

CONSTITUTION

OF THE

State of Georgia

Including All Amendments Through 1924

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# CONSTITUTION OF THE STATE OF GEORGIA

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PREAMBLE.

To perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizen, and transmit to posterity the enjoyment of liberty, we, the people of Georgia, relying upon the protection and guidance of Almighty God, do ordain and establish this Constitution:

ARTICLE I.

BILL OF RIGHTS

SECTION I.

Paragraph I. All government, of right, originates with the people, is founded upon their will only, and is instituted solely for the good of the whole. Public officers are the trustees and servants of the people, and at all times amenable to them.

Par. II. Protection to person and property is the paramount duty of government, and shall be impartial and complete.

Par III. No person shall be deprived of life, liberty, or property, except by due process of law.

Par. IV. No person shall be deprived of the right to prosecute or defend his own cause in any of the courts of this State, in person, by attorney, or both.

Par. V. Every person charged with an offence against the laws of this State shall have the privilege and benefit of counsel; shall be furnished, on demand, with a copy of the accusation, and a list of the witnesses on whose testimony the charge against him is founded; shall have compulsory process to obtain the testimony of his own witnesses; shall be confronted with the witnesses testifying against him, and shall have a public and speedy trial by an impartial jury.

Par. VI. No person shall be compelled to give testimony tending in any manner to criminate himself.

Par. VII. Neither banishment beyond the limits of the State, nor whipping, as a punishment for crime, shall be allowed.

Par. VIII. No person shall be put in jeopardy of life, or liberty, more than once for the same offence, save on his or her own motion for a new trial after conviction, or in case of mistrial.

Par. IX.—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

Par. X. No person shall be compelled to pay costs, except after conviction on final trial.

Par. XI. The writ of habeas corpus shall not be suspended.

Par. XII. All men have the natural and inalienable right to worship God, each according to the dictates of his own conscience, and no human authority should in any case control or interfere with such right of conscience.

Par. XIII. No inhabitant of this State shall be molested in person or property, or prohibited from holding any public office or trust, on account of his religious opinions; but the right of liberty of conscience shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

Par. XIV. No money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect, or denomination of religionists, or of any sectarian institution.

Par. XV. No law shall ever be passed to curtail or restrain the liberty of speech, or of the press; any person may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

Par. XVI. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue except upon probable cause, supported by oath, or affirmation, particularly describing the place or places to be searched, and the persons or things to be seized.

Par. XVII. There shall be within the State of Georgia neither slavery nor involuntary servitude, save as a punishment for crime after legal conviction thereof.

Par. XVIII. The social status of the citizen shall never be the subject of legislation.

Par. XIX. The civil authority shall be superior to the military; and no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except by the civil magistrate, in such manner as may be provided by law.

Par. XX. The power of the courts to punish for contempts shall be limited by legislative acts.

Par. XXI. There shall be no imprisonment for debt.

Par. XXII. The right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne.

Par. XXIII. The legislative, judicial, and executive powers shall forever remain separate and distinct, and no person discharging the duties of one shall at the same time exercise the functions of either of the others, except as herein provided.

Par. XXIV. The people have the right to assemble peaceably for their common good, and to apply to those vested with the powers of government for redress of grievances, by petition or remonstrance.

Par. XXV. All citizens of the United States, resident in this State, are hereby declared citizens of this State; and it shall be the duty of the General Assembly to enact such laws as will protect them in the full enjoyment of the rights, privileges, and immunities due to such citizenship.

## SECTION II.

Paragraph I. In all prosecutions or indictments for libel, the truth may be given in evidence; and the jury in all criminal cases shall be the judges of the law and the facts. The power of the judges to grant new trials in case of conviction is preserved.

Par. II. Treason against the State of Georgia shall consist in levying war against her, adhering to her enemies, giving them aid and comfort. No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or confession in open court.

Par. III. No conviction shall work corruption of blood, or forfeiture of estate.

Par. IV. All lotteries, and the sale of lottery tickets, are hereby prohibited; and this prohibition shall be enforced by penal laws.

Par. V. Lobbying is declared to be a crime, and the General Assembly shall enforce this provision by suitable penalties.

Par. VI. The General Assembly shall have the power to provide for the punishment of fraud; and shall provide by law, for reaching property of the debtor concealed from the creditor.

### SECTION III.

Paragraph I. In cases of necessity, private ways may be granted upon just compensation being first paid by the applicant. Private property shall not be taken, or damaged, for public purposes, without just adequate compensation being first paid.

Par. II. No bill of attainder, *ex post facto* law, retroactive law, or law impairing the obligation of contracts, or making irrevocable grants of special privileges or immunities, shall be passed.

Par. III. No grant of special privileges or immunities shall be revoked, except in such manner as to work no injustice to the corporators or creditors of the incorporation.

### SECTION IV.

Paragraph I. Laws of a general nature shall have uniform operation throughout the State, and no special law shall be enacted in any case for which provision has been made by an existing general law. No general law affecting private rights shall be varied in any particular case by special legislation, except with the free consent, in writing, of all persons to be affected thereby; and no person under legal disability to contract is capable of such consent.

Par. II. Legislative acts in violation of this Constitution, or the Constitution of the United States, are void, and the judiciary shall so declare them.

### SECTION V.

Paragraph I. The people of this State have the inherent, sole, and exclusive right of regulating their internal government, and the police thereof, and of altering and abolishing their Constitution whenever it may be necessary to their safety and happiness.

Par. II. The enumeration of rights herein contained as a part of this Constitution shall not be construed to deny to the people any inherent rights which they may have hitherto enjoyed.

## ARTICLE II.

### ELECTIVE FRANCHISE.

#### SECTION I.

Paragraph I. After the year 1908, elections by the people shall be by ballot, and only those persons shall be allowed to vote who have been first registered in accordance with the requirements of law.

Par. II. Every male citizen of this State who is a citizen of the United States, twenty-one years old or upwards, not laboring under any of the disabilities named in this Article, and possessing the qualifications provided by it, shall be an elector and entitled to register and vote at any election by the people: Provided, that no soldier, sailor, or marine in the military or naval services of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State.

Par. III. To entitle a person to register and vote at any election by the people, he shall have resided in the State one year next preceding the election, and in the county in which he offers to vote six months next preceding the election, and shall have paid all taxes which may have been required of him since the adoption of the Constitution of Georgia of 1877, that he may have had an opportunity of paying agreeably to law. Such payment must have been made at least six months prior to the election at which he offers to vote, except when such elections are held within six months from the expiration of the time fixed by law for the payment of such taxes.

Par. IV. Every male citizen of this State shall be entitled to register as an elector, and to vote in all elections in said State, who is not disqualified under the provisions of Section 2 of Article 2 of this Constitution, and who possesses the qualifications perscribed in paragraphs 2 and 3 of this Section or who will possess them at the date of the election occurring next after his registration, and who in addition thereto comes within either of the classes provided for in the five following sub-divisions of this paragraph.

1. All persons who have honorably served in the land or naval forces of the United States in the Revolutionary War, or in the War of 1812, or in the War with Mexico, or in any War with the Indians, or in the War between the States, or in the War with Spain, or who honorably served in the land or naval forces of the Confederate States or of the State of Georgia in the War between the States; or

2. All persons lawfully descended from those embraced in the classes enumerated in the sub-division next above, or,

3. All persons who are of good character and understand the duties and obligations of citizenship under a republican form of government; or,

4. All persons who can correctly read in the English language any paragraph of the Constitution of the United States or of this State and correctly write the same in the English language when read to them by any one of the registrars, and all persons who



solely because of physical disability are unable to comply with the above requirements but who can understand and give a reasonable interpretation of any paragraph of the Constitution of the United States or of this State, that may be read to them by any one of the registrars; or,

5. Any person who is the owner in good faith in his own right of at least forty acres of land situated in this State, upon which he resides, or is the owner in good faith in his own right of property situated in this State and assessed for taxation at the value of \$500.00.

Par. V. The right to register under sub-divisions 1 and 2 of paragraph 4 shall continue only until January 1st, 1915. But the registrars shall prepare a roster of all persons who register under sub-divisions 1 and 2 of paragraph 4, and shall return the same to the clerk's office of the superior court of their counties, and the clerks of the superior court shall send copies of the same to the secretary of State, and it shall be the duty of these officers to record and permanently preserve these rosters. Any person who has been once registered under either of the subdivisions 1 or 2 of paragraph 4 shall thereafter be permitted to vote: Provided, he meets the requirements of paragraph 2 and 3 of this Section.

Par. VI. Any person to whom the right of registration is denied by the registrars upon the ground that he lacks the qualifications set forth in the five subdivisions of paragraph 4 shall have the right to take an appeal, and any citizen may enter an appeal from the decision of the registrars allowing any person to register under said subdivisions. All appeals must be filed in writing with the registrars within ten days from the date of the decision complained of, and shall be returned by the registrars to the office of the clerk of the superior court to be tried as other appeals.

Par. VII. Pending an appeal and until the final decision of the case, the judgment of the registrars shall remain in full force.

Par. VIII. No person shall be allowed to participate in a primary of any political party or a convention of any political party in this State who is not a qualified voter.

Par. IX. The machinery provided by law for the registration, of force October 1st, 1908, shall be used to carry out the provisions of this Section, except where inconsistent with same; the legislature may change or amend the registration laws from time to time, but no such change or amendment shall operate to defeat any of the provisions of this section.

## SECTION II.

Paragraph I. The General Assembly may provide, from time to time, for the registration of all electors, but the following classes of persons shall not be permitted to register, vote, or hold any office or appointment of honor or trust in this State, to-wit: (1st.) Those who shall have been convicted, in any court of competent jurisdiction, of treason against the State, of embezzlement of public funds, malfeasance in office, bribery, or larceny, or of any crime involving moral turpitude, punishable by the laws of this State with imprisonment in the penitentiary, unless such persons have been pardoned; (2d.) idiots and insane persons.

## SECTION III.

Paragraph I. Electors shall, in all cases except for treason, felony, larceny, and breach of the peace, be privileged from arrest during their attendance on elections, and in going to and returning from the same.

## SECTION IV.

Paragraph I. No person who is the holder of any public money, contrary to law, shall be eligible to any office in this State until the same is accounted for and paid into the treasury.

Paragraph II. No person who, after the adoption of this Constitution, being a resident of this State, shall have been convicted of fighting a duel in this State, or convicted of sending or accepting a challenge, or convicted of aiding or abetting such duel, shall hold office in this State, unless he shall have been pardoned; and every such person shall also be subject to such punishment as may be prescribed by law.

## SECTION V.

Paragraph I. The General Assembly shall, by law, forbid the sale, distribution or furnishing of intoxicating drinks within two miles of election precincts on days of election—State, county, or municipal—and prescribe punishment for any violation of the same.

## SECTION VI.

Paragraph I. Returns of elections for all civil officers elected by the people, who are to be commissioned by the Governor, and also for the members of the General Assembly, shall be made to the secretary of State, unless otherwise provided by law.

### ARTICLE III.

#### LEGISLATIVE DEPARTMENT.

##### SECTION I.

Paragraph I. The legislative power of the State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

##### SECTION II.

Paragraph I. The Senate shall consist of fifty-one members. There shall be fifty-one Senatorial Districts as now arranged by counties. Each District shall have one Senator.

The First Senatorial District shall be composed of the counties of Chatham, Bryan and Effingham.

The Second Senatorial District shall be composed of the counties of Liberty, Tattnall, McIntosh, Toombs, Evans and Long.

The Third Senatorial District shall be composed of the counties of Wayne, Pierce, Appling, Jeff Davis, Bacon and Brantley.

The Fourth Senatorial District shall be composed of the counties of Glynn, Camden and Charlton.

The Fifth Senatorial District shall be composed of the counties of Coffee, Ware and Clinch.

The Sixth Senatorial District shall be composed of the counties of Echols, Lowndes, Berrien, Tift and Lanier.

The Seventh Senatorial District shall be composed of the counties of Brooks, Thomas, Colquitt and Grady.

The Eighth Senatorial District shall be composed of the counties of Decatur, Mitchell, Miller and Seminole.

The Ninth Senatorial District shall be composed of the counties of Early, Calhoun and Baker.

The Tenth Senatorial District shall be composed of the counties of Dougherty, Lee, Worth and Turner.

The Eleventh Senatorial District shall be composed of the counties of Clay, Randolph and Terrell.

The Twelfth Senatorial District shall be composed of the counties of Stewart, Webster and Quitman.

The Thirteenth Senatorial District shall be composed of the counties of Sumter, Schley and Macon.

The Fourteenth Senatorial District shall be composed of the counties of Dooley, Wilcox, Pulaski, Crisp and Bleckley.

The Fifteenth Senatorial District shall be composed of the counties of Wheeler, Montgomery and Toombs.

The Sixteenth Senatorial District shall be composed of the counties of Laurens, Emanuel and Johnson.

The Seventeenth Senatorial District shall be composed of the counties of Screven, Bulloch, Burke and Jenkins.

The Eighteenth Senatorial District shall be composed of the counties of Richmond, Glascock and Jefferson.

The Nineteenth Senatorial District shall be composed of the counties of Taliaferro, Greene and Warren.

The Twentieth Senatorial District shall be composed of the counties of Baldwin, Hancock and Washington.

The Twenty-first Senatorial District shall be composed of the counties of Twig, Wilkinson and Jones.

The Twenty-second Senatorial District shall be composed of the counties of Bibb, Monroe, Pike and Lamar.

The Twenty-third Senatorial District shall be composed of the counties of Houston, Crawford, Taylor and Peach.

The Twenty-fourth Senatorial District shall be composed of the counties of Muscogee, Marion, and Chattahoochee.

The Twenty-fifth Senatorial District shall be composed of the counties of Harris, Upson and Talbot.

The Twenty-sixth Senatorial District shall be composed of the counties of Spalding, Butts and Fayette.

The Twenty-seventh Senatorial District shall be composed of the counties of Barrow, Walton and Oconee.

The Twenty-eighth Senatorial District shall be composed of the counties of Jasper, Putnam and Morgan.

The Twenty-ninth Senatorial District shall be composed of the counties of Wilkes, Columbia, Lincoln and McDuffie.

The Thirtieth Senatorial District shall be composed of the counties of Elbert, Madison and Hart.

The Thirty-first Senatorial District shall be composed of the counties of Hart, Habersham, Franklin and Stephens.

The Thirty-second Senatorial District shall be composed of the counties of White, Dawson and Lumpkin.

The Thirty-third Senatorial District shall be composed of the counties of Hall, Banks, Jackson and Barrow.

The Thirty-fourth Senatorial District shall be composed of the counties of DeKalb, Rockdale and Newton.

The Thirty-fifth Senatorial District shall be composed of the counties of Fulton, Clayton and Henry.

The Thirty-sixth Senatorial District shall be composed of the counties of Campbell, Coweta, Meriwether and Douglas.

The Thirty-seventh Senatorial District shall be composed of the counties of Carroll, Heard and Troup.

The Thirty-eighth Senatorial District shall be composed of the counties of Haralson, Polk and Paulding.

The Thirty-ninth Senatorial District shall be composed of the counties of Cherokee, Cobb and Douglas.

The Fortieth Senatorial District shall be composed of the counties of Union, Towns and Rabun.

The Forty-first Senatorial District shall be composed of the counties of Pickens, Fannin and Gilmer.

The Forty-second Senatorial District shall be composed of the counties of Bartow, Floyd and Chattooga.

The Forty-third Senatorial District shall be composed of the counties of Murray, Gordon and Whitfield.

The Forty-fourth Senatorial District shall be composed of the counties of Walker, Dade and Catoosa.

The Forty-fifth Senatorial District shall be composed of the counties of Irwin, Ben Hill and Telfair.

The Forty-sixth Senatorial District shall be composed of the counties of Bacon, Pierce and Coffee.

The Forty-seventh Senatorial District shall be composed of the counties of Colquitt, Tift and Turner.

The Forty-eighth Senatorial District shall be composed of the counties of Crisp, Wilcox and Dodge.

The Forty-ninth Senatorial District shall be composed of the counties of Bulloch, Candler and Evans.

The Fiftieth Senatorial District shall be composed of the counties of Clarke, Oglethorpe and Wilkes.

The Fifty-first Senatorial District shall be composed of the counties of Gwinnett, Milton and Forsyth.

Par. II. The general Assembly may change these districts after each census of the United States: *Provided*, that neither the number of districts nor the number of Senators from each district shall be increased.

### SECTION III.

Paragraph I. The House of Representatives shall consist of Representatives apportioned among the several counties of the State as such counties are marked and defined and as the same may be hereafter created, as follows: To the eight counties having the largest population, three Representatives each; to the thirty counties having the next largest population, two Representatives each; and the remaining counties, one Representative each including the new

counties of Lanier, Seminole, Brantley, Long and Lamar. In the event of the ratification of this amendment to the Constitution and in the event of the ratification of the amendments to the Constitution creating the counties of Lanier, Seminole and Brantley, or either of them the said counties so created shall also be entitled to representation in the General Assembly. In the event of a ratification of the amendments creating the counties of Lanier, Seminole and Brantley, or either of them, an election shall be held in such county or counties on the first Tuesday in January, 1921, under the laws now governing similar elections for members of the General Assembly, for the election of a member of the General Assembly from said county or counties for the session of 1921 and 1922.

Par. II. The above apportionment shall be changed by the General Assembly at its first session after each census taken by the United States government, so as to give the six counties having the largest population three representatives each; and to the twenty-six counties having the next largest population two representatives each; but in no event shall the aggregate number of representatives be increased.

#### SECTION IV.

Paragraph I. The members of the General Assembly shall be elected for two years and shall serve until the time fixed by law for the convening of the next General Assembly. The provisions of this paragraph, section and article shall apply to the term of the members of the General Assembly who were elected at the general election for members of the General Assembly in the year 1912.

Par. II. The first election for members of the General Assembly, under this Constitution, shall take place on the first Wednesday in December, 1877; the second election for the same shall be held on the first Wednesday in October, 1880, and subsequent elections biennially on that day, until the day of election is changed by law.

Par. III. The first meeting of the General Assembly, after the ratification of this Amendment to the Constitution, shall be on the fourth Wednesday in June, 1925, and biennially thereafter, on the same day, until the day shall be changed by law.

No session of the General Assembly shall continue longer than sixty days: *Provided*, that if an impeachment trial is pending at the end of sixty days, the session may be prolonged until completion of said trial.

Par. IV. A majority of each house shall constitute a quorum to transact business; but a smaller number may adjourn from day

to day and compel the presence of its absent members, as each house may provide.

Par. V. Each senator and representative, before taking his seat, shall take the following oath or affirmation, to-wit: "I will support the Constitution of this State, and of the United States; and on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this State."

Par. VII. No person holding a military commission or other appointment or office having any emolument or compensation annexed thereto, under this State, or the United States, or either of them, except justice of the peace and officers of the militia, nor any defaulter for public money or for any legal taxes required of him shall have a seat in either house; nor shall any senator or representative, after his qualification as such, be elected by the General Assembly, or appointed by the Governor either with or without the advice and consent of the Senate, to any office or appointment having any emolument annexed thereto, during the time for which he shall have been elected.

Par. VIII. The seat of a member of either house shall be vacated on his removal from the district or county from which he was elected.

#### SECTION V.

Paragraph I. The senators shall be citizens of the United States, who have attained the age of twenty-five years, and who shall have been citizens of this State for four years, and for one year residents of the district from which elected.

Par. II. The presiding officer of the Senate shall be styled the President of the Senate, and shall be elected *viva voce* from the senators.

Par. III. The Senate shall have the sole power to try impeachments.

Par. IV. When sitting for that purpose, the members shall be on oath or affirmation, and shall be presided over by the Chief Justice or the Presiding Justice of the Supreme Court. Should the Chief Justice be disqualified, the Senate shall select the judge of the Supreme Court to preside. No person shall be convicted without the concurrence of two-thirds of the members present.

Par. V. Judgments, in case of impeachment, shall not extend further than removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit within this State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law.

## SECTION VI.

Paragraph I. The representatives shall be citizens of the United States, who have attained the age of twenty-one years, and who shall have been citizens of this State for two years, and for one year residents of the counties from which elected.

Par. II. The presiding officer of the House of Representatives shall be styled the Speaker of the House of Representatives, and shall be elected *viva voce* from the body.

Par. III. The House of Representatives shall have the sole power to impeach all persons who shall have been, or may be, in office.

## SECTION VII.

Paragraph I. Each house shall be the judge of the election returns, and qualifications of its members, and shall have power to punish them for disorderly behavior, or misconduct, by censure, fine, imprisonment, or expulsion; but no member shall be expelled except by a vote of two-thirds of the house to which he belongs.

Par. II. Each house may punish by imprisonment, not extending beyond the session, of any person, not a member, who shall be guilty of a contempt, by any disorderly behavior in its presence, or who shall rescue, or attempt to rescue, any person arrested by order of either house.

