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CONSTITUTION
OF THE
State of Georgia
1877

As Amended Through 1941

Compiled by
ELLA MAY THORNTON
State Librarian



1942

CONSTITUTION

OF THE

STATE OF GEORGIA

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CHRONOLOGICAL LIST OF ORGANIC ACTS AND
STATE CONSTITUTIONS OF GEORGIA

Charter of the Colony of Georgia, 1732.

Grant of George II, King of Great Britain.

Constitution of 1777.

Constitutional Convention, Oct. 1, 1776-Feb. 5, 1777.

Constitution of 1789.

Constitutional Convention, Nov. 4-24, 1788; Jan. 4-20, 1789;
May 4-6, 1789; May (?) -16, 1795.

Constitution of 1798.

Constitutional Convention, May 8-(30?), 1798.

Constitution of 1861.

Constitutional Convention, Jan. 16-March 23, 1861.

Constitution of 1865.

Constitutional Convention, Oct. 25-Nov. 8, 1865.

Constitution of 1868.

Constitutional Convention, Dec. 9, 1867-March 11, 1868.

Constitution of 1877.

Constitutional Convention, July 11, 1877-August 25, 1877.

CONSTITUTION

OF THE

STATE OF GEORGIA

1877, as amended

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 offense 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.

Art. 1, Sec. 1, Par. 7

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 offense, 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.

Art. 1, Sec. 1, Par. 23

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 and 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 incorporators or creditors of the incorporation.

Art. 1, Sec. 4, Par. 1

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 poll taxes 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.

Art. 2, Sec. 1, Par. 4

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 prescribed 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-division 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 Sub-divisions 1 or 2 of Paragraph 4 shall thereafter be permitted to vote: Provided, he meets the requirements of Paragraphs 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

Art. 2, Sec. 1, Par. 6

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.

Par. 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.

Art. 2, Sec. 5, Par. 1

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 a House of Representatives.

SECTION II.

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

Par. II. 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 and Long.

The Third Senatorial District shall be composed of the counties of Wayne, Appling, Jeff Davis 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 Ware, Clinch and Atkinson.

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

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

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.

Art. 3, Sec. 2, Par. 2

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 Dooly, Pulaski, 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, Johnson and Treutlen.

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

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 Twiggs, 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 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 Franklin, Habersham 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 and Jackson.

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 Clayton and Henry.

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

Art. 3, Sec. 2, Par. 2

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 and Forsyth.

The Fifty-second Senatorial District shall be composed of the county of Fulton.

Par. III. 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

Art. 3, Sec. 3, Par. 1

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 to the six counties having the largest population three Representatives each; and 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 terms 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 General Assembly shall meet on the second Monday in January, 1933, and biennially thereafter on the same date until the day shall be changed by law. Such session shall continue no longer than ten (10) days, and the only business which shall be transacted thereat, shall be the election of officers of the General Assembly and the organization of same; the inauguration of the Governor-elect, and other State-House officers, whose terms of office run concurrently with that of the Governor; the election, or appointment of committees of each house; the election of the Governor and other State-House officers, in the event of no election by the people as under the present provisions of this Constitution; the decision of contested elections for Governor and other officers as under present provisions of the Constitution, and the introduction and first reading of bills and resolutions; the impeachment of public officers and trial thereof: Provided, that if, at the end of ten (10) days, an election or contest, or actual trial of impeachment, is pending, the session may be prolonged until all such officers shall be elected, so declared and finally inaugurated or installed in office.

Art. 3, Sec. 4, Par. 3

The General Assembly shall reconvene in regular session on the second Monday after the 4th of July, 1933, and biennially thereafter on the same date until the date shall be changed by law. No such regular session of the General Assembly shall continue longer than sixty days. *Provided*, that if, an impeachment trial is pending at the end of sixty (60) days, the session may be prolonged until completion of said trial. *Provided* further, that the General Assembly, by concurrent resolution adopted by the votes of a majority of a quorum of House and Senate during said special session above provided for, and approved by the Governor, is hereby authorized to fix a date for re-convening in regular session prior to date above provided for, in lieu of the date definitely fixed hereinabove.

The terms of the present incumbents of the offices of Governor and those which are for the same as the Governor shall expire upon the inauguration of the Governor at the first biennial session held under the provisions hereof in January, 1933.

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. VI. Superseded by Amendment to Art. 3—Sec. 4—Par. 3, Nov. 4, 1924.

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 Justices 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.

Art. 3, Sec. 5, Par. 2

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 cases 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, 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.

Art. 3, Sec. 7, Par. 5

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 the Constitution.)

Par. XVI. No local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published in the

Art. 3, Sec. 7, Par. 16

locality where matter or things 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.

Art. 3, Sec. 7, Par. 24

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.

Par. XXV. The General Assembly of the State shall have authority to grant to the governing authorities of the Cities of Atlanta, Savannah, Macon, Augusta, Columbus, LaGrange, Brunswick, Waycross, Albany, Athens, Rome, Darien, Dublin, Decatur, Valdosta, Quitman, Newnan, Thomaston, and East Thomaston, Moultrie, Dalton, Forsyth, Milledgeville, Cordele, Carrollton, Eastman, Fort Valley, and McRae, and cities having a population of 25,000 or more inhabitants according to the United States census of 1920 or any future census, authority to pass zoning and planning laws whereby such cities may be zoned or districted for various uses and other or different uses prohibited therein, and regulating the use for which said zones or districts may be set apart, and regulating the plans for development and improvement of real estate therein. The General Assembly is given general authority to authorize the Cities of Atlanta, Savannah, Macon, Augusta, Columbus, LaGrange, Brunswick, Waycross, Albany, Athens, Rome, Darien, Dublin, Decatur, Valdosta, Quitman, Newnan, Thomaston, and East Thomaston, Moultrie, Dalton, Forsyth, Milledgeville, Cordele, Carrollton, Eastman, Fort Valley, and McRae, and cities having a population of 25,000 or more inhabitants according to the United States Census of 1920 or any future census, to pass zoning and planning laws.

Par. XXVI. The General Assembly of the State shall have authority to grant to the governing authorities of the County of Glynn authority to pass zoning and planning laws whereby such county may be zoned or districted for various uses and other and different uses prohibited therein, to regulate the uses for which said zones or districts may be set apart, and to regulate the plans for development and improvement of real estate therein. The General Assembly is given general authority to authorize such county to pass zoning and planning laws, and to levy and collect a tax therefor; and as the date of the ratification hereof acts of the General Assembly heretofore passed, undertaking to grant such authority to such county, and acts of the county authorities regularly done pursuant to such Acts of the General Assembly are hereby ratified and confirmed.

