

Case No. 38505

State of New Jersey v. Jesse Smith
Indictment for Seditious Words (on August 15, 1778, at Mendham, Jesse Smith is
accused of uttering seditious words)
Morris : 1778

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

10/23/2025

Supreme Court Case Files : Case # 38505
State of New Jersey v. Jesse Smith

<u>Case Number</u>	<u>Case Type</u>	<u>County</u>	<u>Dates</u>
38505	Indictment for Seditious Words (on August 15, 1778, at Mendham, Jesse Smith is accused of uttering seditious words)	Morris	1778

On August 15, 1778, at Mendham, Jesse Smith, in discourse with Nathan Leech, was heard to say: "We have rebelled against the King; the King will not put up his swords; before Christmas they will be up [in Morris County] and kill Women and Children".

See also: [SOY00001-Morris County Oyer & Terminer Minutes, September 24-October 1, 1778](#), page 7, and page 9

PLAINTIFF	State of New Jersey
DEFENDANT	Smith, Jesse (Yeoman) (of Mendham)
NAMED IN CASE	Leech, Nathan (on behalf of the State; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
OFFICIAL	Paterson, William (Attorney General)
JUROR	Burnet, James (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Conklin, Stephen (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Day, Stephen (Esquire) (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Horton, Nathaniel (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Kinney, Thomas (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Kitchel, Aaron (Esquire) (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])

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JUROR	Kitchel, Uzal (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Ludlow, James (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Ludlum, Cornelius (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Stiles, Ebenezer (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JUROR	Stiles, Jonathan Jr. (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JURY FOREMAN	Brookfield, John (Esquire) (Petit Jury; [detail from SOY00001-Morris O&T Minutes, 1778, p. 9])
JURY FOREMAN	Wood, Joseph (Grand Jury)

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Morris

Seditious Words

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Case #s 38505* + 38505*

Morris Bay & Tenn.
Sept. 1770.

The State } Indict. Jun
v. }
Jesse Smith } Seditious Words.

At Law

Joseph Wood Truman.
Defendant being charged
plead Not Guilty & an
put himself upon his
Country

W. S. C.

Wm. Caterson

The Jurors, in Behalf of the State of New Jersey, to the
Body of the County of Morris, upon their Oath present, That Jesse Smith,
late of the Township of Mendham, in the County of Morris, & State of New Jersey,
being a pernicious and disaffected Man, and a Person of a turbulent and
seditious Disposition and Conversation, and contriving, practicing, and
felicitously, maliciously, advisedly, and seditiously intending to terrify & disunite
the good Subjects of this State, to dispose them to favour the Pretensions of the
Enemy, and to alienate the Affections of the People from the present
Government, on the fifteenth Day of August, in the Year of our Lord, one
thousand, seven hundred, and seventy eight, at the Township of Mendham
aforesaid, in the said County of Morris, having displayed then & there with a
certain Nathan Leach, then being a Subject of this State, concerning the
said State of New Jersey and the United States of America, and the present War
waged & carried on by the King of Great Britain against this State and the
said United States, and concerning the said King and his Army
acting in an hostile Manner against this State and the said United States,
in the Presence & Hearing of the said Nathan Leach, did falsely, maliciously,
advisedly, unlawfully, and seditiously say, assert, affirm, pronounce, & with a
loud Voice declare these false, malicious, seditious, and opprobrious English
Words following, that is to say, "We (meaning the Subjects of this State & of the
said United States) have rebelled against the King (meaning the said King of
Great Britain) the King (meaning the aforesaid King of Great Britain) with a
put up his Swords; before (meaning the Army & before
of the same King of Great Britain) will be up (meaning in the said
County of Morris, and kill Women and Children": To the wit Examples
of all others in the like Case offending, against the Form of the Act of the
Councils & General Assembly of this State in such Case made and
provided, against the Peace of this State, the Government, and Dignity
of the same -

Wm. Carterford,
Att. Genl.