

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 dollar and fifty cents, and of failure to furnish an acceptable substitute, be held to bail by said justice for his appearance before the circuit court of said county, at the next term thereafter, and upon presentment, indictment and conviction in the circuit court for the said county, shall be fined a Fine. sum not exceeding twenty dollars and all costs of the prosecution, and in default of payment or of security for said fine and costs, shall be committed to the county jail until he shall pay or give security for such fines and costs; *provided*, that after such party shall have Proviso. remained in jail for the space of ten days, he may be discharged from custody by the order of the said court, and all fines collected under the provisions of this act shall be paid to the commissioners of said county, to be by them applied for the purpose of repairing the public roads in said county; and the judges of the Judge's duty. circuit court for the county to which this act applies shall give the same in charge to the grand juries of the said county.

61. The county commissioners shall pay to the road Ibid s. 9. Payment to contractors contractors, lessees or supervisors, the full amount due them, as soon as the road commissioners shall report that the work for the season has been performed according to the terms of their contract and specifications; *provided*, that the said board are satisfied the section or Proviso. sections of said road has been kept in good order and condition up to that period.

62. The county commissioners shall allow such Ibid s 10. Compensation to road commissioners. compensation to each member of the board appointed under the first section of this act, as they may deem just and proper, and have power to fill any vacancy that may occur in said board of road commissioners by death, resignation, removal from the county or any other cause.