The General Assembly of the State shall have the authority to grant to the governing authorities of any city or county in this state having a population of 1,000 or more according to the Federal census of 1930 or any such future census, the authority to pass zoning and planning laws whereby such cities or counties may be zoned or districted for various uses and other or different uses prohibited therein and to regulate the use for which said zones or districts may be set apart and to regulate the plans for development and improvement of real estate therein.

Art. 3, Sec. 8, Par. 1

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 Commissioner, 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 policy-holders.

Par. II. When such showing is made to the Comptroller-General of the State of Georgia, by a proper certificate from the State officials 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.

Art. 3, Sec. 12, Par. 3

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 policy-holders 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,

Art. 4, Sec. 2, Par. 1

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 lessen 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 provisions 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.

Art. 5, Sec. 1, Par. 1

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 four years, and until his successor shall be chosen and qualified. After qualifying for a four-year term, he shall not be eligible to be reelected for the next succeeding four-year term, or any part thereof. He shall have a salary of seven thousand five hundred 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. The State officers required by this Constitution to be elected at the same time, for the same term, and in the same manner as the Governor shall also hold office for four years.

Provided, however, that the provisions of this paragraph shall not apply to the term of office or the salary of any official elected at the general election of 1940.

Par. III. The first election for Governor, under this Constitution, shall be held on Tuesday after the first Monday in November of 1942, and the Governor elect shall be installed in office at the next session of the General Assembly. An election shall take place quadriennially thereafter, on said date, 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;

Art. 5, Sec. 1, Par. 5

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.

Par. 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 offenses against the State, after conviction, except in cases 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

Art. 5, Sec. 1, Par. 12

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.

Provided, however, that when three-fifths of the members elected to the House of Representatives and three-fifths of the members elected to the Senate shall have certified to the Governor of the State of Georgia that in their opinion an emergency exists in the affairs of the State of Georgia, it shall thereupon be the duty of said Governor and mandatory upon him, within five (5) days from the receipt of such certificate or certificates, to convene said General Assembly in extraordinary session for all purposes; and in the event said Governor shall, within said time, Sundays excluded, fail or refuse to convene said General Assembly as aforesaid, then and in that event said General Assembly may convene itself in extraordinary session, as if convened in regular session, for all purposes, provided that such extraordinary, self-convened session shall be limited to a period of thirty (30) days, unless at the expiration of said period, there shall be pending an impeachment trial of some officer of the State Government, in which event the General Assembly shall be authorized to remain in session until such trial shall have been completed.

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 re-appointed 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 should 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.

Art. 5, Sec. 1, Par. 17

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; but the total cost 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 the 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 General Assembly shall have power to prescribe the duties, authority, and salaries of the Secretary of State, Comptroller-General, and Treasurer, and to provide help and expenses necessary for the operation of the department of each.

Par. III and IV stricken out by amendment to Art. 5, Sec. 2, Acts, 1927 p. 121.

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.

Art. 5, Sec. 2, Par. 6

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.

Paragraph I. The judicial powers of this 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 of the Supreme Court are disqualified from deciding any case by interest or otherwise, the qualified justices shall designate a judge or judges of the Superior Court 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 incum-

Art. 6, Sec. 2, Par. 4

bent 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. Provided, that if the transmittal of the record be unavoidably delayed by reason of the illness or death of the clerk of the trial court, or of some member of his family, so that the case has not been docketed in the Supreme Court before the close of the docket of the term to which it is by law returnable (the facts causing such unavoidable delay to be certified by the clerk in commission and by a judge of the trial court), the case shall be heard at the next term, which shall be regarded as its first term.

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

Art. 6, Sec. 2, Par. 8

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 cases 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 this 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, 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

Art. 6, Sec. 2, Par. 9

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, and, 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.

Art. 6, Sec. 3, Par. 2

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. The judges of said courts may, on reasonable notice to the parties, at any time, in vacation, at Chambers, hear and

Art. 6, Sec. 4, Par. 8

determine, by interlocutory or final judgment, any matter or issue, where a jury verdict is not required, or may be waived.

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. II-A. The Court of Ordinary shall have jurisdiction to issue warrants, try cases and impose sentence thereon in all misdemeanor cases arising under that Act known as the Georgia State Highway Patrol Act of 1937, and other traffic laws of the State in all counties of this State in which there is no city or county court, provided the defendant waives a jury trial. Like jurisdiction is also conferred upon the Judges of the Police Courts of incorporated cities and Municipal Court Judges, for offenses arising within their respective jurisdiction.

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 justice 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,

Art. 6, Sec. 7, Par. 1

together with such additional jurisdiction, either as to amount or subject-matter, as may be provided by law, whereof some other court has not exclusive jurisdiction under this Constitution; together 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 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. And provided, however, that the General Assembly, in its discretion, may abolish justice courts and the office of justice of the peace and notary public ex-officio justice of the peace in any county in this State having within its borders a city 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; or conferring upon existing courts, by extension of their jurisdiction, 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 provisions 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. The Municipal Court of Atlanta shall have jurisdiction in Fulton County and outside the city limits of Atlanta either concurrently with, or supplemental to, or in lieu of justice courts, as may be now or hereafter provided by law. 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 injury or damage to personal property, when the principal sum does not exceed two 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 regulation 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.

Art. 6, Sec. 8, Par. 1

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 I. 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.

Art. 6, Sec. 13, Par. 1

*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. (Ten amendments of local interest only omitted here, but cited on page 63.)

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 affect 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 judicial fees at present accruing to the office of solicitor-general in any particular judicial circuit, and in lieu thereof to prescribe a salary for such office, in addition to the salary prescribed in paragraph I 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 for 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 XII superseded by other sections.

Art. 6, Sec. 16, Par. 1

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 promissory 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 pro-

Art. 6, Sec. 19, Par. 1

vide 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.

Art. 7, Sec. 1, Par. 1

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 Confederate 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, 1920. 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.

To construct and maintain a system of State highways.

To authorize the levy of taxes for, and to make provision for the payment of old age assistance to aged persons in need, and for the payment of assistance to the needy blind, and to dependent children and other welfare benefits, provided that no person shall be entitled to the assistance herein authorized, who does not qualify for such provisions in every respect, in accordance with enactments of the General Assembly, which may be in force and effect, prescribing the qualifications for beneficiaries hereunder.

