

An. Code, 1924, sec. 146. 1912, sec. 92. 1904, sec. 91. 1888, sec. 87. 1853, ch. 220, sec. 4.

**147.** The said examiners before they proceed to act as such shall take an oath to execute the trust reposed in them by the commission to them issued, faithfully and without favor, affection or partiality; which oath shall be endorsed on the commission and returned therewith.

See notes to sec. 144.

An. Code, 1924, sec. 147. 1912, sec. 93. 1904, sec. 92. 1888, sec. 88. 1853, ch. 220, sec. 3.

**148.** They, or a majority of them, after giving thirty days' notice in the manner hereinbefore prescribed, shall meet on the premises and proceed to examine and determine whether the public convenience requires that the road should be opened, altered or closed, as the case may be.

See notes to sec. 144.

An. Code, 1924, sec. 148. 1912, sec. 94. 1904, sec. 93. 1888, sec. 89. 1853, ch. 220, sec. 3.

**149.** 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. 144.

An. Code, 1924, sec. 149. 1912, sec. 95. 1904, sec. 94. 1888, sec. 90. 1853, ch. 220, sec. 3.

**150.** 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. 144.

An. Code, 1924, sec. 150. 1912, 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. 1931, ch. 98.

**151.** 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, Montgomery 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. 144.

An. Code, 1924, sec. 151. 1912, sec. 97. 1904, sec. 96. 1888, sec. 92. 1853, ch. 220, sec. 11.  
1929, ch. 46.

**152.** 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. Provided, however, that the County Commissioners of Somerset County may build portions of roads less than thirty (30) feet wide where, in Smith's Island District and in Fairmount District on the road leading from the main county highway to the village of Rumbley, in their discretion, the difficulty or cost of building the said roads to the full width of thirty (30) feet is unwarrantably great.

This section and certain sections of local law for Montgomery County held not conclusive that a road used by public and maintained by county, was thirty feet wide.