Par. III. The members of both houses shall be free from arrest during their attendance on the General Assembly, and in going thereto or returning therefrom, except for treason, felony, larceny, or breach of the peace; and no member shall be liable to answer in any other place for anything spoken in debate in either house.

Par. IV. Each house shall keep a journal of its proceedings, and publish it immediately after its adjournment.

Par. V. The original journal shall be preserved, after publication, in the office of the Secretary of State, but there shall be no other record thereof.

Par. VI. The yeas and nays on any question shall, at the desire of one-fifth of the members present, be entered on the journal.

Par. VII. Every bill, before it shall pass, shall be read three times, and on three separate days, in each house, unless in cases of actual invasion or insurrection; but the first and second reading of each local bill, and bank and railroad charters, shall consist of reading of the title only, unless said bill is ordered to be engrossed.

Par. VIII. No law or ordinance shall pass which refers to more than one subject-matter, or contains matter different from what is expressed in the title thereof.



Par. IX. The general appropriation bill shall embrace nothing except appropriations fixed by previous laws, the ordinary expenses of the executive, legislative, and judicial departments of the government, payment of the public debt and interest thereon, and the support of the public institutions and educational interests of the State. All other appropriations shall be made by separate bills, each embracing but one subject.

Par. X. All bills for raising revenue, or appropriating money, shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.

Par. XI. No money shall be drawn from the treasury except by appropriation made by law; and a regular statement and account of the receipt and expenditure of all public money shall be published every three months, and also with the laws passed by each session of the General Assembly.

Par. XII. No bill or resolution appropriating money shall become a law, unless upon its passage the yeas and nays, in each house, are recorded.

Par. XIII. All acts shall be signed by the President of the Senate and the Speaker of the House of Representatives; and no bill, ordinance, or resolution, intended to have the effect of a law, which shall have been rejected by either house, shall be again proposed during the same session, under the same or any other title, without the consent of two-thirds of the house by which the same was rejected.

Par. XIV. No bill shall become a law unless it shall receive a majority of the votes of all the members elected to each house of the General Assembly, and it shall, in every instance, so appear on the Journal.

Par. XV. (By an act approved September 24, 1885, an amendment to the Constitution was submitted to vote of the people in October, 1886, and adopted, whereby the original of this paragraph was stricken from this Constitution.)

Par. XVI. No local or special bill shall be passed, unless notice of the intention to apply therefore shall have been published in the locality where the matter or thing to be affected may be situated, which notice shall be given at least thirty days prior to the introduction of such bill into the General Assembly, and in the manner to be prescribed by law. The evidence of such notice having been published shall be exhibited in the General Assembly before such acts shall be passed.

Par. XVII. No law, or section of the Code, shall be amended

or repealed by mere reference to its title, or to the number of the section of the Code, but the amending or repealing act shall distinctly describe the law to be amended or repealed, as well as the alteration to be made.

Par. XVIII. The General Assembly shall have no power to grant corporate powers and privileges to private companies, to make or change election precincts, nor to establish bridges or ferries, nor to change names of legitimate children; but it shall prescribe by law the manner in which such powers shall be exercised by the courts; it may confer this authority to grant corporate powers and privileges to private companies to the Judges of the Superior Courts of this State in vacation. All corporate powers and privileges to banking, insurance, railroad, canal, navigation, express and telegraph companies shall be issued and granted by the secretary of State in such manner as shall be prescribed by law; and if in any event the secretary of State should be disqualified to act in any case, then in that event the legislature shall provide by general laws by what person such charters shall be granted.

Par. XIX. The General Assembly shall have no power to relieve principals or securities upon forfeited recognizances from the payment thereof, either before or after judgment thereon, unless the principal in the recognizance shall have been apprehended and placed in the custody of the proper officer.

Par. XX. The General Assembly shall not authorize the construction of any street passenger-railway within the limits of any incorporated town or city, without the consent of the corporate authorities.

Par. XXI. Whenever the Constitution requires a vote of two-thirds of either or both houses for the passing of an act or resolution, the yeas and nays on the passage thereof shall be entered on the journal.

Par. XXII. The General Assembly shall have power to make all laws and ordinances consistent with this Constitution, and not repugnant to the Constitution of the United States, which they shall deem necessary and proper for the welfare of the State.

Par. XXIII. No provision in this Constitution for a two-thirds vote of both houses of the General Assembly, shall be construed to waive the necessity for the signature of the Governor, as in any other case, except in the case of the two-thirds vote required to override the veto, and in case of prolongation of a session of the General Assembly.

Par. XXIV. Neither house shall adjourn for more than three

days, or to any other place, without the consent of the other; and in case of a disagreement between the two houses on a question of adjournment, the Governor may adjourn either or both of them.

#### SECTION VIII.

Paragraph I. The officers of the two houses, other than the President and Speaker, shall be a secretary of the Senate and clerk of the House of Representatives, and such assistants as they may appoint; but the clerical expenses of the Senate shall not exceed sixty dollars per day for each session, nor those of the House of Representatives seventy dollars per day for each session. The secretary of the Senate and clerk of the House of Representatives shall be required to give bond and security for the faithful discharge of their respective duties.

#### SECTION IX.

Paragraph I. The per diem of the members of the General Assembly shall not exceed seven dollars; and mileage shall not exceed ten cents for each mile traveled, by the nearest practicable route, in going and returning from the Capital, but the President of the Senate and the Speaker of the House of Representatives shall each receive not exceeding ten dollars per day.

#### SECTION X.

Paragraph I. All elections by the General Assembly shall be *viva voce*, and the vote shall appear on the journal of the House of Representatives. When the Senate and House of Representatives unite for the purpose of elections, they shall meet in the Representative Hall, and the President of the Senate shall, in such cases, preside and declare the result.

#### SECTION XI.

Paragraph I. All property of the wife at the time of her marriage, and all property given to, inherited, or acquired by her, shall remain her separate property, and not be liable for the debts of her husband.

#### SECTION XII.

Paragraph I. All life insurance companies now doing business in this State, or which may desire to establish agencies and do business in the State of Georgia, chartered by other States of the Union, or foreign States, shall show that they have deposited with the comptroller-general of the State in which they are chartered, or of this State, the insurance commissioners, or such other officer as may be authorized to receive it, not less than one hundred thousand

dollars in such securities as may be deemed by such officer equivalent to cash, subject to his order, as a guarantee fund for the security of policyholders.

Par. II. When such showing is made to the comptroller-general of the State of Georgia, by a proper certificate from the State official having charge of the funds so deposited, the comptroller-general of the State of Georgia is authorized to issue to the company making such showing, a license to do business in the State, upon paying the fees required by law.

Par. III. All life insurance companies chartered by the State of Georgia, or which may hereafter be chartered by the State, shall, before doing business, deposit with the comptroller-general of the State of Georgia, or with some strong corporation which may be approved by said comptroller-general, one hundred thousand dollars in such securities as may be deemed by him equivalent to cash, to be subject to his order, as a guarantee fund for the security of the policyholders of the company making such deposit, all interests and dividends arising from such securities to be paid, when due, to the company so depositing. Any such securities as may be needed or desired by the company may be taken from said department at any time by replacing them with other securities equally acceptable to the comptroller-general, whose certificate for the same shall be furnished to the company.

Par. IV. The General Assembly shall, from time to time, enact laws to compel all fire insurance companies doing business in this State, whether chartered by this State or otherwise, to deposit reasonable securities with the treasurer of this State, to secure the people against loss by the operations of said companies.

Par. V. The General Assembly shall compel all insurance companies in this State, or doing business therein, under proper penalties, to make semi-annual reports to the Governor, and print the same at their own expense, for the information and protection of the people.

#### ARTICLE IV.

##### POWER OF THE GENERAL ASSEMBLY OVER TAXATION.

##### SECTION I.

Paragraph I. The right of taxation is a sovereign right, inalienable, indestructible, is the life of the State, and rightfully belongs to the people in all republican governments, and neither the General Assembly, nor any nor all other departments of the government established by this Constitution, shall ever have the authority

to irrevocably give grant, limit, or restrain this right; and all laws, grants, contracts, and all other acts whatsoever, by said government or any department thereof, to effect any of these purposes, shall be and are hereby declared to be null and void for every purpose whatsoever; and said right of taxation shall always be under the complete control of, and revocable by, the State, notwithstanding any gift, grant, or contract whatsoever by the General Assembly.

## SECTION II.

Paragraph I. The power and authority of regulating railroad freights and passenger tariffs, preventing unjust discriminations, and requiring reasonable and just rates of freight and passenger tariffs are hereby conferred upon the General Assembly, whose duty it shall be to pass laws from time to time, to regulate freight and passenger tariffs, to prohibit unjust discriminations on the various railroads of this State, and to prohibit said roads from charging other than just and reasonable rates, and enforce the same by adequate penalties.

Par. II. The exercise of the right of eminent domain shall never be abridged, nor so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies, and subjecting them to public use, the same as property of individuals; and the exercise of the police power of the State shall never be abridged nor so construed as to permit corporations to conduct their business in such a manner as to infringe the equal rights of individuals, or the general well-being of the State.

Par. III. The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, nor alter or amend the same, nor pass any other general or special law for the benefit of said corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution, and every amendment of any charter of any corporation in this State, or any special law for its benefit, accepted thereby, shall operate as a novation of said charter and shall bring the same under the provisions of this Constitution: *Provided*, that this section shall not extend to any amendment for the purpose of allowing any existing road to take stock in or aid in the building of any branch road.

Par. IV. The General Assembly of this State shall have no power to authorize any corporation to buy shares or stock in any other corporation in this State or elsewhere, or to make any contract, or agreement whatever, with any such corporation, which may have the effect, or be intended to have the effect, to defeat or les-

sen competition in their respective business, or to encourage monopoly; and all such contracts and agreements shall be illegal and void.

Par. V. No railroad company shall give or pay any rebate, or *bonus* in the nature thereof, directly or indirectly, or do any act to mislead or deceive the public as to the real rates charged or received for freights or passage; and any such payments shall be illegal and void; and these prohibitions shall be enforced by suitable penalties.

Par. VI. No provision of this Article shall be deemed, held, or taken to impair the obligation of any contract heretofore made by the State of Georgia.

Par. VII. The General Assembly shall enforce the provisions of this Article by appropriate legislation.

## ARTICLE V.

### EXECUTIVE DEPARTMENT

#### SECTION I.

Paragraph I. The officers of the Executive Department shall consist of a Governor, Secretary of State, Comptroller-General, and Treasurer.

Par. II. The executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until his successor shall be chosen and qualified. He shall not be eligible to re-election after the expiration of a second term, for the period of four years. He shall have a salary of three thousand dollars per annum (until otherwise provided by a law passed by a two-thirds vote of both branches of the General Assembly), which shall not be increased or diminished during the period for which he shall have been elected; nor shall he receive, within that time, any other emolument from the United States, or either of them, or from any foreign power. But this reduction of salary shall not apply to the present term of the present Governor.

Par. III. The first election for Governor, under this Constitution, shall be held on the first Wednesday in October, 1880, and the Governor-elect shall be installed in office at the next session of the General Assembly. An election shall take place biennially thereafter, on said day, until another date be fixed by the General Assembly. Said election shall be held at the places of holding general elections in the several counties of this State, in the manner prescribed for the election of members of the General Assembly, and the electors shall be the same.

Par. IV. The returns for every election of Governor shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives, and transmitted to the secretary of State, who shall, without opening said returns, cause the same to be laid before the Senate on the day after the two houses shall have been organized, and they shall be transmitted by the Senate to the House of Representatives.

Par. V. The members of each branch of the General Assembly shall convene in the Representative Hall, and the President of the Senate and Speaker of the House of Representatives shall open and publish the returns in the presence and under the direction of the General Assembly; and the person having the majority of the whole number of votes shall be declared duly elected Governor of this State; but if no person shall have such majority, then from the two persons having the highest number of votes, who shall be in life and shall not decline an election at the time appointed for the General Assembly to elect, the General Assembly shall immediately elect a Governor *viva voce*; and in all cases of election of a Governor by the General Assembly, a majority of the members present shall be necessary to a choice.

Par. VI. Contested elections shall be determined by both houses of the General Assembly in such manner as shall be prescribed by law.

Par. VII. No person shall be eligible to the office of Governor who shall not have been a citizen of the United States fifteen years, and a citizen of the State six years, and who shall not have attained the age of thirty years.

Paragraph. VIII. In case of the death, resignation, or disability of the Governor, the President of the Senate shall exercise the executive powers of the government until such disability be removed, or a successor is elected and qualified. And in case of the death, resignation, or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the executive powers of the government until the removal of the disability, or the election and qualification of a Governor.

Par. IX. The General Assembly shall have power to provide, by law, for filling unexpired terms by special elections.

Par. X. The Governor shall, before he enters on the duties of his office, take the following oath or affirmation: "I do solemnly swear (or affirm, as the case may be) that I will faithfully execute the office of Governor of the State of Georgia, and will, to the best

of my ability, preserve, protect, and defend the Constitution thereof, and the Constitution of the United States of America.”

Par. XI. The Governor shall be commander-in-chief of the army and navy of this State, and the militia thereof.

Par. XII. He shall have power to grant reprieves and pardons, to commute penalties, remove disabilities imposed by law, and to remit any part of a sentence for offences against the State, after conviction, except in case of treason and impeachment, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason he may suspend the execution of the sentence and report the case to the General Assembly at the next meeting thereof, when the General Assembly shall either pardon, commute the sentence, direct its execution, or grant a further reprieve. He shall, at each session of the General Assembly, communicate to that body each case of reprieve, pardon, or commutation granted, stating the name of the convict, the offense for which he was convicted, the sentence and its date, the date of the reprieve, pardon, or commutation, and the reasons for granting the same. He shall take care that the laws are faithfully executed, and shall be a conservator of the peace throughout the State.

Par. XIII. He shall issue writs of election to fill all vacancies that may happen in the Senate or House of Representatives, and shall give the General Assembly, from time to time, information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem necessary or expedient. He shall have power to convoke the General Assembly on extraordinary occasions; but no law shall be enacted at call sessions of the General Assembly except such as shall relate to the object stated in his proclamation convening them.

Par. XIV. When any office shall become vacant, by death, resignation, or otherwise, the Governor shall have power to fill such vacancy, unless otherwise provided by law; and persons so appointed shall continue in office until a successor is commissioned, agreeably to the mode pointed out by this Constitution, or by law in pursuance thereof.

Par. XV. A person once rejected by the Senate shall not be reappointed by the Governor to the same office during the same session, or the recess thereafter.

Par. XVI. The Governor shall have the revision of all bills passed by the General Assembly, before the same shall become laws, but two-thirds of each house may pass a law notwithstanding his dissent; and if any bill shall not be returned by the Governor within



five days (Sundays excepted) after it has been presented to him, the same shall be a law, unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation, and disapprove any other appropriation, in the same bill, and the latter shall not be effectual unless passed by two-thirds of each house.

Par. XVII. Every vote, resolution, or order, to which the concurrence of both houses may be necessary, except on a question of election or adjournment, shall be presented to the Governor, and before it shall take effect, be approved by him, or being disapproved, shall be repassed by two-thirds of each house.

Par. XVIII. He may require information in writing, from the officers in the Executive Department, on any subject relating to the duties of their respective offices. It shall be the duty of the Governor, quarterly, and oftener if he deems it expedient, to examine, under oath, the treasurer and comptroller-general of the State on all matters pertaining to their respective offices, and to inspect and review their books and accounts. The General Assembly shall have authority to provide by law for the suspension of either of said officers from the discharge of the duties of his office, and also for the appointment of a suitable person to discharge the duties of the same.

Par. XIX. The Governor shall have the power to appoint his own secretaries, not exceeding two in number, and to provide such other clerical force as may be required in his office; for salaries and clerical force in his office shall not exceed the sum of ten thousand dollars (\$10,000.00), and this sum shall not be exceeded either directly or indirectly for any services rendered the Governor in the way of clerical assistance, or in any other manner.

## SECTION II.

Paragraph I. The secretary of State, comptroller-general, and treasurer shall be elected by persons qualified to vote for members of the General Assembly, at the same time and in the same manner as the Governor. The provisions of the Constitution as to the transmission of the returns of election, counting the votes, declaring the result, deciding when there is no election, and when there is a contested election, applicable to the election of Governor, shall apply to the election of secretary of State, comptroller-general, and treasurer; they shall be commissioned by the Governor and hold their offices for the same time as the Governor.

Par. II. The salary of the treasurer shall not exceed forty-eight hundred dollars per annum, the salary of the assistant treasurer

shall not exceed thirty-six hundred dollars per annum. The other clerical expenses of the Treasury Department shall not exceed six thousand dollars per annum. The premium on the bond of the treasurer shall be paid by the State; provided, that this amendment shall not take effect until the Bank Bureau as now conducted in the State Treasury Department shall have been separated from that department according to law.

Par. III. The salary of the secretary of State shall not exceed two thousand dollars per annum, and the clerical expenses of his department shall not exceed one thousand dollars per annum.

Par. IV. The salary of the comptroller-general shall not exceed two thousand dollars per annum. The clerical expenses of his department, including the insurance department and wild-land clerk, shall not exceed four thousand dollars per annum; and without said clerk, it shall not exceed three thousand dollars per annum.

Par. V. The treasurer shall not be allowed, directly or indirectly, to receive any fee, interest, or reward from any person, bank, or corporation, for the deposit or use, in any manner, of the public funds; and the General Assembly shall enforce this provision by suitable penalties.

Par. VI. No person shall be eligible to the office of secretary of State, comptroller-general, or treasurer, unless he shall have been a citizen of the United States for ten years, and shall have resided in this State for six years next preceding his election, and shall be twenty-five years of age when elected. All of said officers shall give bond and security, under regulations to be prescribed by law, for the faithful discharge of their duties.

Par. VII. The secretary of State, the comptroller-general, and the treasurer shall not be allowed any fee, perquisite, or compensation, other than their salaries as prescribed by law, except their necessary expenses when absent from the seat of government on business for the State.

### SECTION III.

Paragraph I. The great seal of the State shall be deposited in the office of the secretary of State, and shall not be affixed to any instrument of writing except by order of the Governor, or General Assembly, and that now in use shall be the great seal of the State until otherwise provided by law.

## ARTICLE VI.

### JUDICIARY.

#### SECTION I.

The judicial powers of the State shall be vested in a Supreme Court, a Court of Appeals, superior courts, courts of ordinary, justices of the peace, commissioned notaries public, and such other courts as have been or may be established by law.

#### SECTION II.

Paragraph I. The Supreme Court shall consist of a Chief Justice and five Associate Justices. A majority of the court shall constitute a quorum.

Par. II. When one or more of the judges are disqualified from deciding any case, by interest or otherwise, the Governor shall designate a judge, or judges, of the superior courts to preside in said case.

Par. III. No judge of any court shall preside in any case where the validity of any bond—Federal, State, corporation, or municipal—is involved, who holds in his own right, or as the representative of others, any material interests in the class of bonds upon which the question to be decided arises.

Par. IV. The Chief Justice and Associate Justices shall hold their offices for six years, and until their successors are qualified. A successor to the incumbent whose term will soonest expire shall be elected by the General Assembly in 1880; a successor to the incumbent whose term of office is next in duration shall be elected by the General Assembly in 1882; and a successor to the third incumbent shall be elected by the General Assembly in 1884; but appointments to fill vacancies shall only be for the unexpired term, or until such vacancies are filled by elections, agreeably to the mode pointed out by this Constitution.

Par. V. The Supreme Court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors of law from the superior courts and the City Courts of Atlanta and Savannah, and such other like courts as have been or may hereafter be established in other cities; in all cases that involve the construction of the Constitution of the State of Georgia or of the United States, or of treaties between the United States and foreign governments; in all cases in which the constitutionality of any law of the State of Georgia or of the United States is drawn in question; and, until otherwise provided by law, in all cases respecting titles to land; in all equity cases; in all cases which involve the validity of, or the

construction of wills; in all cases of conviction of a capital felony; in all habeas-corpus cases; in all cases involving extraordinary remedies; in all divorce and alimony cases; and in all cases certified to it by the Court of Appeals for its determination. It shall also be competent for the Supreme Court to require by certiorari or otherwise any case to be certified to the Supreme Court from the Court of Appeals for review and determination with the same power and authority as if the case had been carried by writ of error to the Supreme Court. Any case carried to the Supreme Court or to the Court of Appeals, which belongs to the class of which the other court has jurisdiction, shall until otherwise provided by law, be transferred to the other court under such rules as the Supreme Court may prescribe, and the cases so transferred shall be heard and determined by the court which has jurisdiction thereof.

Par. VI. The Supreme Court shall dispose of every case at the first or second term after such writ of error is brought; and in case the plaintiff in error shall not be prepared at the first term to prosecute the case—unless prevented by providential cause—it shall be stricken from the docket, and the judgment below shall stand affirmed.

