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SURVEY OF
CRIMINAL COURT PROCEDURE
IN GEORGIA



OFFICIAL PROJECT NO. 65-34-4543
WORKS PROGRESS ADMINISTRATION OF GEORGIA

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CRIMINAL COURT PROCEDURE IN GEORGIA

Official Project No. 65-34-4543

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Sponsored By
THE STATE DEPARTMENT OF PUBLIC WELFARE OF GEORGIA

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APPRECIATION

No endeavor involving a great amount of toil can be successfully accomplished by one or even a few individuals. Team work of the highest type among individual workers and cooperation with supervisory personnel must be present before desired ends are gained. For the completion of this survey, more than two hundred persons labored diligently. Gathering the basic data from the numerous courthouses scattered all over the State required painstaking and patient effort from the workers, and the direction of local assignments called for ingenuity and unflinching energy on the part of the field supervisors and their assistants. A constant vigil against errors was the lot of those charged with editing the schedules, while the tabulation and assembly of the material gathered was an exhaustive undertaking and made long and tedious hours a necessity for completion. Those upon whom fell the task of general supervision of the work take this opportunity to express a deep appreciation not only for the excellent work that was the rule among all of those connected with the project, but more particularly for the fine spirit that was manifested by all of those whose combined efforts have made this report possible.

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FOREWORD

Each of the one hundred and fifty-nine county governments of Georgia is charged separately with the duty of combatting lawlessness and maintaining criminal records, and each county has virtually adopted its own methods. Common knowledge and previous criminal studies reveal that the methods, procedure, and records of the law enforcement offices in many of these counties can be adopted to marked advantage by the other counties. Uniformity of records alone would create a tremendous benefit in coordinating and utilizing these data. Systematic exchange of pertinent information would expedite and reduce the cost of apprehending the criminal. Public officials, criminologists, and other experts in government administration have long deplored the absence of reliable and sufficient information concerning crimes and criminals. These deficiencies are, indeed, aggravated by such lack of uniformity and such multiplicity of county jurisdiction.

The Federal Government, through the Works Progress Administration, has undertaken many practical surveys which have given needful employment to many types of non-manual workers. Many of these workers were familiar with court records and procedures; in fact, many had had legal training. With the crying need today for remedies to relieve an appalling crime situation, and with a similar need existing in the unemployment problem, it was thought relief for both could be effected by conducting a survey of this nature.

This survey was planned to enable the authorities to deal more intelligently with Georgia's criminal question. It contains facts and figures of definite value in directing public attention to conditions which require more intensive study or immediate rectification.

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for the Northern District of Georgia
Former Attorney General of Georgia

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PREFACE

The State Department of Public Welfare is charged with the duty of collecting, compiling, and publishing statistics and information regarding the delinquent, dependent, and defective classes. No fact-finding expedition regarding delinquent classes could be complete without some information regarding the operation of the criminal courts in which these persons are tried.

With the aid of funds from the American Institute of Criminal Law, the State Department of Public Welfare in 1924 made a study of cases coming before the Superior and City Courts of five representative counties of Georgia. Few studies of this type had then been attempted and the technique developed was utilized by surveys in other states. The study covered a total of 12,052 cases brought before the courts during the years 1916 and 1921. Full credit for its success is given to Boyce M. Edens and Hugh N. Fuller, who were connected with the Department in 1924.

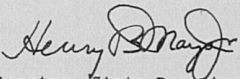
A more extensive criminal court study was made by Hugh N. Fuller in 1928, when 89,671 cases appearing before six of the larger criminal courts during the ten-year period 1916-1925 were surveyed. Such questions as amount of court business, frequency of certain crimes, time of disposition, certainty of punishment, and type of sentence imposed were given particular attention.

The two studies mentioned above were made for the purpose of assisting the officers of the court, the judge particularly, in understanding the work of the court and something about the persons coming before it. It is regretted that court records do not include more of the case histories of defendants. This fact naturally limits the scope of any court study.

Seeing the need for a continuation of criminal court research in Georgia, the Department appealed to the Works Progress Administration of Georgia to approve a project which would include a survey of a representative group of counties of Georgia. Through the close cooperation of the Works Progress Administration, such a project was undertaken in the fall of 1935. This survey covered 234,324 cases from the trial courts of fifty-seven representative counties.

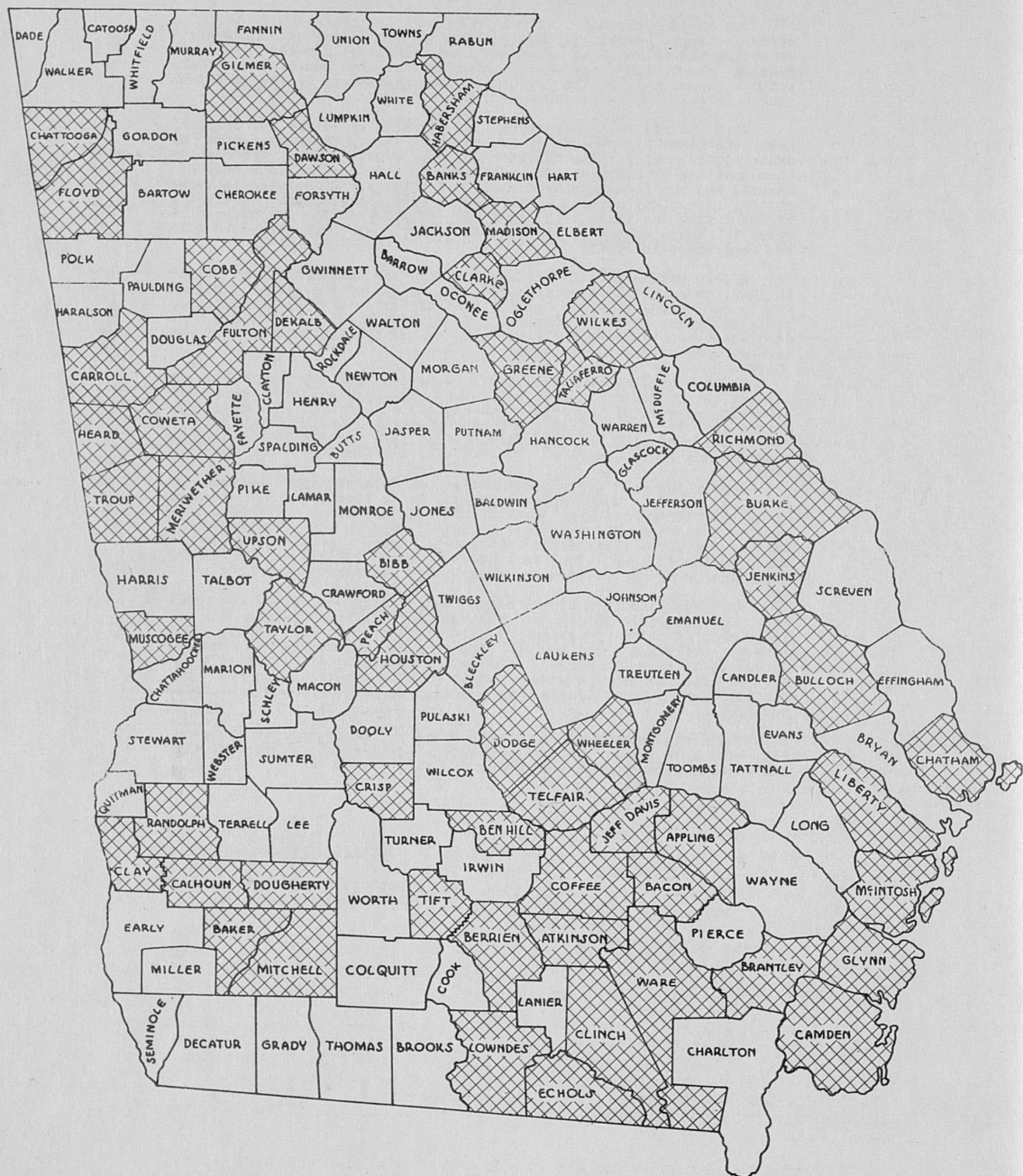
With every section of the State included in the Survey of Criminal Court Procedure in Georgia, valuable information regarding the relationship of crime to geographical areas has been discovered. This survey, utilizing as it has the pioneer work of the State Department of Public Welfare in former studies, undoubtedly will furnish a report of criminal court business which will be invaluable to court officials, students of criminology, social workers, and the interested public.

The State Department of Public Welfare, as Sponsor of the project, wishes to thank the Works Progress Administration for the time and funds expended in this endeavor.


Director, State Department of
Public Welfare

Atlanta, Georgia
February 1, 1937

COUNTIES IN WHICH THE SURVEY OF CRIMINAL COURT PROCEDURE OPERATED



MAP No. I

MECHANICS OF THE SURVEY

This survey, designed to determine how fine the mills of the Georgia court system grind, sifted and graded the grist of the several courts. The sample selected for study contains slightly more than one-third of the counties of the State, and a trifle more than one-half its population. The period covered is representative of Georgia's current court and criminal problems, since it covers the decade closing December 31, 1935. This ten-year period should reflect completely the problems existent not only today, but also those in the days of numerous business failures.

The court system of Georgia is built around the county as a basic unit. Practically all types of counties found within the State were represented in the group chosen. A complete list of these counties is shown on the map on the opposite page.

This survey was planned as a definite part of the Works Progress Administration program in Georgia, with a view of utilizing the talents of large numbers of people then upon relief rolls. Many of these individuals had had experience in and about the courthouses of the State, and were relatively familiar with court procedure and court records. Over 250 persons were employed at various times on this survey. Close supervision was given these people at all times, and they found few difficulties in securing the desired data.

When preliminary reconnaissance was made for this survey, it was discovered that the complete records of a criminal case had to be gathered from several sources. Records of arrests are kept in the office of the sheriffs; records of trial are kept in the office of the clerk of the court; records after sentence are kept by the Prison Commission; and records of appeals are kept in the appellate courts. The records of several offices must be searched before the complete record of any individual case can be compiled. It was soon discovered that, except in a few localities, it would be impossible to trace on a single schedule the history of a case from the arrest to final disposition. Therefore, it was decided to divide the data gathering into four distinct parts; part one to cover the information regarding the arrest, bonding, or jailing of the accused; part two to cover the progress of the criminal case before the trial court; part three to cover the progress before the appellate courts; part four to cover the records of the Prison Commission.

Each sheriff in the State of Georgia is required by statute to keep a jail docket. This jail docket is supposed to contain a record of the age, sex, and color of the person arrested, the crime charged, the date and process of commitment, and the date and process of release. In Fulton County, it was possible to place upon the same schedule information concerning the amount of the bond demanded of persons arrested and the information from the sheriff's jail docket. Many sheriffs have record books designed to receive the full information called for in the Code, but in many cases the value of such information was not comprehended, and often the sheriff saw fit to keep only a partial record of the persons sent to jail. It was found to be unusual for the sheriff to keep a record of all persons arrested. Generally the sheriff kept in his jail docket such information as he deemed germane to the case, which, in some counties, consisted only of the name of the accused, his age, and the crime with which charged. In other counties, the race was considered of equal importance, and only in a very few counties was an accurate record kept of the process of commitment and release. (See Appendix A, Exhibit 1, for schedule used.)

Usually, the record of the trial courts was more nearly complete than that in the sheriff's office. However, this was not always the case, since incomplete records were found in more than one county. In one county, for instance, no effort was made by the clerk to index his court dockets. In the trial courts, it is customary to docket each case on a criminal or bench docket. For the Superior Court, this record should be completed by the judge.

In gathering the data as desired from the trial courts, the workers usually started with the criminal docket and secured therefrom a record of the beginning of the case and thence traced the case through the minute docket, a day-by-day record of the events before the court, to its conclusion within that court. In many counties it was necessary at times to complete a schedule by referring to the original papers (warrants, indictments, accusations). This was possible in practically every county studied. One difficulty encountered in the completion of the schedules in the trial courts was the practice of many solicitors of using blanket instead of specific charges. In one city court, more than ninety percent of the persons before the court were charged with the blanket charge "misdemeanor."

Different schedules were designed for the superior and city courts, due to certain general differences in the procedure of these two courts. Where county courts instead of city courts were studied, the same schedule was used for both

courts since the procedures within them are quite similar. (Copies of the schedules used in the trial courts will be found in Appendix A, Exhibit 2.)

The data for the appellate courts were relatively easy to secure since the records of both the Court of Appeals and the Supreme Court are quite similar and have been kept during the period of the study by the same group of officials. In this particular schedule, effort was made to determine the type of cases securing appeals and the time of disposition of these appeals. (See Appendix A, Exhibit 3, for schedule used.)

The Prison Commission of Georgia was exceptionally cooperative in aiding the survey crew to gather the desired information from their records. A record of the race and sex of convicted felons was secured, along with a record of the escapes, time served, and the type of releases granted by the Prison Commission. (See Appendix A, Exhibit 4, for schedule used.)

This survey has consumed a period of twelve months. More than a month was taken up in making the necessary preliminary reconnaissance so that the workers could secure the desired information with a minimum of difficulty. Approximately three months were spent in gathering the data. The remainder of the time was spent in assembling and tabulating the findings.

