

shall make it satisfactorily appear to the Road Supervisor of the district in which he may reside, that he is physically unable to perform the said labor, and is not able to pay the fine hereinafter provided, it shall be the duty of the said Supervisor to exempt such person from the performance of the said labor.

Road super-  
visors.

Sec. 4. *And be it enacted*, That the Road Supervisors may make such commutation of labor for teams and carts or wagons, as he may deem proper, and the said County Commissioners are hereby authorized to fix and establish the amount to be allowed to the owner, per day, for the use of such teams, carts and wagons.

Penalty.

Sec. 5. *And be it enacted*, That every person liable as aforesaid, to labor on said roads, who shall fail to obey the summons of the Road Supervisors, shall upon demand made by the said Supervisor, pay to the said Supervisor, the sum of one dollar and fifty cents for each and every day he shall fail to perform such labor; and the said Supervisor shall collect and account under oath to the County Commissioners of the said county, for all sums of money so collected, and shall apply the same under the direction of the said Commissioners to hiring laborers to work on the public roads, and shall pay over to his successor, upon the order of the said Commissioners, any surplus that may remain in his hands.

Liable to  
arrest.

Sec. 6. *And be it enacted*, That any person failing to obey such summons made as aforesaid, to pay to said Supervisor the said sum of one dollar and fifty cents, shall, upon the complaint of the said Supervisor, be liable to be arrested and brought before some Justice of the Peace of the county in which he resides, upon a warrant issued by the said Justice, in the name of the State therefor, and shall, upon proof of such summons and failure to obey the same, and refusal to pay said sum of one dollar and fifty-cents, render judgment against the party so refusing, as aforesaid, for the said sum of one dollar and fifty cents and all the costs that may accrue in prosecuting the said warrant, including the attendance of witnesses for the State; and the said Justice of the Peace is hereby authorized to enforce the collection of the same in the same man-