Par. VII. In any case the court may, in its discretion, withhold its judgment until the next term after the same is argued.

Par. VIII. The Supreme Court shall hereafter consist of a Chief Justice and five Associate Justices. The court shall have power to hear and determine cases when sitting either in a body or in two divisions of three judges each, under such regulations as may be prescribed by the General Assembly. A majority of either division shall constitute a quorum for that division. The Chief Justice and the Associate Justices of the Supreme Court shall hereafter be elected by the people at the same time and in the same manner as the Governor and the State-house officers are elected, except that the first election under this amendment shall be held on the third Wednesday in December, 1896, at which time one Associate Justice shall be elected for a full term of six years, to fill the vacancy occurring on January 1st, 1897, by the expiration of the term of one of the present incumbents, and three additional Associate Justices shall be elected for terms expiring, respectively, January 1st, 1899, January 1st, 1901, and January 1st, 1903. The persons elected as additional Associate Justices shall, among themselves, determine by lot which of the three last-mentioned terms each shall have, and they shall be commissioned accordingly. After said first election, all terms (except unexpired terms) shall be for six years each. In case of any

vacancy which causes an unexpired term, the same shall be filled by executive appointment, and the person appointed by the Governor shall hold his office until the next regular election, and until his successor for the balance of the unexpired term shall have been elected and qualified. The returns of said special election shall be made to the secretary of State.

Par. IX. The Court of Appeals shall consist of the judges provided therefor by law at the time of the ratification of this amendment, and of such additional judges as the General Assembly shall from time to time prescribe. All terms of the judges of the Court of Appeals after the expiration of the terms of the judges provided for by law at the time of the ratification of the amendment (except unexpired terms) shall continue six years, and until their successors are qualified. The time and manner of electing judges, and the mode of filling a vacancy which causes an unexpired term, shall be the same as are or may be provided for by the laws relating to the election and appointment of Justices of the Supreme Court. The Court of Appeals shall have jurisdiction for the trial and correction of errors of law from the superior courts and from the City Courts of Atlanta and Savannah, and such other like courts as have been or may hereafter be established in other cities, and in all cases in which such jurisdiction has not been conferred by this Constitution upon the Supreme Court, and in such other cases as may hereafter be prescribed by law; except that where a case is pending in the Court of Appeals and the Court of Appeals desires instruction from the Supreme Court, it may certify the same to the Supreme Court, and thereupon a transcript of the record shall be transmitted to the Supreme Court, which, after having afforded to the parties an opportunity to be heard thereon, shall instruct the Court of Appeals on the question so certified, and the Court of Appeals shall be bound by the instructions so given. But if by reason of equal division of opinion among the Justices of the Supreme Court no such instruction is given, the Court of Appeals may decide the question. The manner of certifying questions to the Supreme Court by the Court of Appeals, and the subsequent proceedings in regard to the same in the Supreme Court, shall be as the Supreme Court shall by its rules prescribe, until otherwise provided by law. No affirmance of the judgment of the court below in cases pending in the Court of Appeals shall result from delay in disposing of questions or cases certified from the Court of Appeals to the Supreme Court, or as to which such certificate has been required by the Supreme Court as hereinbefore provided. All writs of error in the Supreme Court or

the Court of Appeals, when received by its clerk during a term of the court and before the docket of the term is by order of the court closed, shall be entered thereon; when received at any other time, shall be entered on the docket of the next term; and they shall stand for hearing at the term for which they are so entered, under such rules as the court may prescribe, until otherwise provided by law. The Court of Appeals shall appoint a clerk and a sheriff of the court. The reporter of the Supreme Court shall be the reporter of the Court of Appeals until otherwise provided by law. The laws relating to the Supreme Court as to qualifications and salaries of judges, the designation of other judges to preside when members of the court are disqualified, the powers, duties, salaries, fees and terms of officers, the mode of carrying cases to the court, the powers, practice, procedure, times of sitting, and costs of the court, the publication of reports of cases decided therein, and in all other respects except as otherwise provided in this Constitution or by the laws, as to the Court of Appeals at the time of the ratification of this amendment, and until otherwise provided by law, shall apply to the Court of Appeals so far as they can be made to apply. The decisions of the Supreme Court shall bind the Court of Appeals as precedents.

### SECTION III.

Paragraph I. There shall be a judge of the superior courts for each judicial circuit, whose term of office shall be four years and until his successor is qualified. He may act in other circuits when authorized by law. The legislature shall have authority to add one or more additional judges of the superior court for any judicial circuit in this State, and shall have authority to regulate the manner in which the judges of such circuits shall dispose of the business thereof, and shall fix the time at which the term or terms of office of such additional judge or judges shall begin, and the manner of his appointment or election, and shall have authority from time to time to add to the number of such judges in any judicial circuit, or to reduce the number of judges in any judicial circuit: *Provided*, that at all times there shall be at least one judge in every judicial circuit of this State.

Par. II. The successors to the present and subsequent incumbents shall be elected by the electors entitled to vote for members of the General Assembly of the whole State, at the general election held for such members, next preceding the expiration of their respective terms: *Provided*, that the successors for all incumbents

whose terms expire on or before the first day of January, 1899, shall be elected by the General Assembly at its session for 1898, for the full term of four years.

Par. III. The terms of the judges to be elected under the Constitution (except to fill vacancies) shall begin on the first day of January after their election. Every vacancy occasioned by death, resignation, or other causes shall be filled by appointments of the Governor until the first day of January after the general election held next after the expiration of thirty days from the time such vacancy occurs, at which election a successor for the unexpired term shall be elected.

#### SECTION IV.

Paragraph I. The superior court shall have exclusive jurisdiction in cases of divorce, in criminal cases where the offender is subjected to loss of life, or confinement in the penitentiary; in cases respecting titles to land; and equity cases.

Par. II. The General Assembly may confer upon the courts of common law all the powers heretofore exercised by courts of equity in this State.

Par. III. Said courts shall have jurisdiction in all civil cases, except as hereinafter provided.

Par. IV. They shall have appellate jurisdiction in all such cases as may be provided by law.

Par. V. They shall have power to correct errors in inferior judicatories, by writ of *certiorari*, which shall only issue on the sanction of the judge; and said courts and the judges thereof shall have power to issue writs of *mandamus*, prohibition, *scire facias*, and all other writs that may be necessary for carrying their powers fully into effect, and shall have such other powers as are or may be conferred on them by law.

Par. VI. The General Assembly may provide for an appeal from one jury, in the superior and city courts to another; and the said courts may grant new trials on legal grounds.

Par. VII. The court shall render judgment without the verdict of a jury, in all civil cases founded on unconditional contracts in writing, where an issuable defense is not filed under oath or affirmation.

Par. VIII. The superior courts shall sit in each county not less than twice in each year, at such times as have been or may be appointed by law.

Par. IX. The General Assembly may provide by law for the appointment of some proper person to preside in cases where the presiding judge is, from any cause, disqualified.

#### SECTION V.

Paragraph I. In any county within which there is, or hereafter may be, a city court, the judge of said court and of the superior court may preside in the courts of each other in cases where the judge of either court is disqualified to preside.

#### SECTION VI.

Paragraph I. The powers of a court of ordinary, and of probate, shall be vested in an ordinary for each county, from whose decision there may be an appeal (or, by consent of parties, without a decision) to the superior court, under regulations prescribed by law.

Par. II. The courts of ordinary shall have such powers, in relation to roads, bridges, ferries, public buildings, paupers, county officers, county funds, county taxes, and other county matters, as may be conferred on them by law.

Par. III. The ordinary shall hold his office for the term of four years, and until his successor is elected and qualified.

#### SECTION VII.

Paragraph I. There shall be in each militia district one justice of the peace, whose official term, except when elected to fill an unexpired term, shall be four years. Provided, however, that the General Assembly may in its discretion abolish justice courts, and the office of justice of the peace and of notary public ex-officio justices of the peace in any city of this State having a population of over twenty thousand, and establish in lieu thereof such court or courts or system of courts, as the General Assembly may, in its discretion deem necessary, conferring upon such new court or courts or system of courts, when so established, the jurisdiction as to subject matter now exercised by justice courts and by justices of the peace and notaries public ex-officio justices of the peace, together with such additional jurisdiction, either as to amount or to subject matter, as may be provided by law, whereof some other Court has not exclusive jurisdiction under this Constitution, together also with such provision as to rules and procedure in such courts and as to new trials and the correction of errors in and by said courts, and with such further provision for the correction of errors by the Superior Court, or the Court of Appeals or the Supreme Court as the General Assembly may from time to time, in its discretion, provide or authorize. Any court so established shall not be subject to the



rules of uniformity laid down in Paragraph 1, of Section 9, of Article 6, of the Constitution of Georgia.

Par. II. Justices of the peace shall have jurisdiction in all civil cases arising *ex contractu*, and in cases of injuries or damages to personal property, when the principal sum does not exceed one hundred dollars, and shall sit monthly at fixed times and places; but in all cases there may be an appeal to a jury in said court, or an appeal to the superior court, under such regulations as may be prescribed by law.

Par. III. Justices of the peace shall be elected by the legal voters in their respective districts, and shall be commissioned by the Governor. They shall be removable on conviction for malpractice in office.

#### SECTION VIII.

Paragraph I. Commissioned notaries public, not to exceed one for each militia district, may be appointed by the judges of superior courts in their respective circuits, upon recommendation of the grand juries of the several counties. They shall be commissioned by the Governor for the term of four years, and shall be ex-officio justices of the peace, and shall be removable on conviction for malpractice in office.

#### SECTION IX.

Paragraph I. The jurisdiction, powers, proceedings, and practice of all courts or officers invested with judicial powers (except city courts), of the same grade or class, so far as regulated by law, and the force and effect of the process, judgment, and decree by such courts, severally, shall be uniform. This uniformity must be established by the General Assembly.

#### SECTION X.

Paragraph I. There shall be an attorney-general of this State, who shall be elected by the people at the same time, for the same term, and in the same manner as the Governor.

Par. II. It shall be the duty of the attorney-general to act as the legal adviser of the executive department, to represent the State in the Supreme Court in all capital felonies, and in all civil and criminal cases in any court when required by the Governor, and to perform such other services as shall be required of him by law.

#### SECTION XI.

Paragraph 1. There shall be a solicitor-general for each judicial circuit, whose official term (except to fill a vacancy) shall be four

years. The successors of present and subsequent incumbents shall be elected by the electors of the whole State, qualified to vote for members of the General Assembly, at the general election held next preceding the expiration of their respective terms. Every vacancy occasioned by death, resignation, or other causes shall be filled, by appointment of the Governor, until the first day of January after the general election held next after the expiration of thirty days from the time such vacancy occurs, at which election a successor for the unexpired term shall be elected: *Provided*, that the successors for all incumbents whose terms expire on or before the first day of January, 1899, shall be elected by the General Assembly at its session for 1898, for the full term of four years.

Par. II. It shall be the duty of the solicitor-general to represent the State in all cases in the superior courts of his circuit, and in all cases taken up from his circuit to the Supreme Court, and to perform such other services as shall be required of him by law.

#### SECTION XIII.

Paragraph I. The Justices of the Supreme Court each shall have out of the treasury of the State salaries of \$7,000 per annum; the Judges of the Court of Appeals each shall have out of the treasury of the State salaries of \$7,000 per annum; the Judges of the superior courts each shall have out of the treasury of the State salaries of \$5,000 per annum; the attorney-general shall have a salary not to exceed two thousand dollars per annum, and the solicitors-general each shall have salaries not to exceed two hundred and fifty dollars per annum but the attorney-general shall not have any fee or perquisite in any case arising after the adoption of this Constitution. *Provided* that the county of Chatham shall from its treasury pay to the Judges of the Superior Courts of the Eastern Circuit three thousand dollars per annum; said payments are hereby declared to be a part of the court expenses of said county, and shall be made to the judge now in office, as well as his successors. *Provided* further, that the Board of County Commissioners of Fulton County, or such other board or person as may from time to time exercise the administrative powers of Fulton County, shall have power and authority to pay the judges of the superior court of Fulton County such sums, in addition to the salaries paid by the state, as said administrative authority or authorities may deem advisable, and the amounts so paid are declared to be a part of the court expenses of said county.

*Provided*, further, that the Board of County Commissioners of the counties of Clark, Floyd, Sumter, Muscogee, Bibb, or such other

Board or persons as may from time to time exercise the administrative powers of said several counties, may supplement from their respective county's treasuries the salaries of the judges of the circuits of which they are a part by such sum as may be necessary with salaries paid each of said judges from the State treasury to make a salary of \$6,000 each per annum of such judges; and such payments are declared to be a part of the court expenses of said counties, and such payments shall be made to the judges now in office as well as to their successors: Provided further, that the County of Fulton may supplement the salary of the judge of the Stone Mountain Circuit or the judges of such other circuits as may be hereafter required to regularly preside therein, for additional services rendered in the Superior Court of said county, such sums as will, with the salary paid such judge from the State Treasury, make a salary of \$6,000 per annum; said payments are declared to be a part of the court expenses of Fulton County, such payments to be made to the judge now in office as well as to his successors. The provisions of this amendment shall take effect and the salaries herein provided for shall begin from the ratification of this amendment and shall apply to the incumbents in the several offices as well as their successors; and provided, further, that the Board of County Commissioners of the county of Richmond, or such other Board or persons as may from time to time exercise the administrative powers of said county, shall supplement from said county's treasury the salary of the judge of the Superior Court of the circuit of which the said County of Richmond is a part, by such sum as may be necessary with salaries paid such judge from the State Treasury to make a salary for said judge of \$7,000 per annum and such payments are declared to be a part of the court expenses of said county, and such payments shall be made to the judge now in office, as well as to his successors. The provisions of this amendment shall take effect and the salaries herein provided for shall begin from the ratification of this amendment, and shall apply to the incumbents in office, as well as his successors.

The Act of the General Assembly of 1904 entitled "An Act to regulate the salaries of Judges of the Superior Courts of all Judicial Circuits of this State having, or that may hereafter have therein a city with a population of not less than 54,000, nor more than 75,000 inhabitants, and for other purposes," with the Acts of the General Assembly of 1905 and 1906 amendatory thereof; and also the Act of the General Assembly of 1906, entitled "An Act to Regulate the Compensation of Judges of the Superior Courts for services rendered outside of their own Circuits in those Judicial Circuits of the State having therein a city of not less than 75,000 inhabitants according

to the Census of 1900, and for other purposes," which Acts provide for the payment from the treasuries of the counties containing said cities to the judges aforesaid of a part of their salaries, are ratified, validated and confirmed as to the dates of said respective enactments.

Par. II. The General Assembly may at any time, by a two-thirds vote of each branch, prescribe other and different salaries for any or all of the above officers, but no such change shall effect the officers then in commission: Provided, however, that the General Assembly shall have power, at any time, by a majority vote of each branch, to abolish the fees at present accruing to the office of solicitor-general in any particular circuit, and in lieu thereof to prescribe a salary for such office, in addition to the salary prescribed in paragraph 1 of this section of this article, and without regard to the uniformity of such salaries in the various circuits; and shall have the further power to determine what disposition shall be made of the fines, forfeitures and fees accruing to the office of solicitor-general in any such judicial circuit where the fees are abolished.

#### SECTION XIV.

Paragraph I. No person shall be judge of the Supreme or superior courts, or attorney-general, unless, at the time of his election, he shall have attained the age of thirty years, and shall have been a citizen of the State three years, and have practiced law for seven years, and no person shall be hereafter elected solicitor-general, unless, at the time of his election, he shall have attained twenty-five years of age, shall have been a citizen of the State for three years, and shall have practiced law for three years next preceding his election.

#### SECTION XV.

Paragraph I. No total divorce shall be granted, except on the concurrent verdicts of two juries at different terms of the court.

Par. II. When a divorce is granted, the jury rendering the final verdict shall determine the rights and disabilities of the parties.

#### SECTION XVI.

Paragraph I. Divorce cases shall be brought in the county where the defendant resides, if a resident of this State; if the defendant be not a resident of this State, then in the county in which the plaintiff resides.

Par. II. Cases respecting titles to land shall be tried in the county where the land lies, except where a single tract is divided by a county line, in which case the superior court in either county shall have jurisdiction.

Par. III. Equity cases shall be tried in the county where a defendant resides against whom substantial relief is prayed.

Par. IV. Suits against joint obligors, joint promissors, co-partners, or joint trespassers, residing in different counties, may be tried in either county.

Par. V. Suits against the maker and indorser of promisory notes, or drawer, acceptor, and endorser of foreign or inland bills of exchange, or like instruments, residing in different counties, shall be brought in the county where the maker or acceptor resides.

Par. VI. All other civil cases shall be tried in the county where the defendant resides, and all criminal cases shall be tried in the county where the crime was committed, except cases in the superior courts where the judge is satisfied that an impartial jury cannot be obtained in such county.

#### SECTION XVII.

Paragraph I. The power to change the venue in civil and criminal cases shall be vested in the superior courts, to be exercised in such manner as has been, or shall be, provided by law.

#### SECTION XVIII.

Paragraph I. The right of trial by jury, except where it is otherwise provided in this Constitution, shall remain inviolate, but the General Assembly may prescribe any number, not less than five, to constitute a trial or traverse jury in courts other than the superior and city courts.

Par. II. The General Assembly shall provide by law for the selection of the most experienced, intelligent, and upright men to serve as grand jurors, and intelligent and upright men to serve as traverse jurors. Nevertheless the grand jurors shall be competent to serve as traverse jurors.

Par. III. It shall be the duty of the General Assembly, by general laws, to prescribe the manner of fixing compensation of jurors in all counties in this State.

#### SECTION XIX.

Paragraph I. The General Assembly shall have power to provide for the creation of county commissioners in such counties as may require them, and to define their duties.

#### SECTION XX.

Paragraph I. All courts not specially mentioned by name in the first section of this article may be abolished in any county, at the discretion of the General Assembly.

#### SECTION XXI.

Paragraph I. The costs in the Supreme Court shall not exceed ten dollars, until otherwise provided by law. Plaintiffs in error shall not be required to pay costs in said court when the usual pauper oath is filed in the court below.

#### ARTICLE VII.

##### FINANCE, TAXATION AND PUBLIC DEBT.

#### SECTION I.

Paragraph I. The powers of taxation over the whole State shall be exercised by the General Assembly for the following purposes only.

For the support of the State government and the public institutions.

For educational purposes, in instructing children in the elementary branches of an English education only.

To pay the interest on the public debt.

To pay the principal of the public debt.

To suppress insurrection, to repel invasion, and defend the State in time of war.

To supply the soldiers who lost a limb or limbs, in the military service of the Confederate States, with substantial artificial limbs, during life; and make suitable provisions for such Confederate soldiers as may have been otherwise disabled or permanently injured in such service, or who may, by reason of age and poverty, or infirmity and poverty, or blindness and poverty, be unable to provide a living for themselves, and for the widows of such Confederate soldiers as may have died in the service of the Confederate States, or since, from wounds received therein, or disease contracted in the service, or who, by reason of age and poverty, or infirmity and poverty, or blindness and poverty, are unable to provide a living for themselves: *Provided*, that the Act shall only apply to such widows as were married at the time of such service, and have remained unmarried since the death of such soldier husband.

To make provisions for the payment of pensions to any ex-Confederate soldier residing in this State January 1, 1920, who enlisted in the military service of the Confederate States during the Civil War between the States of the United States, and who performed actual military services in the armies of the Confederate States or of the organized militia of this State, and was honorably discharged therefrom, and to widows now residents of this State of ex-Confederate soldiers who enlisted in the military service of the Con-

federate States, and who performed actual service in the armies of the Confederate States or of the organized militia of this State, who died in said military service or were honorably discharged therefrom, who were married prior to January 1, 1881. No widow of a soldier killed during the war shall be deprived of her pension by reason of having subsequently married another veteran who is dead, unless she is receiving a pension on account of being the widow of such second husband. Any soldier doing service in the Confederate army, whether he belonged to the Confederate army or whether he belonged to the militia of any Confederate State and served with the Confederate army shall be eligible to draw a pension.

Par. II. The levy of taxes on property for any one year by the General Assembly for all purposes, except to provide for repelling invasion, suppressing insurrection, or defending the State in time of war, shall not exceed five mills on each dollar of the value of the property taxable in the State.

## SECTION II.

Paragraph I. All taxation shall be uniform upon the same class of subjects, and *ad valorem* on all property subject to be taxed within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws. The General Assembly may, however, impose a tax upon such domestic animals as, from their nature and habits, are destructive of other property.

