The SPEECH of His Excellency *LEWIS MORRIS*, Esq; Captain General and Governour in Chief in and over His Majesty's Province of *Nova Cæsarea*, or *New-Jersey* and the Territories thereon depending in *America*, and Vice Admiral in the same, &c.

See N. 18 of Votes pa 3

October 1738.

Gentlemen of the Council and Assembly;

IT Is with great Pleasure I meet this first General Assembly of the Province of *New-Jersey*, by His Majesty now made independent on the Governour of *New-York*. This has been a Favour so great in its Kind, and so long and earnestly desired by the Inhabitants, that I perswade my self it will meet with all the grateful Returns in the Power of a People who are so particularly oblidged by it, and who are to reap all the Benefits that such an Indulgence must naturally produce

HIS Majesty esteems it His greatest Glory to make all His Subjects as happy as their Circumstances will admit Him to do; and His Royal Goodness in granting your Requests, shews, That the remotest of His Subjects, as well as those under His more immediate Administration, are equally the Objects of His Royal Care; and I doubt not will produce in you Sentiments suitable to the Opportunity you now have (almost beyond your Expectation) given you to express in the most proper and agreeable Manner.

Gentlemen of the Assembly;

THE Duty of my Station obliges me to aquaint you, That the Support of the Government has been for ~~Time~~ some time expired, and it is necessary that proper Provision be made for it. I have been often a Witness of the Willingness and Readiness of the Assemblies of this Province to Support His Majesty's Government over them, when administred by the Governour of *New-York*, even when they conceived the Exercise of it by such a Person not wholly consistent with the Interest of the Inhabitants. This gave Rise to the Petition presented to His Majesty, for the Alteration now made in their Favour; in which they affirmed, *That they were equally willing and able to support a distinct Governour with divers of the Neighbouring Colonies who enjoy'd that Privilege under His Majesty.*

THIS has been one Inducement to grant the Requests made unto him; and, as a farther Instance of His Royal Goodness, apointed a Person well known to you, and whose Conduct in a Station amongst you, not very different from the Present, you have more than once had Experience of.

HIS Majesty having been graciously pleased to grant the Prayers of the Petitions, I believe you will think it a Duty incumbent on you to make good on your Part the Assurances given in order to obtain the Favour desired; and I will make no Doubt but that your Deeds will correspond with your Words, in raising such an ample Support for His Government, in such a Manner, and for so long a Duration, as will be adequate to the Occasion you now have of doing of it, this being the most likely Method to induce His Majesty to continue the Favours already granted, and to make farther Additions to them.

Mr. Speaker;

WHEN I recommend the raising of a Support for the Government, I would not be understood to mean only a Salary for the Governour (which is but a Part of that Support) but also the Salaries of other Officers, and a suitable Provision for the other necessary and contingent Charges, without which the Government cannot well be administred.

WHEN The Provision for the Officers of the Government falls under your Consideration, I would recommend to you to distinguish between the Officer and the Office, and not to suffer the ill Conduct of an Officer to be any Inducement

ducement to you to deſtroy the Office, or leſſen the Proviſion neceſſary for the Support of a neceſſary Officer, and thereby lay him under the Temptation of taking unbecoming Methods to ſupport himſelf.

THE Fitneſs or Unfitneſs, good or ill Behaviour of an Officer, when known to me, will be a ſufficient Motive to me to continue or diſplace him; and if the Conduct of any of them has been ſuch as deſerves your Cenſure, I ſhall very much regard your Complaints, which I perſwade my ſelf you will take Care ſhall be always founded upon Truth, made only with a View to the publick Good, and entirely free from Partiality, or any Influence of private Reſentment.

Gentlemen of the Council;

YOU are now met for the firſt Time, as a ſeparate and diſtinct Part from the Governour and General Aſſembly of the Legiſlature of this Province; your own Knowledge and Experience makes it needleſs for me to ſay much particularly to you on that Head; I aſſure my ſelf, you have ſo great a Regard to the Preſervation of His Majeſty's Royal Prerogatives, and the juſt Liberties of the Inhabitants of this Province (both abſolutely neceſſary to be kept entire) that you will conſent to no Bills that ſeem to you to have the leaſt Tendency to impair either. You are alſo appointed to be Councellors to the Governour, very much joyn'd in the Adminiſtration; your Advice in all Caſes convenient, and in ſome neceſſary, and which I ſhall on all Occaſions gladly receive. I cannot gratefully enough acknowledge the Honour His Majeſty has done me, in appointing me to govern this Province, and I am not inſenſible how unequal I ſhall be to the Taſk, without your friendly and ſincere Aſſiſtance, upon which I very much depend, and therefore hope that in Council you will freely ſpeak your Sentiments, and that none of you will recommend any Perſon to me to be continued, or made any Officer in the Government, of whoſe Probity, good Morals, Fitneſs, Sufficiency, and firm Attachment to the preſent illuſtrious reigning Family you are not very well aſſured. I know you can ſo very well diſtinguiſh between authoritative and prudential Advice, as to give either of them properly, and both of them in ſo agreeable a Manner as to be attended with the moſt ſuitable Effect.

