Rawlins Vs. Georgia

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Court : US Supreme Court

Decided On : Apr-16-1906

Appeal No. : 201 U.S. 638

Appellant : Rawlins

Respondent : Georgia

Judgement :

Rawlins v. Georgia - 201 U.S. 638 (1906)
U.S. Supreme Court Rawlins v. Georgia, 201 U.S. 638 (1906)

Rawlins v. Georgia

No. 547

Argued April 6. 1906

Decided April 16, 1906

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ERROR TO THE SUPREME COURT

OF THE STATE OF GEORGIA

SYLLABUS

If the state constitution and laws in regard to selection of jurors, as construed by the state court, are consistent with the Fourteenth Amendment, this Court can go no further, and will not revise the decision of the state court as to whether the local law has been complied with.

There is nothing in the Fourteenth Amendment which prevents a state from excluding and exempting from jury duty certain classes on the *bona fide* ground that it is for the good of the community that their regular work should not be interrupted.

Even when persons liable to jury duty under the state laws are excluded, it is no ground for challenge to the array if a sufficient number of unexceptionable persons are present.

The facts are stated in the opinion.

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MR. JUSTICE Holmes delivered the opinion of the Court.

The plaintiffs in error were indicted for murder, tried, and found guilty. Leonard Rawlins was sentenced to the penitentiary for life, and the others were sentenced to be hanged. When the grand jury was organized each of the accused filed a written challenge to the array, on the ground that,

"while there are in Lowndes County many lawyers, many preachers, ministers, many doctors, many engineers and firemen of railroad trains, and many dentists, as many as ten of each class named, or other large number of each of said class, all citizens and residents of said county, and being competent and qualified jurors, as to age and uprightness, experience and intelligence, and as to all the legal qualifications of a juror, yet each and every one of these classes of citizens, and each and every member thereof in the county, is expressly and purposely excluded from the grand jury service by the commissioners failing and refusing to

put any of said names in the box, so that, not being in the box, they cannot be legally drawn for service."

The challenge was repeated as a plea in abatement, and the petit jury was challenged on the same ground. Rights under the Fourteenth Amendment were specially set up and claimed. The challenges and pleas were overruled, subject to exceptions. The exceptions were overruled by the supreme court of the state, 52 S.E. 1, and a writ of error was taken out to bring the case to this Court.

At the argument before us, the not uncommon misconception seemed to prevail that the requirement of due process of law took up the special provisions of the state constitution and laws into the Fourteenth Amendment for the purposes of the case, so that this Court would revise the decision of the state court that the local provisions had been complied with. This is a mistake. If the state constitution and laws as construed

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by the state court are consistent with the Fourteenth Amendment, we can go no further. The only question for us is whether a state could authorize the course of proceedings adopted, if that course were prescribed by its Constitution in express terms.

When the question is narrowed to its proper form, the answer does not need much discussion. The nature of the classes excluded was not such as was likely to affect the conduct of the members as jurymen, or to make them act otherwise than those who were drawn would act. The exclusion was not the result of race or class prejudice. It does not even appear that any of the defendants belonged to any of the excluded classes. The ground of omission, no doubt, was that pointed out by the state court -- that the business of the persons omitted was such that they either would have been entitled to claim exemption or that probably they would have been excused. Even when persons liable to jury duty under the state law are excluded, it is no ground for challenge to the array, if a sufficient number of unexceptional persons are present. *People v. Jewett,* 3 Wend. 314. But if the

state law itself should exclude certain classes on the *bona fide* ground that it was for the good of the community that their regular work should not be interrupted, there is nothing in the Fourteenth Amendment to prevent it. The exemption of lawyers, ministers of the gospel, doctors, and engineers of railroad trains -- in short, substantially the exemption complained of -- is of old standing, and not uncommon in the United States. It could not be denied that the state properly could have excluded these classes had it seen fit, and that undeniable proposition ends the case.

Judgment affirmed.