Par. II. The General Assembly may, by law, exempt from taxation all public property; places of religious worship or burial; all institutions of purely public charity; all buildings erected for and used as a college, incorporated academy, or other seminary of learning, and also all funds or property held or used as endowment by such colleges, incorporated academies or seminaries of learning, provided the same is not invested in real estate; and provided, further, that said exemption shall only apply to such colleges, incorporated academies or other seminaries of learning as are open to the general public, provided, further, that all endowments to institutions established for white people shall be limited to white people, and all endowments to institutions established for colored people shall be limited to colored people; the real and personal estate of any public library, and that of any other literary association, used by or connected with such library; all books and philosophical apparatus; and all paintings and statuary, of any company or association, kept in a public hall, and not held as merchandise or for purposes of sale or gain; provided the property so exempted be not used for purposes of private or corporate profit or income. The General Assembly

shall, further, have power to exempt from taxation, farm products, including baled cotton, grown in this State and remaining in the hands of the producers, but not longer than for the year next after their production. The General Assembly shall further have power to exempt from taxation ships and vessels engaged exclusively in foreign commerce, owned, and operated by Georgia citizens or Georgia corporations. Provided, that after ten years from the date of ratification of this amendment the General Assembly shall be empowered to discontinue this exemption.

"Paragraph II. A. Any person, natural or artificial, a resident of this State, who may after January 1st, 1924, build, equip, establish or enlarge a plant for the manufacture or processing of cotton, wool, linen, silk, rubber, clay, wood, metal, metallic or non-metallic mineral or combination of same, creamery or cheese plant; or for the production or development of electricity may, as to such building, enlargement, or equipment be exempt from all county, incorporated town or city ad valorem taxes for a period of time not exceeding five (5) years from the date of the beginning of the building, enlargement or equipment of such plants. The legislature is herewith empowered to make provisions for the operation of this paragraph by appropriate legislation, provided such exemptions shall be approved by a majority of the electors voting in such county, incorporated town or city proposing said exemption."

Par. III. No poll-tax shall be levied except for educational purposes, and such tax shall not exceed one dollar annually upon each poll.

Par. IV. All laws exempting property from taxation, other than the property herein enumerated, shall be void.

Par. V. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

Par. VI. All persons or classes of persons who were, by laws of force January 1st, 1911, required to make returns for taxation to the comptroller-general, and all who may hereafter be so required, shall, on or before the first day of March of each year, make such returns as of date of January 1st of that year, and shall pay the taxes arising on such returns in favor of the State on or before the first of September of the same year, anything heretofore contained in the Constitution or laws of Georgia to the contrary notwithstanding. The laws of force on said date governing such returns and payments, and the collection and enforcement thereof shall remain of force as applicable to the returns and payments herein required



until the same shall be changed by law. The General-Assembly shall have power to make or alter all laws that may be necessary or proper for enforcing the provisions of this paragraph.

### SECTION III.

Paragraph I. No debt shall be contracted by or on behalf of the State, except to supply such temporary deficit as may exist in the treasury in any year from necessary delay in collecting the taxes of that year, to repel invasion, suppress insurrection, and defend the State in time of war, or to pay the existing public debt; but the debt created to supply deficiencies in revenue shall not exceed, in the aggregate, Five Hundred Thousand Dollars, and any loan made for this purpose shall be repaid out of the taxes levied for the year in which the loan is made.

### SECTION IV.

Paragraph I. All laws authorizing the borrowing of money by or on behalf of the State shall specify the purposes for which the money is to be used, and the money so obtained shall be used for the purpose specified, and for no other.

### SECTION V.

Paragraph I. The credit of the State shall not be pledged or loaned to any individual, company, corporation, or association, and the State shall not become a joint owner or stockholder in any company, association, or corporation.

### SECTION VI.

Paragraph I. The General Assembly shall not authorize any county, municipal corporation, or political division of this State to become a stockholder in any company, corporation, or association, or to appropriate money for, or to loan its credit to, any corporation, company, association, institution, or individual, except for purely charitable purposes. This restriction shall not operate to prevent the support of schools by municipal corporations within their respective limits: *Provided*, that if any municipal corporation shall offer to the State any property for locating or building a capitol, and the State accepts such offer, the corporation may comply with such offer.

Par. II. The General Assembly shall not have power to delegate to any county the right to levy a tax for any purpose, except for educational purposes; to build and repair the public buildings and bridges; to maintain and support prisoners; to pay jurors and cor-

oners, and for litigation, quarantine, roads and expenses of courts; to support paupers and pay debts heretofore existing; to pay the county police, and to provide for necessary sanitation.

#### SECTION VII.

Paragraph I. The debt hereafter incurred by any county, municipal corporation or political division of this State, except as in this Constitution provided for, shall not exceed seven per centum of the assessed value of all the taxable property therein, and no such county, municipality or division shall incur any new debt, except for a temporary loan or loans to supply casual deficiencies of revenue, not exceeding one-fifth of one per centum of the assessed value of the taxable property therein, without the assent of two-thirds of the qualified voters thereof voting at an election for that purpose to be held as prescribed by law, provided said two-thirds so voting shall be a majority of the registered voters, and provided further that all laws, charter provisions and ordinances heretofore passed or enacted providing special registration of the votes of counties, municipal corporations and other political divisions of this State to pass upon the issuance of bonds by such counties, municipal corporations and other political divisions are hereby declared to be null and void; and the General Assembly shall hereafter have no power to pass or enact any law providing for such special registration, but the validity of any and all bond issues by such counties, municipal corporations or other political divisions made prior to January 1st, 1918, shall not be affected hereby, but any city the debt of which does not exceed seven per centum of the assessed value of the taxable property at the time of the adoption of this Constitution may be authorized by law to increase at any time the amount of said debt three per centum upon such assessed valuation, except that the City Council of Augusta from time to time, as necessary, for the purpose of protection against floods, may incur a bounded indebtedness upon its power producing canal and municipal water works, in addition to the debts hereinbefore in this paragraph allowed to be incurred to an amount in the aggregate not exceeding fifty per centum of the combined value of such properties; the valuation of such properties to be fixed as may be prescribed by law, but said valuation not to exceed a figure five per cent on which shall represent the net revenue per annum produced by the two such properties together at the time of said valuation, and such indebtedness not to be incurred except with the assent of two-thirds of the qualified voters of such city, at an election or elections held for that purpose to be held as may be

now, or may be hereafter, prescribed by law for the incurring of new debts by the said City Council of Augusta. Except that the city of West Point, from time to time, as may be necessary for the purpose of protection against floods, may incur a bonded indebtedness in addition to and separate from the amount of debts hereinbefore in this paragraph allowed to be incurred, to an amount in the aggregate not exceeding the sum of seven hundred and fifty thousand dollars and such indebtedness not to be incurred except with the assent of two-thirds of the qualified voters of such city at an election or elections to be held as may now or may be hereafter prescribed by law for the incurring of new debts by said city of West Point. Provided, any municipality having a population of 150,000 or more can issue and sell "street improvement bonds" without the said assent of two-thirds of the qualified voters at an election called thereon, but upon a two-thirds vote of the members of its governing body, with these limitations: First, the term of such bonds shall in no case exceed ten years. Second, the amount of each issue shall be limited to the amount assessed by such municipality upon each improvement. Third, these bonds shall be issued only for the grading and paving or repaving of streets or portion of streets. Fourth, the interest thereon shall not exceed six per centum per annum. Fifth, these bonds can be issued without regard to the amount of other outstanding debts or bonds of said municipality. Sixth, these bonds, not to be issued except in case such pavement or repavement has been petitioned for in writing by the owners of more than fifty per cent of the property abutting on the street or portion of street paved or repaved, and except that the Mayor and Aldermen of the City of Savannah, for the purpose of acquiring and or improving a site or sites on Savannah River, in Chatham County, for publicly-owned, operated and managed terminals, and for the purpose of creating ways of ingress thereto and egress therefrom, may incur a bonded indebtedness in addition to the debts hereinbefore in this paragraph allowed to be incurred, to an amount in the aggregate not exceeding three million dollars (\$3,000,000.00). The Mayor and Aldermen of the City of Savannah shall be empowered to take charge of and administer municipally-owned terminals of the port of Savannah and is hereby authorized to create, construct and operate new terminal, storage, handling and terminal transportation facilities at the port of Savannah and to that end, shall have the right to condemn in accordance with the law or otherwise acquire any property necessary for said purposes, and may incur a bonded indebtedness in addition to the debt hereinbefore in this paragraph allowed to be in-

curred, to pay for same by issuing mortgage or mortgages and/or bond or bonds against the real estate and improvements thereon and against such facilities; such mortgage or mortgages, and/or bonds and all interest thereon are to be paid out of the net receipts of said terminal, storage, handling and transportation facilities after the payment of maintenance and operating expenses. The authority granted hereby shall be a continuing authority and the first creation or establishment of terminal, storage, handling and transportation facilities shall not exhaust the power of said Mayor and Aldermen of the City of Savannah. Bonds issued under this authorization shall be paid by preference out of the net receipts of the terminal, storage, handling or transportation facilities acquired, and/or created therewith after the payment of maintenance and operating expenses and so far as such net receipts may be insufficient, then out of the entire receipts and revenues of the said municipally-owned, operated and administered port of Savannah after the payment of maintenance and operating expenses and prior bonded obligations—Provided, that each issue of bonds under said authority shall be subordinate to previous issues thereunder. The Mayor and Aldermen of the City of Savannah shall have power to regulate the commerce and traffic of the harbor of Savannah in such manner as may in its judgment be best for its maintenance and development. And the foregoing amendments to the Constitution shall be self-executing and operative and the Mayor and Aldermen of the City of Savannah may by ordinance or otherwise carry the same into effect. The General Assembly may confer further and additional authority upon the Mayor and Aldermen of the City of Savannah touching the disposition and control of said terminals and harbors not inconsistent herewith.” “And except that the City of Brunswick, in addition to the indebtedness which it may incur under the preceding provisions of this paragraph, is hereby authorized to incur from time to time an indebtedness up to but not exceeding seven percentum of the assessed value of all taxable property therein (making a maximum indebtedness which said city may incur of fourteen percentum of such assessed values), when authorized by the assent of two-thirds of the qualified voters of such city as above provided for obtaining such authority; provided that such additional indebtedness can only be used for acquiring, constructing, improving and operating municipal port terminal facilities in said city, including lands, waterways, wharves, warehouses, water crafts, used in connection therewith, and all other proper equipment and appurtenances; but not limiting by the foregoing the generality of the words “municipal port terminal facilities.”

The General Assembly may at any time authorize said city to donate any port terminal facilities owned by it to the State of Georgia, with or without conditions."

Par. I. D. "The Coastal Highway District is hereby created as a political subdivision, body politic and corporate of this State, for the purpose of aiding in the construction and completion of the Public Highway known as the Dixie and South Atlantic Coastal Highway, extending from the Savannah river to the Florida line, with the right to sue and be sued, to have a seal, make contracts and to do all things necessary or proper to carry out the purpose of this Amendment. The said district shall be composed of the territory of the Counties of Chatham, Bryan, Liberty, McIntosh, Glynn and Camden Counties. The said Coastal Highway District shall have authority to issue bonds not exceeding \$900,000.00 for the purposes aforesaid; the bonded indebtedness of said district shall be incurred and the expenditures of funds derived therefrom as well as all other matters and transactions necessary to carry out the purposes of the Constitutional Amendment shall be managed, controlled and directed by ten commissioners, to be selected, four from Chatham, two from Glynn, and one each from Bryan, Liberty, McIntosh and Camden Counties. The said commissioners shall be selected and vacancies filled by the officers in charge of levying taxes in said counties respectively, and shall hold office for a period of five years and until their successors are selected and qualified. The bonds when issued shall be signed and sealed by said commissioners and shall be a lien upon the entire property of all of the counties composing said district, and a first lien to the extent of the annual retirements and interest payments thereon upon any sums payable annually hereafter by the State of Georgia to the said counties respectively from amounts collected from gasoline and oil taxes until all bonds of said district are retired. At or before the issuance of said bonds the commissioners of said district shall assess the counties composing said district an amount sufficient to pay and retire the bonds as they come due and pay the interest on the same. The bonds, principal and interest, shall be retired within 30 years from the date of issuance. The assessment against each county shall be in proportion to the taxable value of the real and personal property (including public utilities) returned for taxation, as finally adopted by the Comptroller General, and the proper authorities of each county, shall at or before the issuance of said bonds provide for the levying, assessment and collection annually of a sum sufficient in amount to pay the principal and interest of such county's part of said indebtedness, as the same becomes due, and the complete retire-

ment of the indebtedness within thirty years from the date of incurring said indebtedness. Any excess of such taxes collected by any county over and above the amount necessary to that county's liability for that year, after first using the amounts derived from gasoline and oil taxes as hereinbefore provided, shall be retained and the tax levied for the succeeding year shall be that much less. The bonded indebtedness here provided for shall be incurred only after it has been submitted to the qualified voters of said district at an election to be called by the said District Commissioners and held in the same manner as elections for the incurring of a bonded indebtedness by counties, municipalities and divisions. In determining the result of the election, the vote of the entire district shall be consolidated and counted as a unit, each county shall pay the expenses of the election in that county. The vote shall be consolidated and the result of the election declared by the District Commissioners herein provided for. The Superior Court of any county in said district shall have jurisdiction to validate the said bonds, in conformity with the law providing for the valuation of county, municipality and division bonds; and the certification by the clerk of the Superior Court, taking jurisdiction of such validation alone shall be sufficient certification. The proceedings for the validation may be instituted by the Solicitor General of any Judicial Circuit within which any of said counties lie, but the proceedings shall be served upon the authorities managing the fiscal affairs of each of said counties, and they shall make answer thereto. Such indebtedness when incurred shall not be considered in determining the power of any of the counties composing said district, or any other county or municipal corporation or political subdivision of said State, to incur any other bonded indebtedness."

Par. II. Any county, municipal corporation, or political division of this State, which shall incur any bonded indebtedness under the provisions of this Constitution, shall, at or before the time of so doing, provide for the assessment and collection of an annual tax, sufficient in amount to pay the principal and interest of said debt within thirty years from the date of the incurring of said indebtedness.

#### SECTION VIII.

Paragraph I. The State shall not assume the debt, nor any part thereof, of any county, municipal corporation, or political division of the State, unless such debt shall be contracted to enable the State to repel invasion, suppress insurrection, or defend itself in time of war.

## SECTION IX.

Paragraph I. The receiving, directly or indirectly, by any officer of the State or county, or member or officer of the General Assembly, of any interests, profits, or perquisites arising from the use or loan of public funds in his hands; or moneys to be raised through his agency for State or county purposes, shall be deemed a felony, and punishable as may be prescribed by law, a part of which punishment shall be a disqualification from holding office.

## SECTION X.

Paragraph I. Municipal corporations shall not incur any debt until provision therefor shall have been made by the municipal government.

Par. II. Reserving to the municipal corporations the benefit of all provisions of the Constitution of force in this State, the General Assembly is hereby empowered to authorize any municipal corporation within this State having a population of one hundred and fifty thousand or more, according to the census of the United States government taken next preceding the approval of any act passed in pursuance hereof, to incur a bonded debt or debts for the public purposes of such municipality, the said debt or debts to be incurred for such sums and to be secured after such manner, and to be paid principal and interest at such times and such places, and by such means and upon such terms as the General Assembly may prescribe.

Providing, however, that no act conferring the powers aforesaid or any of them shall become operative until the same shall have been affirmed at a general election held for the election of mayor and general council in such municipality by two-thirds of the qualified voters thereof who may vote at such election. Such two-thirds to constitute at least a majority of the qualified voters of said municipality.

## SECTION XI.

Paragraph I. The General Assembly shall have no authority to appropriate money, directly or indirectly, to pay the whole, or any part, of the principal or interest of the bonds, or other obligations, which have been pronounced illegal, null and void, by the General Assembly, and the constitutional amendments ratified by a vote of the people on the first day of May, 1877; nor shall the General Assembly have authority to pay any of the obligations created by the State under laws passed during the late war between the States, nor any of the bonds, notes, or obligations made and entered

into during the existence of said war, the time for the payment of which was fixed after the ratification of a treaty of peace between the United States and the Confederate States; nor shall the General Assembly pass any law, or the Governor, or other State official, enter into any contract or agreement, whereby the State shall be made a party to any suit in any court of this State, or of the United States, instituted to test the validity of any such bonds or obligations.

#### SECTION XII.

Paragraph I. The bonded debt of the State shall never be increased, except to repel invasion, suppress insurrection, or defend the State in time of war.

#### SECTION XIII.

Paragraph I. The proceeds of the sale of the Western and Atlantic, Macon and Brunswick, or other railroads held by the State, and any other property owned by the State, whenever the General Assembly may authorize the sale of the whole or any part thereof, shall be applied to the payment of the bonded debt of the State, and shall not be used for any other purpose whatever so long as the State has any existing bonded debt: *Provided*, that the proceeds of the sale of the Western and Atlantic Railroad shall be applied to the payment of the bonds for which said railroad has been mortgaged, in preference to all other bonds.

#### SECTION XIV.

Paragraph I. The General Assembly shall raise, by taxation, each year, in addition to the sum required to pay the public expenses and interest on the public debt, the sum of one hundred thousand dollars, which shall be held as a sinking fund to pay off and retire the bonds of the State which have not yet matured, and shall be applied to no other purpose whatever. If the bonds cannot at any time be purchased at or below par, then the sinking fund herein provided for, may be loaned by the Governor and treasurer of the State: *Provided*, the security which shall be demanded for said loan shall consist only of the valid bonds of the State; but this section shall not take effect until the eight per cent currency bonds, issued under the Act of February the 19th, 1873, shall have been paid.

#### SECTION XV.

Paragraph I. The comptroller-general and treasurer shall each make to the Governor a quarterly report of the financial condition



of the State, which report shall include a statement of the assets, liabilities, and income of the State, and expenditures therefor, for the three months preceding; and it shall be the duty of the Governor to carefully examine the same by himself, or through competent persons connected with his department, and cause an abstract thereof to be published for the information of the people, which abstract shall be indorsed by him as having been examined.

#### SECTION XVI.

Paragraph I. The General Assembly shall not, by vote, resolution, or order, grant any donation or gratuity in favor of any person, corporation, or association.

Par. II. The General Assembly shall not grant or authorize extra compensation to any public officer, agent, or contractor, after the service has been rendered, or the contract entered into.

#### SECTION XVII.

Paragraph I. The office of the State printer shall cease with the expiration of the term of the present incumbent, and the General Assembly shall provide, by law, for letting the public printing to the lowest responsible bidder, or bidders, who shall give adequate and satisfactory security for the faithful performance thereof. No member of the General Assembly, or other public officer, shall be interested, either directly or indirectly, in any such contract.

### ARTICLE VIII.

#### EDUCATION.

##### SECTION I.

Paragraph I. There shall be a thorough system of common schools for the education of the children, as nearly uniform as practicable, the expense of which shall be provided for by taxation, or otherwise. The schools shall be free to all children of the State but separate schools shall be provided for the white and colored races.

##### SECTION II.

Paragraph I. There shall be a State school commissioner, elected by the people at the same time and manner as the Governor and State-house officers are elected, whose term of office shall be two years, and until his successor is elected and qualified. His office shall be at the seat of government, and he shall be paid a salary not to exceed two thousand dollars per annum. The General Assembly

may substitute for the State school commissioner such officer, or officers as may be deemed necessary to perfect the system of public education.

### SECTION III.

Paragraph I. The poll tax, any educational fund now belonging to the State (except the endowment of, and debt due to the University of Georgia), a special tax on shows and exhibitions and on the sale of spirituous and malt liquors, which the General Assembly is hereby authorized to assess, and the proceeds of any commutation tax for military service, and all taxes that may be assessed on such domestic animals as from their nature and habits, are destructive to other property are hereby set apart and devoted for the support of common schools.

### SECTION IV.

Paragraph I. Authority is granted to counties and to municipal corporations, upon the recommendation of the corporate authority, to establish and maintain public schools in their respective limits by local taxation. The proper county authorities whose duty it is to levy taxes for county purposes in this State shall, on the recommendation of the board of education, assess and collect taxes for the support of the public schools under its control not less than one nor more than five mills on the dollar of all taxable property of the county outside of independent local systems, which shall be distributed equitably according to the school population, tax values, the number of teachers and their grade of license, among the public schools therein. An additional levy to that already allowed, not to exceed five mills, shall be permissible in independent local systems, municipalities or school districts on a two-thirds vote of those voting. No additional election shall be required to maintain any local school tax now in existence in districts, counties, or municipalities, provided this paragraph shall not apply to counties having a local school system of taxation adopted prior to the Constitution of 1877.

### SECTION V.

Paragraph I. Existing local school systems shall not be affected by this Constitution. Nothing contained in first section of this article shall be construed to deprive schools in this State, not common schools, from participation in the educational fund of the State, as to all pupils therein taught in the elementary branches of an English education.