Provided no indebtedness against the State shall ever be created for the purpose herein stated in excess of the taxes lawfully levied each fiscal year under acts of the General Assembly authorized hereunder.

To advertise and promote the agricultural, industrial, historic, recreational and natural resources, facilities and assets of the State of Georgia through any office or agency which may be created or designated by the General Assembly to carry out said purposes.

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 taxes shall be levied and collected under general laws and for public purposes only. All taxation shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax. Classes of subjects for taxation of property shall

Art. 7, Sec. 2, Par. 1

consist of tangible property, and one or more classes of intangible personal property including money. The General Assembly shall have the power to classify property including money for taxation, and to adopt different rates and different methods for different classes of such 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. There is hereby exempted of owners, beginning January 1, 1938, from all ad valorem taxation, state, county, municipal, and school district, all clothing, household, and kitchen furniture and all other personal property except as hereafter excepted, not to exceed \$300.00 in actual value. Provided the person or persons herein entitled to exemption shall register such exemption of personalty, giving a full description thereof, upon such forms, terms and manner as shall be prescribed by the General Assembly of Georgia. Provided further that the value of the property in excess of said exempted personal property shall be subject to taxation, as now or hereafter provided by law. The words "personal property" or "personalty" wherever used in this Bill, shall be defined as personal property used and included solely within the home, domestic animals, tools and implements of trade of manual laborers. This exemption shall not include motor vehicles.

There is hereby exempted from all taxation, state, county, municipal, school district, and political or territorial subdivision of the state having the authority to levy taxes, all co-operative, non-profit, membership corporations organized under the laws of this State for the purpose of engaging in rural electrification, as defined in Sub-section 1 of Section 3 of the Act approved March 30, 1937, providing for

Art. 7, Sec. 2, Par. 2

their incorporation, and all of the real and personal property owned or held by such corporations for such purposes. The exemption herein provided for shall expire twenty years from January 1, 1942.

Par. 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. II-B. (Macon local provision, omitted here, but cited on page 64.)

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.

Par. VII. Beginning January 1, 1938, there shall be exempted from all ad valorem taxation for State, county and school purposes the homestead of each resident of this State actually occupied by the owner as a residence and homestead, to the value of \$2,000, and only so long as actually occupied by the owner primarily as such, with the exception of taxation to pay interest on and retire bonded

Art. 7, Sec. 2, Par. 7

indebtedness. Such value to be determined in such manner and according to such rules and regulations as may be prescribed by law.

That the General Assembly may from time to time, as the condition of fiscal affairs of the State, counties, or schools may warrant, lower said exemption to not less than \$1,250.00.

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 was made. However, said debt may be increased in the sum of \$3,500,000 for the payment of the public-school teachers of the State only. The principal amount borrowed for payment of teachers to be repaid each year out of the common school appropriation, and the interest paid thereon to be paid each year out of the general funds of the State.

SECTION IV.

Paragraph I. All laws authorizing the borrowing of money by or on behalf of the State shall specify the purpose 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.

(Three amendments of local interest only, omitted here, but cited on pages 64 and 65.)

Art. 7, Sec. 6, Par. 2

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 coroners, 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, and for the collection and preservation of records of birth, death, disease, and health, to pay county agricultural and home demonstration agents; to provide for payment of old age assistance to aged persons in need, and for the payment of assistance to the needy blind and to dependent children and other welfare benefits, provided that no person shall be entitled to the assistance herein authorized who does not qualify in every respect in accordance with enactments of the General Assembly which may be in force and effect prescribing the qualifications for beneficiaries hereunder, [and to provide for fire protection of forest lands and for the further conservation of natural resources; to provide medical or other care and hospitalization for the indigent sick people of the county]*.

(Six amendments of local interest only, omitted here, but cited on page 65.)

Par. III (a). Any city, town, municipality or county of this State may contract for any period not exceeding thirty years with each other or with any public agency, public corporation or Authority now or hereafter created for the use by such subdivisions or the residents thereof of any facilities or services of any such city, town, municipality, county, public agency, public corporation or Authority, provided such contracts shall deal with such activities and transactions as such subdivisions are by law authorized to undertake.

(b) Any city, town, municipality or county of this State is empowered, in connection with any contracts authorized by the preceding paragraph, to convey to any public agency, public corporation or Authority now or hereafter created existing facilities operated by such city, town, municipality or county for the benefit of residents of such subdivisions, provided the land, buildings and equipment so conveyed shall not be mortgaged or pledged to secure obligations of any such public agency, public corporation or Authority and provided such facilities are to be maintained and operated by such public agency, public corporation or Authority for the same purposes for which such facilities were operated by such city, town, municipality or county. Nothing in this Section shall restrict the pledging of revenues of such facilities by any public agency, public corporation or Authority.

* Not added to the text of the proposing resolutions (Ga. Laws 1937/38, pp. 28, 39) reciting how the paragraph, as amended, should read, but nevertheless, properly submitted and ratified.

Art. 7, Sec. 6, Par. 3

(c) Any city, town, municipality or county of this State, or any combination of the same, may contract with any public agency, public corporation or Authority for the care, maintenance and hospitalization of its indigent sick, and may as a part of such contract obligate itself to pay for the cost of acquisition, construction, modernization or repairs of necessary buildings and facilities by such public agency, public corporation or Authority, and provide for the payment of such services and the cost to such public agency, public corporation or Authority of acquisition, construction, modernization or repair of buildings and facilities from revenues realized by such city, town, municipality or county from any taxes authorized by the Constitution of this State or revenues derived from any other sources.

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 temporary loan or loans to supply casual deficiencies of revenue, not to exceed one-fifth of one per centum of the assessed value of 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 may be 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 voters 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.

(One hundred and twenty-five amendments of local interest only, omitted here, but cited on pages 65-67.)

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.

Art. 7, Sec. 8, Par. 1

SECTION VIII.

