

CHAP. 26.

the aforesaid mills, nearly as the road now runs, to intersect the public road leading from John Orme's plantation to Montgomery court-house at or near the Union Mills; and a plot of said road, when surveyed and laid out, together with a certificate and courses of the same, shall be returned by the commissioners to the levy court of Montgomery county, to be there recorded; and the said road, when opened, shall for ever thereafter be deemed and taken to be a public highway, and repaired in the same manner as other public roads in said county are repaired.

Damages to be ascertained,

Provide,

3. AND BE IT ENACTED, That on application of the party or parties interested, the said commissioners, or any two of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road shall pass, and the same, when so ascertained and assessed, shall be paid, or secured to be paid, by the said petitioners, before the commissioners appointed by this act shall proceed to open the said road; *Provided always*, that if any person or persons through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive themselves aggrieved by such valuation and assessment of damages, it shall and may be lawful for the said commissioners, or any two of them, to issue their warrant to the sheriff of the county, to summon twelve disinterested freeholders of said county, to appear on the premises on a day by them to be appointed, and the commissioners are hereby authorised to administer an oath to every person so summoned, that he will, without favour, affection, partiality or prejudice, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening said road through his, her or their land, and the persons so summoned and sworn shall thereupon proceed to value and assess the damages accordingly, of which the said petitioners, or some one of them, shall have five days previous notice at the least, and such inquisition shall be final and conclusive between the parties.

Not to be laid out through buildings, &c.

4. AND BE IT ENACTED, That the said commissioners shall not lay out or open the said road through the buildings, gardens, yards, orchards or meadows, of any person or persons, without his or their consent.

CHAP. XXI.

Passed Jan. 6, 1810 *An Act for the benefit of the Heirs of William Murphey.* Lib. TH. No. 2, fol. 162. A Private Act.

CHAP. XXII.

Passed Jan. 6, 1810 *An Act to fix the mode of electing Senators to represent this State in the Senate of the United States.* Lib. TH. No. 2, fol. 163.

To be elected by joint ballot of both branches of legislature, &c.

1. BE IT ENACTED, by the General Assembly of Maryland, That the senator or senators hereafter chosen to represent this state in the senate of the United States, shall be elected by the joint ballot of both branches of the legislature, and that the person or persons qualified as the constitution of the United States directs, having a majority of the votes of all the attending members in both branches of the legislature, shall be declared as duly elected.

One to be an inhabitant of the eastern and the other of the western shore.

2. AND BE IT ENACTED, That one of the senators shall be always an inhabitant of the eastern and the other of the western shore.