## SECTION VI.

Paragraph I. The trustees of the University of Georgia may accept bequests, donations, and grants of land or other property for the use of said University. In addition to the payment of the annual interest on the debt due by the State to the University, the General Assembly shall, from time to time, make such appropriations to the University and high schools as the condition of the treasury authorize.

## ARTICLE IX.

### HOMESTEAD AND EXEMPTION.

#### SECTION I.

Paragraph I. There shall be exempt from levy and sale, by virtue of any process whatever under the laws of this State, except as hereinafter excepted, of the property of every head of a family, or guardian or trustee of a family of minor children, or every aged or infirm person, or person having the care and support of dependent females of any age, who is not the head of a family, realty or personalty, or both, to the value in the aggregate of sixteen hundred dollars.

#### SECTION II.

Paragraph I. No court or ministerial officer in this State shall ever have jurisdiction, or authority to enforce any judgment, execution, or decree against the property set apart for such purpose, including such improvements as may be made thereon from time to time, except for taxes, for the purchase-money of the same, for labor done thereon, for material furnished therefor, or for the removal of incumbrances thereon.

#### SECTION III.

Paragraph I. The debtor shall have power to waive or renounce in writing his right to the benefit of the exemption provided for in this Article, except as to wearing apparel, and not exceeding three hundred dollars worth of household and kitchen furniture and provisions, to be selected by himself and his wife, if any; and he shall not, after it is set apart, alienate or encumber the property so exempted, but it may be sold by the debtor and his wife, if any, jointly, with the sanction of the judge of the superior court of the county where the debtor resides or the land is situated, the proceeds to be reinvested upon the same uses.

#### SECTION IV.

Paragraph I. The General Assembly shall provide by law, as early as practicable, for the setting apart and valuation of said property. But nothing in this Article shall be construed to affect or repeal the existing laws for exemption of property from sale contained in the present Code of this State, in paragraphs 2040 to 2049 inclusive, and the Acts amendatory thereto. It may be optional with the applicant to take either, but not both, of such exemptions.

#### SECTION V.

Paragraph I. The debtor shall have authority to waive or renounce in writing his right to the benefit of the exemption provided for in section four, except as it is excepted in section three of this article.

#### SECTION VI.

Paragraph I. The applicant shall, at any time, have the right to supplement his exemption by adding to an amount already set apart, which is less than the whole amount of exemption herein allowed, a sufficiency to make his exemption equal to the whole amount.

#### SECTION VII.

Paragraph I. Homestead and exemptions of personal property which have been heretofore set apart by virtue of the provisions of the existing Constitution of this State, and in accordance with the laws for the enforcement thereof, or which may be hereafter so set apart, at any time, shall be and remain valid as against all debts and liabilities existing at the time of the adoption of this Constitution, to the same extent that they would have been had said existing Constitution not been revised.

#### SECTION VIII.

Paragraph I. Rights which have become vested under previously existing laws shall not be affected by anything herein contained. In all cases in which homesteads have been set apart under the Constitution of 1868 and the laws made in pursuance thereof, and a *bona fide* sale of such property has been subsequently made, and the full purchase-price thereof has been paid, all right of exemption in such property by reason of its having been so set apart shall cease in so far as it affects the right of the purchaser. In all such cases where a part only of the purchase-price has been paid, such transactions shall be governed by the laws now of force in this State, in so far as they affect the rights of the purchaser, as though said property had not been set apart.

## SECTION IX.

Paragraph I. Parties who have taken a homestead of realty under the Constitution of eighteen hundred and sixty-eight shall have the right to sell said homestead and reinvest the same, by order of the judge of the superior courts of this State.

## ARTICLE X

### MILITIA.

#### SECTION I.

Paragraph I. A well regulated militia being essential to the peace and security of the State, the General Assembly shall have authority to provide by law how the militia of this State shall be organized, officered, trained, armed and equipped; and of whom it shall consist.

Par. II. The General Assembly shall have power to authorize the formation of volunteer companies, and to provide for their organization into battalions, regiments, brigades, divisions and corps, with such restrictions as may be prescribed by law, and shall have authority to arm and equip the same.

Par. III. The officers and men of the militia and volunteer forces shall not be entitled to receive any pay, rations, or emoluments, when not in active service by authority of the State.

## ARTICLE XI.

### COUNTIES AND COUNTY OFFICERS.

#### SECTION I.

Paragraph I. Each county shall be a body corporate, with such powers and limitations as may be prescribed by law. All suits by or against a county shall be in the name thereof; and the metes and bounds of the several counties shall remain as now prescribed by law, unless changed as hereinafter provided.

Paragraph II. There shall not be more than one hundred and forty-five counties in this State: Provided, however, that in addition to the counties now provided for by this Constitution there shall be a new county laid out from the counties of Irwin and Wilcox, bounded as follows: Beginning at the point where the south line of land lot No. 167 in the third district of Wilcox County crosses the Alapaha river, and running due east along the south line to the northeast corner of land lot No. 159 in the third district of Irwin county; thence north to the northeast corner of land lot No. 172 in the third district of Wilcox county; thence east to the northeast

corner of land lot No. 174 in the third district of Irwin county; thence south to the northeast corner of land lot No. 157 in the third district of Irwin county, and thence east to the northeast corner of land lot No. 156 in the third district of Irwin county, and thence south to the northeast corner of land lot No. 66 in the third district of Irwin county; thence east to the northeast corner of land lot No. 62 in the third district of Irwin county, and thence south to the northeast corner of land lot No. 32 in the third district of Irwin county; thence east to the southeast corner of land lot No. 233 in the fourth district of Irwin county, and thence north to the southwest corner of land lot No. 206 in the fourth district of Irwin county, and thence east to the southeast corner of land lot No. 39 in the fourth district of Irwin county, and thence north along the east line of land lot No. 39 to the Ocmulgee river, and thence in a westerly direction along the Ocmulgee river to the point where House creek in Wilcox county empties into the Ocmulgee river, and thence in a westerly direction along the said House creek to the point where the said House creek crosses the north line of land lot No. 255 in the third district of Wilcox county, and thence west along the north line of said land lot No. 255 and the district line between the first and third districts in the said county of Wilcox to the Alapaha river, and thence in a southerly direction along the said Alapaha river to the starting point. That Fitzgerald shall be the county site of said county. Said county shall be attached to the Third Congressional District, and to the Oconee judicial circuit until another circuit shall be established embracing the present county of Irwin, in which case it shall belong to said new circuit, and shall be attached to the fifteenth State senatorial district. That all legal voters residing in the limits of said county of Ben Hill, entitled to vote for members of the General Assembly under the laws of Georgia, shall, on the first Tuesday in January, 1907, elect an ordinary, a clerk of the superior court, a sheriff, a coroner, a tax collector, a tax receiver, a county surveyor, and a county treasurer, and three commissioners of roads and revenues for said county, said election to be held at Fitzgerald, the county site of said county. That the superior courts of said county shall be held on the first Mondays in April and October of each year. The limits of the said county, the Congressional and senatorial districts and the judicial circuit to which it is attached, the time of holding the terms of the superior courts shall be as designated above until changed by law:

*Provided, however,* that, in addition to the counties now provided for by this Constitution there shall be a new county laid out

and created from the territory now comprising Pulaski County, to be made up and composed of all that part of the territory of Pulaski County lying north and east of a line extending northwest and southeast across said county, said line beginning at the point on the boundary line of Pulaski and Dodge Counties where land lots Nos. 123 and 148, in the 20th land district of Pulaski County meet, and thence extending from said point in a northwesterly direction along the line dividing said lots 123 and 148; thence continuing in a northwesterly direction along the dividing lines of the following land lots: Nos. 122 and 149, 121 and 150, in the 20th land district; and Nos. 300 and 301, 299 and 302, 298 and 303, 297 and 304, 296 and 305, 295, and 306, 294 and 307, 293 and 308, 292 and 309, 291 and 310, 290 and 311, 289 and 312, 288 and 313, 287 and 314, 286 and 315, in the 21st land district, and Nos. 354 and 361, and between lots 300 and 355, and between 359 and 356, between 358 and 357 in the 24th land district, to the Ocmulgee river and to the line of Houston County.

That the said new county shall be known as the County of Bleckley, and the City of Cochran shall be the county site of the same.

That the said County of Bleckley shall be attached to the same Congressional District, and to the same Judicial Circuit, and to the same State Senatorial District as those to which the County of Pulaski is attached at the date of the ratification of this amendment.

That all legal voters residing in the limits of the county of Bleckley, entitled to vote for members of the General Assembly under the laws of Georgia, shall, on the first Wednesday in January following the ratification of this proposed amendment, elect an Ordinary, a Clerk of the Superior Court, a Sheriff, a Coroner, a Tax Collector, a Tax Receiver, a County Surveyor, and a County Treasurer, and one Commissioner of Roads and Revenues for said new county, and said election shall be held at Cochran.

That the Superior Courts of said Bleckley County shall be held on the second Monday in January and the first Monday in July, of each year.

That the Congressional and Senatorial Districts, the Judicial Circuit to which said county is attached, the time of holding the terms of the Superior Court, and the limits of the county, shall be as designated above until changed by law.

*Provided*, that the laws applicable to the organization of new counties as found in Section 829 to 848 inclusive, of the Code of 1911, are hereby made applicable to said County of Bleckley, whenever the same may be created by the proposed amendment to the

Constitution, and that said county when created, shall become a statutory county and shall be at all times subject to all laws applicable to all other counties in this State.

*Provided*, however, that in addition to the counties now provided for by this constitution there shall be a new county laid out from the county of Montgomery, and bounded as follows: Commencing at a point on the western bank of the Oconee river where the Laurens county line intersects with said river, thence down the western bank of the said river to the mouth of the said river; thence up the northern bank of the Ocmulgee river to the mouth of Little Ocmulgee river, thence up the said Little Ocmulgee river to the line of Dodge county, thence east along said line of Dodge county and Laurens county to the western bank of the Oconee river to the starting point. That said new county, the boundaries of which are described herein, shall be called and known by the name of Wheeler, and shall be attached to and become a part of the Twelfth Congressional district, the Fifteenth State Senatorial district and the Oconee judicial circuit, and the county site of the said new county shall be the town of Alamo. That all legal voters residing in the limits as herein described of said proposed new county of Wheeler entitled to vote for members of the General Assembly under the laws of Georgia, shall, on the first Tuesday in January, 1913, elect an ordinary, a clerk of superior court, a sheriff, a coroner, a tax collector, a tax receiver, a county surveyor, a county treasurer and three commissioners of roads and revenues for said county, said election to be held at the town of Alamo, the county site of said new county. That the superior courts of said county shall be held on the first Mondays in March and on the first Mondays in September of each year. The limits of the said county, the Congressional and Senatorial districts, and the judicial circuit to which it is attached, and the time of holding the terms of the superior courts, shall be as designated above until changed by law; *provided*, that the laws applicable to the organization of new counties as found in sections 829 to 848 inclusive, of the Code of 1911, are hereby made applicable to said county of Wheeler whenever the same be created by the proposed amendment to the Constitution, and that said county when created, shall become a statutory county and shall be at all times subject to all laws applicable to all other counties in this State.

*Provided*, however, that in addition to the counties now provided for by this constitution there shall be a new county laid out from the counties of Gwinnett, Walton and Jackson, said county bounded as follows: Beginning at a point amid stream where the



Mulberry river crosses the Hall County line\* joining Jackson County; thence following the line between Hall and Jackson Counties to the corner of Hall, Gwinnett and Jackson Counties; thence in a direct line to the center of the Appalachia river at Freeman's mill; thence following the middle of the current of said Appalachia river down to the line of Walton and Oconee Counties; thence following the line between Walton and Oconee Counties to the common corner of Walton, Jackson and Oconee Counties; thence following the line between Jackson and Oconee Counties to the Clarke County line dividing Oconee and Clarke Counties, thence in a direct line to McClesky's Bridge at the central point over the Mulberry river; and thence up the said Mulberry river to the beginning point on the Hall County line. That Winder, Georgia, shall be the county site of said county. Said county shall be attached to the Ninth Congressional District and to the Western Judicial Circuit and shall be attached to the Twenty-seventh Senatorial District. That the name of said new county shall be Barrow, and that all legal voters residing in the limits of said county of Barrow entitled to vote for members of the General Assembly under the laws of Georgia shall, on the first Tuesday in January, 1915, elect an ordinary, a clerk of the Superior Court, a sheriff, a coroner, a tax collector, a tax receiver, a county surveyor and a county treasurer. Said election to be held at Winder, Georgia, the county site of said county. That the Superior Courts of said county shall be held on the fourth Mondays in March and September of each year. The limits of said county, the congressional and senatorial districts and the judicial circuit to which it is attached, the time of holding the terms of the Superior Court shall be as above designated until changed by law.

That in addition to the counties heretofore existing in this State, created by the General Assembly, and those created by amendments to the above and foregoing Paragraphs, Section and Article of the Constitution of this State, there is hereby created an additional county, which county shall be known as Candler County. The territory for the formation of said county of Candler shall be taken from the counties of Emanuel, Bulloch and Tattnall, and the said territory so taken for the formation of said new county of Candler shall be included within the following described boundaries, to-wit: Starting at the south of Ten Mile Creek where it empties into Canoochee river; running in a northerly direction up said river to Excelsior bridge; thence in a northerly direction straight course to Lott's Creek to a point one-quarter of a mile above new bridge; thence along the line of Lott's Creek to DeLoach's Pond; leaving

DeLoach's Pond running in a northwesterly direction, crossing the Bulloch and Emanuel County lines, intersecting with the Swainsboro and Statesboro public road, at D. B. Johnson's place; thence in a southwesterly direction to Union School House; thence in a southwesterly direction to Cowart's Mill Pond; thence a direct line south to the Leo Collins crossing on Central of Georgia Railroad; thence a southwesterly course to Griffin's Ferry Bridge on the Ohoopsee River (crossing line of Emanuel and Tattnall Counties) a southerly course to a point where the counties of Emanuel and Tattnall meet on the Ohoopsee River; thence a direct line east to Kennedy's Bridge on the Canoochee River. That when said county is created the county seat of the same shall be the town of Metter, now in the county of Bulloch; that if the above and foregoing amendment should be ratified by the people when the same is submitted to them for their ratification at the next general election after the adoption of this proposal to amend the Constitution there shall be on the first Wednesday in December after the proposed amendment to the Constitution is adopted an election for the county officers herein named in and for said new county, to be held at the several election precincts existing within the limits of said new county at the time of the adoption of the proposed amendment, during the usual hours of holding elections, and all legally qualified voters residing in said territory shall be qualified to vote at said election and the ordinaries of the several counties in which said election precincts are located at the time of the adoption of this amendment shall each appoint the election managers for the precincts in the counties in which he shall exercise jurisdiction of ordinary, and the managers of the election shall on the day succeeding the election, meet at the town of Metter, the place designated as the county seat of the new county, and consolidate the vote for the county officers, at such place within the limits of the town of Metter as shall be designated by the Judge of the Superior Court of the middle circuit, whose duty it is hereby made to designate the place of meeting of said election managers within the corporate limits of said town of Metter, and the general laws now in force as to the consolidation of the votes, the return of the election and the commission of officers shall be applicable to officers elected at such special election herein provided for; that the officers to be elected at said special election herein provided for shall be an ordinary, a clerk of the Superior Court, a sheriff, a tax collector, a tax receiver, a coroner, a county surveyor, and a county treasurer; that said officers shall be commissioned as now required by law, and all laws now in force in this

State to commission officers and for bonds required of them shall be applicable to the officers so elected; that the officers elected at said general election shall hold their offices until the next general election for county officers and until their successors are elected and qualified. The General Assembly is hereby given power to create any additional statutory officers in said county or statutory courts and to provide by law for filling said offices. Any vacancies that may occur before the next general election in any of the offices created by said county may be filled, as now provided by law. The said county of Candler shall be attached to the First Congressional District, the Middle Judicial Circuit and the Forty-ninth Senatorial District, but it shall be in the power of the General Assembly at any time to change the judicial circuit to which said county of Candler is attached, and the said General Assembly of Georgia is hereby given power to change said county of Candler in arranging congressional and senatorial districts as now provided by law. That the Superior Courts in said county of Candler shall be held on the third Mondays in February and August months of each year, but it shall be within the power of the General Assembly at any time by law to change the time of holding the courts and the number of terms thereof. That the Justices of the Peace and Constables residing in the territory included within the new county of Candler shall exercise the duties and powers of their office until new militia districts are laid out in said county of Candler, as now provided by law; that all of the provisions of the law as contained in Chapter Thirteen (13), of the Code of 1910, are hereby made applicable to the said county of Candler whenever the same is created; that all of the general laws in this State in addition to the above having application to the statutory counties of this State are hereby made applicable to the said county of Candler, especially the law in reference to holding elections for the purpose of creating a debt for said county; that the said county of Candler, so created by this amendment, shall become in all respects a statutory county and shall be governed by all laws now in force in this State regulating county and county affairs.

*Provided*, however, that in addition to the counties now provided for by the Constitution of the State of Georgia, there shall be a new county laid out from the counties of Appling, Pierce and Ware; that the name of said county shall be Bacon, and the boundaries, shall be as follows: Commencing at the southwest corner of the county of Appling, where it corners with Ware and Coffee Counties, being at the southwest corner of land lot 471 of the 5th district of Appling County; and running thence north along the

dividing lines between the counties of Appling and Coffee to the southwest corner of land lot 464 of the 5th district of Appling County; and running thence west along the original land line to the southwest corner of land lot 510 of the 5th district of Appling County where it corners with Coffee County; and running thence north along the dividing line between the counties of Appling and Coffee to the northwest corner of land lot 115 of the 2nd district of Appling County where it corners with Jeff Davis County; and running thence east along the dividing line between Appling and Jeff Davis Counties to the northwest corner of land lot 108 in the 2d district of Appling County; thence running north along the dividing line of Appling and Jeff Davis Counties to the northwest corner of land lot 169 of the 2d district of Appling County; and thence east along the original land line to what is known as the Little Satilla River; and thence southeasterly along the middle thread of the Little Satilla River to a point where said river crosses the southern line of land lot 75 of the 4th district of Pierce County and running thence west along the original land line to the northwest corner of land lot 76 in the 4th district of Pierce County; thence running south along the original land line to the southeast corner of land lot 63 in the 4th district of Pierce County; and running thence west along the original land line to the southeast corner of land lot 30 in the 4th district of Pierce County; thence south along the original land line to the southeast corner of land lot 31 of the 4th district of Pierce County; thence west along the original land line to the southeast corner of land lot 16 in the 4th district of Pierce County, thence south along the original land line to the southeast corner of land lot 15 in the 4th district of Pierce County; thence west along the original land line to the southeast corner of land lot 38 in the 5th district of Pierce County; thence south along the original land line to the southeast corner of land lot 36 in the 5th district of Pierce County; thence west along the original land line to the southeast corner of land lot 57 in the 5th district of Pierce County; thence south along the original land line to the southeast corner of land lot 58 in the 5th district of Pierce County; thence west along the original land line to the southeast corner of land lot 81 in the 5th district of Pierce County; thence south along the original land line to the southeast corner of land lot 80 in the 5th district of Pierce County, thence west along the original land line to the southeast corner of land lot 105 in the 5th district of Pierce County, thence south along the original land line to the southeast corner of land lot 106 in the 5th district of Pierce County; thence west along the origin-

al land lines to the southeast corner of land lot 198 in the 5th district of Ware County; thence south along the original land line to the southeast corner of land lot 199 in the 5th district of Ware County; thence west along the original land lines to the southwest corner of land lot 291 in the 5th district of Ware County; thence north along the original land lines to the northwest corner of land lot 290 in the 5th district of Ware County; thence west along the original land line to the southwest corner of land lot 310 in the 5th district of Ware County; thence north along the original land lines to the southwest corner of land lot 312 in the 5th district of Ware County; thence west along the original land lines to the southwest corner of land lot 471 to point and place of beginning.

That Alma, Georgia, shall be the county site of said county; that the said county shall be attached to the Eleventh Congressional District and to the Waycross Judicial Circuit and to the Third Senatorial District. That all legal voters residing in the limits of said county of Bacon, entitled to vote for members of the General Assembly under the law of Georgia, shall on the first Tuesday in January, 1915, at Alma, Georgia, the county site of said county, elect an ordinary, a clerk of the Superior Court, a sheriff, a coroner, a tax collector, a tax receiver, a county surveyor, county school superintendent, and a county treasurer. The limits of said county, the congressional and senatorial districts and the judicial circuit to which it is added shall be as above designated until changed by law. The Superior Court of said county shall be held on the third Mondays in March and October. That said county of Bacon is hereby declared to be a statutory county, the General Assembly of the State of Georgia is hereby given the power by legislation to create local offices and local courts in the said county, other than those provided for in this constitution; and it is further declared that the General Assembly shall have the same power to legislate in reference to said county of Bacon, that it has now as to other counties in the State. That all laws applicable to the counties in this State are hereby made to apply to the said county of Bacon. That said county of Bacon is hereby authorized to create a bonded debt not to exceed one hundred thousand dollars (\$100,000) for public improvements in said county of Bacon, by the consent of the majority of the regular qualified voters of said county of Bacon voting at an election for that purpose. That said election to create said debt shall be held under law now in force, for creation of the debt.