Paragraph I. The State shall not assume the debt, nor any part thereof of any county, municipal corporation, or political sub-division of the State, unless such debt be contracted to enable the State to repel invasion, suppress insurrection, or defend itself in time of war; provided however that all indebtedness of the several counties of this State as well as that of the Coastal Highway District and the assessments made against the counties of said district, heretofore incurred for the construction and/or paving of the public roads or highways (including bridges) of the State as contemplated and defined by Article Six, Section One, of the Act approved Aug. 18, 1919, as said section appears on page 252 of the Georgia Laws of 1919, which were a part of the State Aid roads of the Highway System of Georgia, and said work was done under the supervision of the Highway Department, is hereby assumed by the State of Georgia as an indebtedness of the State. The word "indebtedness" as used herein shall include the actual cost of the construction and/or paving by any county of the State as well as any highway district created by law of any public road or highway (also bridges) expended under the supervision of the State Highway Department. And provided further that the indebtedness of the aforesaid political subdivisions of this State shall be evidenced by certificates of indebtedness issued, or to be issued by the State Highway Department of Georgia for the cost of the construction and/or paving by any county of the State as well as any highway district created by law, of any public road or highway (also bridges); and provided further that such construction and/or paving was done or contract or agreement made for same to be done prior to Sept. 1, 1931. And provided further that said indebtedness as evidenced by said certificates of indebtedness of the Highway Department shall be paid without interest thereon solely out of the revenues and/or taxes levied, assessed and allocated to the State Highway Department of Georgia, or to any department which by law may be made the successor of the Highway Department, for the public roads and highways of the State Aid system of roads and highways, and such payment to be made at the rate of not less than ten per cent per annum of the total of such outstanding indebtedness, and such payment to begin March 25, 1936, and to continue annually thereafter until all of such outstanding indebtedness shall have been paid. The General Assembly of the State of Georgia is hereby vested with authority to enact laws for the purpose of effectually carrying out the foregoing provisions, and the provisions of existing laws with reference to the preferential construction by the Highway Department of highways from county site to county site.

The Governor of the State of Georgia may, as soon after the ratification of this constitutional provision as is convenient issue in the name of the State of Georgia and under its Seal, Highway Refunding Bonds in the sum of \$2,650,000.00 payable March 15, 1946,

Art. 7, Sec. 8, Par. 1

and same shall be sold by the Governor, for the purpose of refunding to the State Highway Department that amount paid on State of Georgia Highway Department Refunding Certificates coming due and paid by the State Highway Department on March 25, 1939.

On March 15th, 1940, the Governor may issue in like manner Highway Refunding Bonds in the sum of \$2,650,000.00 payable March 15th, 1947, for the purpose of paying said State Highway Certificates coming due March 25th, 1940.

On March 15, 1941, the Governor may issue in like manner Highway Refunding Bonds in the sum of \$2,650,000.00 payable March 15th, 1948, for the purpose of paying said State Highway Certificates due March 25th, 1941.

All of such Highway Refunding Bonds shall be a direct obligation of the State, shall be issued in denominations of \$1,000.00 each and shall be paid from revenue and/or taxes levied, issued and allocated to the State Highway Department or to any Department which by law may be the successor to the Highway Department and the taxes and revenue shall continue to be levied, issued, allocated, and appropriated to said Highway Department, or its successors, and shall be collected in amounts sufficient to pay the said Refunding Bonds principal and interest as the same become due, said Refunding Bonds shall bear interest at 2% per annum payable semi-annually from the funds allocated to the State Highway Department on the 1st days of September and March until the maturity of the said Refunding Bonds respectively. No Bond shall be sold at less than par.

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 interest, profits, or perquisites arising from the use or loan of public funds in his hands; or monies 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.

SECTION XI.

Paragraph I. The General Assembly shall have no authority to appropriate money, either 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

Art. 7, Sec. 11, Par. 1

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

Art. 7, Sec. 15, Par. 1

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 Superintendent elected by the people at the same time, for the same term, and in the same manner as the Governor, who shall hold his office 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 Superintendent such officer, or officers, as may be deemed necessary to perfect the system of public education.

Art. 8, Sec. 3, Par. 1

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 or 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.

(Four amendments of local interest only omitted here but cited on page 68.)

Provided also that authority is hereby given to two or more local school districts, any one or more of which may have incurred a bonded indebtedness, to consolidate upon the condition that such bonded indebtedness outstanding shall be assumed by the entire district as consolidated, provided, however, before such consolidation shall become effective the same shall be approved by the vote of two-thirds of the qualified voters of each district affected at separate elections held for that purpose on the recommendations of the respective boards of trustees under the same terms and conditions as to advertisement as bond elections by school districts, the tickets for said elections to have written or printed thereon "For Consolidation with Bonded District" or "Against Consolidation with Bonded District;" and, in the event said elections result in favor of said consolidation, the result shall be so declared by the Boards of Trustees of said districts, and thereafter, the indebtedness outstanding against any

Art. 8, Sec. 4, Par. 1

one or more of said districts shall be a valid outstanding indebtedness of the district as consolidated and taxes for the payment of said indebtedness shall be levied accordingly. Provided, however, county boards of education, independent school systems, and local school districts may contract with each other for the education, transportation, and care of children of school age.

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 authorizes.

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.

Art. 9, Sec. 3, Par. 1

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. Homesteads 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

Art. 9, Sec. 8, Par. 1

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.

(Three amendments of local interest only, omitted here, but cited on Page 68.)

Art. 11, Sec. 1, Par. 2

Par. II. There shall not be more than one hundred and forty-five counties in this State. (Text of amendments creating sixteen new counties omitted. Creating Acts cited on page 69 of this compilation. Number of counties, now 159, by consolidation of Fulton, Milton and Campbell counties.)

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 sub-divisions 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 exercised 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 herein enumerated.

This provision of the Constitution shall not be construed to empower the General Assembly to create new counties, nor to affect

Art. 11, Sec. 1, Par. 2a

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 office 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 naming 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 sub-division, 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, and 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 removed, 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.

Par. VI-VII. (These paragraphs cover three local provisions and are omitted here but cited on Page 69.)

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 malpractice 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.

Art. 11, Sec. 3, Par. 1

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.

Par. II. (An amendment of local interest only, omitted here, but cited on Page 69.)

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.

Art. 12, Sec. 1, Par. 4

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 corporations, 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 ordinances 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.

AMENDMENTS 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 amend-

Art. 13, Sec. 1, Par. 1

ment 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 convention shall be based on population as near as practicable.

SECTION II.

Paragraph I. The Constitution shall be submitted for ratification or rejection 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 this 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.

ORDINANCES

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.

2. 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 supersede Article Seventh 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 supersede 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.

ORDINANCES

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 therein 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 or 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

ORDINANCES

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.

LEGISLATIVE PROPOSALS TO AMEND THE CONSTITUTION OF 1877

Art. 2. Sec. 1. Par. 1-8.

