

Name \_\_\_\_\_

Date \_\_\_\_\_

## The General Fundamentals

Read the text below. As you read, highlight evidence of the following three democratic ideas. Number the highlighted text using the corresponding number of the democratic idea that it demonstrates.

1. Social contract
2. Rules for self-government
3. Equal laws for all people

Note: You can also annotate this passage for the following:

- Use a “?” to indicate things you have a question about
- Use a “!” to indicate things you find surprising or interesting

### The General Fundamentals

Anno. 1636. and Revised 1671.

*1. Wee the Associates of the Colony of New-Plimouth, coming hither as free born Subjects of the Kingdome of England, Endowed with all and singular the Priviledges belonging to such: Being Assembled,*

Laws to be made by the Freemen or their representatives.

Do Enact, Ordain and Constitute; that no Act Imposition, Law or Ordinance be Made or Imposed upon us at present or to come, but such as shall be Enacted by consent of the body of Freemen or Associates, or their Representatives legally assembled; which is according to the free Liberties of the free born People of *England*.

Annually chosen by the free men

2. And for the well Governing this Colony: It is also Resolved and Ordered, that there be a free Election annually, of Governour, Deputy Governour and Assistants, by the Vote of the Freemen of this Corporation.

Justice to be equally and speedily administred.

3. It is also Enacted, that Justice and Right be equally and impartially Administred unto all, not sold, denied or causelesly deferred unto any.

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## The General Fundamentals, continued

None to suffer  
but according  
to Law and by  
due course &  
process of Law.

4. It is also Enacted, that no person in this Government shall suffer or be indamaged, in respect of Life, Limb, Liberty, Good Name or Estate, under colour of Law, or countenance of Authority, but by Virtue or Equity of some express Law of the General Court of this Colony, or the good and equitable Laws of our Nation, suitable for us, in matters which are of a civil nature (as by the Court here hath been accustomed) wherein we have no particular Law of our own. And that none shall suffer as aforesaid, without being brought to answer by due course and process of Law.

All Trials to be  
by Jury

5. And that all Cases, whither Capital, Criminal, or between man and man, be Tried by a Jury of twelve good and lawful men, according to the Commendable custome of *England*, except where some express Law doth referre it to the judgment of some other Judg or Inferiour Court where Jury is not; in which Case also, any party agrieved, may Appeal and have Trial by a Jury.

with liberty to  
challenge any  
of the Jury.

And it shall be in the liberty of any person, that is to be tried by a Jury to challenge any of the Jurors, and if the challenge be found just and reasonable by the Bench, it shall be allowed, and others without just exception shall be Impannell'd in their room: And if it be in case of Life and Death, the Prisoner shall have liberty (according to the Law of *England*) to except against twenty of the Jury without giving any reason for the same. . . .<sup>1</sup>

[Note: The column on the right contains the main text of The General Fundamentals. The column on the left contains notations provided adjacent to that text in the 1685 publication.]

<sup>1</sup> New Plymouth Colony. *The book of the general laws of the inhabitants of the jurisdiction of New-Plimouth collected out of the records of the General Court, and lately revised: and with some emendations and additions established and disposed into such order as they may readily conduce to general use and benefit and by the order and authority of the General Court of New-Plimouth held at Plimouth, June 2d. anno Dom. 1685 reprinted and published, Nathaniel Clerk, secr't*. Boston: Samuel Green, 1685.