

*Office of the Vermont Secretary of State*  
**Vermont State Archives**

**Veto Message: Governor Mead  
1910 (H.63)**

**An act relating to the heating and ventilation of factories.**

STATE OF VERMONT  
Executive Department.  
Montpelier, Vt.,

The Speaker laid before the House a communication from His Excellency, the Governor, as follows:

To the Honorable Speaker and the members of the House of Representatives:

The above bill provides that the state board of health shall have authority to prescribe regulations for the heating and ventilation of all mills, factories, shops and other buildings in which ten or more persons are employed. It further provides that any person or corporation failing to comply with such regulations within four months of the notices thereof, shall be fined not more than \$500 nor less than \$10. This bill in effect, gives to the state board of health the arbitrary right to exercise functions which have heretofore belonged exclusively to our courts of law. I would respectfully suggest that in my judgment the courts of this state are the proper medium through which the necessity and reasonableness of such regulations as are contemplated above, should be tested. As the bill now stands, the courts have no discretion in these matters. A fine as provided in this bill, if collected would amount in my judgement to depriving a person, persons or corporation of their property without due process of law. Such a deprivation is in direct violation of the 14<sup>th</sup> amendment of the constitution of the United States of America. Hence, the bill in my judgment is unconstitutional.

I therefore respectfully return H. 63 to the House of Representatives without my signature.

John A. Mead,  
Governor.

**Governor's Veto Sustained**  
**H. 63, 1910**

The Governor's veto was sustained in the House by unanimous vote in the negative.

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Sources: *Journal of the House*, November 14, 1910 (pages 211-212)