Qualifications of electors and registration of voters.

A. 1907, 47. No record found of submission.

A. 1908, 27. Ratified, Oct. 7, 1908.

A. 1931, 102. Ratified, Nov. 8, 1932.

(Relates only to Par. 3.)

Art. 3. Sec. 2. Par. 1.

Increasing Senatorial Districts.

A. 1918, 84. Ratified, Nov. 5, 1918.

A. 1921, 86. Defeated, Nov. 7, 1922.

A. 1931, 106. Defeated, Nov. 8, 1932.

A. 1937, 28. Ratified, June 8, 1937.

Art. 3. Sec. 3. Par. 1.

Membership, House of Representatives, fixed.

A. 1904, 48. Ratified, Oct. 5, 1904.

A. 1908, 31. Ratified, Oct. 7, 1908.

A. 1914, 36. Ratified, Nov. 3, 1914.

A. 1918, 87. Ratified, Nov. 5, 1918.

A. 1920, 55. Ratified, Nov. 2, 1920.

Art. 3. Sec. 4. Par. 1.

Terms of members of General Assembly.

A. 1914, 45. Ratified, Nov. 3, 1914.

Art. 3. Sec. 4. Par. 3 (2).

Annual legislative sessions.

A. 1890/1, 55. Ratified, Oct. 5, 1892.

Sessions changed from October to July.

A. 1893, 20. No record found of submission.

Biennial sessions.

A. 1924, 31. Ratified, Nov. 4, 1924.

Dates of sessions, and officers' terms.

A. 1931, 1053. Ratified, Nov. 8, 1932.

Annual sessions.

A. 1941, 90. Defeated, June 3, 1941.

Art. 3 (2). Sec. 4. Par. 6.

Length of legislative sessions.

A. 1890/1, 56. Ratified, Oct. 5, 1892.

Art. 3. Sec. 5. Par. 2.

Lieutenant-Governor to be President of the Senate.

A. 1935, 1233. Defeated, Nov. 3, 1936.

Art. 3. Sec. 7. Par. 7.

Local legislative bills.

A. 1888/9, 37. No record found of submission.

A. 1890/1, 57. Ratified, Oct. 5, 1892.

- Art. 3. Sec. 7. Par. 15.
Special and local legislative powers withdrawn.
A. 1884/5, 33. Ratified, Oct. 6, 1886.
- Art. 3. Sec. 7. Par. 18.
Granting of corporate powers.
A. 1890/1, 59. Ratified, Oct. 5, 1892.
A. 1912, 27. Ratified, Nov. 5, 1912.
- Art. 3. Sec. 7. Par. 25.
Zoning planning laws.
A. 1927, 127. Ratified, Nov. 6, 1928.
A. 1935, 1234. Ratified, Nov. 3, 1936.
A. 1937, 1132.
1139.
1137. Ratified, June 8, 1937.
- Art. 3. Sec. 7. Par. 26.
Zoning laws, counties of Glynn, Fulton, Chatham, Bibb, Barrow and Colquitt.
A. 1929, 148. Defeated, Nov. 4, 1930.
A. 1937, 24. Ratified, June 8, 1937.
A. 1937, 1135. Ratified, June 8, 1937.
- Art. 3. Sec. 9. Par. 1.
Legislative per diem.
A. 1918, 89. Ratified, Nov. 5, 1918.
- Art. 5. Sec. 1. Par. 2.
Changing terms of Constitutional officers.
A. 1935, 1243. Defeated, Nov. 3, 1936.
A. 1941, 86. Ratified, June 3, 1941.
- Art. 5. Sec. 1. Par. 3.
Election for Governor.
A. 1941, 86. Ratified, June 3, 1941.
- Art. 5. Sec. 1. Par. 8.
Providing for a Lieutenant-Governor.
A. 1935, 1231. Defeated, Nov. 3, 1936.
- Art. 5. Sec. 1. Par. 13.
Self-convening extra sessions, Legislature.
A. 1937, 1114. Ratified, June 8, 1937.
- Art. 5. (6). Sec. 1. Par. 19.
Governor's clerical force.
A. 1918, 93. Ratified, Nov. 5, 1918.
- Art. 5. Sec. 2. Par. 2.
Treasurer's and assistant's salaries.
A. 1918, 91. Ratified, Nov. 5, 1918.
Duties and expenses, Constitutional officers.
A. 1927, 121. Ratified, Nov. 6, 1928.

- Art. 6. Sec. 1. Par. 1.
Establishing Court of Appeals.
A. 1906, 24. Ratified, Nov. 6, 1906.
- Art. 6. Sec. 2. Par. 1.
Supreme Court Justices.
A. 1886/7, 25. Defeated, Oct. 3, 1888.
A. 1893, 17. No record found of submission.
- Art. 6. Sec. 2. Par. 2.
Choice of substitute judges.
A. 1937, 33. Ratified, June 8, 1937.
- Art. 6. Sec. 2. Par. 5.
Supreme Court jurisdiction.
A. 1906, 24. Ratified, Nov. 6, 1906.
A. 1916, 19. Ratified, Nov. 7, 1916.
- Art. 6. Sec. 2. Par. 6.
Procedure in delayed case-filing in Supreme Court.
A. 1935, 1238. Ratified, Nov. 3, 1936.
- Art. 6. Sec. 2. Par. 8.
Number of Justices, Supreme Court and organization change.
A. 1895, 15. Ratified, Oct. 7, 1895.
- Art. 6. Sec. 2. Par. 9.
Court of Appeals organization and jurisdiction.
A. 1906, 24. Ratified, Nov. 6, 1906.
A. 1916, 19. Ratified, Nov. 7, 1916.
- Art. 6. (8). Sec. 3. Par. 1.
Superior Courts.
A. 1905, 66. Ratified, Oct. 3, 1906.
- Art. 6. Sec. 3. Par. 2.
Election of Superior Court Judges.
A. 1897, 16. Ratified, Oct. 5, 1898.
- Art. 6. Sec. 3. Par. 3.
Terms of Superior Court Judges.
A. 1897, 16. Ratified, Oct. 5, 1898.
- Art. 6. Sec. 4. Par. 8.
Superior Court hearings in vacation.
A. 1939, 78. Ratified, June 6, 1939.
- Art. 6. Sec. 6. Par. 2a.
Jurisdiction of Ordinaries and Police Courts under State Patrol.
A. 1937, 1116. Ratified, June 8, 1937.
- Art. 6. Sec. 7. Par. 1.
Municipal Courts and J. P. Courts.
A. 1912, 30. Ratified, Oct. 2, 1912.
A. 1914, 30. Ratified, Nov. 3, 1914.

