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Georgia

Georgia Constitution, 1777 (excerpts)

37. All cases and matters of dispute, between any parties, residing in the same county, to be tried within the county.

38. All matters in dispute between contending parties, residing in different counties, shall be tried in the county where the defendant resides; except in cases of real estate, which shall be tried in the county where such real estate lies.

39. All matters of breach of the peace, felony, murder, and treason against the state, to be tried in the county, where the same was committed. All matters of dispute, both civil and criminal, in any county, where there is not a sufficient number of inhabitants, to form a court, shall be tried in the next adjacent county, where a court is held.

40. All causes of what nature soever, shall be tried in the superior court, except as hereafter mentioned; which court shall consist of the chief-justice, and three or more of the justices residing in the county; in case of the absence of the chief-justice, the senior justice on the bench shall act as chief-justice, with the clerk of the county, attorney for the state, sheriff, coroner, constable, and the jurors. And in case of the absence of any of the aforementioned officers, the justices on the bench to appoint others in their room *pro tempore*. And if any plaintiff or defendant in civil causes shall be dissatisfied with the determination of the jury, then, and in that case, they shall be at liberty within three days, to enter an appeal from that verdict; and demand a new trial by a special jury, to be nominated as follows, *viz.* Each party, plaintiff, and defendant, shall choose six, six more names shall be taken indifferently out of a box provided for that purpose, the whole eighteen to be summoned, and their names to be put together into the box, and the first twelve that are drawn out, being present, shall be the special jury to try the cause, and from which there shall be no appeal. . . .

48. All the costs attending any action in the superior court shall not exceed the sum of three pounds, and that no cause be allowed to depend in the superior court longer than two terms. . . .

56. All persons whatever shall have the free exercise of their religion; provided it be not repugnant to the peace and safety of the state; and shall not, unless by consent, support any teacher, or teachers, except those of their own profession. . . .

58. No person shall be allowed to plead in the courts of law, in this State, except those who are authorised so to do, by the house of assembly; and if any person so authorised shall be found guilty of mal-practice before the house of assembly, they shall have power to suspend them. This is not intended to exclude any person from that inherent privilege of every freeman, the liberty to plead his own cause.

59. Excessive fines shall not be levied, nor excessive bail demanded.

60. The principles of the habeas corpus act, shall be part of this constitution.

61. Freedom of the press, and trial by jury, to remain inviolate forever.

62. No clergyman, of any denomination, shall be allowed a seat in the legislature.

63. No alteration shall be made in this constitution without petitions from a majority of the counties, and the petitions from each county to be signed by a majority of voters in each county within this state. At which time the assembly shall order a convention to be called for that purpose, specifying the alterations to be made, according to the petitions preferred to the assembly by the majority of the counties, as aforesaid.

Georgia Constitution, 1789 (excerpts)

ARTICLE I

Sec. 18. No clergyman of any denomination shall be a member of the general assembly.

ARTICLE III

Sec. 2. The general assembly shall point out the mode of correcting errors and appeals, which shall extend so far as to empower the judges to direct a new trial by jury within the county where the action originated, and which shall be final. . . .

Sec. 4 All causes shall be tried in the county where the defendant resides except in cases of real estate, which shall be tried in the county where such estate lies, and in criminal cases, which shall be tried in the county where the crime shall be committed.

ARTICLE IV

Sec. 3. Freedom of the press and trial by jury shall remain inviolate.

Sec. 4. All persons shall be entitled to the benefit of the writ of *habeas corpus*.

Sec. 5. All persons shall have the free exercise of religion, without being obliged to contribute to the support of any religious profession but their own.

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