

Case No. 34547

State of New Jersey v. Jabez Colver (Minister of the Gospel)
Indictment for Seditious Words (on April 1, 1777, at Newtown Township, Jabez
Colver, in discourse with Benjamin Hull, is accused of uttering seditious words)
Sussex : 1777

New Jersey State Archives
Supreme Court of New Jersey
Case Files, 1704 - 1844 (SSV00001)

3/6/2025

Supreme Court Case Files : Case # 34547
State of New Jersey v. Jabez Colver (Minister of the Gospel)

<u>Case Number</u>	<u>Case Type</u>	<u>County</u>	<u>Dates</u>
34547	Indictment for Seditious Words (on April 1, 1777, at Newtown Township, Jabez Colver, in discourse with Benjamin Hull, is accused of uttering seditious words)	Sussex	1777
	Jabez Colver was heard to say: "I think it is best to set up the King's Standard and I think it would be best to let [Joseph] Barton set up the King's Standard for if we up before the [British] Regulars come we shall save our Estates. And if America overcome[s,] the Presbyterians will pull down all other Persuasions." See also: SOY00001-Sussex County Oyer & Terminer Minutes, May 28-June 14, 1777, page 16 , and page 18		

PLAINTIFF	State of New Jersey
DEFENDANT	Colver, Jabez (Minister of the Gospel) (of Newtown Township)
NAMED IN CASE	Barton, Joseph (joined the Army of the King)
NAMED IN CASE	Hull, Benjamin (Witness to the seditious words)
OFFICIAL	Barber, John (Esquire)
OFFICIAL	Byram, Jephtha (Esquire)
OFFICIAL	Kennedy, Samuel (Esquire)
OFFICIAL	Martin, Isaac (Esquire)
OFFICIAL	McCollom, Jacob (Esquire)
OFFICIAL	Morris, Robert (Chief Justice)
OFFICIAL	Paterson, William (Attorney General)
OFFICIAL	Smith, Isaac (Esquire)
OFFICIAL	Symmes, John Cleves (Justice of the Supreme Court)

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OFFICIAL	Symmes, Timothy (Esquire)
OFFICIAL	Thompson, Mark (Esquire)
JUROR	Cortrecht, Hans
JUROR	Davis, James (Esquire)
JUROR	Edsal, James
JUROR	Emmans, Nicholas
JUROR	Ennis, Daniel
JUROR	Hopkins, Nathan
JUROR	Hover, Henry
JUROR	Kermer, James
JUROR	Mann, Ernest
JUROR	Perry, Joseph
JUROR	Pritzman, Frederick
JUROR	Simonson, Christopher
JUROR	Skimer, Abraham
JUROR	Sutfield, Guisbert
JUROR	Westbrook, Joannes Jacob
JUROR	Westbrook, Peter
JUROR	Westfall, Henry
JURY FOREMAN	McMurtrie, John (Esquire)

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JURY FOREMAN

McMurtrie, John

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Subbet

Lassa - Cyer & Term. &c.
The State of New Jersey
vs. Indictor for
Saber Solver. Indictious
Words.

A true Bill
John Monrotrie, Foreman.

The Defendant being
charged. plead
guilty of

Wm. Caterston, Att. Gen.

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The Jurors, on Behalf of the State of New Jersey, for the
Body of the County of Sussex, upon their Oath ^{given} ~~sworn~~
solemnly, late of the Township of New Town - in the County of
Sussex a^d ^{Minister of the Gospel} ~~man~~, being a pernicious and disaffected Man,
and a Person of a turbulent Mind & seditious Disposition,
and Conversation, and contriving, practising, & falsely, malici-
ously, advisedly, and seditiously intending to terrify, disunite,
and discourage the good Subjects of this State, and to dispose
them to favour the Pretensions of the Enemy, and to alienate
their Affections from the present Government established
under the Authority of the People, in the said ^{State} ~~County~~ ~~of~~ ~~Sussex~~ ^{Sussex} ~~County~~,
on the first Day of April, in the Year of our Lord, one
thousand, seven hundred, and seventy seven, at New Town ^{and} ~~in~~
in the County a^d ~~of~~, having Discourse then and there with a
certain Benjamin Hull, concerning the said State of New
Jersey, and the United States of North America, and the
present War waged and carried on by the King of Great
Britain against this State and the said United States,
in the Presence and Hearing of the said Benjamin Hull
and of divers other Persons and Subjects, then and there
present, did, falsely, maliciously, advisedly, unlawfully, and
seditiously, say, assert, affirm, pronounce, and declare
these false, malicious, seditious and opprobrious English
Words following, that is to say, ~~to wit~~ ^{that} (meaning
the said ^{State} ~~County~~ ~~of~~ ~~Sussex~~ ^{Sussex} ~~County~~) think it is best to set up the

