

35. Every male inhabitant above twenty-one years of age, and possessing taxable property, assessed at five hundred dollars or upwards, and every other male inhabitant between the ages of twenty-one and fifty years, not residing within the limits of an incorporated town, who shall have resided in any one of the counties to which this article applies, for one month next preceding the date when his services may be demanded, shall be required to labor two days, in every year, on the public roads, in the road district in which he may reside, and the road supervisor, whenever the public roads shall need repairs, shall summon all such persons in his road district, or such number of them as he may deem necessary to make such repairs, provided that he shall not summon the same party twice, until he shall have exhausted the whole number liable to such duty in his road district, giving at least two days' notice of the time and place of meeting; *provided*, however, that no person shall be compelled to labor more than four miles from his place of residence, and the authorities of the incorporated towns within the limits of any county to which this article applies, shall keep the public roads in good condition and repair, to the distance of one mile from their respective incorporated limits, and to enable them to accomplish the same, they are hereby authorized to accept and apply the provisions of this article to persons residing within the limits of their respective corporations.

Id s 3
Labor on roads.

Duty of road
supervisors

Proviso

Roads to be
kept in repair.

36. If any person not possessing taxable property assessed at five hundred dollars or upwards, from whom such labor on the public roads may be required, under the provisions of the preceding section, shall make it satisfactorily appear to the road supervisors of the road district in which he resides, that he is physically unable to perform the said labor, either by reason of permanent disability or that said disability existed at the time at which his services were required, and is not able to pay the commutation hereinafter provided, it shall be the duty of the said supervisor to exempt such person from the performance of the said labor and commutation for labor, and in case such supervisor shall refuse to exempt any person who shall apply for exemption, as herein provided, such person, if he shall feel aggrieved by such refusal, may appeal to the county commissioners of the county, whose decision shall be final.

Id s 4
Exemption

Appeal to
county commis-
sioners

37. The county commissioners of the several counties may make such commutation of labor for teams and carts or wagons, as they may deem proper.

Id s 5
Commutation

38. Every person liable, as aforesaid, to labor on said public roads, who shall fail to obey the summons of the road supervisor, or furnish a substitute, shall, upon demand made by said supervisor, pay to said supervisor the sum of one dollar and fifty cents for each and every day, not exceeding two days, that he shall fail to perform such labor, and the said supervisor shall collect and account, under oath, to the county commissioners, for all sums of money so collected, and exemptions granted, and shall apply the said money

Id s 6.
Fines.

Supervisors to
account to
county commis-
sioners.