In each county where the survey operated, a most cordial reception was tendered the workers by court officials. Where unforeseen minor difficulties were discovered, clerks and sheriffs spent time and thought in aiding the workers to overcome those difficulties. If a duplicate set of records was kept, the sheriff made it possible for two groups of workers to function simultaneously. In most of the counties a special room was set aside in the county courthouse for the workers so that they would not be impeded by having to work in a general office.

Edward A. Terry
State-wide Project Supervisor

William J. Thurman
Legal Advisor

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Chapter I

CRIMINAL LAW AND CRIMINAL COURTS

SUBSTANTIVE LAW OF CRIME: Before going into a study of the various aspects of crime, it is proper to set out the definition of crime as given by the Code of Georgia: "A crime or misdemeanor shall consist in a violation of a public law, in the commission of which there shall be a union or joint operation of act and intention or criminal negligence."⁽¹⁾ To paraphrase the Code, a crime might be said to be the commission of any act which has been declared by law to be against the good and well-being of society, coupled with an intention to do a wrong in that act.

Since the beginnings of civilized society, crimes have been catalogued in two classifications: One of gravity and the other of type. Offenses are divided according to gravity into felonies and misdemeanors. As defined by the Code: "The term felony means an offense, for which the offender, on conviction, shall be liable to be punished by death or imprisonment in the penitentiary, and not otherwise. Every other crime is a misdemeanor."⁽²⁾ An illustration of the difference in grade is the difference between assault and battery and assault with intent to murder. Assault and battery is a lesser act of violence upon the person of another, and being less grave, is a misdemeanor. On the other hand, assault with intent to murder is an offense of extreme gravity, and is a felony.

Each sovereignty makes its own classification of types of crimes. In Georgia offenses against the State and people constitute the first division according to type, and consist of treason, insurrection, and attempts to incite insurrection. The distinguishing mark of these crimes is the fact that they are aimed at the destruction of the sovereignty of the state

rather than against its good order.

The next division has been called crimes against the person, or crimes of violence, and includes all homicides, as well as the crimes of rape, mayhem, false imprisonment, stabbing, kidnapping, and all criminal assaults. There are three degrees of homicide in the State: Murder, manslaughter, and justifiable homicide. Murder is defined as the unlawful killing of a human being with malice aforethought.⁽³⁾ It is punishable by death except in those cases where the jury recommends mercy.⁽⁴⁾ Manslaughter is the unlawful killing of a human being without malice, and may be voluntary or involuntary.⁽⁵⁾ Voluntary manslaughter is a homicide committed while the offender is in a state of excitement or passion, thus differing from the deliberation which is a part of the crime of murder, and is punished by confinement in the penitentiary by not less than one nor longer than 20 years.⁽⁶⁾ Involuntary manslaughter is the killing of a human being while in the performance of an unlawful act or a lawful act which might produce death in an unlawful manner - such as without that due regard for human life which is expected of every ordinary man - and is punished when in the commission of an unlawful act by confinement in the penitentiary for not less than one nor longer than three years, and when in the commission of a lawful act, as for a misdemeanor.⁽⁷⁾ Justifiable homicide is the killing of a human being in self defense, defense of habitation, et cetera; and also includes killing by command of law, such as an execution in pursuance of proper order.⁽⁸⁾

Rape is also a crime against the person. While one of the elements of rape is an offense

⁽¹⁾ Sec. 26-201 Ga. Code of 1933.

⁽²⁾ Sec. 26-101 *ibid.*

⁽³⁾ Secs. 26-1001;26-1002 *ibid.*

⁽⁴⁾ Sec. 26-1005 *ibid.*

⁽⁵⁾ Sec. 26-1006 *ibid.*

⁽⁶⁾ Secs. 26-1007;26-1008 *ibid.*

⁽⁷⁾ Secs. 26-1009;26-1010 *ibid.*

⁽⁸⁾ Sec. 26-1011 *ibid.*

against public morality, still the main feature of the crime is the carnal knowledge of a female without her consent and against her will. This element of force properly brings it within the category of crimes of violence.⁽¹⁾

Offenses against habitation and other buildings form the next grouping of crimes in Georgia, and include arson and other burnings, destruction of property with explosives, and burglary. The crime last mentioned consists in the breaking and entering of a dwelling or place of business containing articles of value, with the intent to commit a felony or larceny therein. Since an essential element in burglary is the breaking and entering, it belongs to this group of crimes, even though burglary often involves the taking of property.⁽²⁾

However, that group of crimes which is related to property is a large one, and embraces all larcenies, embezzlements, criminal trespass, and other miscellaneous crimes of the same nature. Robbery also falls within this category. The distinction between robbery and larceny is the element of force that enters into robbery and not into larceny.⁽³⁾ This element might seem to cause robbery to fall more properly within the classification of crimes of violence, but when it is remembered that the taking of property is the gist of the offense, this classification becomes logical.

No classification of crime would be complete without that group which is against public justice and the functions of the government. Here are found the crimes of perjury, subornation of perjury, and false swearing. The difference between perjury and false swearing lies in the fact that perjury must be committed in the process of a judicial procedure, while false swearing is the false representation of fact under oath outside of judicial procedure.⁽⁴⁾ Here also

are bribery and conspiracy against the state or county, rescuing and harboring criminals, and many other related crimes.

Closely connected to the above are those offenses against the public peace, such as carrying weapons without a permit, dueling, rioting, mob violence, and other disturbances of the public peace and tranquility.

Another large classification are those crimes which are against public morality and decency, public safety, and the general policy of the government in a civilized society. Under the heading of crimes against public morality are bigamy, incest, sodomy, bestiality, adultery and fornication, seduction, and prostitution. None of these crimes entail the element of force found in rape.

Under the heading of public policy are found the offenses of gambling, gaming, lottery, using obscene language, exhibiting obscene pictures, and violations of the regulations protecting minors, as well as violations of the laws protecting divine services and the sanctity of the Sabbath Day. Strangely enough, vagrancy also falls within this group, because it is against the public policy of the State to have vagrants within its limits. Forgery, counterfeiting, and unlawful currency fall within a classification to themselves. Then, there is that group of miscellaneous crimes which includes cheating and swindling, malicious mischief, cruelty to animals, and related crimes.

The foregoing are the major classifications of crimes. In addition, many acts have been made offenses because those acts interfere with the proper conduct of the various departments of the State or the exercise of its police powers. Within this group are violations of tax laws, violations of the laws regulating intoxicating liquors, and numerous other acts.

An attempt to commit any crime falls within the same classification as the crime.

Offenders, as well as offenses, have been

(1) Sec. 26-1301 *ibid.*

(2) Sec. 26-2401 *ibid.*

(3) Secs. 26-2501;26-2601;26-2606 *ibid.*

(4) Secs. 26-4001;26-4003;26-4004 *ibid.*

classified in Georgia. Principals in crime are of two degrees: The principal in the first degree is the actual perpetrator of the crime; whereas, the principal in the second degree is one who stands by, aids and abets the crime.⁽¹⁾ Further, there may be an accessory before the fact, as one who aids in the planning of a crime; and an accessory after the fact, as one who, after full knowledge that a crime has been committed, conceals it and harbors the criminal.⁽²⁾

In the philosophy of criminal law, there is a third classification which divides crimes into two groups - those which are mala in se and those which are mala prohibita. The former is comprised of those crimes which are inherently wrong, such as murder, burglary, theft, rape, et cetera; while the second group is comprised of those acts which have been made offenses in the interest of the progress of the state and civilization. In the former class the element of intent is never presumed, but must be proved; while in the second, an intent sufficient to sustain the crime is presumed from the committing of the overt act. With this statement, it is easy to harmonize the old saying that "ignorance of the law is no excuse."

In the early development of the fabric of society, offenses were punished for a retribution and compensation to the individual who was harmed. With the progress of civilization, a wider view has been taken and punishment of crime has no element of vengeance, but the entire theory of punishment is based on an expectation that the punishment will be a deterrent for the individual involved and for other persons. Such is the main consideration of the judge in passing a sentence, but he is also concerned with the surrounding circumstances, the offender's background and character, and other things which make the punishment for a crime a humane thing designed for the eventual better-

ment of the individual and society as a whole.

VIEWPOINTS OF CRIMINAL PROCEDURE: The administration of any law which requires the active direction of a state agency is beset by many difficulties, and administration of criminal law is no exception. As one reads through facts and figures relating to criminal law and criminals, it must be remembered that in dealing with these matters, the human equation must be taken into consideration, and that circumstance may justify a condition that, viewed from a standpoint of pure efficiency, might appear to be unjustifiable.

In every criminal law and in every statute affecting criminal procedure, allowance must be made for and due weight given to three forces: First, the state as a social body in its sovereign responsibility for the welfare of its people as a whole; second, the constitutional and natural rights of all members of society as individuals; and third, the practical experiences of the machinery set up by the state for the administration of its criminal laws, viz., the court system. Sometimes all factors will work together and a given law will do justice to all three, but in other instances, the interest of two or more may be adverse.

The very nature of a state makes its attitude somewhat different from that of an individual in that it is responsible for the well-being of its citizens as a whole, and it must consider the ultimate effect of a regulation as to its beneficent effect on the body politic, rather than upon each individual application. This may mean that in some instances a hardship may be worked on a single person or a small group, but if the general effect on its people is one of protection against an existing or threatened evil and an incentive to the progress of society as a unit, then the viewpoint of the state is satisfied.

Much could be said with regard to the rights of the individual in any given case. The indi-

⁽¹⁾ Sec. 26-501 *ibid*.

⁽²⁾ Secs. 26-602; 26-604 *ibid*.

vidual rights and liberties of the American people have been held sacred above all else in our government. While it is true that criminal laws are intended for the best interest of the many, it is equally true that any law which denies to any individual his personal rights which are inherent in our form of government is unfair and unjust to not only one individual but to the whole people, because society, as an aggregate, is composed of individuals, and a destruction of the personal liberty of one is a blow aimed at the foundation of a democratic government. This does not mean that the state should not have the right to curb any unwarranted license of an individual, but any regulation which does not retain for the individual all those natural and constitutional liberties which have been found, by the test of time, to be for the best interest of all the people, is the rankest despotism. By a consideration of those factors may the viewpoint of the individual be preserved.

The last interest which must be considered in any given criminal legislation is the practicability of enforcement. In other words, the question must be answered, "Will the situation to be created by the practical administration of the law be consistent with the best functioning of the state's machinery as a whole, granting that it has met with the two requirements referred to above?" A regulation may be perfectly sound in theory but unsound in practice, because the good it may accomplish may be insignificant in comparison to the great amount of investigation required of the solicitor in preparing and carrying forward a prosecution. Likewise, the indirect harm it may do to apparently unrelated interests of the people, may render it impractical to carry out. Again, while small good in one direction may be accomplished, it may clutter up the works of the court with litigation to such an extent that the whole system may be disrupted.

Thus must all these requirements be met and

each separate force given its proper weight before any criminal law may be said to be a good one, whether it be substantive law, in defining what is criminal, or adjective law, in setting up a procedure or administration.

THE ROUTINE OF CRIMINAL PROCEDURE: The judicial system of this State for criminal jurisdiction is composed of three types of courts, viz., courts of inquiry, trial courts, and appellate courts. Courts of inquiry are composed of any person having the powers of Justice of the Peace, and are called into being from time to time to determine probable guilt of suspects.

The trial courts consist of the Superior Court and various city and county courts. Original jurisdiction in the trial of all criminal matters is given to the Superior Court. In order to lighten the load of the Superior Court in counties having larger populations, city or county courts have been created and given jurisdiction to try misdemeanor cases.

For the correction of errors committed in the trial courts, an appeal lies to the Court of Appeals and to the Supreme Court. The Supreme Court has retained appellate jurisdiction in all cases of convictions of a capital offense, while the Court of Appeals has been given appellate jurisdiction in other criminal matters.⁽¹⁾

Following the commission of a crime, an arrest is made which is the first physical happening in the progress of a criminal case. In the normal course of events, an arrest is preceded by the issuance of a criminal warrant by a judge of the superior court, county court, justice of the peace, or similar judicial officer.⁽²⁾ A necessary step pursuant to the issuance of a warrant is the sworn allegation by any person that a crime has been committed by a particular individual.⁽³⁾ The warrant is then served by a sheriff or constable,⁽⁴⁾ and the person named

⁽¹⁾ Secs. 2-3005;2-3009 *ibid.*

⁽²⁾ Sec. 27-102 *ibid.*

⁽³⁾ Secs. 27-103;27-104 *ibid.*

⁽⁴⁾ Secs. 27-105;27-209 *ibid.*

therein is arrested by that officer and carried before a committing magistrate.⁽¹⁾

An arrest may also be made by a private citizen without a warrant when an offense is committed in his presence, or when a felony has been committed and it comes to his immediate knowledge and the felon is attempting to escape.⁽²⁾ When this occurs, it is the duty of the arresting citizen to immediately turn the person he has arrested over to the nearest officer authorized to issue warrants.⁽³⁾

The case then progresses to a commitment hearing.⁽⁴⁾ The person named in the warrant may waive commitment and have the case carried directly to a trial court;⁽⁵⁾ but in the event he does not waive commitment, he is carried before a committing magistrate who will inquire into the circumstances and evidence touching the matter as soon as is practicable.⁽⁶⁾ The rule of decision in a magistrate's court is the rule of probable suspicion.⁽⁷⁾ In other words, if, after having heard the evidence, the committing magistrate feels that there is reasonable grounds of suspicion that the person before him has committed the crime charged, or another crime, it is his duty to bind the person so charged over to a court having jurisdiction of the offense.⁽⁸⁾

Following the commitment hearing or its waiver, a person charged with crime can be released from jail by tendering bail.⁽⁹⁾ The amount of this bail is assessed by any judicial officer and approved by the sheriff.⁽¹⁰⁾ Bail for capital felony cases is a matter of discretion on the part of the judge of the Superior Court.⁽¹¹⁾

When the offense is a misdemeanor, the defendant may be charged by the prosecuting officer of the court on an accusation without in-

dictment by the grand jury.⁽¹²⁾ If the offense charged is a felony, the person so charged is bound over to the grand jury for consideration at its next meeting.⁽¹³⁾ If the grand jury finds insufficient evidence for trial, it returns a "no bill" and the defendant is discharged. Two "no bills" form a permanent bar to further prosecution for that offense.⁽¹⁴⁾ When sufficient evidence for trial is present, a "true bill of indictment" - the formal charge of the State against the accused - is returned to the Superior Court.

