

## CHAP. 96.

Penalty for neglect to perform duty

labor, except in such extraordinary cases which may require a shorter notice; and every person 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 fifty cents for every offence; and if any person shall attend and not perform the reasonable labor required of him by the supervisor, 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 upon sending, such servant or slave shall refuse to perform such reasonable labor as aforesaid, such master, mistress or overseer shall forfeit and pay the sum of fifty cents for every servant or slave so refused to be sent, or when sent, refusing to work as aforesaid.

List of defaulters

SEC. 10. *And be it enacted*, That it shall be the duty of the said supervisors to keep a true and proper list 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 aforesaid, or if attending, shall not perform his reasonable labor, and of every master, mistress or overseer of servants and slaves, who shall incur the penalty aforesaid, and the said supervisors of roads shall, once in every three months, call upon each and every of the said persons, and demand the payment of all and singular the sums of money by them or any of them so forfeited, and on refusal or neglect to pay the same, the said supervisors shall proceed to recover the same before a single magistrate, by due course of law, and the said supervisors shall, every six months, render their accounts of all fines and forfeitures received by them in virtue of this act to the justices of the levy court, upon oath or affirmation, and pay the amount thereof in such manner as the said justices shall order and appoint.

Recovery of forfeiture

Account for collection

Payments.

Vacancy of commissioner supplied

SEC. 11. *And be it enacted*, That if any of the supervisors so to be appointed shall refuse to act, remove, become disqualified, or die, it shall and may be lawful for any two of the neighbouring justices to supply every vacancy so happening by the appointment of another person, and they shall certify every such appointment, under their hands, to the clerk of the county, who shall record the same, and within five days thereafter shall issue a warrant to the person so appointed, and deliver the same to the sheriff, to be served upon the party as herein before directed.

Compensation to supervisors &c

SEC. 12. *And be it enacted*, That every supervisor so to be appointed by virtue of this act, shall respectively be allowed a sum not exceeding ten dollars by the year, for summoning, directing and superintending the laborers employed upon the said roads, which allowance shall be paid to them by the justices of the levy court, out of the fines and forfeitures imposed and levied by this act, and if found to be insufficient for this purpose at the expiration of every year, the deficiency