

On the other hand, we are unable to come to the same conclusion of constitutionality with regard to the second aspect of this bill which provides that where any such privately owned water supply and sewerage system has been built in connection with, and for the purpose of, developing home sites by private persons, the inquisition jury is entitled to take from the value of the system such sum or sums as it may reasonably determine was added to the purchase price of lots, the sale of which was in part induced by the development of such systems. In our judgment, this aspect of the bill would deprive the owner of such systems of compensation commensurate with the fair market value of such property in contravention of Article III, Section 40 of the Maryland Constitution.

We would be glad to respond to any further questions that you may have with regard to this bill.

Very truly yours,

/s/ FRANCIS B. BURCH,  
*Attorney General.*

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#### House Bill No. 799—Representation in Testamentary Laws

AN ACT to repeal Section 1-210(a) of Article 93 of the Annotated Code of Maryland (1969 Replacement Volume and 1970 Supplement), title "Decedents' Estates," subtitle "General Provisions," sub-heading "Determining Relationship," and to enact new Section 1-210 (a) in lieu thereof, to stand in the place of the section repealed, to clarify and alter the manner of intestate succession as done by representation per stirpes and matters generally relating thereto.

May 28, 1971.

Honorable Thomas Hunter Lowe  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed House Bill 799.

This bill establishes the methods for determining representation for the issue of grandparents and great-grandparents.

The Attorney General has advised me that House Bill 218 is defective, and for this reason I have vetoed this bill. The Attorney General has further informed me that House Bill 799 should not be signed by me if House Bill 218 is vetoed. For the reasons given in the attached copy of the Attorney General's opinion, which is to be considered a part of this message, I believe that House Bill 799 must be vetoed.

Sincerely,

/s/ MARVIN MANDEL,  
*Governor.*