*Provided*, however, that in addition to the counties now provided for by this Constitution, there shall be a new county laid out and

created from portions of the counties of Bulloch and Tattnall and embraced within the following boundary lines: Commencing at a point known as Johnson's Old Ferry on the Canoochee river and running thence in a southwesterly direction along the boundary line between Liberty and Tattnall Counties to a point known as the Ford on Canoochee Creek; thence in a westerly direction, a straight line to Jennie; thence a westerly direction a straight line to Roger's Crossing, at the intersection of the Bellville and Reidsville roads, thence in a northerly direction in a straight line to a point on the Seaboard Air Line Railway, half way between the towns of Bellville and Manassas, thence northerly in the same direction in a straight line until it intersects the line of the proposed county of Candler, thence along said line to the Canoochee River, thence in a southerly direction down the Canoochee River to Kennedy's Bridge, thence in an easterly direction along the public road leading from Kennedy's Bridge to Ada Belle on the Register and Glennville Railroad; thence in an easterly direction along the old Dublin Road, to the right-of-way of the old Dublin Railroad bed; thence in a southeasterly direction down said right-of-way to Scott's Creek, thence in the same direction down Scott's Creek to its mouth in Lott's Creek, thence in a southerly direction down Lott's Creek to its mouth in Canoochee River; and from thence down Canoochee River in a southeasterly direction to the starting point at Johnson's Ferry. That the territory embraced in the foregoing boundary lines shall be known as and be named Evans County, and the city of Claxton shall be the county site of the same. That said proposed county shall be attached to the First Congressional District, to the Atlantic Judicial Circuit and to the Second Senatorial District. That all legal voters residing within the limits of said proposed county of Evans, entitled under the laws of Georgia to vote for members of the General Assembly, shall, on the first Wednesday in January following the ratification by the people of this proposed amendment, elect the following officers for the said county of Evans: An ordinary, a clerk of the Superior Court, a sheriff, a coroner, a tax collector, a tax receiver, a county treasurer, a county surveyor, a county superintendent of public schools, and three commissioners of roads and revenues, said election to be held at Claxton, the county site, according to law. That the Superior Courts of the said county of Evans shall be held on the fourth Mondays of January, March, June and October, of each year and that the grand jury for said county of Evans shall serve at the January and June terms of said court, each year; provided, however, that the Judge of the Superior Court

may, in his discretion, cause the grand jury of said county to be summoned at any term of said Superior Court. That the limits of said county of Evans, the congressional and State senatorial districts, the judicial circuit to which said county of Evans is hereby attached, the terms of the Superior Court of the same shall be as designated herein until changed by law; *provided*, that the laws applicable to new counties, and not inconsistent, or in conflict with the provisions of this Act, as found in Section 829 to 848, inclusive, of the Code of Georgia, 1910, are hereby made applicable to said county of Evans, whenever said county is created, and that said county shall be subject to all laws applicable to all other counties of this State.

*Provided, however*, that, in addition to the counties now provided for by this Constitution, there shall be a new county laid out and created from territory embraced in Coffee and Clinch Counties within the following boundary lines: Beginning at the point where the southern boundary line of lot of land No. 334, in the fifth land district of Coffee County, intersects the middle of the run of Willacoochee Creek, then follow said line directly east to the southeast corner of lot of land No. 15, in the sixth land district of Coffee County; thence south along the eastern boundary of lot of land No. 16, in the sixth land district of Coffee County to the southwest corner of said lot of land; thence along the land line directly east to where it intersects the middle of the run of the Satilla River; thence, in a southeasterly direction along the run of the said Satilla River to where the same intersects the northern boundary of the lot of land No. 250, in the sixth (6) land district, thence directly east along said line to where it intersects the Ware County line; thence in a southerly direction along the Ware County line to the north side corner of lot of land No. 234, in the seventh land district of Clinch County; thence directly westward along the land line of said lot of land No. 234 on the north, to where it intersects the middle of the run of Alapaha River; thence in a northerly direction along the middle of the run of the Alapaha River to the mouth of Willacoochee Creek; thence along the middle of the run of Willacoochee Creek to point of beginning. That said new county shall be known as "Atkinson County," and the "City of Pearson," shall be the county seat thereof. That said "Atkinson County" shall be attached to the eleventh Congressional District, the Waycross Judicial Circuit and the Fifth Senatorial District. That all the legal voters residing within the limits of the County of Atkinson, entitled to vote for members of the General Assembly under the laws

of Georgia, on the first Wednesday in December following the ratification of this proposed amendment, shall elect an ordinary, a clerk of the Superior Court, sheriff, coroner, tax collector, tax receiver, county surveyor and county treasurer for said new county, said election to be held at the militia district courthouses at Willacoochee, Pearson and Axson, in the manner now provided by law for holding elections for county officers, and said county officers-elect shall qualify and enter upon the discharge of their respective duties on the first day of January following their election, and shall hold their offices for a term of two years or until their successors shall be duly elected and qualified. That the Superior Courts of said Atkinson-County shall be held on the fourth Mondays in January and June of each year. That the Congressional and Senatorial Districts, the judicial circuit to which said County of Atkinson is attached, the time of holding the terms of the Superior Courts, and the limits of the county, shall remain as designated above until the same shall be changed by law. *Provided*, that the laws applicable to the organization of new counties, found in sections 829 to 848, inclusive, Code of 1911, are hereby made applicable to the County of Atkinson, and that said county shall become a "statutory county," and shall be at all times subject to all laws applicable to all other counties in this State.

That in addition to the counties heretofore existing in this State, there is hereby created an additional county, which county, when created, shall be known as Treutlen County. The territory for the formation of the said county of Treutlen shall be taken from the counties of Montgomery and Emanuel, and the said territory so taken for the formation of said county of Treutlen shall be included within the following described boundaries, to-wit: Starting at a point on the east side of the Oconee River where Red Bluff Creek empties into the Oconee River and running up said Red Bluff Creek to a point where the river road crosses Red Bluff Creek, thence on a straight line in a northeasterly direction to Wixtrum's Bridge on Pendleton Creek, said Pendleton Creek being the present line between Montgomery and Emanuel Counties, thence in a northerly direction from Wixtrum's Bridge on Pendleton Creek to Moore's Bridge on the Ohoopsee River; the public road from Wixtrum's Bridge leading to Swainsboro being the line to said Moore's Bridge on the Ohoopsee River; thence up the run of the Ohoopsee River from Moore's Bridge to McLemore's Bridge where the Savannah and Dublin public road crosses the Ohoopsee River; thence in a westerly direction along said Savannah and Dublin public road to where said public road crosses the county line between Laurens and



Emanuel Counties, thence in a southwesterly direction along the county line between the present counties of Emanuel and Laurens to Pendleton Creek; thence along the county line between Laurens and Montgomery Counties to Mercer's Creek, thence down Mercer's Creek in a southwesterly direction to where Mercer's Creek empties into the Oconee river, thence down the Oconee river to the mouth of Red Bluff Creek, at the starting point. That if the said county is created the county seat shall at the town of Soperton now in the county of Montgomery. That if this amendment shall be ratified by the people when the same is submitted to them for their ratification, then, on the first Wednesday in December, 1918, an election shall be held for the election of county officers herein named to serve in and for said new county; that said election shall be at the said election precincts existing within the limits of said proposed new county at the time this amendment shall take effect, and be held during the hours now fixed by law for holding elections, and all legally qualified voters residing in the territory included in the limits of said proposed new county shall be qualified to vote at said election for said officers, and the ordinaries of the several counties in which the election precincts are located within the limits of the said proposed new county at the time this amendment is to take effect shall each appoint the election managers for the precincts in the county in which he exercises jurisdiction as ordinary, and said managers shall take and subscribe the oath now prescribed by law; and the election managers shall on the day succeeding the election meet at the town of Soperton, the place herein designated as the county seat of said proposed new county, and consolidate the vote cast at said election at such place within the limits of said town of Soperton as shall be designated by the judge of the Superior Courts of the Oconee Circuit whose duty it is hereby made to designate a meeting place for said election managers within the corporate limits of said town of Soperton; and the general law of this State now in force as to the consolidation of votes, the return of the election, and the commission of the officers shall be applicable to such special election herein provided for. The officers to be elected at said election shall be an ordinary, clerk of the Superior Court, sheriff, tax collector, tax receiver, coroner, county surveyor, county treasurer, county superintendent of education and member of the General Assembly; that the persons who shall be elected to fill said offices at said election shall be commissioned as now required by law, and the laws now in force in this State in regard to commissions for officers and the bonds required of them shall be applicable to the

officers so elected, and they shall hold their offices until the next general election for county officers and until their successors are elected and qualified. The General Assembly is hereby given power to create any statutory offices or statutory courts and provide for filling the same. Vancancies that may occur before the next general election in any of said offices shall be filled as now provided by law. That said new county, when created, shall become a part of the twelfth Congressional District and sixteenth Senatorial District, and shall be included in the Oconee Judicial Circuit, and a Superior Court for said county is hereby created, which court shall have the same jurisdiction as now provided by law for the Superior Courts of this State; that the said court until otherwise changed by law shall be held on the third Mondays of February and August of each year, but the General Assembly is hereby expressly given the power to change the terms of said court and to increase the number thereof; that the justices of the peace and constables residing within the territory included within the new County of Treutlen shall exercise the duties and powers of their offices until new militia districts are laid out for said county of Treutlen as now provided by law. That the provisions of Chapter 13 of the Code of 1910 are hereby made applicable to said proposed county of Treutlen, and that all the general laws of this State in reference to holding elections for the purpose of creating debt, and that the said proposed county of Treutlen shall, when created, become in all respects a statutory county, and shall be governed by all laws now in force in this State relating to counties and county affairs, and shall be subject to the legislative control of this State, and the Legislature of this State is hereby given power to enact laws in reference to said county in the same manner and the same extent that they have the power to legislate as to the other counties now existing in this State; that the property of all taxpayers included within the limits as herein defined of the said proposed county of Treutlen is hereby made chargeable with any debt that may have been incurred by any of the counties from which the territory included in the new county is taken by the legally constituted authorities of the county for the purpose of raising revenues for the benefit of either of said counties, whether the said debt is a bonded debt or one which has been incurred for the benefit in any way of either of the counties. The value of the taxable property included in the said county of Treutlen at the time of the adoption of this amendment to the Constitution, in proportion to the value of the property left in the counties from which the said county of Treutlen is taken, shall determine the

proportionate amount of the debt which shall be put upon the property of the taxpayers located in said proposed new county. Authority is hereby given to the ordinary of the said county of Treutlen and to the officers of the counties from which said territory is taken who are charged with the management of the business of the said counties to settle and agree upon an amount of the said indebtedness that shall be assumed and paid by the said county of Treutlen; and it is hereby made the duty of the ordinary of said county of Treutlen when the amount of said debt is so ascertained to cause a tax to be levied upon all the property within the limits of the said county of Treutlen of such per cent as will be sufficient to discharge said debt; and in the event of the failure or refusal of the ordinary of Treutlen County to levy such tax it shall be the duty of the judge of the Superior Court of the circuit of which the said county of Treutlen forms a part, to compel the ordinary of the county of Treutlen to perform the duty herein required of him. In the event of the failure of the authorities of the said county of Treutlen to ascertain the proportionate part of said debt the said County of Treutlen is hereby required to pay, or in the event the authorities of the counties fail to agree upon the amount of said debt, then either of said counties may bring a suit against the said county of Treutlen in the Superior Court of said county for the purpose of having the proportion of said debt so assumed by the said county of Treutlen to be ascertained, and the said court is hereby given power to enforce whatever judgment may be had as the result of said trial by compelling the ordinary of said county to levy a tax for the payment of said debt.

That section 846 of the Code of 1910, in reference to the registration of voters, is hereby expressly made applicable to said county, and in addition to the provisions contained in said section, it is hereby made the duty of the ordinaries of the several counties in the territory included in said county to furnish to the election managers the names of all persons legally registered and who reside in the territory included in the said county of Treutlen and who are qualified to vote according to the laws of this State.

That in addition to the counties heretofore existing in this State, there is hereby created an additional county, which county, when created, shall be known as Cook County. The territory for the formation of said county of Cook shall be taken from the county of Berrien, and the territory so taken for the formation of said new county of Cook shall be included within the following described boundaries, to-wit:

Starting at a point where the Willacoochee River crosses the county line between Berrien and Lowndes, thence running a northerly direction along the run of said Willacoochee River to where said river intersects with New River; thence taking a northwesterly direction up and along the run of said New River to where said New River crosses the county line between the counties of Berrien and Tift; thence westward along what is now the county line between the counties of Berrien and Tift to the northeast original corner of lot of land No. Five Hundred Seventeen (517) in the 6th land District of originally Irwin County, thence south along the east original line of said lot to the "New Flat Bridge public road," thence west along said road fifty (50) feet, then south along a line fifty (50) feet from and parallel with the east line of lot 517, as aforesaid, to the south original line of No. 517, thence in a westward direction along what is now the county line between said counties of Berrien and Tift, to where said county line crosses the run of Little River; thence in a southerly direction and southeasterly direction down and along the run of said Little River to where the same reaches the line between the counties of Lowndes and Berrien, thence due east along the lines on the south side of lots of land Nos. 517, 516 and 515 in the 9th land District of originally Irwin County; thence due east along the line between the counties of Berrien and Lowndes to where the same crosses the run of said Willacoochee River, that being the starting point.

That when said county is created the county seat for the same shall be the Town of Adel, now in said County of Berrien. That if the above and foregoing amendment should be ratified by the people at the next general election after the adoption of the proposal to amend the Constitution, there shall be on the first Wednesday in December after the proposed amendment to the Constitution is adopted, an election for the County officers herein named, in and for said new county to be held at the several election precincts existing within the limits of said new county, at the time of the adoption of the proposed amendment, during the usual hours of holding elections, and all legally qualified voters residing in said territory shall be qualified to vote at said election; and the Ordinary of Berrien County, the county in which said election precincts are located at the time of the adoption of this amendment, shall appoint the election managers for such precincts, and the managers of the election shall, on the day succeeding the election, meet at the city hall in the town of Adel and consolidate the vote for the county officers; and the general laws now in force as to consolidation of the votes,

the return of the election, and the commission of officers, shall be applicable to officers elected at such special elections herein provided for; that the officers to be elected at said special election herein provided for shall be an ordinary, clerk of the Superior Court, sheriff, tax collector, tax receiver, coroner, county surveyor, and county treasurer; that said officer shall be commissioned as now required by law, and laws now in force in this State to commission officers and for bonds required of them, shall be applicable to the officers so elected; that the officers elected at said election shall hold their offices until the next general election for county officers throughout the State, and until their successors are elected and qualified. The General Assembly is hereby given power to create any additional statutory offices in said county, or statutory courts, and to provide by law for filling said offices. Any vacancies that may occur before the next general election in any of the offices created thus for said county may be filled as now provided by law. The said county of Cook shall be attached to the Eleventh Congressional District, the Southern Judicial Circuit, and the Sixth Senatorial District; but it shall be in the power of the General Assembly at any time to change the Judicial Circuit to which said county of Cook is attached, and the said General Assembly of Georgia is hereby given power to change said county of Cook in arranging Congressional and Senatorial districts, as is now provided by law. That the Superior Courts in said county of Cook shall be held on the first Mondays of March and September of each year, but it shall be within the power of the General Assembly at any time by law to change the time of holding court and the number of terms thereof. That the Justices of the Peace and Constables residing in the territory included within the new county of Cook shall exercise the duties and powers of their office until new militia districts are laid out in said county of Cook, as now provided by law. That all the provisions of the law as contained in Chapter Thirteen (13) of the Code of 1910, are hereby made applicable to the said county of Cook whenever the same is created. That all of the general laws in this State, in addition to the above, having application to the statutory counties of this State, are hereby made applicable to the said county of Cook, especially the law in reference to holding elections for the purpose of creating a debt for said county. That the county of Cook shall become in all respects a statutory county, and shall be governed by all laws now in force in this State regulating county and county affairs.

The county authorities of said county shall have the right to create a debt for and on behalf of said county to defray the expenses

of said county for the first year, without submitting the same to a vote of the qualified voters of said county. The Legislature is hereby authorized to correct any mistake or mistakes, or inaccuracies, that may occur, or may have occurred, in reference to the line or lines of said proposed new county.

*Provided*, however, that in addition to the counties heretofore existing in this State, created by the General Assembly, and those created by amendment to the Constitution of this State, there shall be an additional county, which county when created shall be known as Lanier County. The territory for the formation of said county of Lanier shall be taken from the counties of Clinch, Berrien and Lowndes, and the territory so taken for the formation of said new county of Lanier shall be included within the following described boundaries, to-wit: Beginning at the northwest corner of land lot 312, in the 10th land district of Berrien County, thence running south along the west line of lots 312, 333, 358, 379, 404, 425 and 450 to the southwest corner of said lot 450, thence westward along the north lines of lots 470 and 469 to the northwest corner of lot 469, thence south along the west lines of lots 469, 498 and 515 to the southwest corner of lot 515, thence east along the south lines of lots 515 and 516 to the northwest corner of lot 231, all of said lots being in the 10th district of Berrien County; thence south along the west lines of lots 231, 232, 233, 234, 235, 236 to the southwest corner of said lot 236 all of said lots being in the 11th district of Lowndes County; thence east along the south lines of lots 236, 271, 282, 317, 328, 363, 374, 409, 420 to the run of Alapaha River in Lowndes County, all of said lots in the 11th district of Lowndes County, and thence down the run of said Alapaha River in a southerly and southeasterly direction to where said run of said river crosses the present line between the counties of Clinch and Echols, said line being the run of Cow Creek at said point, thence easterly and northeasterly along the run of said Cow Creek to a point where said creek leaves the present line between Clinch and Echols counties, thence easterly and southeasterly along the present line between the counties of Clinch and Echols to the southeast portion of lot of land 519 that lies in the present county of Clinch, and in the 11th district of said county; thence north along the east lines of lots of land 519, 518, 517, 516, 515, 514, 513, 512, 511, 510, 509, 508, 507, in the 11th district, and 529, 484, 483, 438, 437, 392, 391, 346, 345, 300, 299, 254, 253 to the northeast corner of said lot 253, in the 10th district, all in the county of Clinch; thence westward along the north lines of lots 253, 252, 251, 250 and 249 to the run of Alapaha River in a southerly direc-

tion to where the run of said river crosses the north line of lot 304 in the 10th district of Berrien County; thence westward along the north lines of lots 304, 305, 306, 307, 308, 309, 310, 311 and 312, in the 10th district of Berrien County, to the northwest corner of said lot 312, the starting point.

That when said county is created the county seat for the same shall be the town of Milltown, now in said county of Berrien. That if the above and foregoing amendment should be ratified by the people when the same is submitted to them for their ratification at the next general election after the adoption of the proposal to amend the Constitution, there shall be, on the first Wednesday in December after the proposed amendment to the Constitution is adopted, an election for the county officers herein named, in and for said new county to be held at the several election precincts existing within the limits of said new county at the time of the adoption of the proposed amendment, during the usual hours of holding elections, and all legally qualified voters residing in said territory shall be qualified to vote at said election; and the ordinary of the county in which said election precincts are located at the time of the adoption of this amendment shall appoint the election managers for such precincts, and the managers of the election shall, on the day succeeding the election, meet at the city hall in the town of Milltown and consolidate the vote for the county officers; and the general laws now in force as to the consolidation of the votes, the return of the election and the commission of officers shall be applicable to officers elected at such special election herein provided for; that the officers to be elected at such special election herein provided for shall be an ordinary, clerk of the Superior Court, sheriff, tax collector, tax receiver, coroner, county surveyor, and county treasurer; that said officers shall be commissioned as now required by law, and all laws, now in force in this State, to commission officers, and for bonds required of them, shall be applicable to officers so elected; that the officers elected at said election shall hold their offices until the next general election for county officers throughout the State, and until their successors are elected and qualified. The General Assembly is hereby given power to create any additional statutory offices in said county, or statutory courts, and to provide by law for filling said offices. Any vacancies that may occur before the next general election in any of the offices created thus for said county may be filled as now provided by law. The said county of Lanier shall be attached to the Eleventh Congressional District, the Alapaha Judicial Circuit, and the Sixth Senatorial District; but it shall be

in the power of the General Assembly at any time to change the judicial circuit to which said county of Lanier is attached, and the said General Assembly of Georgia is hereby given power to change said county of Lanier in arranging the Congressional and Senatorial districts, as is now provided by law; that the Superior Court in said county of Lanier shall be held on the second Mondays in January and July of each year, but it shall be within the power of the General Assembly at any time by law to change the time of holding court and the number of terms thereof; that the justices of the peace and constables residing in the territory included within the new county of Lanier shall exercise the duties and powers of their offices until new militia districts are laid out in said county of Lanier, as now provided by law; that all the provisions of law as contained in Chapter thirteen (13) of the Code of 1910 are hereby made applicable to the said county of Lanier whenever the same is created; that all of the general laws of this State, in addition to the above, having application to the statutory counties of this State, are hereby made applicable to the said county of Lanier, especially the law in reference to holding elections for the purpose of creating a debt for said county; that when this amendment is adopted the said county of Lanier, so created by the adoption of this amendment, shall become in all respects a statutory county, and shall be governed by all laws now in force in this State regulating county and county affairs. The county authorities of said county shall have the right to create a debt for and on behalf of said county to defray the expenses of said county for the first year, without submitting the same to a vote of the qualified voters of said county. The Legislature is hereby authorized to correct any mistake or mistakes, or inaccuracies, that may occur, or may have occurred, in reference to the line or lines of said proposed new county.