While the normal method of bringing a case before the grand jury is by way of a warrant and commitment, the grand jury is authorized to return a presentment on its own initiative which charges a defendant with having committed a crime.⁽¹⁵⁾ Such a presentment by the grand jury has the same force and is treated as an indictment.⁽¹⁶⁾

When a true bill is returned by the grand jury, the case is immediately docketed by the clerk of the court.⁽¹⁷⁾ In city courts, when the accusation is signed by the prosecuting officer,⁽¹⁸⁾ the case is placed on the docket.

The county in which a case is tried - the venue of a case - is determined by the place where the crime was committed.⁽¹⁹⁾ If, for any reason, the defendant feels that it is impossible for him to obtain a fair trial in that county, he may make a motion for a change in venue, which motion is heard by the court and decision made on the basis of evidence presented.⁽²⁰⁾ If the motion is granted, the case is transferred to another county and proceeds from there; if the motion is denied, the case proceeds in the county where it originated.⁽²¹⁾ This motion can be made in open court after an indictment has been

(1) Sec. 27-208 *ibid*.

(2) Sec. 27-211 *ibid*; 109 Ga. 518, 521.

(3) Sec. 27-212 Ga. Code 1933.

(4) Sec. 27-401 *ibid*.

(5) Secs. 27-419; 27-420 *ibid*.

(6) Secs. 27-208; 27-210 *ibid*.

(7) Sec. 27-407 *ibid*.

(8) Secs. 27-407; 27-408 *ibid*.

(9) Sec. 27-418 *ibid*.

(10) Sec. 27-801 *ibid*.

(11) Sec. 27-901 *ibid*.

(12) 124 Ga. 30; p. 117 Acts. 1935.

(13) Sec. 27-407 Ga. Code 1933.

(14) Sec. 27-702 *ibid*.

(15) Sec. 59-304 *ibid*.

(16) Sec. 27-703 *ibid*; 73 Ga. 205.

(17) Sec. 24-2714 Ga. Code 1933.

(18) 63 Ga. 168 (2).

(19) Sec. 27-1101 Ga. Code 1933.

(20) Sec. 27-1201 *ibid*.

(21) Secs. 27-1201; 27-1202 *ibid*.

returned, and is only one of a large group of motions which may be made on proper grounds.

If the defendant, except one accused of a capital offense, feels that his trial is being unreasonably delayed, he may file a formal "demand for trial."⁽¹⁾ This demand is entered on the minutes of the court, and the defendant must be tried at the term during which the demand is filed, or at the next succeeding term, provided there are jurors impanelled qualified to try the case at both terms.⁽²⁾ If he is not tried at either term, he is automatically acquitted and must be released from jail, or discharged if on bond.⁽³⁾

If the defendant feels that there is some irregularity in the indictment itself, which makes the indictment void, he may file a form of pleading known as a "demurrer."⁽⁴⁾ A demurrer, in effect, states that, admitting all the allegations of the indictment to be true, no crime is charged against the defendant.⁽⁵⁾ This pleading is heard by the court and decided according to the law of the case.⁽⁶⁾ The court may sustain or overrule a demurrer. In the former event, another indictment may be obtained where the defect is one of form; but if the defect is fatal, it ends this prosecution. When the court overrules a demurrer, the case proceeds to trial.

The defendant may make a motion "to quash" an indictment, which, if granted, ends the prosecution. There are other special pleas and motions which may be made, such as the "plea of former jeopardy" which alleges that the defendant has been tried before for the same offense.⁽⁷⁾ These motions are usually made before the arraignment, which consists in calling the defendant before the bar and demanding how he shall plead. His plea is entered on the minutes as

either "guilty" or "not guilty."⁽⁸⁾

Assuming in a particular case that John Doe has been arrested on a warrant, arraigned, and had any motions which he may have filed overruled, his case is now ready for trial. If his plea has been "guilty", then he is called before the judge who listens to a statement of all the circumstances of the case and gives the prisoner the sentence that seems best in his discretion, within the limits provided by statute.⁽⁹⁾

Where the plea has been "not guilty", the procedure in the Superior Court is slightly different from that of the city court, since in many of the latter, except when the defendant makes a demand for a jury trial, the case is tried before the judge, whereas in the Superior Court, the defendant is given a jury trial unless he expressly waives it. Announcement by the state of its readiness to proceed is usually the initial action in the trial of a case in the Superior Court.⁽¹⁰⁾ This step is followed by a similar announcement on the part of the defendant.⁽¹¹⁾ After the jury is selected by the combined efforts of the defendant, the solicitor general, and the court, the state opens the prosecution by the introduction of evidence.⁽¹²⁾

At the close of the evidence for the state, the defendant may make a motion for a directed verdict.⁽¹³⁾ If the court feels that the state has produced no evidence which could be considered by a jury toward the conviction of the defendant, the court may direct the jury to return a verdict of "not guilty" and the trial is ended there.⁽¹⁴⁾ If, on the other hand, the court sees fit to overrule such a motion, the defendant proceeds to introduce his evidence. After the evidence is in, arguments are presented by the defendant and by the state. The court then in-

(1) Sec. 27-1901 *ibid.*

(2) *ibid.*

(3) *ibid.*

(4) Sec. 27-1501 *ibid.*

(5) 9 Ga. App. 537 (2).

(6) 61 Ga. 636.

(7) Sec. 2-108 Ga. Code 1933; 153 Ga. 119. (1).

(8) Secs. 27-1404; 27-1405 Ga. Code 1933.

(9) Secs. 27-2503; 27-1404 *ibid.*

(10) Sec. 27-1902 *ibid.*

(11) *ibid.*

(12) Secs. 59-809; 59-704 *ibid.*

(13) 11 Ga. App. 15; 19.

(14) *ibid.*

structs the jury.⁽¹⁾ The jury retires and makes up its verdict which it later presents in open court.⁽²⁾ In the event the verdict is "not guilty", the defendant is thereby acquitted forever on that charge⁽³⁾ and the case is ended, since the state has no right to appeal.⁽⁴⁾

If the verdict is "guilty", the jury has certain prerogatives regarding the sentence which vary with the grade of the crime. In a capital case, the jury may return a verdict of guilty with a recommendation for mercy, in which event the recommendation is mandatory upon the court, and the court must sentence the defendant to life imprisonment.⁽⁵⁾ The jury is authorized to fix the sentence for the defendant within the limits prescribed by statute for felonies of less than capital grade,⁽⁶⁾ or it may in certain cases recommend that the defendant receive a misdemeanor sentence.⁽⁷⁾ This latter recommendation is not mandatory upon the court and may be disregarded if the court sees fit.⁽⁸⁾ The jury will simply return a verdict of guilty in misdemeanor cases.⁽⁹⁾

Assuming that John Doe has been convicted by a jury and feels that an error of law has been made and that he should not have been convicted, he may appeal the case to the appellate courts.⁽¹⁰⁾ The first step in this direction is usually the filing of a motion for a new trial,⁽¹¹⁾ at which time John Doe may, in cases not capital, tender a bond in an amount fixed by the court to stay execution of the court's sentence. If the bond is accepted, he will be released from jail pending the outcome of his appeal.⁽¹²⁾

A motion for a new trial is given a hearing by the judge.⁽¹³⁾ On the hearing, if the judge

feels that there are sufficient grounds, he may grant the defendant a new trial and the case begins again with the arraignment.⁽¹⁴⁾ In the event the motion for a new trial is over-ruled, the defendant may file a bill of exceptions,⁽¹⁵⁾ alleging certain grounds of error that he feels have been made in over-ruling his motion for a new trial.⁽¹⁶⁾ This bill of exceptions, together with a brief of the evidence and other formal pleading required by law, are transmitted to the appellate court.⁽¹⁷⁾ Here the case is then considered and either affirmed or reversed, depending upon the view that court may take as to whether or not an error has been committed in the lower court.⁽¹⁸⁾ If the case is affirmed by the appellate court, the defendant is re-sentenced and starts serving his sentence under the supervision of the Prison Commission.⁽¹⁹⁾

In cases where the lower court is reversed, the type of error determines whether the defendant is acquitted and released or the case remanded for a new trial.⁽²⁰⁾ The lower court is reversed and the defendant freed in those cases where the error made was directly responsible for the conviction. If, on the other hand, it may have been possible for the defendant to have been convicted, even had the error not been made, the case is remanded to the lower court for a new trial.⁽²¹⁾

In the city and other courts having jurisdiction of misdemeanor cases, the prosecuting officers are authorized by law to sign an accusation without carrying the defendant before the grand jury.⁽²²⁾ During the trial of a case in the city court, the same motions, et cetera, are open to a defendant as have been heretofore set out in the Superior Court. The great bulk of the business before the city court is tried by a

(1) Sec. 81-1101 Ga. Code 1933; 5 Ga. 441. (2).

(2) Sec. 27-2301 Ga. Code 1933.

(3) 38 Ga. 187.

(4) Secs. 2-108; 70-201 Ga. Code 1933.

(5) Sec. 27-2302 *ibid.*

(6) Sec. 27-2502 *ibid.*

(7) Sec. 27-2501 *ibid.*

(8) *ibid.*

(9) Sec. 27-2301 *ibid.*

(10) Secs. 2-3005; 2-3009 *ibid.*

(11) Sec. 70-301 *ibid.*; 134 Ga. 475. (1).

(12) Sec. 6-1006 Ga. Code 1933.

(13) Secs. 70-301; 70-303 *ibid.*

(14) Sec. 70-401 *ibid.*

(15) Sec. 6-901 *ibid.*

(16) *ibid.*

(17) Sec. 6-1001 *ibid.*

(18) Secs. 2-3005; 2-3009 *ibid.*

(19) Secs. 27-2504; 27-2505; 6-1804 *ibid.*

(20) Sec. 70-402 *ibid.*; 61 Ga. 529.

(21) Sec. 6-1610 Ga. Code 1933.

(22) 63 Ga. 168 (2); 119 Ga. 120 (2).

judge without a jury, but if the defendant wishes to have a jury trial, he may demand one and the court must provide a jury.⁽¹⁾ In the event of a conviction in a city court, the defendant may appeal to the Superior Court on a writ of certiorari⁽²⁾ or for cases tried in city courts where provision for such appeal is made, he may

⁽¹⁾ Sec. 2-4501 Ga. Code 1933.

⁽²⁾ Sec. 19-203 *ibid.*

take his case on a bill of exceptions to the Court of Appeals. If, on the appeal to the Superior Court, the decision of the city court is affirmed, the defendant may then go to the Court of Appeals on bill of exceptions, where the case is treated in exactly the same manner as has been heretofore described for the Superior Court.⁽³⁾

⁽³⁾ Sec. 2-3009 *ibid.*



Chapter II LAW ENFORCEMENT

THE SOVEREIGN'S PEACE: After a crime has been committed, the court does not enter into the picture until an arrest has been made. So essential is the arm of the court charged with capturing violators of the law that the courts are never completely satisfactory when this department fails to function properly. This discussion of the law enforcement system of Georgia presents both the historical background and the relationship of the system to the courts.

Developing society has subjected criminal law and its enforcement to great changes. The ancient codifications of these laws show that the criminal committed his crime against persons rather than against the state, and the seriousness of the crime depended upon the social rank of the person wronged.⁽¹⁾ It was not until the beginnings of the medieval times that a wrongdoer committed an offense against the sovereign or state rather than against the individual. With the development of feudalism, the idea that a person had certain set rights regarding fighting, thefts, disturbances in his house or on his property, was firmly fixed in the minds of the people. These rights were loosely termed "the peace", and disturbing a person's peace was a cause for legal action. In the case of persons of rank, their peace was co-extensive with their lordship. The sovereign's peace was, therefore, the most important in the realm.

With the development of royal highways, forests, and other conveniences for the use of the country at large, offenses committed in the vicinity of any of these became an offense against the king's peace. The early Plantagenet kings consolidated the realm more thoroughly than it had been in the past, and the vigorous members

of this family urged upon high and low the use of the king's peace in preference to the feudal lord's peace or the peace of the individual yeoman.⁽²⁾

In the time of the later Saxon kings, there had appeared in each region, shire, or county, a sheriff who was given full authority to execute the orders of the king. He was more than merely the local officer of the king, with authority to collect the king's rent and feudal dues; he was given complete authority to keep the king's forest inviolate, and to see that great and small lived up to their feudal obligations to the king.⁽³⁾ The sheriff, by the time of King Henry the Second, seems to have systematically displaced the earls and dukes in their functions as local officers. Henry the Second's immediate successors used this officer to greater advantage, increased his powers, and made him an individual feared and hated by the local barons less powerful than he. No doubt the aggressive use of the sheriff's powers by the king was one of the grievances which caused that memorable assembly at Runnymede, which secured the Great Charter from King John.

