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Backgrounds of Selective Service

VOLUME II • PART 6

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BACKGROUNDS OF SELECTIVE SERVICE

Military Obligation:

THE AMERICAN TRADITION

A Compilation of the Enactments of Compulsion
From the Earliest Settlements
of the Original Thirteen Colonies in 1607
Through the
Articles of Confederation 1789

SPECIAL MONOGRAPH NO. 1
VOLUME II
PART 6. MASSACHUSETTS ENACTMENTS

THE SELECTIVE SERVICE SYSTEM
1947

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CHAPTER XII.

MILLITARY AFFAIRS.

In regard of the many appearances of danger towards the Country by enemies from abroad, or that may arise within us, Gods providence having disposed us in this Corner of this Western World, so far from our Native Prince and People, that we cannot expect that constant speedy protection and relief that they might otherwise afford us; That we may be therefore in the better capacity according to our power, to defend the interest of God, our Princes interest, and our own.

A council of war established.

It is determined by this Court and the authority thereof; That there shall be at all times a standing Council of War in this Colony, consisting of the Governour and Assistants, as annually chosen, and the like number of other trusty and able men, chosen also by the General Court, and from year to year filled up, if by death removed, or otherwise any of them may be wanting, or incapacitated to perform their trust.

Who may convene the council of war, and its authority.

And the Governour or President is hereby impowered by his Summons, to convene the said Council; who being assembled, or the major part of them, they or any seaven of them concurring, shall have full power to act as a Council of War; In establishing and commissionating of Military Officers, in Pressing of Men, Horses, Ships, Barques or other Vessels, Arms, Amunition, Provision, Carrages, or whatsoever else they may judge needfull, for the present expedition; And also to raise Moneys by Rate, upon the several Townes, or Plantations of this Government, according to their several proportions, to defray the charge thereof, and their actings in such a concern to be valid as if done by the General Court of this Colony, Provided they cross not the articles of confederation between the Confederate Colonies.

A stock of arms and ammunition to be kept by the colony.

2. And it is Enacted by this Court, &c. That there shall be always kept and maintained at Plimouth, or where else the Court or Council of War shall order it, a General or Public Stock of Arms and Amunition, to be improved as the Council of War shall order for the common safety; besides which every Town in this Government shall at all times have in readiness in their Town, such a Stock of Armes and Amunition as the Court have or shall particularly proportion them, on such penalty as in our Court Records is expressed.

And every man from the age of sixteen years and upwards, shall

491. Mass.—*General Court, New Plymouth; Plymouth Col. Laws, Brigham 1836, Ch. XII; Act, June 6, 1671, pp. 285–286.*

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Every male of 16 years of age and upwards to be provided with arms.

also be provided with such Arms and Amunition as the Court have determined, upon penalty expressed in our said Book of Records.

3. And for the better Disciplining and Training up of our men in the use of Arms;

A general officer under the title of major shall be appointed.

It is Enacted by this Court, &c. That there be at all times a General Officer, under the Title of a Major, or other, who shall have command of all the Horse and Foot of this Government, according to his Commission and Instruction in our Book of Records.

Every town to choose commanders of their own men.

4. And that in every Town within this Government, there be particular Commanders so chosen and commissioned, as is by Order of this Court provided, to exercise their respective Companies, six dayes in the year at least, besides General Musters.

Troop of horse.

5. Concerning the raising of a Troop of Horse, The number to be raised in the severall Towns, their Priviledge, Duty, and Orders, The fines of Commanders, and private Souldiers, Horse, or Foot, and alsoe what are to be accounted serviceable Arms; Concerning Military Watches, Alarums, &c. See the Old Book of Orders.

Maimed soldiers to be supported by the colony.

6. And it is further Enacted by this Court, &c. That if any man be sent forth as a Souldier, and be so mained in the service, that he is disabled from following his occasions, he shall be maintained by the Colony whilest he lives, according to his quality, and the capacity in which he served; and when dead, shall have the burial of a Souldier.

Smiths to mend arms.

7. Be it also Enacted, That no Smith in this Government, who is able to do it, shall refuse or neglect to amend any Arms brought unto him for such purpose, he being tendered such currant pay as for other work; as he will answer it to the Court.

CHAPTER XIII.

ORDINARIES.

Forasmuch as there is necessary use of Houses of Common Entertainment, and of such as Retail Wine, Beer, and Victuals; yet because there is so much abuse of that lawful liberty, both by persons that entertain, and by such as are entertained;

None to keep an ordinary without license.

It is Ordered by this Court, &c. That none shall keep a Victualling house or Ordinary, or shall Retail Wine, Beer, Ale, Cyder, or Strong waters, &c. but such as are licensed thereunto by the Court of Magistrates, on penalty of five pounds forfeiture to the Colonies use, except it be for relief of some sick person, and the Ordinary keeper hath none.

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