of the general assembly, and that such provisions for insuring a fair compensation for the property condemned to public use, as is usual in such cases, may be incorporated in a new bill, if such may be the pleasure of the honorable legislature.

SAMUEL E. PINGREE,
Governor

**Governor's Veto Sustained
H.328, 1884**

The Governor's veto was sustained in the House:
Yeas 3 Nays, 99.

Sources: *Journal of the House*, November 24, 1884 (pages 403-404)