

Take a list
of names,
&c.

SEC. 11. *And be it enacted,* That within one month after the receipt of their respective warrants, the several overseers aforesaid, under the directions of the said justices, shall take down a proper list of the names of all and singular the able-bodied free male inhabitants residing therein above the age of twenty-one years, and under the age of fifty years, and of all the able-bodied male servants and slaves above the age of sixteen years, and under the age of fifty years; and the said overseers shall justly and impartially call for and require the labour of all and singular the persons aforesaid, alternately, and in such convenient numbers and classes as to place the burthen of their service equally upon all; *Provided nevertheless,* that the labour of the said persons shall not be called forth for the purposes of this act during the season of wheat harvest, nor in such manner as to take more than half the number of persons aforesaid belonging to one family at the same time.

Summon
the class
arranged,
&c.

SEC. 12. *And be it enacted,* That as often as the said overseers shall judge it necessary to call upon the said inhabitants for their labour in and upon the said roads, they shall summon, or cause to be summoned, the number and class which they shall have previously arranged, having had regard to the quantity and quality of work necessary to be done upon the said roads, giving each free person liable to work upon the same, and the master, mistress or overseer of each servant or slave aforesaid, two days notice at the least, of the time and place appointed for their labour, except in such extraordinary cases as may require a shorter notice, and every free person liable to work upon the roads so summoned shall be obliged to attend in person, or to provide a sufficient substitute; and if any person, being so summoned, shall neglect or refuse to attend, or to provide a sufficient substitute, he shall forfeit and pay the sum of one dollar for each offence; and if any person shall attend, and not perform the reasonable labour required of him by the overseer of the road, according to his ability, he shall be adjudged a defaulter, and shall incur the same penalty as if he had neglected to attend; and in case the master, mistress or overseer of any servant or slave, upon being notified as aforesaid, shall refuse or neglect to send such servant or slave, or if such servant or slave, after being sent, shall neglect to perform his reasonable labour as aforesaid, such master, mistress or overseer, shall forfeit and pay the sum of one dollar for every servant or slave so refused or neglected to be sent, or when sent refusing to work as aforesaid.

Modified by 1799, ch. 5, sec. 3.

And keep a
list of all
defaulters,
&c.

SEC. 13. *And be it enacted,* That it shall be the duty of the said overseers to keep a true and proper lists of all and every person or defaulter, who, being summoned as aforesaid, shall neglect or refuse to attend at the times and places appointed as