

1904, art. 25, sec. 95. 1888, art. 25, sec. 91. 1860, art. 28, sec. 20. 1853, ch. 220, sec. 5. 1874, ch. 423. 1876, ch. 184. 1878, ch. 286.
1900, ch. 72. 1902, ch. 628.

96. No public road shall be opened or altered so as to pass through the buildings, gardens, yards, or burial grounds of any person without the consent of the owner thereof in writing. This section not to apply to Baltimore county, Washington county and Wicomico county.

If the county commissioners violate this section, they are liable for trespass, although their action in opening the road is not appealed from. *Winchester v. Cecil County*, 78 Md. 269.

See notes to sec. 89.

Ibid. sec. 96. 1888, art. 25, sec. 92. 1860, art. 28, sec. 21. 1853, ch. 220, sec. 11.

97. All roads opened under the provisions of this article shall be at least thirty feet wide, and when opened and sufficiently cleared, shall be public roads.

See notes to sec. 89.

Ibid. sec. 97. 1888, art. 25, sec. 93. 1860, art. 28, sec. 22.
1853, ch. 220, sec. 7.

98. The examiners, or a majority of them, shall value and ascertain the damages that may be sustained by each person through whose lands the road may pass, if the application shall be for opening or altering a road, by opening or altering the same, taking into consideration the advantages and disadvantages of the same, if any; and they shall make such ascertainment a part of their return to the county commissioners, and the same, with the rest of their proceedings, shall be subject to the ratification, rejection or alteration of the county commissioners, in such manner as in their judgment shall be just.

See notes to sec. 89.

Ibid. sec. 98. 1888, art. 25, sec. 94. 1860, art. 28, sec. 23.
1853, ch. 220, sec. 8.

99. The county commissioners shall determine whether the damages adjudged by the examiners shall be paid by the persons petitioning for the road or levied on the county, or may direct that the same be paid by the petitioners and the county, in such proportion as they may deem just.

See notes to sec. 89.

Ibid. sec. 99. 1888, art. 25, sec. 95. 1860, art. 28, sec. 24.
1853, ch. 220, sec. 9.

100. The damages shall in all cases be paid to the respective parties or their guardians, agents or attorneys, before the road shall be opened; and in case of the death of any of the parties concerned, after the valuation made by the examiners, or a majority of them, the damages finally adjudged to him or them shall be paid to his or their personal representatives.

See notes to sec. 89.