- A. 1927, 117. Ratified, Nov. 6, 1928.
- A. 1931, 1051. Ratified, Nov. 8, 1932.
- A. 1941, 119. Ratified, June 3, 1941.

Art. 6. Sec. 11. Par. 1.

Election of Solicitors-General.

- A. 1897, 16. Ratified, Oct. 5, 1898.

Art. 6. Sec. 13. Par. 1.

Salaries, certain Superior Court Judges.

- A. 1910, 42. Ratified, Oct. 5, 1910.
- A. 1913, 30. Ratified, Nov. 3, 1914.
- A. 1916, 22. Ratified, Nov. 7, 1916.
- A. 1918, 94. Ratified, Nov. 5, 1918.
- A. 1922, 24. Defeated, Nov. 7, 1922.
- A. 1922, 26. Ratified, Nov. 7, 1922.
- A. 1925, 70. Ratified, Nov. 2, 1926.
- A. 1927, 111. Ratified, Nov. 6, 1928.
- A. 1929, 118. Defeated, Nov. 4, 1930.
- A. 1939, 79. Ratified, June 6, 1939.

Judicial salaries, Supreme Court, Court of Appeals and Superior Courts.

- A. 1917, 36. Ratified, Nov. 5, 1918.
- A. 1920, 20. Ratified, Nov. 2, 1920.

Art. 6. Sec. 13. Par. 2.

Salary basis for Solicitors-General.

- A. 1916, 24. Ratified, Nov. 7, 1916.

Art. 7. Sec. 1. Par. 1.

Aid to Confederate soldiers and widows.

- A. 1884/5, 37. Ratified, Oct. 6, 1886.
- A. 1888/9, 39. Ratified, Oct. 1, 1890.
- A. 1893, 19. Ratified, Oct. 3, 1894.
- A. 1899, 19. Ratified, Oct. 9, 1900.
- A. 1908, 34. Ratified, Oct. 7, 1908.
- A. 1918, 96. Ratified, Nov. 5, 1918.
- A. 1918, 98. Ratified, Nov. 5, 1918.
- A. 1920, 23. Ratified, Nov. 2, 1920.
- A. 1937, 1118. Ratified, June 8, 1937.

State highways tax.

- A. 1926, Ex., 33. Ratified, Nov. 2, 1926.

Social Security, State participation.

- A. 1937, 1126. Ratified, June 8, 1937.

State Advertising.

- A. 1941, 16. Ratified, June 3, 1941.

Art. 7. Sec. 1. Par. 2.

Limiting ad valorem tax.

- A. 1903, 21. Ratified, Oct. 5, 1904.

Art. 7. Sec. 2. Par. 1.

Taxes upon incomes.

A. 1929, 143. Defeated, Nov. 4, 1930.

Classification tax.

A. 1931, 108. Defeated, Nov. 8, 1932.

A. 1937, 39. Ratified, June 8, 1937.

Macon uniformity modified.

A. 1941, 14. Ratified, June 3, 1941.

Fifteen mill tax limitation.

A. 1935, 1240. Defeated, Nov. 3, 1936.

Art. 7. Sec. 2. Par. 2.

Farm products tax exemption.

A. 1912, 36. Ratified, Nov. 5, 1912.

Ships and vessels tax exemption.

A. 1916, 27. Defeated, Nov. 7, 1916.

Endowment educational institutions tax exemption.

A. 1917, 39. Ratified, Nov. 5, 1918.

Hydro-electric works tax exemptions, Heard and Troup counties.

A. 1929, 144. Defeated, Nov. 4, 1930.

Personal property exemption.

A. 1937, 38. Ratified, June 8, 1937.

Rural Electrification Corporations tax exemption.

A. 1941, 84. Ratified, June 3, 1941.

Art. 7. Sec. 2. Par. 2a.

Industries tax exemption.

A. 1923, Ex., 67. Ratified, Nov. 4, 1924.

Art. 7. Sec. 2. Par. 2b.

Macon tax exemptions.

A. 1941, 124. Ratified, June 3, 1941.

Art. 7. Sec. 2. Par. 6.

Tax returns to Comptroller-General.

A. 1911, 51. Ratified, Oct. 2, 1912.

Art. 7. Sec. 3. Par. 1.

Deficiencies in State Treasury.

A. 1911, 49. Ratified, Oct. 2, 1912.

State debt increase for teachers' pay.

A. 1926, Ex., 31. Ratified, Nov. 2, 1926.

Art. 7. Sec. 2. Par. 7.

Homestead exemption.

A. 1937, 1122. Ratified, June 8, 1937.

Art. 7. Sec. 6. Par. 1.

Waycross promotion tax.

A. 1937, 1131. Ratified, June 8, 1937.

Fitzgerald Industry Tax Exemption.

A. 1939, 31. Ratified, June 6, 1939.

Savannah River Wharf.

A. 1941, 160. Ratified, June 3, 1941.

Art. 7. Sec. 6. Par. 2.

Taxing powers of counties—health.

A. 1908, 33. Ratified, Oct. 7, 1908.

Taxing powers of counties—schools.

A. 1910, 45. Ratified, Oct. 5, 1910.

Taxing power of counties—vital statistics.

A. 1926, Ex., 30. Ratified, Nov. 2, 1926.

Taxing powers to Fulton County for schools and pensions.

A. 1926, Ex., 20. Ratified, Nov. 2, 1926.

A. 1929, 134. Defeated, Nov. 4, 1930.

County tax levies for Social Security.

A. 1937, 1124. Ratified, June 8, 1937.

Agricultural agents tax levy.

A. 1937, 1128. Ratified, June 8, 1937.

Chatham County Retirement pay.

A. 1937, 16. Ratified, June 8, 1937.

Fulton and DeKalb Counties educational tax.

A. 1937, 18. Ratified, June 8, 1937.

Ware County Promotion Fund Tax.

A. 1937, 1129. Ratified, June 8, 1937.

Fulton County Civil Service.

A. 1939, 36. Ratified, June 6, 1939.

Fulton County retirement and pension fund.

A. 1939, 39. Ratified, June 6, 1939.

Taxing powers of counties—fire protection of forest lands and other natural resources, conservation.

