

that bodye, givinge Aut^{ty} to the one & power of lib^{ty} to the other, is warranted by the Patent (as in other places so) ptic^{ly} in that clause, w^{ch} sayeth that the Govern^t etc, shall call the ffreemen to consult & Advise etc, w^{ch} is an acte of Lib^{ty} & not of Auth^{ty}. & for the other pte. of their power, w^{ch} is matter of Electiō, the late Bodie of Lib^{ty} sayth it is their constant Lib^{ty}, not Auth^{ty}.

In the 2: pte

1: We finde not any suche positiō that Gen^l Rules are sufficient to cleare a State from Arbitrary Govm^t: but we finde that the worde of God & the Lawes heer established being appointed by order of Court as a Rule for the present, are suche a Rule as may be required by the Iudges in all their Administrations, because a Rule may from thence be derived (if God give wisdome to discernue it) in any partiē. case w^h may fall out: otherwise the Law of God were not p.fect, & from what better grounds shall the Lawe makers drawe all future Lawes & prescribed penaltyes:

But if the Author had expressed himselfe in the verye words of the position, yet it will admitt a safe construction, for all Lawes (not limited to ptic^l pties or occasions) are gen^l Rules, & may be so called though they have a certaine penaltye annexed.

2: Nor will the bōoke owne the 2^d position in the words expressed, but this the Iudges bothe from their office (beinge Gods vicegerents) & from diverse examples in Scripture, wh. seem to hold forthe so muche, that some lib^{ty} ought to be left to Iudges, in some cases, upon speciall occasions to hold forthe the mercye of God, as well as his Iustice: nor doe we consider, that either in the Com: W: of Israell, or in any other, the Iudges haue been wholly restreyned of suche Lib^{ty}.

In the followinge Argum^t. —

If the Committee had founde suche dangerous passages, as they intimate, they should have doone well to haue imparted their ptic^l observations therein unto us, that we might haue considered of them, for want whereof it cant be expected, we should deliver any opinion about them. The like we may saye for suche bitter censurings as they mentiō: onely it is usuall for men to call suche thinges bitter, w^h themselues disrelishe, though they may be harmelesse & wholesome not w^hstandinge.

ffor the 5: ptic^l mentioned, they are delivuered as Argum^t or the Consectaryes thereof, so as the Argum^t must first be avoyded, before any Iudgm^t can be given about them.

The examples w^h the Author alledgethe out of Scripture, are onely