

An. Code, sec. 94. 1904, sec. 93. 1888, sec. 89. 1853, ch. 220, sec. 3.

**148.** If the application be for opening or altering a road, they shall proceed to locate the same in such manner as will, in their judgment, best promote the public convenience, and shall cause a plot of the same, and also of the old road, where the application is to alter or close a road, to be made out, and shall return the same, together with a full report of their proceedings, under their hands, to the county commissioners, with the reasons on which their opinions are founded.

Cited but not construed in *Winchester v. Cecil County*, 78 Md. 267.  
See notes to sec. 143.

An. Code, sec. 95. 1904, sec. 94. 1888, sec. 90. 1853, ch. 220, sec. 3.

**149.** If they shall be of opinion that the road ought not to be opened, altered or shut up, they shall report their opinion to the county commissioners, together with the reasons on which it is founded.

See notes to sec. 143.

An. Code, sec. 96. 1904, sec. 95. 1888, sec. 91. 1853, ch. 220, sec. 5. 1874, ch. 423. 1876, ch. 184. 1878, ch. 286. 1900, ch. 72. 1902, ch. 628. 1917, ch. 17.

**150.** 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 Allegany County, Baltimore County, Washington County or Wicomico County.

If 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. 143.

An. Code, sec. 97. 1904, sec. 96. 1888, sec. 92. 1853, ch. 220, sec. 11.

**151.** 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. 143.

An. Code, sec. 98. 1904, sec. 97. 1888, sec. 93. 1853, ch. 220, sec. 7.

**152.** 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. 143.

An. Code, sec. 99. 1904, sec. 98. 1888, sec. 94. 1853, ch. 220, sec. 8.

**153.** The county commissioners shall determine whether the damages adjudged by the examiners shall be paid by the persons petitioning for the