

3: Concerninge the Clause recited therein (respecting the gen^l Court) w^{ch} gives onely Lib^{tye} to the ffreemen, to advise & Counsell, instead of power & Autye (w^{ch} the Patent allowes) we conceive it a takinge awaye of the power & priviledges of the ffreemen.

In the 2: pte of the Booke, w^{ch} concernes the Rule by w^{ch} a people should be governed, we finde these dangerous positions.

1: That gen^l Rules are sufficient to cleare a state from Arbitrary Governm^t.

2: That Iudges ought to haue Lib^{tye} to varye from such gen^l Rules when they see Cause.

In the followinge of the first of those 2: positions there are many dangerous passages, & bitter censurings of all penall Lawes. As

1: That they are paper Sentences of humane Autye & inventiō.

2: That mens prescript Sentences doe denye & exclude bothe the wisdome of God, & the Aut^{ye} of the Iudge.

3: That to prescribe Lawes wth certaine penalties is an Usurpinge of God's Aut^{ye}.

4: That a Sentence ought not to be provided before the case fall out, but imēdiate Assistance to be expected.

5: That ptic^lr Lawes includinge certaine penalties, are not Iust, wanting Rule —

The Introduction of ptic^lr Instances w^{ch} are brought to prove this second position, wth the Reasons & consequences, are pⁿicious & dangerous.

p ROBT BRIDGES

By order etc.

Governor Winthrop's comments on this Report, as indorsed by him on the same sheet on which he had carefully copied it, are as follows: —

Answere, the Com^{tee} have been mistaken in most of their objections.

1: The Title shewes that the Author intended not any Definitiō but a descriptiō onely, & to make it the more full & clear, he layes it downe both Affirmatively & negatively: yet a logitian may frame it into a Definitiō, — thus Arb. Gov. is a Gov. exercised wthout a Rule, —but the description is fal^s by the causes & by the effects.

2: There is no suche distinction as is observed, betweene the bodye Politick & the members thereof, for that were to distinguish betweene the wholl & the pts: but the distinction betweene the members of