In addition to the counties now provided for by the Constitution of Georgia, as amended, there shall be organized, by this further amendment to Paragraph 2, Section I, Article II, another new county to be known as Brantley, the same to be laid out from the counties of Pierce, Charlton and Wayne, and shall include all of the territory embraced within boundaries as follows, to-wit: "Beginning at the southeast corner of Pierce County, at the southeast corner of lot of land number three hundred (300) in the 9th district of Pierce County, and thence northwards along the line between Pierce and Charlton counties to the southwest corner of land lot number thirteen (13), in the 2nd district of Charlton County; thence eastwards along the south line of land lots numbers thirteen (13),



fifty-two (52), seventy-seven (77), one hundred and sixteen (116), one hundred and forty-one (141), one hundred and eighty (180), two hundred and five (205), and fractional lot two hundred and forty-four (244), and thence continuing in a straight line to Buffalo Creek, and thence eastwards along the line between counties of Charlton and Wayne to the Big Satilla River and the western line of Camden County; thence northward along the line between Wayne and Camden counties to the Glynn County line; thence further northwards along the line between the counties of Wayne and Glynn to a point on said county line one mile north of the main line of the Atlanta, Birmingham and Atlantic Railway; thence westwards along a line one mile north of and parallel with the aforesaid main line of the Atlanta, Birmingham and Atlantic Railway to the Little Satilla River, and the line between the counties of Wayne and Pierce; thence southeast along the channel of the Little Satilla River to the southwest corner of land lot number one (1) in the 3rd district of Wayne County; thence southwards along the west lines of land lots numbers thirty-two (32) and thirty-one (31), in the 2nd district of Pierce County, to the channel of the Big Satilla River; thence westwards up the channel of the Big Satilla River, through Pierce County, to the county line between Pierce and Ware counties; and thence south and southeast along the county line between Pierce and Ware counties to the Charlton County line; and thence eastwards along the county line between Pierce and Charlton to the southeast corner of Pierce County, the point of beginning aforesaid."

The county site of said new county, Brantley, shall be Hoboken, Georgia.

Said county shall be attached to the Eleventh Congressional District, to the Waycross Judicial Circuit; and to the Third Senatorial District, until changed by the General Assembly of Georgia.

Terms of Superior Court shall be two in number, held on the first Monday in June, and on the fourth Monday in November, in each year, until the number of said terms and time of holding the same shall be changed by the General Assembly.

Justices of the Peace and Constables cut off into the new county shall continue to exercise the duties and powers of their respective offices until new militia districts are laid off in said new county, and until their successors are elected and qualified.

The voters of said new county qualified to vote for members of the General Assembly under the laws of Georgia shall, on the second Wednesday in December, 1920, elect an Ordinary, Clerk of Superior Court, Sheriff, Coroner, Tax Collector, Tax Receiver, County Treas-

urer, County Surveyor, County School Superintendent, and Representative in the General Assembly, who shall hold office until the next general election for county officers shall be held in the State of Georgia, and until their successors are elected and qualified, and said officers shall qualify, give bond, and take oath as prescribed by law. Said election shall be held at the schoolhouse at Hoboken, the county seat of said county, by managers appointed by the Ordinary of Pierce County for said purpose, or by three freeholders in event the managers so appointed fail or refuse to hold said election; and said election shall be held under the laws now of force relating to the manner of holding elections for county officers. The officers elected at said election shall enter upon the discharge of their respective duties on the 1st day of January, 1921.

The ordinaries of the counties from which said new county is laid out shall furnish the managers of said election with a list of the legal voters registered in their respective counties who reside within the territory included in said new county.

The provisions of Section 829 to 848, inclusive, of the Code are hereby made applicable to said new county; and said new county, when created, shall be a "statutory county," and subject to all general laws of this State applicable to the counties thereof.

The county authorities of said new county shall have the right to create a debt for and on behalf of said county to defray the public expenses thereof for the first year, without submitting the same to a vote of the qualified voters thereof.

Said new county, when created, shall be entitled to one representative in the Lower House of the General Assembly of Georgia, and the membership of said House shall be increased by one, so as to admit of representation therein for said new county.

The General Assembly is authorized to correct any mistake or mistakes, or inaccuracies, in reference to the boundaries of said new county.

*Provided*, however, that in addition to the counties now provided for by this Constitution, there shall be a new county laid out and created from the territory now comprising the counties of Pike and Monroe, to be made up and composed of all of that part of the territory of the counties of Pike and Monroe described and contained within the boundaries as follows:

Beginning at the northwest corner of land lot 185 adjoining Spalding and Pike County line in the 2nd district of Pike County and running along land lot lines southward to northwest corner of land lot 75 in the 8th district, Pike County, Georgia; thence west

along land lot line between land lots 86 and 87 to the northwest corner of land lot 86; thence south along line between land lots 86 and 107 to northwest corner of land lot 85; thence west along lines between land lots 107 and 108 to northwest corner land lot 108; thence south along land lot line to Upson County lines at southwest corner land lot 112 in 8th district, Pike County, Georgia; thence east along land lot lines between Pike and Upson to Pike and Monroe County lines at southeast corner land lot 113 in Pike County, Georgia; thence south along line between Upson and Monroe County to southwest corner of land lot 130 in 11th land district of Monroe County; thence east along land lot line to southeast corner of land lot 28 in 11th district, Monroe County, and thence north along land lot line to northeast corner land lot 29; thence east along land lot lines to south corner of land lot 8, Monroe County, Georgia, 11th district, and thence north along lines between land district 11 and 12, 7 and 6 and 3 and 4 to Butts County line at northeast corner of land lot 247 in 3rd district of Monroe County, Georgia; thence west to northwest corner of land lot 138, Monroe County, Georgia; said land lot being in 3rd district, Monroe County; thence southward along present county lines between counties of Monroe and Spalding to present Pike County line; thence west along county line between counties of Spalding and Pike to beginning point, on northwest corner of lot of land 185 in the 2nd district of Pike County, Georgia, the present county lines between Monroe and Butts, Monroe and Spalding, Pike and Spalding being the northern boundary line of the proposed county of Lamar.

That the said new county shall be known as the County of Lamar, and the City of Barnesville shall be the new county site of the same.

That, irrespective of other provisions of this Constitution, said County of Lamar shall, upon its creation, be entitled to one representative in the House of Representatives of this State, and said County of Lamar shall be entitled to one representative in the House of Representatives of Georgia until the apportionment shall be changed by law, in accordance with the provisions of this Constitution.

That the said County of Lamar shall be attached to the same Congressional District, and to the same Judicial Circuit, and to the same State Senatorial District as those to which the County of Pike is attached at the date of the ratification of this amendment.

That all legal voters residing in the County of Lamar entitled to vote for members of the General Assembly under the laws of

Georgia, shall, on the first Wednesday in January following the ratification of this proposed amendment, elect a Representative in the House of Representatives of this State, and an Ordinary, a Clerk of the Superior Court, a Sheriff, a Coroner, a Tax Collector, a Tax Receiver, a County Treasurer, and a County Surveyor. Said special election shall be held at the several election precincts existing within the limits of said Lamar County at the time of the adoption of this amendment; and the Ordinary of Pike County shall appoint election managers for such election precincts as may be located in Pike County at the time of the adoption of this proposed amendment; and the Ordinary of Monroe County shall appoint election managers for such precincts as may be located in Monroe County at the time of the adoption of this proposed amendment. On the day succeeding the holding of said election, the election managers shall meet at the Council Chamber of the Mayor and City Council of the City of Barnesville and consolidate the vote for the officers named; and the general laws of this State now in force as to elections, consolidation of votes, the return of the election and the commission of officers shall be applicable to the officers elected at the election herein provided for. The officers elected at said election and the Representative in the House of Representatives shall hold their offices until the next general election for such officers throughout the State, and until their successors are elected and qualified. The General Assembly is hereby given the power to create any additional statutory offices in said county or statutory courts therein, and to provide for filling said offices. Any vacancies that may occur before the next general election after the elections as herein provided may be filled in the same manner as such vacancies are now filled under the law. The Justices of the Peace and the Constables residing in the territory included within the limits of said County of Lamar shall exercise the duties and powers of their offices until new militia districts are laid out in said County of Lamar as now provided by law, and the Justices of the Peace and the Constables elected therefor.

That the Superior Courts of said Lamar County shall be held on the first Monday in March and the first Monday in September of each year.

That the Congressional and Senatorial districts, the Judicial Circuit to which the said Lamar County is attached, the times of holding the terms of the Superior Court, and the limits of the county shall be as designated above until changed by law.

*Provided*, That the laws applicable to the organization of new counties as found in Sections 829 to 848, inclusive, of the Code of 1910 of Georgia, and any other Acts or sections having applicability, are hereby made applicable to said County of Lamar, whenever the same may be created by the proposed amendment to the Constitution and that said new county, when created, shall become a statutory county and shall be subject to all laws applicable to all other counties of the State.

That the property of all taxpayers included within the limits of the said Lamar County as hereinbefore designated is hereby made ratably chargeable with any debt that may have been incurred by either of the counties from which the territory included in the new county of Lamar is taken by the legally constituted authorities of the counties for the purpose of raising revenues for the benefit of either of said counties, whether the said debt is a bonded debt or one which has been incurred for the benefit in any way for either of said counties. The value of the taxable property included within the limits of said County of Lamar at the time of the adoption of this amendment to the Constitution in proportion to the value of the property in the counties from which the said County of Lamar is taken shall determine the proportionate amount of the indebtedness which shall be borne by the property of the taxpayers located within the limits of said proposed new county.

Authority is hereby given to the Ordinary of the said County of Lamar and to the officers of the counties from which said territory is taken who are charged with the management of the business of said counties to settle and agree upon an amount of the said indebtedness that shall be assessed against and paid by the said County of Lamar; and it is hereby made the duty of the Ordinary of the said County of Lamar, when the amount of indebtedness with which the said County of Lamar is chargeable is so ascertained, to cause a tax to be levied upon all of the property within the limits of said County of Lamar sufficient to pay off and discharge the proportionate part of the indebtedness due by the said Lamar County.

In the event of the failure or refusal of the Ordinary of Lamar County to levy such tax, it shall be the duty of the Judge of the Superior Court of the Circuit to which said County of Lamar is attached to compel the Ordinary of the said County of Lamar to perform the duty herein required of him. In the event of the failure of the authorities of the counties from which the said Lamar County is created and the Ordinary of said Lamar County to ascer-

tain and agree upon the amount of said indebtedness, then either of said counties may bring a suit against the said County of Lamar in the Superior Court of said County of Lamar for the purpose of having the proportion of said debt so assumed by the said County of Lamar ascertained, and the said Superior Court is hereby given power to enforce whatever judgment may be had as to the result of such trial by compelling the Ordinary of said Lamar County to levy a tax sufficient for the payment of the indebtedness found to be due by the County of Lamar, cause the same to be collected and paid to the constituted authorities of the county or counties from which said Lamar County is created entitled to receive the same.

It is especially provided that all ad valorem and all other special taxes and all other revenues realized for the year in which this amendment is adopted or ratified by the qualified voters of this State shall be applied to any indebtedness, except bonded indebtedness, due and owing by either of the said counties from which the said Lamar County is created; it being the purpose of this provision to fix the basis of settlement between the counties involved upon their financial condition on the 31st day of December, next, following the ratification of this amendment.

In addition to the counties now provided for by the Constitution as heretofore amended, there shall be a new county known as Long, laid out from the County of Liberty, bounded as follows, to-wit:

Beginning at a point on the Altamaha River where the same is intersected by the county line between Liberty and McIntosh counties; thence northeast and north along the aforesaid county line between McIntosh and Liberty to intersection thereof with South Newport River; and to the northwest corner of McIntosh County, at the point where said Liberty and McIntosh line is nearest the Atlantic Coast Line Railroad's main line; thence a straight line northwestward to the main line of the Atlantic Coast Line Railroad at a point one-half mile southwest of said railroad's depot at Lambert, Georgia (Post Office) and Walthourville Station; thence due north a straight line to Walthourville and Smiley public road, north of Lambert, Georgia; thence northwestward a straight line to a point in the Ludowici and Hinesville public road three hundred (300) yards north of the residence of W. H. Devereaux in the 1756th G. M. District of Liberty County; thence northwestward a straight line to a point on the Roderick and Hinesville public road where same is intersected by the Walthourville public road from the southeast; thence west along the center of said Roderick and Hinesville public road a short distance to where the Walthourville

public road leaves same towards the northwest; thence northwards along the center of said Walthourville public road past Gum Branch Post Office, old site to intersection thereof, with the Savannah public road or Beards Bluff public road about one and one-eighth (1 1-8) miles east of the Cross Roads School House; thence west along the center of said Savannah public road or Beards Bluff public road to where said Walthourville public road leaves same going northwest; thence along the center of said Walthourville public road to intersection of same with the Moody Bridge public road; thence northwards along the center of said Moody Bridge public road to the point where same crosses the Savannah and Southern Railroad right of way at Strain on said railroad and to the north line of said right of way; thence westward along the north line of the Savannah and Southern Railroad right of way to the first public road crossing at Lida depot on said railroad; thence westward along center of public road from Lida past Bear Branch School House to forks of said public road; and thence along the center of the northwest fork thereof, in a northwesterly direction to where said public road crosses the Liberty and Tattnall County line near by and east of Hampton School House; thence southwards and south along the county line between Liberty and Tattnall to the Altamaha River and to the line between Liberty and Wayne counties; thence southeast along the channel of said Altamaha River and along the county line between Liberty and Wayne to point of beginning.

The county site of said county shall be the town of Ludowici, Georgia.

Said county shall be attached to the 1st Congressional District, to the Atlantic Judicial Circuit and to the 2nd Senatorial District, until changed by the General Assembly of Georgia.

Terms of Superior Court in said county shall be held on first Mondays in March and September, in each year, until changed by the General Assembly.

Justices of the Peace and Constables cut off into the new county shall exercise the duties and powers of their offices until new militia districts are laid out in said new county as provided by law and until their successors are elected and qualified.

The voters of said new county qualified to vote for members of the General Assembly, under the laws of Georgia, shall, on the first Wednesday in December, 1920, elect an Ordinary, Clerk of Superior Court, Sheriff, Coroner, Tax Collector, Tax Receiver, County Surveyor, County Treasurer, Representative, and County School Superintendent who shall hold office until the next general election for

county officers shall be held in the State of Georgia, and until their successors are elected and qualified; said election shall be held at the usual voting places heretofore established, within the territory of said new county, and shall be conducted in the manner now prescribed by law for holding elections for county officers; and the officers elected therein shall qualify, give bond and take oath as prescribed by law, and enter upon the discharge of their respective duties on the first day of January, 1921.

The provisions of Section 829 to 848, inclusive, of the Code are hereby made applicable to said new county; and said county, when created, shall be a "statutory county," and subject to all general laws applicable to counties of this State.

The county authorities of said new county shall have the right to create a debt for and on behalf of said county to defray the public expenses thereof for the first year, without submitting the same to a vote of the qualified voters thereof.

Said new county, when created, shall be entitled to one Representative in the Lower House of the General Assembly of Georgia, and the membership of the said House shall be increased by one, so as to admit of representation therein for said new county.

In addition to the counties now provided for by the Constitution, as heretofore amended, there shall be a new county, to be known as Seminole, laid out from the counties of Decatur and Early, bounded as follows, to-wit: Beginning at the southwest corner of the State of Georgia, running thence eastward along the line between Georgia and Florida to the mouth of the Flint River; thence up the channel of Flint River to the mouth of Spring Creek; thence northward up the western bank of Spring Creek to land lot number one hundred and thirty-one (No. 131) in the 21st district of Decatur County, at a point opposite a public road known as Rhodes Ferry road, and thence west to a point one-half mile distant from the west bank of Spring Creek and thence northward along a line parallel with and one-half mile distant from the west bank of Spring Creek to the south line of Miller County; thence west along the south line of Miller County to the southwest corner of Miller County; thence west along the south line of Early County to the line between Georgia and Alabama; thence southward along the State line between Georgia and Alabama to the southwest corner of the State of Georgia and the line between Alabama and Florida continuing southward along the State line between Georgia and Florida to the southwest corner of the State of Georgia, the point of beginning.



The county site of said county shall be the town of Donalsonville, Georgia.

Said county shall be attached to the 2nd Congressional District, to the Pataula Judicial Circuit and the 8th Senatorial District, until changed by the General Assembly of Georgia.

Terms of Superior Court in said county shall be held on the third Mondays in February, June and October, in each year, until changed by the General Assembly.

Justices of the Peace and Constables cut off into the new county shall exercise the duties and powers of their offices until new militia districts are laid out in said new county as provided by law, and until their successors are elected and qualified.

The voters of said new county, qualified to vote for members of the General Assembly, under the laws of Georgia, shall, on the first Wednesday in December, 1920, elect an Ordinary, Clerk of the Superior Court, Sheriff, Coroner, Tax Collector, Tax Receiver, County Surveyor, County Treasurer, Representative, and County School Superintendent, who shall hold office until the next general election for county officers shall be held in the State of Georgia, and until their successors are elected and qualified. Said election shall be held at the usual voting places heretofore established, within the territory of said new county, and shall be conducted in the manner now prescribed by law for holding elections for county officers, and the officers elected therein shall qualify, give bond and take oath as prescribed by law, and enter upon the discharge of their respective duties on the 1st day of January, 1921.

The provisions of Section 829 to 848, inclusive, of the Code are hereby made applicable to said new county, and said new county, when created, shall be a "statutory county," and subject to all general laws applicable to counties of this State.

The county authorities of said new county shall have the right to create a debt for and on behalf of said county to defray the public expenses thereof for the first year, without submitting the same to a vote of the qualified voters thereof.

Said new county, when created, shall be entitled to one Representative in the Lower House of the General Assembly of Georgia, and the membership of the said House shall be increased by one so as to admit of representation therein for said new county.

