

Sec. 5. *And be it enacted*, That if any person from whom such labor may be due and required, shall make it satisfactorily appear to the said Road Commissioners that he is physically unable to perform such labor, or is a non-taxpayer, and over fifty years of age, and is not able to furnish a substitute or commute for such labor, as provided in the next succeeding Section, it shall be the duty of the said Commissioners to exempt such persons from the performance of said labor. It shall be the duty of the Road Commissioners to make out a list of such persons as are hereby required to work on the roads in the several districts, and proportion the labor to the several sections, as in their judgment may appear to be just and proper.

Physically
unable.

Sec. 6. *And be it enacted*, That every person liable as aforesaid to labor on said roads, who shall fail to obey the summons of the contractor or supervisor, or furnish an acceptable substitute, shall, upon demand by said contractor or supervisor, pay the sum of one dollar and fifty cents for having failed to perform such labor, and the said contractor or supervisor shall collect and receipt to such persons for the same, and apply all sums so collected to the repairs of the road in his contract or section by hiring the labor for such purpose, and shall report under oath to the Road Commissioners.

Penalty.

Sec. 7. *And be it enacted*, That the County Commissioners shall annually levy the amount of money necessary for the repairs of roads as a separate and distinct tax, which shall not exceed ten cents on the hundred dollars.

Levy.

Sec. 8. *And be it enacted*, That any person liable to labor, failing to obey the summons as aforesaid, or furnish an acceptable substitute, and failing or refusing on demand made as aforesaid to pay to the contractors or supervisor the sum of one dollar and fifty cents, shall be guilty of a misdemeanor, and shall, upon complaint made by such contractor or supervisor, be liable to be arrested and brought before some Justice of the Peace of said county, upon a warrant to be issued by said Justice, in the name of the State, and shall upon proof of such summons, and of failure to obey the same, and of a refusal to pay the said sum of one

Failing to
obey.