Case No. 11,617.

REASON v. BRIDGES.

{1 Cranch, C. C. 477.}[1]

Circuit Court, District of Columbia. Dec. Term, 1807.

JURY—CHALLENGE FOR FAVOR—HOW TRIED—RELIGIOUS OPINIONS—PETITION FOR FREEDOM.

1. If, after eight jurors have been sworn in chief, the defendant challenge one for favor, the challenge shall be tried by the jurors already sworn.

2. A juror shall not be examined on oath as to his religious opinions, on the subject of slavery, nor will the court, on a challenge for favor, suffer evidence to be given to the triors as to the prevailing opinion of individuals of the religious sect to which the juror belongs.

{Cited in Matilda v. Mason, Case No. 9,280.}

{This was an action by Reuben Reason, a negro, against John Bridges.}

The defendant having challenged twelve of the jurors peremptorily, challenged Mr. Smith, one of the tales, for favor. Eight jurors having been sworn, were sworn as triors.

THE COURT refused to suffer Mr. Smith to be examined on oath as to his religious opinions, whether he was a Methodist, and whether the Methodists had religious scruples as to the legality of slavery. A witness was sworn, who testified that it was not an essential tenet of their religion that slavery was contrary to the divine law; but some of them were of that opinion.

THE COURT refused to permit the witness to be asked whether it was the prevailing opinion among the people called Methodists, and decided that it was incumbent on the party challenging to show, either that it was an essential tenet of their religion, or was the individual opinion of the juror.

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