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**Veto Message: Governor Gibson
1949 (H.138)**

An act to amend Sections 1179, 1180 and 1181 of the Vermont Statutes, Revision of 1947, relating to peddlers.

STATE OF VERMONT
Executive Department.
Montpelier, Vt., May 10, 1949

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

To the Speaker of the House of Representatives:

I hereby return to the House, unsigned and without approval, House Bill No. 138 entitled 'An Act to Amend Sections 1179, 1180 and 1181 of the Vermont Statutes, Revision of 1947, relating to Peddlers.'

This bill has been given careful consideration. I have become convinced that section 1, in defining a peddler, is unconstitutional in that it is contrary to the Commerce clause of the Constitution of the United States, which is set forth in Article 1, Section 8, thereof.

The bill as passed by the legislature, in substance, changes existing law only in one way and that is by striking out the exemption of agents of those people having established places of business. By so doing, it is my conviction that the law has been made unconstitutional.

If such is so, we may well in the future have many people peddling in this state without any license. Under existing law these same people would be required to have a license.

The present peddler's law is not all that is desirable by any means. Nevertheless, I feel that the bill does not correct an undesirable

situation and may make it worse. It likewise appears to me that any automobile dealer, under this law, would have to secure a peddler's license for any of his salesmen. What is said about an automobile dealer applies to many other merchandising establishments.

ERNEST W. GIBSON,
Governor.

Governor's Veto Sustained
H. 138, 1949

The Governor's veto was sustained in the House:
Yeas 1 Nays 186.

Sources: *Journal of the House*, May 10, 1949 (pages 788-789)