

Case No. 38484

State of New Jersey v. Mehetabel Smith (Wife of James Smith)
Indictment for Seditious Words (on October 16, 1777, at Morris Town, Mehetabel
Smith is accused uttering seditious words)
Morris : 1777

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

10/20/2025

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State of New Jersey v. Mehetabel Smith (Wife of James Smith)

<u>Case Number</u>	<u>Case Type</u>	<u>County</u>	<u>Dates</u>
38484	Indictment for Seditious Words (on October 16, 1777, at Morris Town, Mehetabel Smith is accused uttering seditious words)	Morris	1777

On October 16, 1777, at Morris Town, Mehetabel Smith, in discourse with Joseph Curtis concerning Aaron Forman, who was currently being held at the jail and charged with treason, was heard to say: "If Doctor Forman be hanged the Regulars will burn this Town, Elizabeth Town, and New Ark. I am a Tory and was one from the beginning of the Contest. King George is our lawful Sovereign and all those are Rebels who act in opposition to the British Army."

See also: [SOY00001 Morris County Oyer & Terminer Minutes, October 16-November 12, 1777](#), page 34, page 37, and page 40

PLAINTIFF	State of New Jersey
DEFENDANT	Smith, Mehetabel (of Morris Town; Wife of James Smith)
NAMED IN CASE	Forman, Aaron
NAMED IN CASE	Smith, James (of Morris Town; Husband of Mehetabel Smith)
EVIDENCE (WITNESS CALLED)	Clark, [Unrecorded] (Mrs.; on behalf of Mehetabel Smith; [detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
EVIDENCE (WITNESS CALLED)	Curtis, Joseph (on behalf of the State; [detail from SOY00001 Morris O&T Minutes, 1777, p. 37])
OFFICIAL	Boudinot, [Unrecorded] Jr. (Attorney) (for Mehetabel Smith; [detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
OFFICIAL	Lindsly, Ephraim (Constable) ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
OFFICIAL	Ogden, [Unrecorded] (Attorney) (for Mehetabel Smith; [detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
OFFICIAL	Paterson, William (Attorney General)

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JUROR	Ayres, Silas ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Burnet, Lindsly ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Crane, Moses Jr. ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Easton, Stephen ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Gould, Jacob (Esquire) ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Jhnson, Richard ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Kitchel, Abraham (Esquire) ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Kitchel, Uzal ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Ludlum, Samuel ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Nichols, Walter ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Tuttle, Nathaniel ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JUROR	Wheeler, John ([detail from SOY00001-Morris O&T Minutes, 1777, p. 37])
JURY FOREMAN	Horton, Elijah

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Morris

Seditious Words

Morris Esq. & Secy.
Oct. 1777.

The State } Indict. for
vs } Felony
Mehetabel Smith } Words, &c.

At the Bar

Elijah Horton Esq. Attorney
The Defendant being
charged plead. Not
Guilty & and put
herself upon her coun-
try &

W. S. Esq.

W. S. Esq.

W. S. Esq.

W. S. Esq.

The Jurors, in Behalf of the State of New Jersey, for the County
of Morris, upon their Oath & Affirmation present, That
Mehitable Smith, Wife of James Smith, of Morris Town, in the
County of Morris Esq., being a pernicious and disaffected Woman,
and a Person of a turbulent Mind and seditious Disposition and
Conversation, and contriving, practising, and falsely, maliciously,
advisedly, and seditiously intending to terrify and disunite the good
Subjects of this State, and to dispose them to favour the Pretensions of
the Enemy, and to alienate their Affection from the present Govern-
ment established under the Authority of the People, the the said
Mehitable Smith, on the sixteenth Day of October — in the
Year of our Lord, one thousand, seven hundred, & twenty seven,
at Morris Town Esq. in the County of Morris Esq., having discourse
then and there with a certain Joseph Curtis, then being a Subject of
this State, concerning the said State of New Jersey, & 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,
and concerning a certain Aaron Forman, then being confined in
the Goal of the said County at Morris Town Esq., charged with
High Treason against this State, in the Presence and Hearing of the
said Joseph Curtis, and of divers other Subjects of this State, then and
there being 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, If Doctor Forman (meaning the esq. Aaron Forman)
be hanged (meaning be convicted and executed for the Offence of
High Treason Esq.) the Regular (meaning the ^{and Army} Soldiers in the King
and Service of the said King of Great Britain, then & still being at
open War and Enmity with this State, and the said United States)

with bound this Town (meaning Morris Town of?) Elizabeth Town
and New Ash (meaning certain Towns & Places in this State,
the Property of certain Subjects of this State) I (meaning the
said Michatabel Smith) am a Tory (meaning a Person defected
to this State and the Government thereof, and a Friend and Adherent
to the said King of Great Britain) and I (again meaning the said
Michatabel Smith) was one (meaning a Tory as of?) from the
beginning of the Controversy (meaning the present Dispute and War
subsisting and carried on between the said King, and this State,
and the said United States) King George (meaning the said King
of Great Britain, then & still being at open War & Enmity
with this State and the said United States) is our lawful
Sovereign (meaning that the said King had rightful Authority
and Jurisdiction in and over this State, and that the Subjects
of this State are still bound to ^{be} Allegiance and Fidelity to
the said King) and all those are Rebels (meaning Traitors to
the said King of Great Britain) who act in Opposition to the
British Army (meaning the Army of the said King of Great
Britain,) to the evil Example of all others in the like case
offending against the Form of the Act of the General
Assembly in like case made and provided, against the
Peace of this State, the Government, and Dignity of the
same.

Wm. Paterson

Att. Gen.