

streets of any incorporated town, the town authorities so employing such convict shall be charged with the expenses which may attend such employment.

- B. Supervision required; type of labor performed. The hard labor provided in Subsection A of this section shall be performed, if within the corporate limits of any incorporated town, under the supervision and direction of the Town Commissioners and Bailiff of such town, and if on the public roads of Garrett County, then under the supervision and direction of the County Commissioners or the Road Supervisor of any district who may be authorized by the County Commissioners to work the same. The Sheriff of Garrett County, upon the demand of any bailiff, supervisor or other persons duly authorized to make such demand, is hereby authorized and required to deliver such prisoner to the party so making the demand and entitled to receive the same whenever and at such times as he may be so legally required. The labor to be performed by such convict may include every service necessary for the purpose of draining, grading, paving or repairing such public streets or other highways of Garrett County, within or without the limits of any incorporated town therein.
- C. Responsibilities of supervising officer; penalty for refusal to work; exception. The officer or other person having such prisoner in charge shall have power and authority to compel such labor and shall be responsible for the safekeeping and return to prison of such convict to the custody of the Sheriff at the end of each day's labor, which day's labor shall be within the discretion of the officer or other person so supervising at the time, but shall not exceed ten (10) hours' work or labor for any day he may be so employed. Any prisoner so convicted and sentenced who shall refuse to perform the labor required of him shall incur the penalty of two (2) days' additional imprisonment for every day he may so refuse, and this provision shall be included in the sentence of the Court or District Court by whom the same may be rendered, but no prisoner shall be compelled to perform such labor whose health is not in a condition to allow the same, and the certificate of the physician to the jail or other physician in said county shall be sufficient to excuse such labor.
- D. Penalty for supervising officer permitting an escape. If any officer or other person having such prisoner in charge for the performance of such work or labor, through connivance or by his willful neglect, permits the escape of any such prisoner, he shall be guilty of a misdemeanor and, upon indictment and conviction of such offense in the Circuit Court for Garrett County, shall be fined not less than twenty dollars (\$20.) nor more than fifty dollars (\$50.) or shall be confined in the county jail of the county and be subject to the same penalty of hard labor, or both, in the discretion of the Court.]

[26-2.

- A. Labor on public roads, buildings or grounds permitted. In addition to any sentence of confinement in the county jail of Garrett County which may be imposed for failure to pay any fine or fines by the Circuit Court for Garrett