Edward III defined the sheriff's powers, and at the same time established a system whereby the abuses of the sheriff's powers could be curbed. It was under this great law giver that the office of the Justice of the Peace was established.⁽⁴⁾ When originally established, this office seems to have been an extension of some earlier plan which was not wholly incorporated into royal writ.

Another officer, who, as a conservator of

⁽¹⁾ p. 192, Vol. I, New American Edition, Reeve's "History of English Law from the Time of the Romans to the Reign of Elizabeth", by W. Finlason Esq., M. Murphy, Philadelphia, 1880.

⁽²⁾ p. 45, Vol. I, 2nd Edition, "The History of English Law", Pollock and Maitland, Cambridge University Press, Cambridge, 1911.

⁽³⁾ p. 221, Vol. II, "Constitutional History of England", William Stub, McMillan & Co., London, 1875.

⁽⁴⁾ p. 2, Cap. II, Vol. II, 15 Edward III; "The Statutes at Large", Danby Pickering, Joseph Bentham, Cambridge, 1762.

the peace, aided in bringing the king's peace into general use, was the Coroner. This officer had power to arrest the sheriff and in the time of King John seems to have taken unto himself in addition the functions of a prosecuting attorney. The Great Charter took this latter function from him.⁽¹⁾ In some states, by statute, the coroner remains a conservator of the peace. In Georgia, however, the general peace officer functions he exercises arise from his powers at common law, or from his common law and statutory rights to replace the sheriff when that officer is disqualified.

One deterrent to the growth of the idea of the king's or sovereign's peace was the custom of "places of refuge."⁽²⁾ As the king's court system came into more general use and criminals were protected from violence, the "places of refuge" were no longer necessary and were abolished.⁽³⁾ When Georgia was colonized, early settlers incorporated the ideas of the king's peace into the life of their new home. Crime today is an offense against the sovereign's peace or the state's peace. Law enforcement is the maintenance of that peace.

THE CONSERVATION OF THE PEACE: The development of the idea that the state was wronged by criminal actions was accompanied by the growth of the state's machinery for the preservation and the conservation of the peace. By the reign of King Edward III, the need for a local person to be present to aid the sheriff in carrying out his duties and to curtail the abuses of the sheriff's powers was apparent, and persons were ordained to fill this need. They were called "Conservators of the Peace."⁽⁴⁾ It was not until the latter part of King Edward's reign that

their duties were detailed.⁽⁶⁾ At that time the name was changed to "Justice of the Peace." Each part of the shire had one justice of the peace who was the chief criminal officer of that area, and who usually attempted the pursuit and capture of local criminals. Beggars, vagrants, tramps, and other persons not firmly bound to the community, were usually arrested by them, jailed, punished, or sent to other communities.

This officer has continued as a conservator of the peace. Even though under the law he is authorized to appoint the necessary officers to handle any local disturbance of the peace which may arise, this particular function is rarely exercised. Justices of the peace often are so laden with the functions of a civil court that the conservation of the peace is neglected, and other officers are more accessible and better equipped to act than they.

Concurrently with this office, there grew up a system of city government. The municipal charters were framed so as to regulate many trade details which called for a slightly different type of law enforcement office than was necessary for the rural districts. The present day municipal system of police had its birth in these times; and from its birth to the present, there are in every city two systems of police officers - one maintained by the county and the other by the city.

LAW ENFORCEMENT IN GEORGIA: Some of the counties have seen fit to more or less combine these units, but nowhere in the State is law enforcement carried on as a single unit connected directly with the State and the Nation. Each county has its sheriff; each town has its marshal or chief of police, and in some counties a county police force independent of the sheriff's office has been established. Many of our law enforcement problems can be traced directly to this decentralization and meager coordination.

(1) p. 41, Chap XVII, "A Digest of the English Statutes of Force in the State of Georgia", William Schley, J. Maxwell, Philadelphia, 1826.

(2) p. 69 "Sketch of English Legal History", Maitland and Montague, G. P. Putnam's Sons, New York, 1915; p. 343 Cap. X, 9 Edward II, Vol. I. "The Statutes at Large", Danby Pickering, Joseph Bentham, 1762.

(3) p. 303, Cap. VI, Vol. VII, *ibid*.

(4) p. 419 Cap. XVI, *ibid*.

(5) p. 351, Vol. I, 4th Edition, "Blackstone's Commentaries", T. M. Colley, Callaghan & Co. Chicago, 1899.

(6) p. 419, 14 Edward III, Vol. I, "The Statutes at Large", Danby Pickering, Joseph Bentham, Cambridge, 1762.

The law enforcement regime in the several counties and in the cities within the counties is rarely exactly the same, and is dependent, in a large measure, upon those holding positions of authority, as well as statutory regulations. In each county of the State there is a sheriff elected for a four-year term by the people of the county.⁽¹⁾ This officer is a conservator of the peace, and under the authority of this title has the power to do whatever is necessary to maintain the peace.⁽²⁾ He has, however, but little greater authority as a law enforcement official than does any citizen, except that he is charged with the execution process of the Superior Court.⁽³⁾ He is authorized to appoint such deputies as he needs to aid him in the business of his office.⁽⁴⁾ As executive officer of the Superior Court, a vast number of his duties are in nowise connected with his duties as a law enforcement official, and the fees for these are much greater than those for handling criminal matters.⁽⁵⁾ For many duties of law enforcement there are no fees attached. For instance, the sheriff may spend several days in the solution of a criminal case, only to be entitled, under the law, to the fee for making an arrest.⁽⁶⁾

The sheriff's jurisdiction is county-wide, but as an officer of a state court, he has authority to serve warrants anywhere within the bounds of the State.⁽⁷⁾ Usually the sheriff when elected to office has had little experience with the advanced methods of law enforcement and the duties expected of him in enforcing the law. He selects his deputies from among the citizens of the county, and often their experience in handling law enforcement problems is as meager as his. In the smaller counties the pay for these deputies must come from the sheriff's pocket. Frequently it is difficult to maintain communi-

cation with these individuals since they live in remote sections of the county and can be reached only by mail or messenger. In some counties there is not a telephone in either the courthouse or jail, and neither the sheriff nor his deputies can be reached by telephone. When such a condition exists, it is impossible for adequate connections to be maintained with law enforcement agencies of adjoining counties.

If the county contains an incorporated town, it is likely that the town will have a marshal. This officer may or may not have had experience in handling law enforcement problems. As long as the marshal has no assistants, it is likely that he will cooperate with the sheriff, but it is also likely that it will be a difficult matter to locate him in an emergency. In a small town, the marshal enforces city ordinances and the laws of the state as a part-time activity, since it is usual for the town to require him to perform a wide variety of duties. With the town's increase in size, the marshal's office loses its law enforcement functions and a chief of police is given charge of law enforcement work.

The chief of police generally has better facilities than the marshal, and is given such equipment as may be necessary to accomplish his task. Often, however, the town's finances are inadequate to give the chief as large a force as he may need. The police chief usually is accessible and maintains satisfactory telephonic facilities, but he still has only casual connection with other law enforcement agencies.

Law enforcement problems attendant upon population increases are not always accompanied by additional machinery to care for these. Often little effort is made to better the connections between the sheriff's office and that of the chief of police. Due to the press of civil matters in the superior court, the sheriff may leave much of his law enforcement work undone. In that case, the bulk of the county is not adequately policed, and when this happens, the peo-

(1) Sec. 24-2801 Ga. Code 1933.

(2) Secs. 26-4901; 26-5401 et sequi, *ibid.*

(3) Secs. 24-2801 et sequi; 27-201 et sequi, *ibid.*

(4) Sec. 24-2811 *ibid.*

(5) Sec. 24-2823 *ibid.*

(6) *ibid.*

(7) Sec. 27-209 *ibid.*

ple of the county may make provision for law enforcement in the rural regions by the formation of a county police force.⁽¹⁾ Often the county police are placed under the supervision of the governing body of the county, but in some counties, this force has been placed under the direction of the sheriff and the county police become deputy sheriffs, differing from the other deputies only in that they are paid salaries and are provided with the necessary equipment to patrol a given area.

When the town begins to develop into a metropolitan area, it is quite likely that its police force will develop characteristics peculiar to such an area. Usually within these places, the police system is composed of two major subdivisions: the uniformed group and the detective bureau. The former consists of the precinct patrolmen, the radio, the motorcycle, and the traffic officers, while the detective bureau is assigned investigation and under-cover work. Most of the larger systems maintain an identification bureau whose duty it is to photograph and fingerprint all suspects. Copies of these are sent to the Federal Bureau of Investigation which acts as a clearing-house for such information.

Sometimes members of the city police force are assigned to aid in handling situations arising outside the bounds of the city. Some counties use the facilities of identification developed within the city, but such cooperation as may be between these forces is not a matter of law but rather a matter between the heads of such forces. Presume that a bank robbery has been perpetrated in Cartersville, Georgia. The criminal has three broad avenues of escape. He has only a short ride into Alabama, and the forces that will stop such a ride would be the town police and sheriff's forces in the border counties. It is likely that before complete organization could be effected between the force

in Rome or Cedartown, the robber would have escaped into Alabama. A similar situation would exist if the route to Tennessee were chosen. Suppose, further, a route leading toward the southern part of the State were chosen. The situation is not very different even though the distance is longer and there are more counties and cities to pass through. Unless he was tangled in the traffic of Atlanta, it is likely that the escape would be made good, and it would rest with some detective force to make identification at a later day.

Detectives in Georgia are handicapped since only the larger cities of the State maintain fingerprint identification bureaus, and these have little connection with each other. If there were a state-wide bureau, it is probable that a suspect's complete identification would be on file, and it would be possible to give definite information regarding his habits and his family, as well as such physical characteristics as he might possess. Such a state bureau would be available for the use of all law enforcement officers, and not only those charged with enforcing the law in specific places.

The criminal in Georgia possesses another advantage in that there is no state-wide system of law enforcement - each county and each city is a separate unit - and connections between the several units are difficult to secure and maintain. This difficulty could be eliminated by an active state-wide body. Under such a system, it would be possible for the office in Cartersville, after the perpetration of the robbery mentioned above, to be in communication with officers in all parts of the State and have an adequate net thrown around the criminal before he had time to go into hiding.

Likewise, the criminal in Georgia possesses the advantage of facing officers not always trained to handle specific situations. More than one officer in Georgia in time past has used his initiative and ability in capturing

⁽¹⁾ Sec. 23-1401 Ga. Code 1933.

desperadoes, but all too often the accused is allowed to escape because the officer has not been tutored in those methods found most satisfactory. No provision exists for a state-wide training school for law enforcement officers, but such methods, procedures, and devices are usually garnered from experience at a cost to

the general public. With a short and insecure tenure of office, few officers wish to take such training at their own expense. Such is the situation with regard to organization for law enforcement. The picture is not complete, however, without some understanding of the persons with whom the law enforcement officers deal.



YOUTH

Age	Admission
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20

TOTAL

*Source

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Chapter III PEOPLE BEFORE THE COURTS

Important in the analysis of any criminal court situation are the people who come before the courts. Much comment has been made regarding the changing types of these people in Georgia. When considering those before the courts, the vast socio-economic changes of the past two generations cannot be ignored, especially those changes which broaden horizons by the granting of leisure time and increased mobility. Now, large numbers of people are peren-

TABLE I*

YOUTH CASES ADMITTED TO THE GEORGIA PENITENTIARY
By Ages of Admissions
January 1, 1926 - December 31, 1935

Age of Admission	Total Cases	Males		Females	
		White	Negro	White	Negro
11	1	1	-	-	-
12	6	-	5	-	1
13	14	2	12	-	-
14	59	5	50	-	4
15	131	20	99	1	11
16	445	91	339	2	13
17	834	237	573	3	21
18	1069	294	754	4	17
19	1291	427	822	9	33
20	1181	381	764	1	35
TOTAL	5031	1458	3418	20	135

*Source: Records of the Prison Commission

nial migrants. So mobile has the population become that crime which was once local in character has broken its bounds and loosed itself upon the entire country. This mobility has lessened the effectiveness of community censure which at one time exercised a great force on those bound by ties of kinship or ownership to a given region.

A large part of Georgia derives its income from agricultural pursuits. There was a time when Georgia youth looked forward to farm operations as a vocation, but such ventures in recent years have been unprofitable for the most part, and the youth from the rural regions has dreamed of occupations less arduous and promising a greater reward in money, leisure time, and

comfort. In quest of such desirable things, home and farm are often left even before these young people have harvested the full educational benefits of the local institutions.

TABLE II*

FELONS BETWEEN AGES 21 AND 25
ADMITTED TO THE GEORGIA PENITENTIARY
By Ages of Admissions
January 1, 1926 - December 31, 1935

Age of Admission	Total Cases	Males		Female	
		White	Negro	White	Negro
21	1170	355	785	3	27
22	1207	349	830	2	26
23	1061	318	710	4	29
24	863	298	534	5	26
25	779	262	500	1	16
TOTAL	5080	1582	3359	15	124

*Source: Records of the Prison Commission

Likewise, the city youth, whose home has become crowded or unsatisfactory and whose working effort brings small monetary reward, tempts fortune. When the small compensation offered farm tenant youths and under-privileged city youths is considered, it is no wonder that poorly planned and financed adventure often leads these boys and girls into the courts, or that age nineteen becomes the age at which penitentiary admissions are the greatest in Georgia.