Gentlemen of the Council and Aſſembly;

I FIND a Saying very much obtain, *That if a Governour will give the People good Laws, they will ſupport the Government*: This ſuppoſes the Governour's making of thoſe good Laws (*viz. ſuch as the People think ſo*) to be a Condition precedent to their giving a Support; and, expreſs'd in other Terms, means no more, than, *if the Governour will do his Duty, the Aſſembly will do theirs*; and implys a Negative, *That if the Governour does not do what they conceive his Duty, the Aſſembly will not do theirs*; ſuppoſing the Neglect or Failure on his Part a ſufficient Juſtification for the like Conduct on theirs. Was a Governour the ſole Legiſlator or Lawgiver, and Laws like other Comodities to be purchaſed in open Market, what is ſaid would appear more reaſonable than the preſent Circumſtances of Things will admit it to do, but then the Conſequence would be, *That every Law muſt be paid for, and the more it was wanted, or deſired, the higher would be the Price.*

HOW much ſoever a Governour may be pleaſed with ſuch a Scituation of Things, I can hardly think the Governed will (if they rightly conſider it) think ſuch Circumſtances eligible.

GOOD Laws generally take their Riſe from ill Practices, and are made to prevent the like for the future; ſometimes from well grounded Views of publick Benefit to ariſe by them; and it is the true Intereſt of the chief Magiſtrate, not only to aſſent to ſuch, but to propoſe them him ſelf, when he ſees

ſees the Neceſſity or Convenience of them; ſuch Laws (when well executed) are the real and true Support of all Government, which muſt ſoon ſink into Contempt without them. To ſuppoſe that a Governour will deny His Aſſent to Laws of this Kind, when truly and properly penn'd, ſolely to anſwer ſuch Ends, and not clog'd with Clauſes of a different Intention, is ſuppoſing, That he will act againſt his own Intereſt, as well as that of the Community, which Governours (fit for ſuch a Truſt) have ſeldom been obſerv'd to do.

THE paſſing of good and neceſſary Laws, and the raiſing Money for the publick Service ſufficient to Support the Government in all its Parts, I take to be equally Duties, each Independant of the other; and the laſt as much for the true Intereſt of the Community as the firſt; for unleſs the Dignity of the Magiſtracy be ſupported ſuitably to their ſeveral Stations, they can hardly eſcape falling into Contempt, and being ſo, will be render'd uncapable to put any Laws duely in Execution, or be laid under ſtrong Temptations of having Recourſe to violent Meaſures or the Uſe of unbecoming Arts to Support themſelves. In all which Caſes Magiſtracy and Laws intended to promote the Good of the whole, are render'd inadequate to, or deſtructive of the Ends for which they were made.

MORE than this is needleſs for me to ſay on this Head, to Men who ſo well underſtand the Nature of Things, and who I believe come to this Meeting with ſtrong Inclinations and ſincere Intentions to do every Thing in their Power conducive to the publick Good. As that ought to be the only Thing in View, if in your Debates concerning the Methods moſt proper to promote it, you preſerve a Calmneſs and Temper ſuitable to the Occaſion, you will then have the full Uſe of that Reaſon God has bleſs'd you with, and your Endeavours then moſt likely to be attended with Succeſs.

THE making Laws for the Diſcouragement of Vice, Immorality and Prophaneneſs, have been common Topicks of Recommendation, and even when confin'd to the narrow Limits of *Prophane Swearing*, *Curſing*, *Drunkenneſs*, *Lewdneſs*, *indecent and unfit Behaviour in Places and Times appropriated for the Divine Worſhip*, has not been without its Uſe, and would have been more Beneficial to the Publick, if the pecuniary Mulcts laid on them had been apply'yd to the Purpoſes directed by the Laws in ſuch Caſes, which (if I am rightly inform'd) has not been done; and if ſo, Care ſhould be taken to prevent any Miſapplication for the future: But *Vice* and *Immorality* are Words which may admit a much larger Signification, extending to Men in all the Relations they ſtand in to each other, or the Publick; any Thing knowingly done to the Prejudice or Hurt of another, being contrary to the Rules of Morality; and to prevent ill Actions, and make Man better and wiſer, or at leaſt to hinder them from growing worſe, is, or ſhould be the Intention of all human Laws.