A. 1937/8, Ex., 28. Ratified, Nov. 8, 1938.

Taxing powers of counties—Medical care and hospitalization for indigent sick.

A. 1937/8, Ex., 39. Ratified, Nov. 8, 1938.

Art. 7. Sec. 6. Par. 3.

Public facilities contracts.

A. 1941, 50. Ratified, June 3, 1941.

Art. 7. Sec. 7. Par. 1.

Augusta flood protection bonds.

A. 1909, 77. Ratified, Oct. 5, 1910.

County and city debts.

A. 1918, 99. Ratified, Nov. 5, 1918.

Bonded debt of cities of 150,000.

A. 1918, 915. Ratified, Nov. 5, 1918.

Street improvement bonds, cities 150,000.

A. 1920, 25. Ratified, Nov. 2, 1920.

West Point flood protection bonds.

A. 1920, 29. Ratified, Nov. 2, 1920.

Savannah port debt.

A. 1923, 45. Ratified, Nov. 4, 1924.

Brunswick port debt.

A. 1924, 33. Ratified, Nov. 4, 1924.

Coastal highway district created.

A. 1924, 35. Ratified, Nov. 4, 1924.

Crisp County debt.

A. 1925, 72. Ratified, Nov. 2, 1926.

Tybee road bond issue.

A. 1926, Ex., 22. Ratified, Nov. 2, 1926.

Lowndes County and Valdosta bond issue.

A. 1926, Ex., 25. Ratified, Nov. 2, 1926.

McIntosh County school bond issue.

A. 1926, Ex., 28. Ratified, Nov. 2, 1926.

Columbus street improvement bonds.

A. 1927, 109. Ratified, Nov. 6, 1928.

LaGrange indebtedness.

A. 1927, 113. Ratified, Nov. 6, 1928.

Temporary loans, Fulton, Chatham and Richmond Counties.

A. 1927, 122. Ratified, Nov. 6, 1928.

Ware County bonded debt.

A. 1927, 124. Ratified, Nov. 6, 1928.

Stephens County hospital bonds.

A. 1929, 142. Ratified, Nov. 4, 1930.

Washington County temporary loans.

A. 1929, 147. Ratified, Nov. 4, 1930.

Elberton bonded debt.

A. 1929, 125. Ratified, Nov. 4, 1930.

Cornelia bonded debt.

A. 1929, 121. Ratified, Nov. 4, 1930.

Lakeland bonded debt.

A. 1929, 130. Ratified, Nov. 4, 1930.

Spalding County temporary loans.

A. 1933, 29. Ratified, Nov. 6, 1934.

Albany debt increase.

A. 1937, 7. Ratified, June 8, 1937.

Atlanta debt increase.

A. 1937, 13. Ratified, June 8, 1937.

Dublin debt increase.

A. 1937, 22. Ratified, June 8, 1937.

Richmond County temporary loans.

A. 1937, 26. Ratified, June 8, 1937.

Swainsboro temporary loans.

A. 1937, 34. Ratified, June 8, 1937.

Adel bonded debt; Baxley refunding bonds; Beaverdam School District bonds; Blue Ridge bonded debt; Dublin bonded debt; East-

man bonds; Fannin County temporary loans; Gainesville debt; Homerville debt; Homerville debt; Jefferson debt; Jeffersonville School District debt; Macon temporary loans; Pineview School District bonds; Savannah refunding bonds; Sparks bonded debt; Vidalia refunding bonds; Willacoochee refunding bonds. A. 1937/38, Ex., 7-57, alphabetically arranged. Ratified, Nov. 8, 1938.

Atlanta Revenue Certificates; Augusta temporary loans; Bacon County Refunding bonds; Blackshear Refunding bonds; Bowden Refunding bonds; Carrollton Refunding bonds; Fulton County School bonds (East Point and College Park); Fulton, Floyd and DeKalb Counties, temporary loans, Board of Education; Grady County Refunding bonds; Greenville debt; Kite Consolidated School District bonds; Macon debt certificates; Nashville Refunding bonds; Ocilla debt; Ocilla Refunding bonds; Pearson Refunding bonds; Quitman debt certificates; Quitman Refunding bonds; Ray City Refunding bonds; Reidsville School District bonded debt; Savannah debt; Savannah bonded debt; Sylvania debt; Tift County bonded debt; Willie Consolidated School District Refunding bonds. A. 1939, 8-88, alphabetically arranged. Ratified June 6, 1939.

Coastal Highway District. A. 1939, 23. Ratified, June 6, 1939.

Abbeville School District bonds; Abbeville Refunding bonds; Adrian Consolidated School District bonds; Baker County bonds; Bibb County debt; Calhoun County Refunding bonds; Catoosa County bonds; Chattooga Refunding bonds; Claxton School District Refunding bonds; Claxton Refunding bonds; Cobb County Refunding bonds; Cochran Refunding bonds; Cook County Warrant Refunding bonds; Cook County Refunding bonds; Cordele Refunding bonds; Crawford Refunding bonds; Crawford School District debt; Dade County bonded debt; Davisboro School District bonds; Dodge County bonded debt; Doerun Refunding bonds; Effingham County Refunding bonds; Evans County Refunding bonds; Excelsior School District bonds; Gainesville bonded debt; Hart County Refunding bonds; Hazelhurst Refunding bonds; Irwin County Warrant Refunding bonds; Irwin County Refunding bonds; Jeff Davis Refunding bonds; Jefferson County School District Refunding bonds; Jefferson County School Dist. No. 10 bonds; Johnson Corner School District bonds; Lexington Refunding bonds; Macon debt certificates; Miller County bonds; Miller County Refunding bonds; Mitchell County Board of Education temporary loans; Oglethorpe County Funding bonds; Paulding County Funding bonds; Quitman County debt; Reidsville Refunding bonds; Sandy Cross School District Refunding bonds; Sparks-Adel School District Refunding bonds; Stone Mountain Refunding bonds; Sunny Hill School District; Toombs County Refunding bonds; Unadilla Refunding bonds; Vidalia bonded debt; Walker County bonds; Washington Refunding bonds; Waycross debts; Wilcox County bonds; Wilcox County debt; Wrightsville School District bonds. A.1941, 9-195, alphabetically arranged. Ratified, June 3, 1941.