During the period January 1, 1926 until December 31, 1935, 17,336 cases were admitted to the Georgia penitentiary, and 5,031 cases, or 29 percent, were youths under age of twenty-one. Table I shows ages of admission for these cases. Under the law, juveniles may be sentenced to the penitentiary when, in the eyes of the court, the youth was fully able to have a criminal intent and knew what he was doing.⁽¹⁾

While 29 percent were under the age of twenty-one, 29.3 percent, or 5,080 cases, were between the ages of twenty-one and twenty-five. Table II lists admissions to the Georgia Penitentiary for persons between these ages.

⁽¹⁾ Sec. 26-301 Ga. Code 1933.

TABLE III
RACE AND SEX OF THOSE ACCUSED OF CRIME
AS SHOWN BY JAIL DOCKETS IN 27 GEORGIA COUNTIES
By Crimes and Crime Types
January 1, 1926 - December 31, 1935

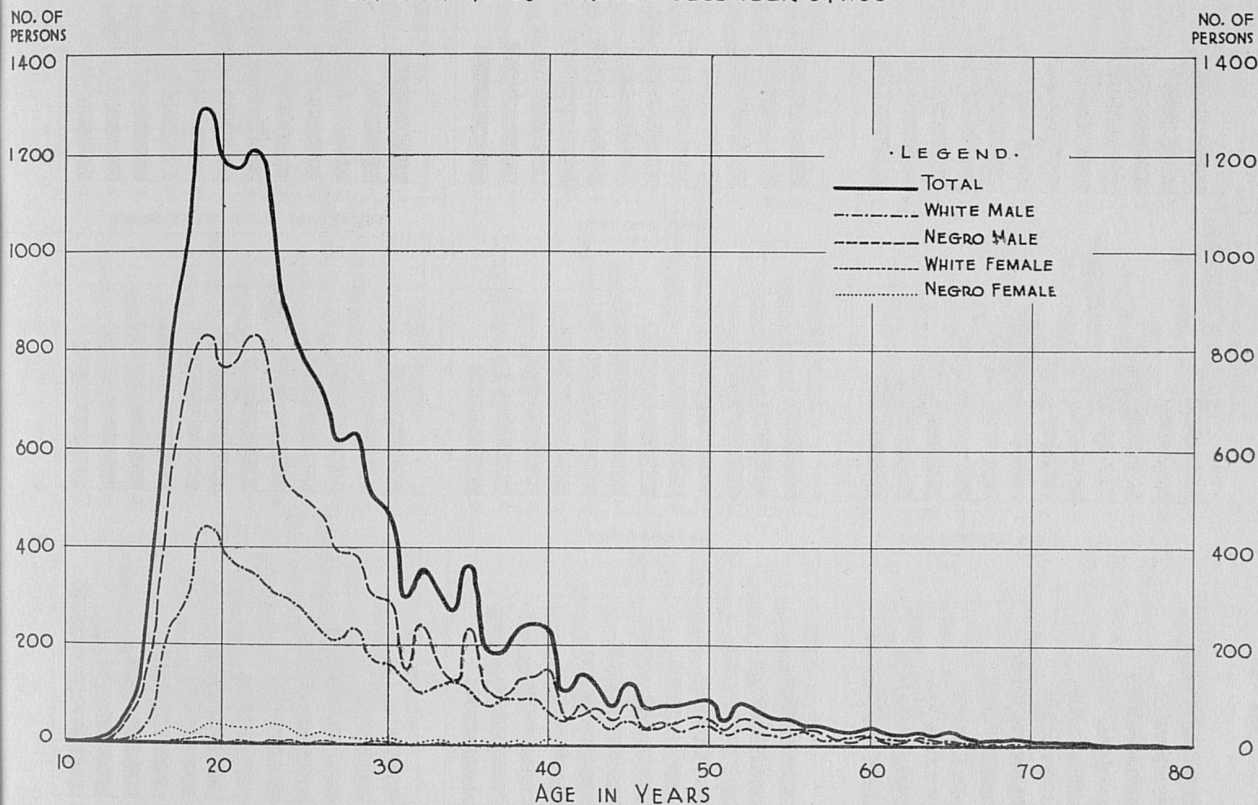
CRIME	Total		White				Negro			
			Male		Female		Male		Female	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
CRIMINAL HOMICIDES	2,026	100.0	630	31.1	49	2.4	1,141	56.3	206	10.2
Murder	1,737	100.0	469	27.0	40	2.3	1,037	59.7	191	11.0
Involuntary Manslaughter	191	100.0	101	52.9	8	4.2	71	37.2	11	5.7
Voluntary Manslaughter	98	100.0	60	61.3	1	1.0	33	33.7	4	4.0
CRIMINAL ASSAULTS	12,753	100.0	4,672	36.7	295	2.3	6,305	49.4	1,481	11.6
Assault with Intent to Murder	3,315	100.0	1,088	32.8	47	1.4	1,793	54.1	387	11.7
Shooting at Another	687	100.0	130	18.9	15	2.2	479	69.7	63	9.2
Stabbing	1,803	100.0	182	10.1	12	.7	1,133	62.8	476	26.4
Mayhem	19	100.0	1	5.3	-	-	11	57.9	7	36.8
Assault and Battery	4,428	100.0	2,067	46.7	205	4.6	1,699	38.4	457	10.3
Wife Beating	1,392	100.0	846	60.8	-	-	546	39.2	62	7.5
Pointing Pistol at Another	826	100.0	222	26.9	9	1.1	533	64.5	29	10.2
Assault (simple)	283	100.0	136	48.1	7	2.5	111	39.2	29	10.2
CARRYING DEADLY WEAPONS	3,634	100.0	970	26.7	26	.7	2,490	68.5	148	4.1
OPERATING AUTO WHILE DRUNK	5,819	100.0	4,068	69.9	146	2.5	1,577	27.1	28	.5
DISTURBANCES OF PUBLIC PEACE	10,471	100.0	6,126	58.5	983	9.4	2,738	26.1	624	6.0
Drunkennes	5,627	100.0	3,827	68.0	376	6.7	1,134	20.2	290	5.1
Vagrancy	2,474	100.0	888	35.9	532	21.5	799	32.3	255	10.3
Hoboeing	1,253	100.0	789	63.0	6	.5	451	36.0	7	.6
Malicious Mischief	432	100.0	217	50.2	17	4.0	150	34.7	48	11.1
Other Disturbances	685	100.0	405	59.2	52	7.6	204	29.7	24	3.6
ROBBERY	2,440	100.0	828	33.9	41	1.7	1,459	59.2	112	4.6
BURGLARY	8,207	100.0	2,315	28.2	46	.6	5,647	68.8	199	2.4
LARCENIES	27,830	100.0	10,632	38.2	639	2.3	14,242	51.2	2,317	8.3
Larceny of Auto	2,898	100.0	1,672	57.9	44	1.5	1,156	40.0	16	.6
Larceny from House	6,261	100.0	1,203	19.2	153	2.4	3,871	61.9	1,034	16.5
Larceny from Person	282	100.0	91	32.3	21	7.4	131	46.5	39	13.2
Larceny of Livestock	343	100.0	152	44.3	1	.3	178	51.9	12	3.5
Embezzlement	109	100.0	87	79.9	3	2.7	18	16.5	99	5.1
Larceny after Trust	1,959	100.0	967	49.3	34	1.7	859	43.2	10	2.9
Larceny of Chickens	344	100.0	87	25.3	5	1.5	242	70.3	-	-
Larceny of Bicycle	109	100.0	23	21.1	-	-	86	78.9	-	-
Simple Larceny	3,537	100.0	1,024	29.0	28	.8	2,223	62.8	262	7.4
Larceny of Cotton	50	100.0	20	40.0	-	-	29	58.0	1	2.0
Other Larcenies	6,814	100.0	1,809	26.6	85	1.2	4,170	61.2	750	11.0
Attempted Larceny	148	100.0	82	55.4	1	.7	82	55.4	3	2.0
Cheating and Swindling	3,591	100.0	2,808	78.2	236	6.1	772	19.9	75	1.8
Defrauding Board Bill	144	100.0	111	77.1	6	4.2	20	13.9	7	4.2
Passing Worthless Checks	379	100.0	300	79.2	17	4.5	58	15.3	4	1.0
Larceny from Auto	572	100.0	216	37.8	5	.9	347	60.6	4	.7
FORGERY	795	100.0	445	56.0	31	3.9	280	35.2	39	4.9
NON-SUPPORT	3,215	100.0	1,022	31.8	4	.1	2,181	67.9	8	.2
Bastardy	1,340	100.0	280	20.9	-	-	1,060	79.1	-	-
Abandonment	1,875	100.0	742	39.6	4	.2	1,121	59.8	8	.4
SEX CRIMES	3,259	100.0	1,658	50.8	358	11.1	954	29.2	289	8.9
Rape	457	100.0	214	46.9	-	-	243	53.1	-	-
Assault with Intent to Rape	394	100.0	211	53.6	2	.5	181	45.9	-	-
Seduction	278	100.0	180	64.7	-	-	98	35.3	-	-
Adultery and Fornication	1,582	100.0	807	51.0	252	15.9	295	18.6	228	14.5
Public Indecency	176	100.0	92	52.3	14	8.0	56	31.7	14	8.0
Sodomy and Bestiality	161	100.0	101	62.7	9	5.5	46	28.6	5	3.2
Incest	7	100.0	3	42.9	1	14.2	3	42.9	-	-
Operating Lewd House	204	100.0	50	24.5	80	39.2	32	15.7	42	20.6
GAMBLING	5,835	100.0	983	16.9	78	1.3	4,290	73.5	484	8.3
Lottery	2,576	100.0	335	13.0	46	1.8	1,808	70.2	387	15.0
Other Types of Gambling	3,259	100.0	648	19.9	32	1.0	2,482	76.1	97	3.0
VIOLATION OF MOTOR VEHICLE LAWS	2,319	100.0	1,299	56.0	22	.9	972	41.9	26	1.2
VIOLATION OF PROHIBITION LAWS	37,094	100.0	12,923	34.9	1,479	4.0	16,406	44.2	6,286	16.9
Possession of Liquor	4,598	100.0	2,280	49.6	149	3.2	1,810	39.4	359	7.8
Sale of Liquor	351	100.0	191	54.4	10	2.9	133	37.9	17	4.8
Manufacture of Liquor	699	100.0	384	55.0	7	1.0	299	42.8	9	1.2
Other Violations	31,446	100.0	10,068	32.0	1,313	4.2	14,164	45.0	5,901	18.8
MISCELLANEOUS CRIMES	24,662	100.0	10,707	43.4	963	3.9	11,159	45.3	1,833	7.4
Arson	178	100.0	80	44.9	4	2.2	79	44.4	15	8.5
Bigamy	155	100.0	80	51.6	8	5.2	56	36.1	11	7.1
Bribery	32	100.0	19	59.4	-	-	10	31.2	3	9.4
Perjury	211	100.0	109	51.7	12	5.7	71	33.6	19	10.9
Rioting	128	100.0	65	50.8	3	2.4	46	35.9	14	6.1
Felony	3,524	100.0	1,572	44.6	47	1.3	1,690	48.0	215	7.7
Misdemeanor, Miscellaneous	18,797	100.0	7,859	41.8	828	4.4	8,668	46.1	1,442	7.7
Misdemeanor, blanket charge	599	100.0	382	63.8	17	2.8	146	24.4	54	9.0
Obtaining Money or Goods under False Pretense	105	100.0	41	39.0	2	1.9	53	50.5	9	8.6
Escape	369	100.0	178	47.4	9	2.4	163	44.2	22	6.0
False Oath	78	100.0	50	64.1	4	5.1	21	26.9	3	3.9
Kidnapping	212	100.0	127	59.9	21	9.9	52	24.5	12	5.7
Blackmail and Extortion	32	100.0	27	84.4	4	12.5	1	3.1	-	-
Cruelty to Animals and Children	58	100.0	17	29.3	3	5.2	28	48.3	10	17.2
Violation of Game Laws	184	100.0	104	56.5	1	.5	75	40.8	4	2.2
GRAND TOTAL	150,359	100.0	59,278	39.4	5,180	3.4	71,841	47.8	14,080	9.4

The decrease in the number of persons admitted to the penitentiary continues in the ages after age twenty-five. The downward curve, however, begins to flatten out after age thirty-one. Even though the number of admissions for

race, and sex of individuals detained on crime charges was determined for 150,359 cases from the jail dockets in twenty-seven counties. For these, the age trend is quite similar to that of persons sentenced to the penitentiary, but

FELONS ADMITTED TO THE GEORGIA STATE PENITENTIARY BY AGES

JANUARY 1, 1926 THROUGH DECEMBER 31, 1935



SOURCE: RECORDS OF THE PRISON COMMISSION OF GEORGIA.

CHART NO. I

each age is not so great for the ages after thirty, there were persons admitted after age eighty and one man was admitted after age ninety-eight. Chart I is an age curve of those admitted to the penitentiary.

