

**20.** Whenever the county commissioners shall deem it expedient that examiners should be appointed to view the ground for the purpose of opening, altering, or closing a road, they shall appoint three persons as examiners, who shall be freeholders in the county, and not interested nor holding lands through which the said road is proposed to be opened, altered, or closed.

Id s 15  
1853, c 220, s 3.  
Appointment of  
examiners

**21.** 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 shall be indorsed on the commission and returned therewith

Id s 16  
1853, c 220, s 4  
Oath of  
examiners

**22.** 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.

Id s 17  
1853, c 220, s 3  
Proceedings of  
same.

**23.** 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.

Id s 18  
1853, c 220, s 3  
To locate road,  
and make and  
return plot

Report to  
commissioners.

**24.** 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.

Id s 19  
1853, c 220, s 3.  
To report  
reasons for  
opinions

1874, c 423;  
1876, c 184,  
1878, c 286  
Consent of  
owner necessary  
to make road  
through build-  
ings, etc

**25.** 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 owners thereof in writing. This section shall not apply to Baltimore county nor to Washington county.

Not applicable to  
Baltimore or  
Washington  
counties

**26.** 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.

Id s 21  
1853, c 220, s 11  
Width of roads.

**27.** 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.

Id s 22  
1853, c 220, s 7.  
Examiners to  
assess and  
return damages

Subject to rati-  
fication, etc. of  
commissioners

**28.** The county commissioners shall determine whether the damages adjudged by the examiners shall be paid by the persons peti-

Id s 28  
1853, c 220, s 8  
Commissioners