

Case No. 11,503.

QUEEN ET AL. V. HEPBURN.

{2 Cranch, C. C. 3.}¹

Circuit Court, District of Columbia.

June Term, 1810.²

JCROBS—CHALLENGE—ALIENAGE—FAVOR—WITNESS—FREE-
BORN NEGRO.

1. Alienage is not a cause of challenge of a juror.
2. Challenge for favor is to be tried by the two first jurors who are sworn in the cause.
3. A freeborn negro is a competent witness in a case of freedom.

{This was an action by Mima and Louisa Queen against John Hepburn.}

Petition for freedom.

THE COURT directed twelve jurors to be drawn out of the box, and a list handed to each party.

THE COURT (THRUSTON, Circuit Judge, absent) rejected a challenge because a juror was an alien. It was stated to have been decided early in the existence of this court, that alienage was no cause of challenge. Four jurors were challenged for cause, and put aside, until two were sworn, who tried whether the four stood indifferent.

THE COURT admitted a freeborn black to give evidence. There were several bills of exception taken.

CRANCH, C. J., was absent during part of the trial.
Verdict for the defendant.

Judgment affirmed by the supreme court of the United States. 7 Cranch [11 U. S.] 290.

¹ [Reported by Hon. William Cranch, Chief Judge.]

² [Affirmed in 7 Cranch (11 U. S.) 290.]

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