Persons sent to the penitentiary are those whose guilt of a felonious crime has been proved, and constitute only a small portion of those before the courts. Due to the fact that complete records of arrest are kept in only rare cases and that many sheriffs do not keep a record of the ages of those jailed, it was impossible to assemble a complete picture of persons coming before the courts. However, the age,

varies with each crime type and for each crime within the type. Since the sheriff's jail docket is often completed by estimation rather than exactness, all conclusions based on these data must be considered tentative and subject to change in the light of more accurate information than was obtainable from the records used. Table IV lists the number of cases in each of eight age groups.

These figures add further weight to the conclusion that crime is a youth problem. Crime, however, is an aggregate term and must be broken into types and individual crimes before it can be fully analyzed or its full effect upon the

EXHIBIT I
MONTH BY MONTH VARIATION OF PERSONS JAILED
BY CRIME OF WHICH ACCUSED
TWELVE COUNTIES OF GEORGIA
JANUARY 1, 1926, THROUGH DECEMBER 31, 1935
FROM JAIL DOCKETS OF THE COUNTIES

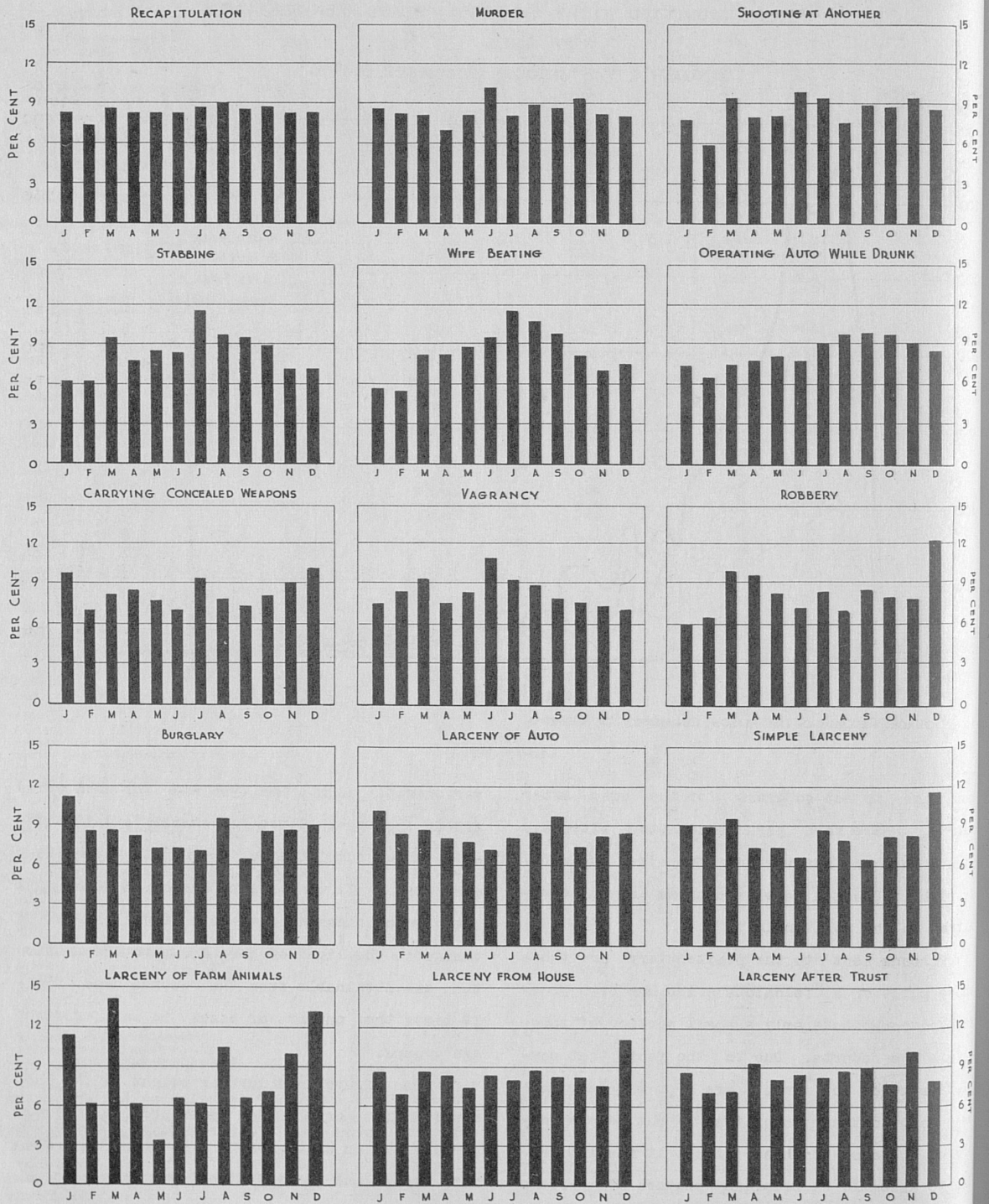
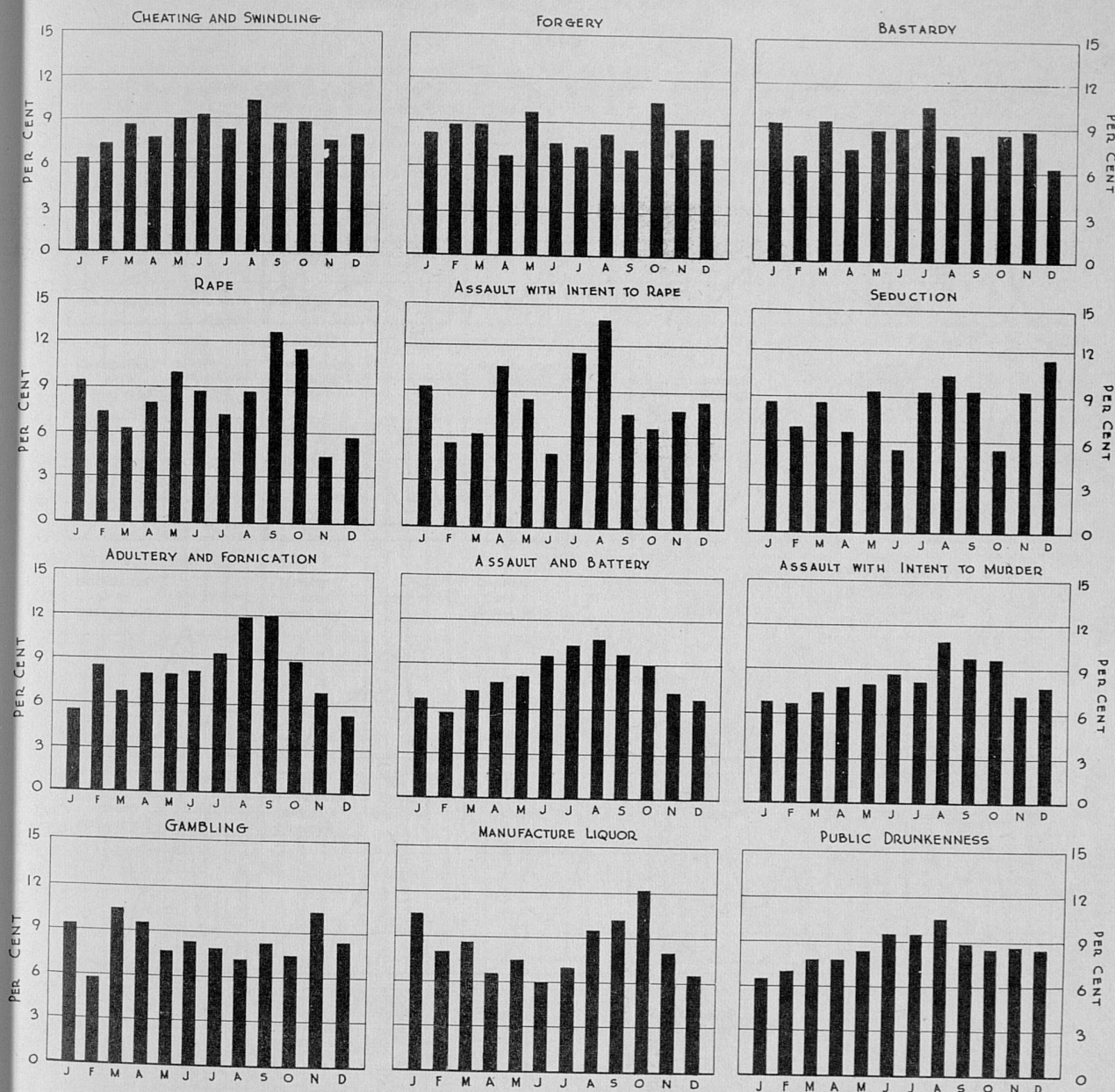


EXHIBIT I (CONT'D)
MONTH BY MONTH VARIATION OF PERSONS JAILED



socio-economic life of a locality comprehended. Some crime types and some individual crimes thrive only under certain conditions, whereas others seem to be less contingent upon the sociological and economic factors, and rest largely on community thought habits. Such seems the case with violations of the prohibition laws. In some counties this type of infraction

of the law was not recognized as criminal, and few or no cases were brought. On the other hand, in many counties, over 25 percent of the cases were charges of this classification. Many crimes seem to have little or no relation to any of the above features or any other factors, but appear in all communities more or less spontaneously. Murder and rape, as far as Georgia is concerned,

EXHIBIT II
AGES OF PERSONS ACCUSED OF CRIME
BY PER CENTS
JANUARY 1, 1926, THROUGH DECEMBER 31, 1935
FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES

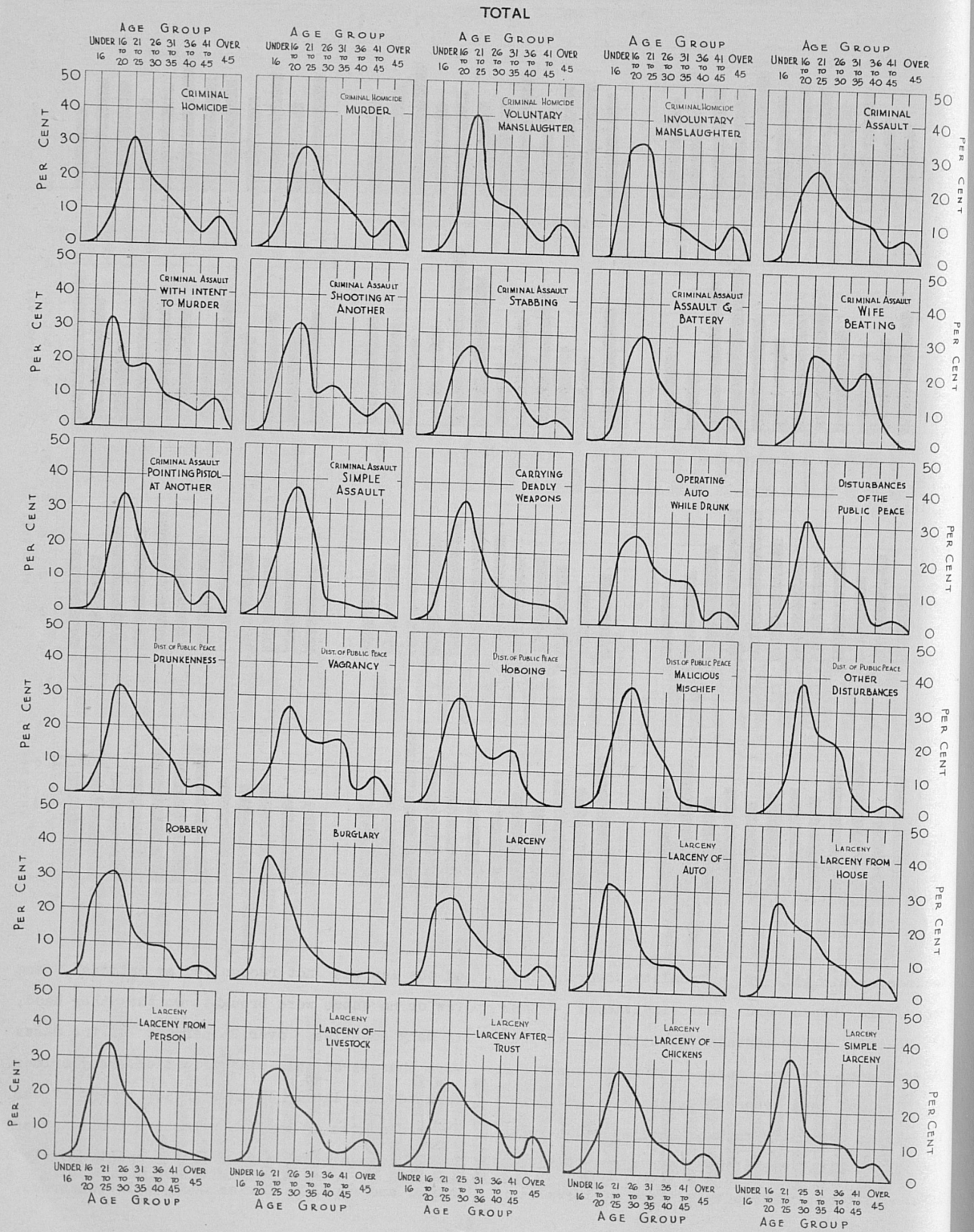


EXHIBIT II (CONT'D)

