

LAWS OF VERMONT
 PASSED DURING THE SESSION OF THE GENERAL
 ASSEMBLY
 FEBRUARY 11-FEBRUARY 26, 1779

AN ACT FOR SECURING THE GENERAL PRIVILEGES OF THE PEOPLE, AND
 ESTABLISHING COMMON LAW AND THE CONSTITUTION, AS PART OF THE
 LAWS OF THIS STATE

13 FEB 1779

Forasmuch as the free fruition of such liberties and privileges as humanity, civility and christianity call for, as due to every man, in his place and proportion, without impeachment and infringement, hath been, and ever will be, the tranquility and stability of churches and commonwealth; and the denial or deprival thereof, the disturbance, if not ruin of both:

Be it enacted, and it is hereby enacted, by the representatives of the freemen of the state of Vermont, in general assembly met, and by the authority of the same, that no man's life shall be taken away; no man's honor or good name stained; no man's person shall be arrested, restrained, banished, dismembered, nor anyway punished; no man shall be deprived of his wife or children; no man's goods or estate shall be taken away from him, nor any way indamaged, under colour of law, or countenance of authority; unless it be by virtue of some express law of this state, warranting the same, established by the general assembly; or in case of the defect of such law in any particular case, by some plain rule warranted by the word of God.

That all the people of the American states within this state, whether they be inhabitants or not, shall enjoy the same justice and law that is general for this state; in all cases proper for the cognizance of the civil authority and courts of judicature in the same, and that without partiality or delay: and that no man's person shall be restrained or imprisoned by any authority whatever, before the law hath sentenced him thereto, if he can and will put in sufficient security, bail or main-prize for his appearance, and good behaviour in the meantime; unless it be for capital crimes, contempt in open court, or in such cases wherein some express law doth allow of or order the same.

Be it further enacted by the authority aforesaid, that common law,

That the colonel, or officers commanding in each regiment, as often as he shall see cause, shall require the captain, or chief officers of each company in his regiment, to meet at such time and place as he shall appoint, to confer with them, and give in charge such orders as shall by them, or the major part of them, be judged meet, for the better ordering military affairs, and promoting military skill and discipline in said regiment.

And the said colonel, lieutenant colonel, and major of each regiment, are hereby impowered to dignify the several companies belonging to their respective regiments, calling to their assistance the commissioned officers of the respective companies of said regiment.

And be it further enacted by the authority aforesaid, that all male persons, from sixteen years of age to fifty, shall bear arms, and duly attend all musters, and military exercise of the respective troops and companies, where they are inlisted, or do belong, except ministers of the gospel, counsellors, justices of the peace, the secretary, judges of probate, and superior and inferior courts, the president, tutors, and students at collegiate schools, masters of arts, allowed physicians and surgeons, representatives or deputies for the time being, schoolmasters, attornies at law, one miller to each gristmill, sheriffs and constables for the time being, constant jurymen, tanners who make it their constant business, lamed persons, or others disabled in body, producing a certificate thereof from two able physicians or surgeons, to the acceptance of the two chief officers of the company whereto the person seeking dismission appertains, or the chief officers of the regiment to which such company belongs.

That every listed soldier and other householder, shall always be provided with, and have in constant readiness, a well fixed firelock, the barrel not less than three feet and a half long, or other good firearms, to the satisfaction of the commissioned officers of the company to which he doth belong, or in the limits of which he dwells; a good sword, cutlass, tomahawk or bayonet; a worm, and priming wire, fit for each gun; a cartouch box or powder and bullet pouch; one pound of good powder, four pounds of bullets for his gun, and six good flints; on penalty of eighteen shillings, for want of such arms and ammunition as is hereby required, and six shillings for each defect; and like sum for every four weeks he shall remain unprovided: that each company shall chuse some suitable person to be clerk, who shall be sworn to the faithful discharge of his office, before some counsellor or justice of the peace, which oath shall be administered in the words following, viz.