- Art. 7. Sec. 8. Par. 1.
Assumption of county debts.
A. 1931, 97. Ratified, Nov. 8, 1932.
Highway Refunding bonds.
A. 1939, 47. Ratified, June 6, 1939.
- Art. 7. Sec. 18. Par. 1.
Hancock County Refunding bonds.
A. 1941, 93. Ratified, June 3, 1941.
- Art. 8. Sec. 1. Par. 1.
Taxation for common schools.
A. 1911, 46. Ratified, Oct. 2, 1912.
- Art. 8. Sec. 2. Par. 1.
State School Commissioner made elective.
A. 1894, 34. Ratified, Oct. 7, 1896.
State School Superintendent—Term of office.
A. 1935, 1236. Defeated, Nov. 3, 1936.
A. 1941, 165. Ratified, June 3, 1941.
- Art. 8. Sec. 4. Par. 1.
Local school tax.
A. 1903, 23. Ratified, Oct. 5, 1904.
A. 1919, 66. Ratified, Nov. 2, 1920.
Pierce County High School tax.
A. 1929, 139. Ratified, Nov. 4, 1930.
Schools—contracts.
A. 1931, 105. Ratified, Nov. 8, 1932.
Consolidated Schools—bonds.
A. 1931, 103. Ratified, Nov. 8, 1932.
Brantley County School Tax.
A. 1937/8, Ex., 17. Ratified, Nov. 8, 1938.
Floyd County High School Tax.
A. 1937/8, Ex., 30. Ratified, Nov. 8, 1938.
Chatham County School Tax.
A. 1941, 37. Ratified, June 3, 1941.
- Art. 8. Sec. 6. Par. 1.
University and high school appropriations.
A. 1920, 32. Ratified, Nov. 2, 1920.
- Art. 11. Sec. 1. Par. 1.
Taxes for Fulton County improvements.
A. 1929, 135. Ratified, Nov. 4, 1930.
Cobb County fire prevention tax.
A. 1937/38, Ex., 20. Ratified Nov. 8, 1938.
DeKalb County improvements tax.
A. 1941, 69. Ratified June 3, 1941.
- Art. 11. Sec. 1. Par. 2.
Fixing number of counties.
A. 1904, 47. Ratified, Oct. 5, 1904.

Creating new counties as follows:

A.	1906, 28.	Ratified, Nov. 6, 1906.	Ben Hill.
A.	1912, 38.	Ratified, Oct. 2, 1912.	Bleckley.
A.	1912, 41.	Ratified, Nov. 5, 1912.	Wheeler.
{ A.	1914, 23.	Ratified, Nov. 3, 1914.	Bacon. }
{ A.	1916, 17.	Ratified, Nov. 7, 1916.	Bacon. }
A.	1914, 27.	Ratified, Nov. 3, 1914.	Barrow.
A.	1914, 29.	Ratified, Nov. 3, 1914.	Candler.
A.	1914, 33.	Ratified, Nov. 3, 1914.	Evans.
{ A.	1917, 41.	Ratified, Nov. 5, 1918.	Atkinson.
{ A.	1918, 106.		
A.	1917, 44.	Ratified, Nov. 5, 1918.	Treutlen.
A.	1918, 102.	Ratified, Nov. 5, 1918.	Cook.
{ A.	1919, 68.	Ratified, Nov. 2, 1920.	Lanier.
{ A.	1920, 19, 45.		
A.	1920, 34.	Ratified, Nov. 2, 1920.	Brantley.
A.	1920, 38.	Ratified, Nov. 2, 1920.	Lamar.
A.	1920, 48.	Ratified, Nov. 2, 1920.	Long.
A.	1920, 52.	Ratified, Nov. 2, 1920.	Seminole.
A.	1922, 28.	Defeated, Nov. 2, 1922.	Peach.
A.	1924, 39.	Ratified, Nov. 4, 1924.	Peach.

Art. 11. Sec. 1. Par. 2-A.

Consolidation of city and county governments.

A. 1924, 811. Ratified, Nov. 24, 1924.

Art. 11. Sec. 1. Par. 6.

Taxes for sanitation, Glynn and McIntosh counties.

A. 1929, 137. Ratified, Nov. 4, 1930.

Art. 11. Sec. 1. Par. (7.)

DeKalb County increased taxing power.

A. 1937, 20. Ratified, June 8, 1937.

Art. 11. Sec. 2. Par. 1.

County officers' terms.

A. 1914, 43. Ratified, Nov. 3, 1914.

Art. 11. Sec. 3. Par. 1.

Office of county treasurer.

A. 1914, 42. Ratified, Nov. 3, 1914.

Consolidation of offices Tax Receiver and Tax Collector.

A. 1924, 815. Ratified, Nov. 4, 1924.

Art. 11. Sec. 3. Par. 2.

Fulton County Public Officers Deputies.

A. 1939, 33. Ratified, June 6, 1939.

CHRONOLOGICAL ANALYSIS OF PROPOSALS TO AMEND CONSTITUTION OF 1877.

Year of Act	Proposals	Ratified	Rejected	No record
1885	2	2 (1886)		
1887	1		1 (1888)	
1889	2	1 (1890)		1
1890	1	1 (1892)		
1891	3	3 (1892)		
1893	3	1 (1894)		2
1894	1	1 (1896)		
1895	1	1 (1896)		
1897	1	1 (1898)		
1899	1	1 (1900)		
1903	2	2 (1904)		
1904	2	2 (1904)		
1905	1	1 (1906)		
1906	2	2 (1906)		
1907	1			1
1908	4	4 (1908)		
1909	1	1 (1910)		
1910	2	2 (1910)		
1911	3	3 (1912)		
1912	5	5 (1912)		
1913	1	1 (1914)		
1914	9	9 (1914)		
1916	5	4 (1916)	1 (1916)	
1917	4	4 (1918)		
1918	11	11 (1918)		
1919	2	2 (1920)		
1920	10	10 (1920)		
1921	1		1 (1922)	
1922	3	1 (1922)	2 (1922)	
1923	1	1 (1924)		
1923 Ex.	1	1 (1924)		
1924	6	6 (1924)		
1925	2	2 (1926)		
1926 Ex.	7	7 (1926)		
1927	8	8 (1928)		
1929	13	8 (1930)	5 (1930)	
1931	8	6 (1932)	2 (1932)	
1933	1	1 (1934)		
1935	7	2 (1936)	5 (1936)	
1937	26	26 (1937)		
1938	23	23		
1939	33	33		
1941	69	68	1	
<hr/>		<hr/>	<hr/>	<hr/>
290		268	18	4