AGES OF PERSONS ACCUSED OF CRIME

BY PER CENTS
JANUARY 1, 1926, THROUGH DECEMBER 31, 1937
FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES

TOTAL

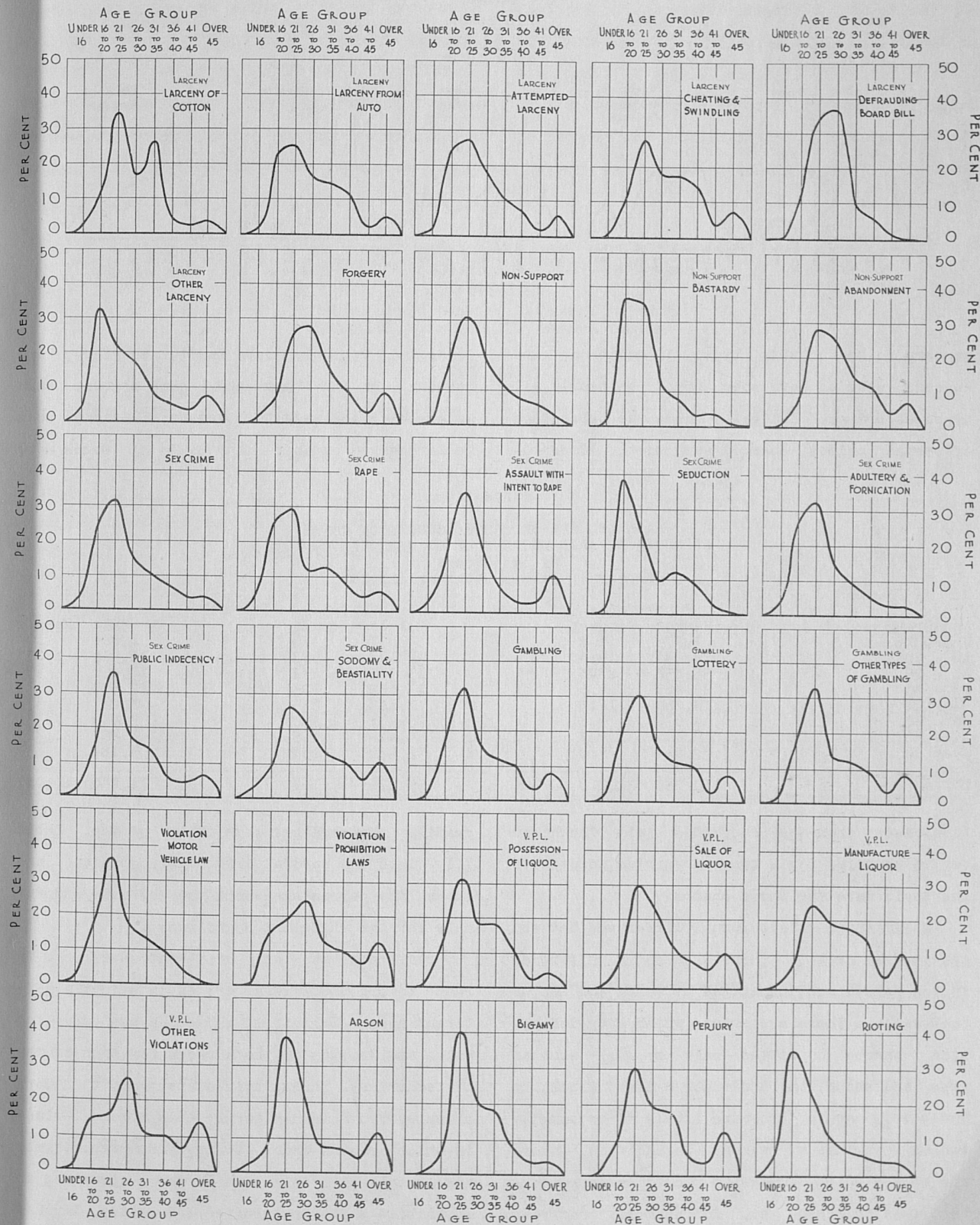
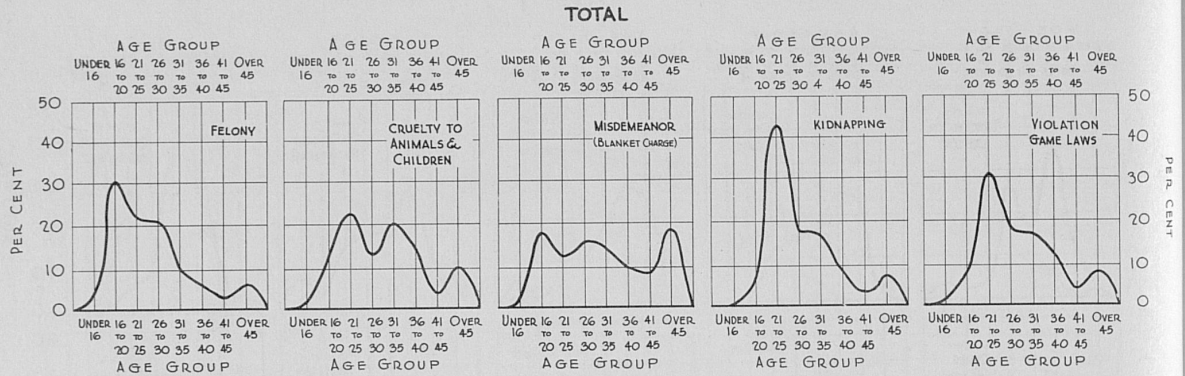


EXHIBIT II (CONT'D) AGES OF PERSONS ACCUSED OF CRIME

By PER CENTS
JANUARY 1, 1926 THROUGH DECEMBER 31, 1935
FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES



appear to be of this type. In addition, the seasons seem to have some effect on nearly all types of crimes. Exhibit I shows the percentage of certain crimes charged each month. Consecu-

concealed weapons, auto theft, burglary, and robbery. On the other hand, some crimes, such as stabbing and adultery and fornication, seem to be charged against some types of women more

TABLE IV

RACE AND SEX OF THOSE ACCUSED OF CRIME
AS SHOWN BY JAIL DOCKETS OF 27 GEORGIA COUNTIES
By Age Groups
January 1, 1926 - December 31, 1935

Age Group	Total Cases		White		Negro	
	Number	Percent	Male	Female	Male	Female
Under 16	1,775	1.2	637	26	1,008	104
16 - 20	29,231	19.4	12,103	583	15,412	1,133
21 - 25	35,838	23.8	13,382	1,272	17,690	3,494
26 - 30	29,469	19.6	13,652	805	12,537	2,475
31 - 35	18,861	12.5	7,183	836	8,267	2,575
36 - 40	14,639	9.8	5,431	1,030	5,841	2,337
41 - 45	13,102	8.7	4,414	458	6,901	1,329
Over 45	7,444	5.0	2,472	154	4,184	674
TOTAL	150,359	100.0	59,274	5,164	71,840	14,061

tive cases from the sheriff's jail docket in twelve counties for a ten-year period constitute the basic data for these charts.

In addition to a seasonal difference between the several crimes, there is also a difference in the percentage committed by women and men of both races. There are crimes which, by definition, can be committed only by men, such as rape, and seduction; and other crimes, which, by their very nature, are more likely to be committed by men than by women. In addition, there are crimes which appeal to men to a larger extent than to women, as, for example, carrying

readily than against some types of men. Table III lists the several crime types studied, and shows the percentage committed by male and female for the white and Negro races.

Different races and different sexes seem to react toward the several crimes in slightly different ages. Exhibit II shows the age curve for males and females of both races for each of the listed crimes. Some crimes are committed more often by youths under twenty than others. Crimes in which youths under twenty are preponderate are assault with intent to murder, operating an automobile while intoxicated, burglary, larceny

of automobile or bicycle, other larcenies, seduction, bastardy, rioting, and the blanket charge "felony."

There seems little doubt that any successful attempt to solve the crime problem in Georgia must first produce conditions in which the youth of the State find a satisfactory existence. This cannot be done by any group of laws which is primarily regulatory, but must be an attempt to make more satisfactory socio-economic condi-

tions for all peoples of the State. Changes of this nature would give the youth greater chances to enter fields of endeavor other than crime. There are, however, in the court system many features which could be improved and which, under improvement, might have a marked effect on the types of people coming before the courts. In the following chapters, features of court procedure are detailed in the order in which they are met by the defendant.

EXHIBIT II (CONT'D)
AGES OF PERSONS ACCUSED OF CRIME
BY PER CENTS
JANUARY 1, 1926 THROUGH DECEMBER 31, 1935
FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES

WHITE MALE

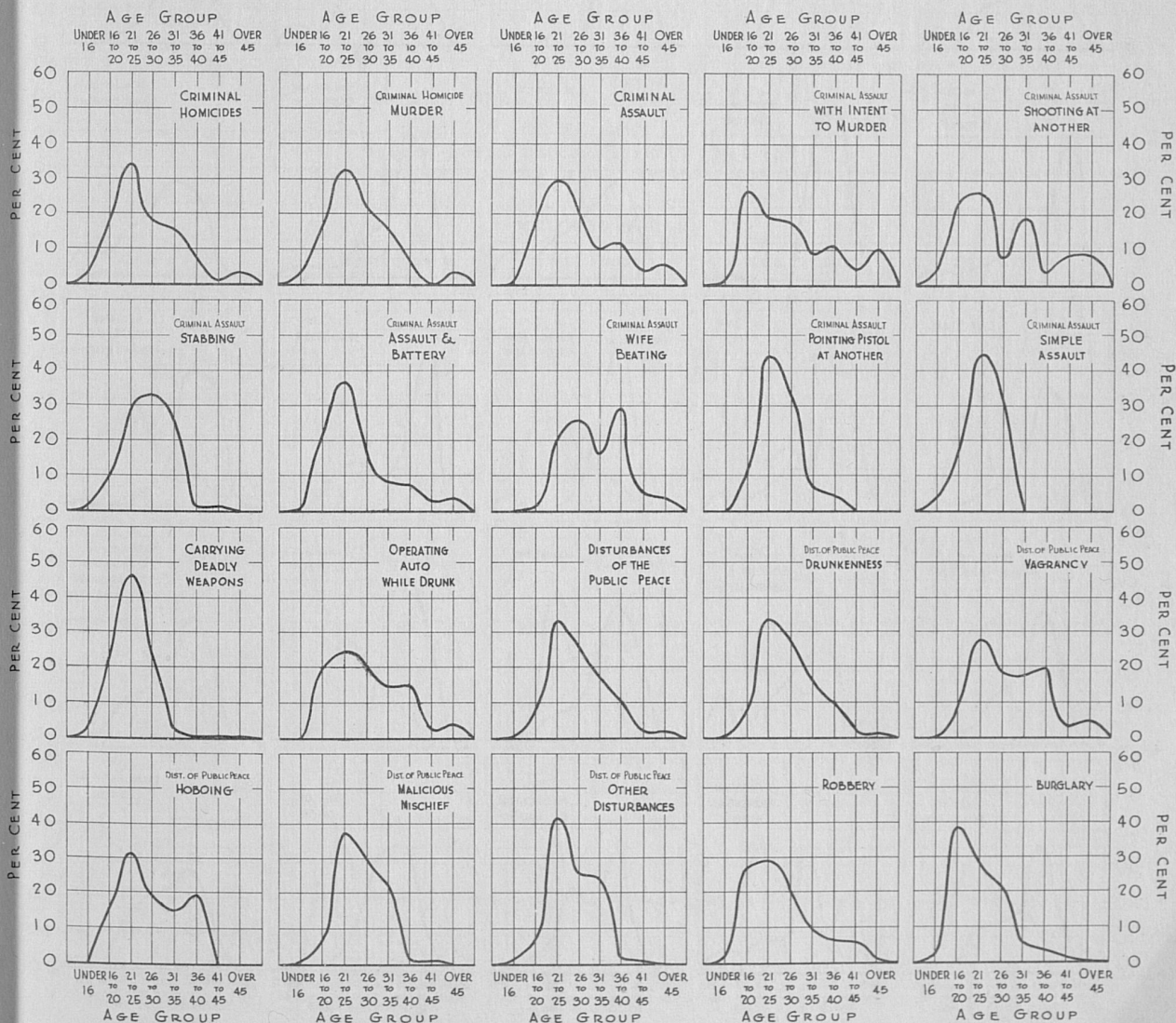
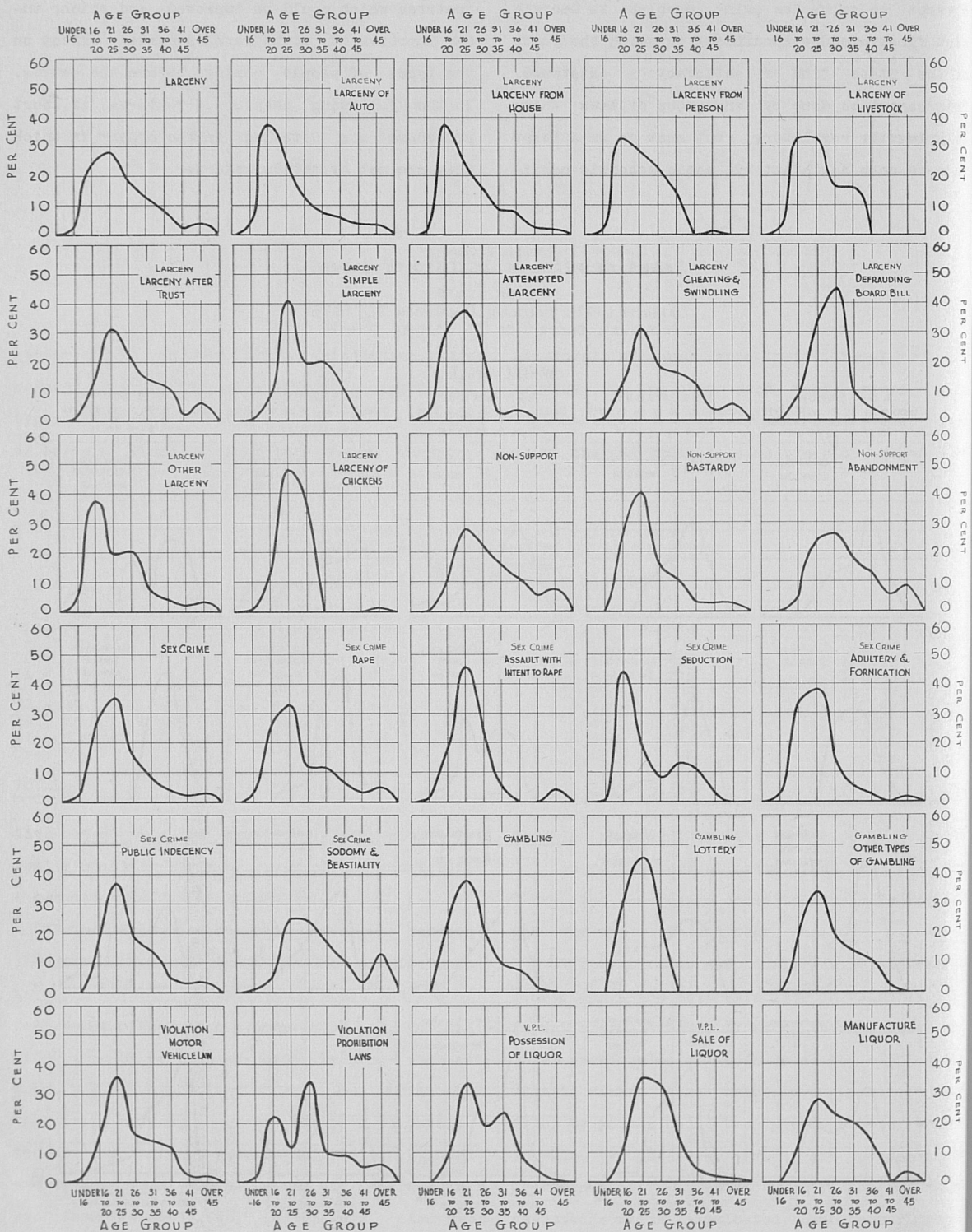