King's Standard (meaning the Standard of the said King of
Great Britain then and state being at open War and Enmity
with this State and the said United States) and I (again
meaning the said ^{Jabez} Joseph Glover) think it would be best to
let Barton (meaning a certain Joseph Barton late of the
County of ^{Mass}, who, regardless of the Duty of his Allegiance, had
gone over to and joined the Army of the said King of
Great Britain) set up the King's Standard (again meaning
the Standard of the ^{af.} King) for if we (meaning the
said ^{Jabez} Joseph Glover and certain disaffected and dangerous
Persons with the ^{af.} Joseph Barton at their Head)
set it (meaning the Standard ^{af.}) up before the
Regulars (meaning Troops belonging to and in the
Service of the said King, who was then of state is at War
and Enmity with this State, and the said United States)
come we (meaning the said ^{Jabez} Joseph Glover and certain
other disaffected Persons) shall save our Estates. And if
America overcome (meaning if the said United States
should be eventually victorious again in the present
War with the said King of Great Britain, and establish
their Independence) the Presbyterians will pull
down all other Professions (meaning the Presbyterians
will establish their own Form of Church Government,
in Exclusion of that of all other religious Professions,
and will not suffer any Denomination of Christians

to worship God in any other Way than they shall
prescribe and allow) to the evil and pernicious Example
of all others in the like case offending, against the Peace of
this State, the Government, and Dignity of the same.

W. Caterton, Att. Gen.


Supra It remembered that at a session of Court
Terminis and General Goal Delivery of the State of
New Jersey, of and for the County of Sussex, holden at
Newtown in the said County of Sussex, on Wednesday the
twenty eighth Day of May in the Year of our Lord one
thousand seven hundred & seventy, before the honorable
Robert Morris Esq. Chief Justice of the S. State, the
Honorable John Lewis Symmes Esq. one of the Justices
of the Supreme Court of Judicature in and for the S.
State, and John Barber, Mark Thompson, Samuel
Kennedy, Jacob M. Lottom, Isaac Martin, Joseph
Byram and Timothy Symmes Esq. and others
their fellow-justices and Commissioners of the
said State, assigned by Letters patent under the great
Seal of the said State, made to the S. Justices & Commiss.
-oners above named & others, and to any three or
more of them, of whom J. said Robert Morris, Isaac
Smith, and the S. John Lewis Symmes or any of
them should be one, to inquire in the County of
Sussex af. by the Oaths of good & lawfull men of the
said County, by whom the Truth of the matter may be
the better known, of all & all Manner of high Treason,
Petit Treason, Misprision of Treason, Murder, &
Burglaries, Robberies, House-breaking, Grand Larceny,
Petit Larceny, Thefts, Trespasses, Forestallings, &
Regrateings, Ingrossings and Stationing whatsoever
and of all & singular other Felonies, Breaches of the
peace, misdeeds and Offences whatsoever concerning
the peace & good Order of the State; And to hear and
determine all and singular the Crimes, Offences
and Misdoings af. and to deliver the Goal of the said
County of the Prisoners therein being, or such as shall
or

or may be detained in the same, by the Oaths
of John McMurtrie Esq. James Davison Esq.
Peter Van der Esq. Abraham Shumaker, Peter
Westbrook, Gilbert Sutfield, James Laval,
Joseph Bory, Christopher Simonson, Nicholas
Imman, Henry Kover, Joannes Jacob
Westbrook, Hans Laerecht, Daniel Innis
Henry Westfall, Nathan Hopkins, Fred. B.
Britzman, Linest Mann, & James Thormor
good & Lawfull Men of the S. County, being
then and there sworn & charged, to inquire for
and on behalf of the S. State of New Jersey, and for &
Body of the County of touching & concerning
the premises in the S. Letter Patent
mentioned, It is presented that the Bill
of Indictment to the Schedule annexed is a
true Bill.