IT is the Buſineſs of Courts of Judicature to enquire into Offences of every kind, and give Relief to thoſe who apply to them, and proper Puniſhment to Offenders; but it is the Buſineſs of the Legiſlature by ſuitable Laws to enable and Oblige them to do this effectually.

IT is a hard Matter to mend a bad World, but the hindering Men from growing worſe than they are, is no ſmall ſtep towards it; Laws ſuitably made to puniſh Frauds and Abuſes of every Kind, ſo much, and I fear ſo juſtly Complained of, is the human Means in the Power of the Legiſlature to prevent their being committed for the future.

ALL the Moral Virtues ſeem to be compriz'd under the Terms of *Juſtice* and *Honeſty*, and it is God only can make Men ſo: but it is the Buſineſs of the Legiſlature to make it dangerous for Men to be otherwiſe. Great Care

ſhould

ſhould be taken that all the Comodities exported from this Province to foreign Markets ſhould be good in their Kind, and that no Fraud ſhould be uſed in the Manufacturing, or in the contents of the Caſks or other Veſſels in which they are brought to a Market; this may be expenſive to us, but I am perſwaded that the Benefit of the Reputation we may acquire by it, will more than countervale that Charge; and I am of Opinion that the more direct you make your Importations, the better for the whole, which only ſhould have Weight with you.

THE Methods of Obtaining *publick Juſtice* ought to be made plain and eaſy, and not loaded with an Expence more difficult to bear, than the Wrongs endeavour'd to be redreſs'd by it, ſo that the Poor have no Reaſon to diſpair of meeting with all the Relief they are intitled to, as well as the Rich; all Trick and Chicane of impudent and knaviſh Pretenders to Law ought to be diſcouraged; on the other ſide, all the Officers concern'd in the Adminiſtation of *Juſtice*, ſhould be well and ſuitably provided for, according to your Ability, that they need not be under any Temptation of uſing Methods unbecoming their Characters to provide for themſelves.

THE Miniſterial Officers ſhould be kept ſtrictly to their Duties, and the Bounds of it made ſo certain and plain, that they ſhould not ignorantly tranſgreſs. Such of the Statutes of *England*, not declarative of the common Law, wherein the Plantations are not named, and which may admit of Debate whether they extend or not, if the Reaſon of them extends, and fit for you, it would not be amiſs to enact the like here.

YOU never had ſo favourable an Opportunity as the preſent, to raiſe the drooping Head of this Province, and make it as happy as a Concurrence of good Circumſtances will admit, your Prudence may direct you to make the beſt Uſe of it, and not ſuffer it to be Irrietrievably loſt.

I ſhall very readily Aſſent to all Bills fit for Me, and in my Power to Aſſent unto, that you ſhall agree to preſent for that Purpoſe, and others you will not, I Hope, Propoſe: But as I would not blindly Aſſent to any Bill, without knowing whether I may, and whether it is fit for me to do it, if I might, Copies ſhould be given of all Bills paſſed by either Houſe, that they may be conſider'd of.

THE alternate ſitting of Aſſemblies at *Amboy* and *Burlington*, and keeping of the Secretary's Office in two Places, ſo remote from each other, is a Peculiarity in this Province, different, I think, from any other on the Continent under His Majeſty's Government, and, ſome think, tends much to keep up, both the Name of Diviſion and the Thing. As you are now become entirely a Seperate Government, and in all Probability likely to continue ſo, if it be not your own Faults, there will be a Neceſſity of making a ſuitable Proviſion for a Governour, and Conveniences prepared for his Dwelling, and Houſes for the meeting of the Aſſembly, Councils, and Courts, not far diſtant from the Place that ſhall be pitch'd upon for his Abode. In the doing of which, the publick Good and conveniency, and not the private Advantage or Banefit of any Place or Men, ſhould ſolely Influence your Debates.

WHAT Endeavours have been uſed and Propoſals made in this Province, to obtain a Diſtinct Governour from that of *New-York*, you or ſome of you, I believe well know.

THE Thing is done, and at no ſmall Expence, which I perſwade my ſelf will be duly conſider'd of by you.

LEWIS MORRIS.

Printed by *John Peter Zenger*, 1738.

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