"Provided, however, that in addition to the counties now provided for by this Constitution there shall be a new county laid out and created from the territory now composing Houston and Macon Counties, to be made up and composed of all that part of the territory

of Houston and Macon Counties described and contained within the boundaries as follows:"

"Beginning at the point where the Counties of Bibb, Houston and Crawford corner, running thence along the line between the Counties of Houston and Crawford to the point where the Counties of Houston, Crawford and Macon corner; thence in a southwesterly direction along the line between the Counties of Crawford and Macon to the middle of the run of Flint; thence in a southerly direction along the middle of the run of Flint River to the southern line of fractional lot number 151 in the 8th district of Macon County; thence east along the southern line of lots 151, 138 and 119 to the southwest corner of lot number 106 in the 8th district of Macon County; thence north along the western line of lot number 106 to the southwest corner of lot number 105 in the 8th district of Macon County; thence east along the south line of lots 105 and 88 to the northwest corner of lot 74 in the 8th district of Macon County; thence south along the western line of lot 74 to the southwest corner of lot 74; thence east along the southern line of lots 74, 55, 42 and 23 to the southwest corner of lot number 10 in the 8th district of Macon County; thence north along the west line of lot number 10 to where said western line intersects with the public road leading west from the Dixie Highway between Marshallville and Fort Valley to the old Neil plantation; thence along the said public road to the center of the said Dixie Highway leading from Marshallville to Fort Valley; thence in a southerly direction along the center of said Dixie Highway to the south line of the property of D. C. Strother and C. Z. McArthur in lot 13 in the 8th district of Macon county; thence east along the said south line of the property of D. C. Strother and C. Z. McArthur to the western line of lot 253 in the 9th district of Macon County; thence north along the western line of lots 253 and 252 to the southwest corner of lot number 251 in the 9th district of Macon County; thence east along the south line of lots 251 and 230 to the middle of the run of Big Indian Creek; thence in a generally southeasterly direction along the middle of the run of Big Indian Creek to the point where the western line of lot 96 in the 9th district of Houston County intersects the run of Big Indian Creek; thence south along the western line of lots 96 and 11 in the 9th district of Houston County and lot 22 in the 14th district of Houston County to the northern line of the public road leading from Marshallville to Perry; thence east along the northern line of the public road leading from Marshallville to Perry to the western line of the public road leading from Small Academy to Fort Valley via Norwood Springs; thence

north along the western line of the public road leading from Small Academy to Fort Valley via Norwood Springs to the southwest corner of lot 12 in the 9th district of Houston County; thence east along the south line of lots 12 and 13 to the southwest corner of lot 14 in the 9th district of Houston County; thence north along the western line of lots 14, 33, 34, 35, 36 and 37, in the 9th district of Houston County; to the southwest corner of lot 38 in the 9th district of Houston County; thence east along the south line of lot 38 to the southwest corner of lot 27; thence north along the west line of lots 27 and 26 to the southwest corner of lot 25; thence east along the southern line of lot 25 to the northwest corner of lot 7 in the 9th district of Houston County; thence south along the western line of lot 7 to the southwest corner of lot 7; thence east along the south line of lot 7 in the 9th district and lots 10 and 23 in the 10th district of Houston County to the southwest corner of lot 42 in the 10th district of Houston County; thence north along the western line of lots 42, 41 and 40 in the 10th district of Houston County to the run of Mossy Creek; thence southeasterly along the run of Mossy Creek to the bridge over said Mossy Creek on the National Highway in Houston County and to the western line of the National Highway; thence north along the western line of the National Highway to the south line of lot 69 in the 5th district of Houston County; thence west along the southern line of said lot number 69 to the southwest corner thereof; thence north along the western line of lots numbered 69, 70 and 71 to the southwest corner of lot number 72 in the 5th district of Houston County; thence west along the southern line of lot number 59 to the southwest corner of lot number 59; thence north along the western line of lots numbered 59 and 58 to the southwest corner of lot 57 in the 5th district of Houston County; thence east along the southern line of lots numbered 57 and 74 to the western line of the National Highway; thence north along the western line of the National Highway to the run of Echaeconnee Creek; which is the dividing line between Bibb and Houston Counties; thence west along the line between the Counties of Houston and Bibb to the point where Houston, Bibb and Crawford corner, same being the point or place of beginning."

"That the said new county shall be known as Peach County and the City of Fort Valley shall be the county site of the same."

"That irrespective of other provisions of this Constitution, said Peach County shall, upon its creation be entitled to one Representative in the House of Representatives of this State, and said Peach County shall be entitled to one Representative in the House of Repre-

sentatives of Georgia until the apportionment shall be changed by law, in accordance with the provisions of this Constitution."

"That the said Peach County shall be attached to the same congressional district, and to the same judicial circuit and to the same State Senatorial district as those to which the County of Houston is attached at the date of the ratification of this amendment."

"That all legal voters residing in the limits of Peach County entitled to vote for members of the General Assembly under the Laws of Georgia shall on the first Wednesday in January following the ratification of this proposed amendment, elect a Representative in the House of Representatives of this State, and an ordinary, a clerk of the Superior Court, a sheriff, a coroner, a tax collector, a tax receiver, a county treasurer and a county surveyor. Said special election shall be held at the several election precincts, existing within the limits of said Peach County at the time of the adoption of this proposed amendment and the ordinary of Houston County shall appoint managers for such election precincts as may be located in Houston County at the time of the adoption of this proposed amendment. On the day succeeding the holding of said election, the election managers shall meet at the council chamber of the Mayor and Council of the City of Fort Valley and consolidate the vote for the officers named; and the general laws of this State now in force as to elections, consolidation of the votes, the return of the election and the commission of officers shall be applicable to the officers elected at the election herein provided for. The officers elected at said election and the Representative in the House of Representatives shall hold their offices until the next general election for such officers throughout the State, and until their successors are elected and qualified. The General Assembly is hereby given power to create any additional statutory offices in said county or statutory courts therein, and to provide for filling said offices. Any vacancies that may occur before the next general election after the elections as herein provided may be filled in the same manner as such vacancies are now filled under the law. The justices of the peace and constables residing in the territory included within the limits of said Peach County shall exercise the duties and powers of their offices until new militia districts are laid out in said Peach County and justices of the peace and constables thereof elected."

"That the Superior Courts of said Peach County shall be held on the first Monday in March and the first Monday in September of each year."

"That the congressional and senatorial districts, the judicial

circuit to which said Peach County is attached, the times of holding the terms of the Superior Court, and the limits of the county shall be as designated above until changed by law."

"Provided, that the laws applicable to the organization of new counties as found in Sections 829 to 848, inclusive, of the Code of 1910 of Georgia, and in any other Acts or sections having applicability are hereby made applicable to said Peach County, whenever the same may be created by the proposed amendment to the Constitution and that said county, when created, shall become a statutory county and shall be subject at all times to all laws applicable to all other counties of this State."

"That the property of all taxpayers included within the limits of said Peach County as herein above designated is hereby made ratably chargeable with any debt that may have been incurred by either of the counties from which the territory included in the new Peach County is taken by the legally constituted authorities of the counties for the purpose of raising revenues for the benefit of either of said counties, whether the said debt is a bonded debt or one which has been incurred for the benefit in any way of either of said counties. The value of the taxable property included within the limits of said Peach County at the time of the adoption of this amendment to the Constitution in proportion to the value of the property in the counties from which the said Peach County is taken shall determine the proportionate amount of the indebtedness which shall be borne by the property of the tax payers located within the limits of said proposed Peach County."

"Authority is hereby given the ordinary of said Peach County and to the officers of the counties from which said territory is taken who are charged with the management of the business of said counties to settle and agree upon an amount of said indebtedness that shall be assessed against and paid by the said Peach County; and it is hereby made the duty of the ordinary of the said Peach County when the amount of said indebtedness with which the said Peach County is chargeable is so ascertained to cause a tax to be levied upon all the property within the limits of the said Peach County sufficient to pay off and discharge the proportionate part of the indebtedness due by said Peach County."

"In the event of the failure or refusal of the ordinary of Peach County to levy such a tax, it shall be the duty of the Judge of the Superior Court of the circuit to which the said Peach County is attached to compel the ordinary of said Peach County to perform the duty herein required of him. In the event of the failure of the

authorities of the counties from which the said Peach County is created and the ordinary of the said Peach County to ascertain and agree upon the amount of said indebtedness, then either of said counties may bring a suit against the said County of Peach in the Superior Court of Peach County for the purpose of having the proportion of said debt so assumed by the said Peach County ascertained; and the said Superior Court is hereby given authority and power to enforce whatever judgment may be had as the result of such trial by compelling the ordinary of said Peach County to levy a tax sufficient for the payment of the indebtedness found to be due by the said Peach County; cause the same to be collected and paid to the constituted authorities of the county or counties from which said Peach County is created entitled to receive the same."

"It is especially provided that all ad valorem and special taxes and all other revenues realized for the year in which this amendment is adopted or ratified by the qualified voters of this State shall be applied to any indebtedness, except bonded indebtedness due and owing by either of the counties from which the said Peach County is created; it being the purpose of this provision to fix the basis of settlement between the counties involved upon their financial condition on the 31st day of December next following the ratification of this amendment."

Par. II. A. The General Assembly shall have the power to consolidate and combine all governmental functions and powers now vested in and exercised by cities and municipalities having a population of more than 52,900 according to the Federal Census of 1920 with the governmental functions and powers now vested in and exercised by the authorities of the county in which such cities or municipalities are situated; to create, designate, and give a name to political subdivisions, composed of the entire area of such counties; to vest in and confer upon such sub-divisions such authority and power as may be conferred upon municipalities or counties or both, under existing laws; to abolish any and all offices now existing under the charters of any such municipalities and also to abolish the offices of tax collectors and tax receivers in any such counties to create new offices, for purpose of exercising and carrying out the powers to be vested in such political sub-divisions, and powers and duties formerly appertaining to such offices so abolished add the powers and duties formerly exercises by such counties and such municipalities, all without regard to the uniformity of the powers, duties and compensation appertaining to the offices so created in other municipalities, other counties or other political sub-divisions, hereby authorized to divide

such political sub-divisions into districts: to fix a maximum rate of ad valorem taxation to be levied by authority of such political sub-divisions within the various districts, without regard to the uniformity of the rate, also to consolidate and combine any and all school systems and school districts now existing in any such cities or municipalities and counties into one system covering the entire area of the counties to be governed and controlled under the provisions of the Act creating the political sub-divisions hereby authorized regardless of the method of control of schools or school systems in other counties or municipalities.

The powers herein granted shall not be extended to cities, municipalities, or towns and cities and towns and municipalities, the corporate limits of which are included within more than one county nor shall said powers herein granted be extended to the counties in which said cities or towns or municipalities and cities and towns and municipalities are located.

The General Assembly in exercising the powers herein conferred may include in the Act or law any one or more of the powers or provisions herein enumerated and may exclude therefrom any one or more of the powers or provisions enumerated.

This provision of the Constitution shall not be construed to empower the General Assembly to create new counties nor to affect or change the representatives of any county in the General Assembly. Nor shall it be construed to authorize the General Assembly to abolish the offices of Clerk of the Superior Court, Ordinary, Sheriff or Coroner in any of the counties affected by this Act, said officers being expressly hereby preserved.

The General Assembly shall not change or abolish any county nor the name thereof which may be affected hereby and in having the consolidated sub-divisions in each case, the names of the municipality or municipalities and of the county shall be combined so as to preserve them.

The General Assembly shall create such political sub-divisions by special act or law relating to a particular subdivision, but no such act or law shall have any force or effect until the same shall have been ratified by a vote of a majority of the qualified voters, voting at a special election in such county to be held not earlier than sixty days after the final passage and approval by the Governor of any such act; provided, however, that the people within the corporate limits of municipalities affected and the people of the county affected outside of the corporate limits shall vote separately and before the Act shall go in effect a majority of those voting in the

municipalities separately. If more than one municipality is affected a majority of those voting outside of said municipality or municipalities shall vote in favor of said Act.

Par. III. County lines shall not be changed, unless under the operation of a general law for that purpose.

Par IV. No county site shall be changed or renewed, except by a two-thirds vote of the qualified voters of the county, voting at an election held for that purpose, and a two-thirds vote of the General Assembly.

Par V. Any county may be dissolved and merged with contiguous counties, by a two-thirds vote of the qualified electors of such county, voting at an election held for that purpose.

## SECTION II.

Paragraph I. The county officers shall be elected by the qualified voters of their respective counties or districts, and shall hold their office for four years. They shall be removed on conviction for mal-practice in office; and no person shall be eligible to any of the offices referred to in this paragraph unless he shall have been a resident of the county for two years and is a qualified voter. *Provided*, that the provision of this proposed amendment shall not become effective until January 1st, 1917.

## SECTION III.

Paragraph I. Whatever tribunal, or officers, may hereafter be created by the General Assembly for the transaction of county matters, shall be uniform throughout the State, and of the same name, jurisdiction, and remedies, except that the General Assembly may provide for the appointment of commissioners of Roads and Revenues in any county, and may abolish the office of County Treasurer in any county, or fix the compensation of County Treasurer and such compensation may be fixed without regard to uniformity of such compensation in the various counties. And the General Assembly shall also have authority to consolidate the offices and duties of Tax Receiver and Tax Collector in any or all of the counties of the State, the official performing the duties of said two offices when so consolidated, to be known as County Tax Commissioner, and the General Assembly may prescribe the compensation of such County Tax Commissioner or authorize county authorities to fix the same, which compensation may be on the basis of fees or salary and may be fixed without regard to uniformity in the various counties, and when



such compensation is fixed on a salary basis the authority fixing the same shall determine what disposition shall be made of the fees and commissions accruing to each of said offices so consolidated and to provide for the levy and collection of a tax sufficient to pay the salary so fixed.

#### SECTION IV.

Paragraph I. The City of Atlanta shall be the capital of the State, until changed by the same authority, and the same way, that is provided for the alteration of this Constitution.

#### ARTICLE XII.

##### THE LAWS OF GENERAL OPERATION IN FORCE IN THIS STATE.

#### SECTION I

Paragraph I. The laws of general operation in this State are—  
First, as the supreme law: The Constitution of the United States, the laws of the United States in pursuance thereof, and all treaties made under the authority of the United States.

Par. II. Second, as next in authority thereto: this Constitution.

Par. III. Third, in subordination to the foregoing: All laws now in force in this State, not inconsistent with this Constitution, and the ordinances of this Convention, shall remain of force until the same are modified or repealed by the General Assembly. The tax acts and appropriation acts passed by the General Assembly of 1877, and approved by the Governor of the State, and not inconsistent with the Constitution, are hereby continued in force until altered by law.

Par. IV. Local and private acts passed for the benefit of counties, cities, towns, corporations, and private persons, not inconsistent with the supreme law, nor with this Constitution, and which have not expired nor been repealed, shall have the force of statute law, subject to judicial decision as to their validity when passed, and to any limitations imposed by their own terms.

Par. V. All rights, privileges, and immunities which may have vested in, or accrued to, any person or persons, or corporation, in his, her, or their own right, or in any fiduciary capacity, under and in virtue of any act of the General Assembly, or any judgment, decree, or order, or other proceeding of any court of competent jurisdiction in this State, heretofore rendered, shall be held inviolate by all courts before which they may be brought in question, unless attacked for fraud.

Par. VI. All judgments, decrees, orders, and other proceedings of the several courts of this State, heretofore made, within the limits of their several jurisdictions, are hereby ratified and affirmed, subject only to reversal by motion for a new trial, appeal, bill of review or other proceeding in conformity with the law of force when they were made.

Par. VII. The officers of the government now existing shall continue in the exercise of their several functions until their successors are duly elected or appointed, and qualified, but nothing herein is to apply to any officer whose office may be abolished by this Constitution.

Par. VIII. The ordinance of this Convention shall have the force of laws until otherwise provided by the General Assembly, except the ordinances in reference to submitting the homestead and Capital question to a vote of the people, which ordinances, after being voted on, shall have the effect of constitutional provisions.

## ARTICLE XIII.

### AMENDMENT TO THE CONSTITUTION.

#### SECTION I.

Paragraph I. Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon. And the General Assembly shall cause such amendment or amendments to be published in one or more newspapers in each Congressional district, for two months previous to the time of holding the next general election, and shall also provide for a submission of such proposed amendment or amendments to the people at said next general election; and if the people shall ratify such amendment or amendments by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become a part of this Constitution. When more than one amendment is submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately.

Par. II. No convention of the people shall be called by the General Assembly to revise, amend, or change this Constitution, unless by the concurrence of two-thirds of all the members of each house of the General Assembly. The representation in said conven-

tion shall be based on population as near as practicable.

## SECTION II.

Paragraph I. The Constitution shall be submitted for ratification or rejected to the electors of the State, at an election to be held on the first Wednesday in December, one thousand eight hundred and seventy-seven, in the several election districts of this State, at which election every person shall be entitled to vote who is entitled to vote for the members of the General Assembly under the constitution and laws of force at the date of such election; said election to be held and conducted as is now provided by law for holding elections for members of the General Assembly. All persons voting at said election in favor of adopting the Constitution shall write or have printed on their ballots the words "*For Ratification,*" and all persons opposed to the adoption of this Constitution shall write or have printed on their ballots the words "*Against Ratification.*"

Par. II. The votes cast at said election shall be consolidated in each of the counties of the State as is now required by law in elections for members of the General Assembly, and returns thereof made to the Governor; and should a majority of all the votes cast at said election be in favor of ratification, he shall declare the said Constitution adopted, and make proclamation of the result of said election by publication in one or more newspapers in each Congressional district of the State; but should a majority of the votes cast be against ratification, he shall in the same manner proclaim the said Constitution rejected.

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## STATE CAPITAL.

*Be it ordained by the people of Georgia in Convention assembled:*

1. That the question of the location of the capital of this State be kept out of the Constitution to be adopted by this Convention.

2. That at the first general election hereafter held for members of the General Assembly, every voter may indorse on his ballot "Atlanta" or "Milledgeville," and the one of these places receiving the largest number of votes shall be the capital of the State until changed by the same authority and in the same way that may be provided for the alteration of the Constitution that may be adopted by the Convention, whether said Constitution be ratified or rejected. And that every person entitled to vote for members of the General

Assembly, under the present Constitution and laws of this State, shall be entitled to vote under this ordinance; and, in the event of the rejection of said constitution, shall (should) a majority of votes cast be in favor of Milledgeville, then this provision to operate and take effect as an amendment to the present Constitution.

#### HOMESTEAD.

*Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by authority of the same:*

1. That the article adopted by the Convention on the subject of homestead and exemption shall not form a part of this Constitution, except as hereinafter provided.

At the election held for the ratification or rejection of this Constitution, it shall be lawful for each voter to have written or printed on his ballot the words "Homestead of 1877," or the words "Homestead of 1868."

3. In the event that a majority of the ballots so cast have indorsed upon them the words "Homestead of 1877," then said article, so adopted by this Convention, shall form a part of the Constitution, submitted, if the same is ratified; but in event that said Constitution, so submitted, shall not be ratified, then the article on homestead and exemptions, so adopted as aforesaid by this Convention, shall supercede Article Seven of the Constitution of 1868 on the subject of homestead and exemptions, and form a part of this Constitution.

4. If a majority of the ballots so cast as aforesaid shall have indorsed upon them the words "Homestead of 1868," then Article Seventh of the Constitution of 1868 shall supercede the article on homestead and exemptions adopted by this Convention, and shall be incorporated in and form (a part) of the Constitution so submitted and ratified.

#### JUDICIAL CIRCUITS

There shall be sixteen judicial circuits in this State, and it shall be the duty of the General Assembly to organize and proportion the same in such manner as to equalize the business and labor of the judges in said several circuits, as far as may be practicable. But the General Assembly shall have power hereafter to reorganize, increase or diminish the number of circuits: *Provided, however,* that the circuits shall remain as now organized until changed by law.

## SIGNING AND RATIFICATION

*Be it ordained by the people of Georgia in Convention assembled:*

1. That the Constitution as adopted and revised be enrolled and signed by the officers and members of this Convention.

2. That the Governor shall issue his proclamation, ordering an election for members of the General Assembly, and a vote upon the ratification or rejection of this Constitution, as herein provided, and a vote upon the capital and homestead questions, as provided by the ordinances of this Convention.

Read and adopted in Convention, August 25th, 1877.

Attest:

C. J. JENKINS,

*President Constitutional Convention*

JAMES COOPER NISBET, *Secretary.*

## VOID BONDS NOT TO BE PAID.

Neither the General Assembly nor any other authority or officer of this State shall ever have power to pay or recognize as legal, or in any sense valid or binding upon the State, any direct bonds, or currency bonds, gold bonds, or the State's alleged guaranty or indorsement of any railroad bonds, or any other bonds, guaranties, or indorsements heretofore declared to be illegal, fraudulent, or void by act or resolution of the legislature of the State, or that may be declared illegal, fraudulent, or void by act or resolution of the legislature originating this amendment, viz: The State gold bonds issued under the Act of October 17th, 1870, in aid of the Brunswick and Albany Railroad Company; the currency bonds issued under the Act of August 27th, 1870; the quarterly gold bonds issued under the Act of September 15th, 1870, which are enumerated in the Act of August 23rd, 1872; the indorsement of the State upon the bonds of the Brunswick and Albany Railroad Company, made under the Act of March 18th, 1869; the indorsement of the State upon the bonds of the Cartersville and Van Wert Railroad Company, and of the Cherokee Railroad Company; the indorsement of the State upon the bonds of the Bainbridge, Cuthbert, and Columbus Railroad Company; and all other bonds, guaranties, or indorsements declared illegal, fraudulent, or void as herein provided. Nor shall any General Assembly ever have power to provide for the reindorsement of such railroad bonds, or to place the State's guaranty upon the same; or to provide for the indorsement or guaranty by the State of any new bonds issued in lieu of, or to pay off or retire, such railroad bonds, by any railroad company; or to issue bonds of the State to

such railroad companies, or other persons in payment, or in lieu of such indorsed bonds, or other bonds herein declared illegal; or to lend the aid or credit of the State, by any act, resolution, or law to such railroad companies, or to other incorporated companies or persons acquiring or succeeding to the rights and franchises of said companies; or to buy the railroads of such companies, or to submit the question of the liability of the State upon any of the bonds or indorsements upon bonds, or other guaranty herein declared illegal, fraudulent, and void, or upon any claim for money advanced upon said bonds, indorsements, or guaranties, or expended by said companies or other person in and about the construction of said railroads, to the decision of any court, tribunal, or person whatever; or to pay, assume, or secure, directly or indirectly, by any act, resolution, or law, any money advanced or claimed to have been advanced on the bonds, indorsements, or guaranties herein declared invalid.