

Case No. 38843

State of New Jersey v. Jacob Thorne
Indictment for Seditious Words (on December 10, 1776, at Spanktown, Jacob Thorne,
in conversation with Christopher Marsh and within the hearing of Peter Marsh, is
accused of uttering seditious words)
Middlesex and Morris : 1777

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

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<u>Case Number</u>	<u>Case Type</u>	<u>County</u>	<u>Dates</u>
38843	Indictment for Seditious Words (on December 10, 1776, at Spanktown, Jacob Thorne, in conversation with Christopher Marsh and within the hearing of Peter Marsh, is accused of uttering seditious words)	Middlesex and Morris	1777

On December 10, 1776, at Spanktown, Jacob Thorne was heard to say the following: "If I judge the persons from whom the Hay and other things are taken to be friends to [the King's] Government they will be paid; if they are not friends to [the King's] Government they [procurers for the King] will take Hay and Grain without Pay." And, he further said concerning James Mumford: "I think the best thing he [James Mumford] can do will be to enlist in the regular Service [of the King] under [Lieutenant Colonel Edward Vaughn] Dongan [of Middlesex, who joined the Enemy]." See also: SOY00001-Morris County Oyer & Terminer Minutes, October 16-November 12, 1777, [page 15](#), [pages 27-29](#), and [page 37](#)

PLAINTIFF	State of New Jersey
DEFENDANT	Thorne, Jacob (Yeoman) (of Woodbridge)
ENJOINED IN BOND	Young, William (£300 security for the appearance of Jacob Thorne; [detail from SOY00001-Morris O&T Minutes, 1777, p. 15])
NAMED IN CASE	Dongan, Edward Vaughn (Lieutenant Colonel) (of Middlesex County; Loyalist in the service of the King)
NAMED IN CASE	Mumford, James
EVIDENCE (WITNESS CALLED)	Lane, Abraham (on behalf of Jacob Thorne; [detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
EVIDENCE (WITNESS CALLED)	Marsh, Christopher (on behalf of the State; [detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
EVIDENCE (WITNESS CALLED)	Marsh, Peter (on behalf of the State; [detail from SOY00001-Morris O&T Minutes, 1777, p. 27-29])

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EVIDENCE (WITNESS CALLED)	Oliver, Joseph (on behalf of Jacob Thorne; [detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
EVIDENCE (WITNESS CALLED)	Tucker, John (on behalf of Jacob Thorne; [detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
EVIDENCE (WITNESS CALLED)	Williams, Moses (on behalf of Jacob Thorne; [detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
OFFICIAL	Boudinot, [Unrecorded] Jr. (Attorney) (for Jacob Thorne; [detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
OFFICIAL	Ogden, [Unrecorded] (Attorney) (for Jacob Thorne; [detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
OFFICIAL	Paterson, William (Attorney General)
JUROR	Baylor, Augustine ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Bott, William ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Carey, John ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Cook, Daniel ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Lyon, Mattaniah ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Mitchel, John ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Nichols, Walter ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Phillips, George ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])

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JUROR	Pitney, Benjamin ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Roberts, John ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JUROR	Tuttle, David ([detail from SOY00001-Morris O&T Minutes, 1777, p. 29])
JURY FOREMAN	Horton, Elijah

38843 The State v. Thorne

Morris

Seditious words

Morris Cyer & Junr.

Oct. 1777.

The State } Insult. Jun
vs } Sedition
Jacob Thomas } Words

At Law Bile

Najah Horton Pruman

The Def. being
charged plead Not Guilty &
and put himself on his
County, & the Jur. &

Mo. Paterston,

Att. Gen.

The Jurors, on behalf of the State of New Jersey, for the Body of the
County of Morris, &c. upon their Oath & Affirmation present, That Jacob
Thorne, late of the Township of Woodbridge — in the County of Middlesex,
and State of New Jersey, being a pernicious and disaffected Man, & a
Person of a turbulent Mind and seditious Disposition & Conversation,
and contriving, practising, and falsely, maliciously, advisedly, and
seditiously intending to terrify and separate 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, he the said Jacob
Thorne, on the tenth Day of December — in the Year of our Lord,
one thousand, seven hundred, and seventy six — at Newark Town,
in the County of Middlesex of New Jersey did then and there
with a certain Christopher Maske, 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 & the said
United States, and concerning the supplying and furnishing the
Army of the said King with Hay, and Grain, and the said Jacob
Thorne's being appointed by the commanding Officer of the said
Army to judge and determine from whom such Hay & Grain,
be taken and impressed, and to whom Payment should be
made therefor by the said Army, in the Purchase and Feeding of the
said Christopher Maske, 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 that false, malicious, seditious, and opprobrious English

Words following, that is to say, I (meaning the said Jacob Thorne) judge the Persons (meaning certain Subjects of this State) from whom the Hay and other Things are taken (meaning for the Service of the Army of the said King of Great Britain) to be Friends to Government (meaning Friends and Adherents to the King of Great Britain and the Government formerly exercised in this State under the Authority of the said King, and while this State was annexed and subject to the Crown of Great Britain,) they (meaning the Persons so as aforesaid judged to be Friends) will be paid; (meaning that the said Persons will be paid for the Hay and other Things so as aforesaid taken for the Use of the Army aforesaid by the Agents, Contractors, and others belonging to the said Army;) if they (again meaning the Persons aforesaid from whom the Articles aforesaid were impressed) are not Friends to Government (meaning Friends and Adherents to the said King, and the Government formerly exercised in this State by and under the same King,) they (meaning certain Agents, Contractors, and others concerned in procuring Provisions and Forage for the Army of the said King,) will take Hay and Grain without Pay, (meaning that Hay & Grain would be taken from the Subjects of this State without being paid therefor.) And that the said Jacob Thorne, in further Prosecution of his Malice against the said State of New Jersey before had, afterwards, to wit, on the said Day and Year, at the Place aforesaid, in the County last aforesaid, having Discourse then and there with a certain Peter Marsh, then being a Subject of this State, concerning the Troops in the Service of the King of Great Britain, then of that being at

open War and Enmity with this State, and the said United States, and concerning a certain James Mumford, a Subject of this State, in the Presence and Hearing of the said Peter Marsh, did, falsely, maliciously, advisedly, and seditiously, say, assert, affirm, pronounce, and declare these false, malicious, seditious, and oppressive English Words following, that is to say, I (meaning the said Jacob Thorne) think the best Thing he (meaning the said James Mumford) can do will be to enlist in the regular Service (meaning in the Army of the said King of Great Britain, then and still being at open War and Enmity with this State, and the said United States) under Donagan (meaning a certain Edward Vaughan Dougan late of the County of Middlesex aforesaid, who, regardless of the Duty of his Allegiance to this State, had gone over to, and joined the Army of the said King, and held and exercised the Office of a Lieutenant Colonel in the said Army,) to the wit and pernicious Example of all others in the like Case offending, against the Form of the Act of the General Assembly in such Case made and provided, against the Peace of this State, the Government, and Dignity of the same.

Wm. Paterson

Att. Gen.