EXHIBIT II (CONT'D)
 AGES OF PERSONS ACCUSED OF CRIME
 By PER CENTS
 JANUARY 1, 1926. THROUGH DECEMBER 31, 1935
 FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES

WHITE MALE



WHITE MALE (CONT'D)

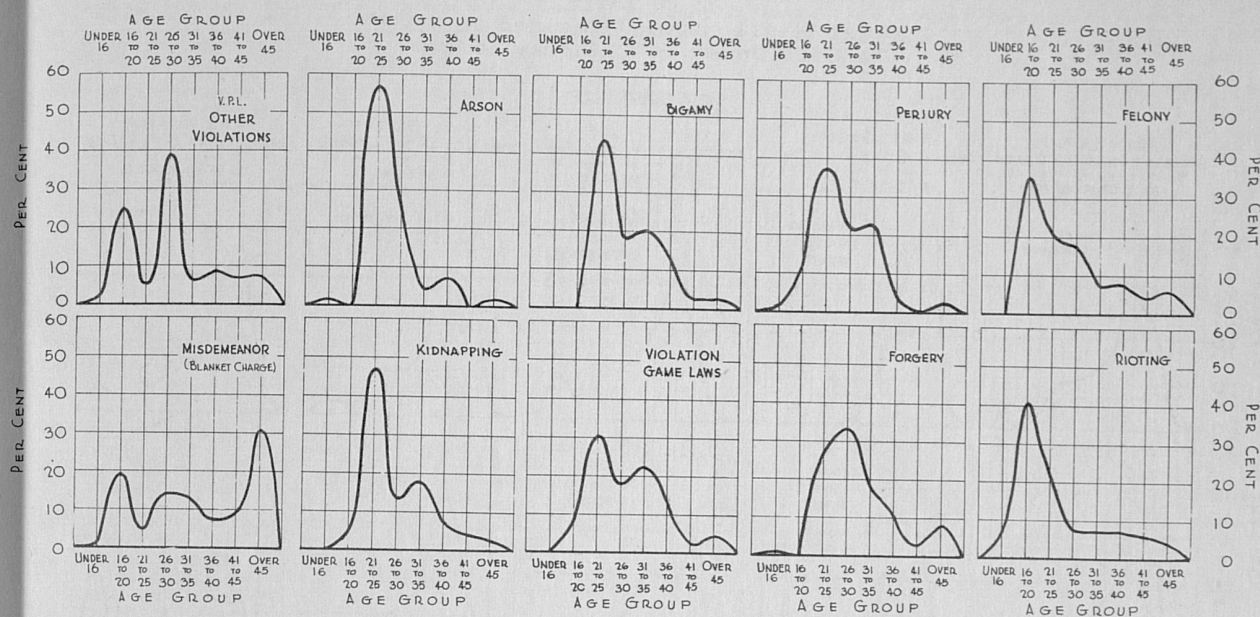


EXHIBIT II (CONT'D)
AGES OF PERSONS ACCUSED OF CRIME
BY PER CENTS
JANUARY 1, 1926, THROUGH DECEMBER 31, 1935
FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES

COLORED MALE

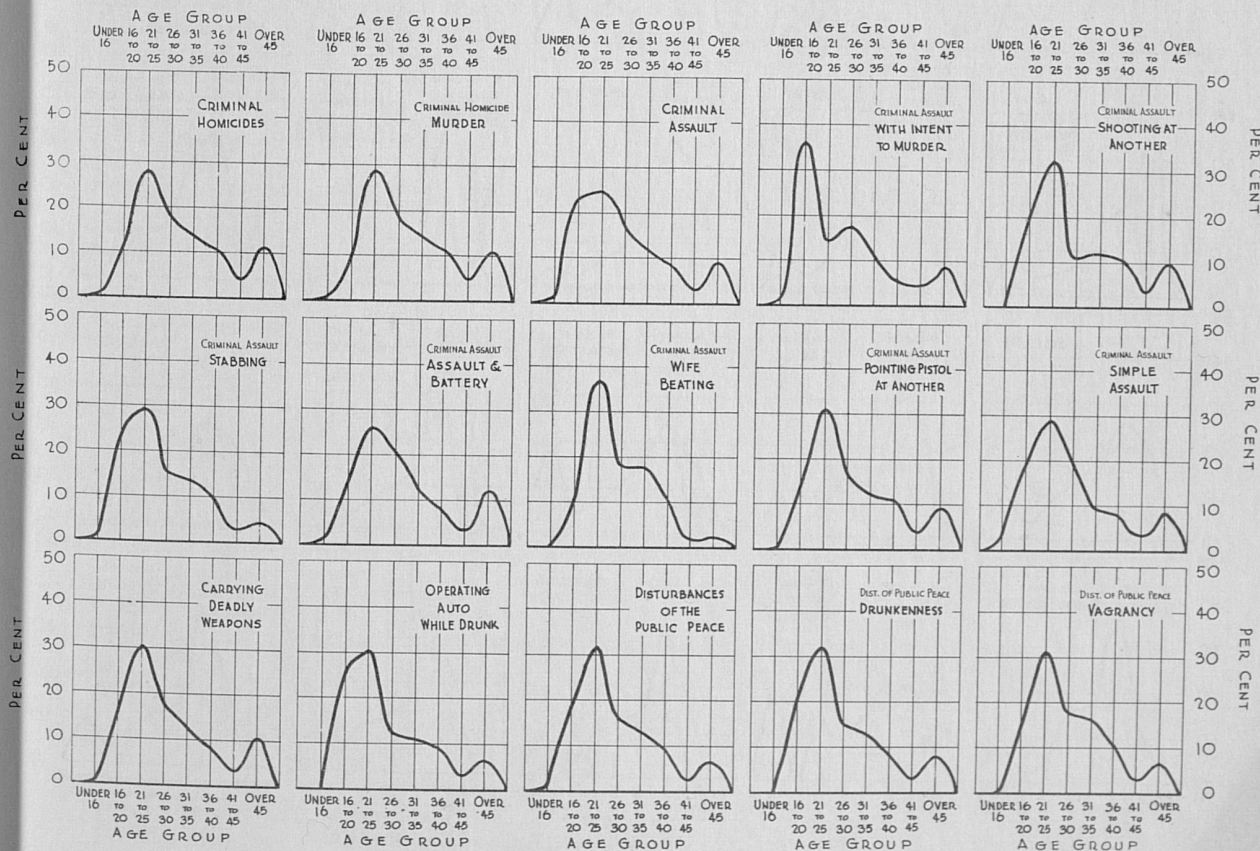
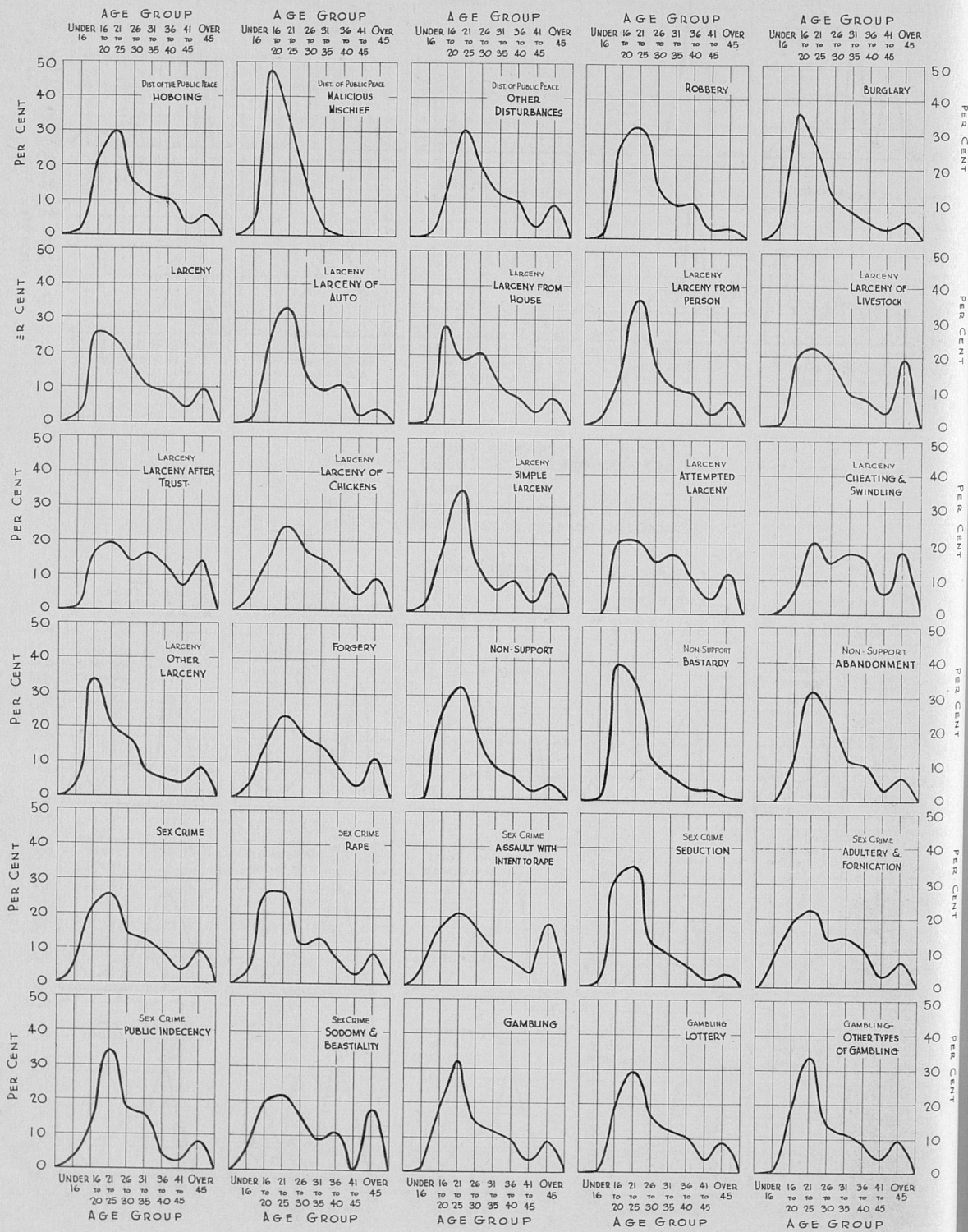


EXHIBIT II (Cont'd)
AGES OF PERSONS ACCUSED OF CRIME
 By PER CENTS
 JANUARY 1, 1926, THROUGH DECEMBER 31, 1935
 FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES

COLORED MALE



COLORED MALE (CONT'D)

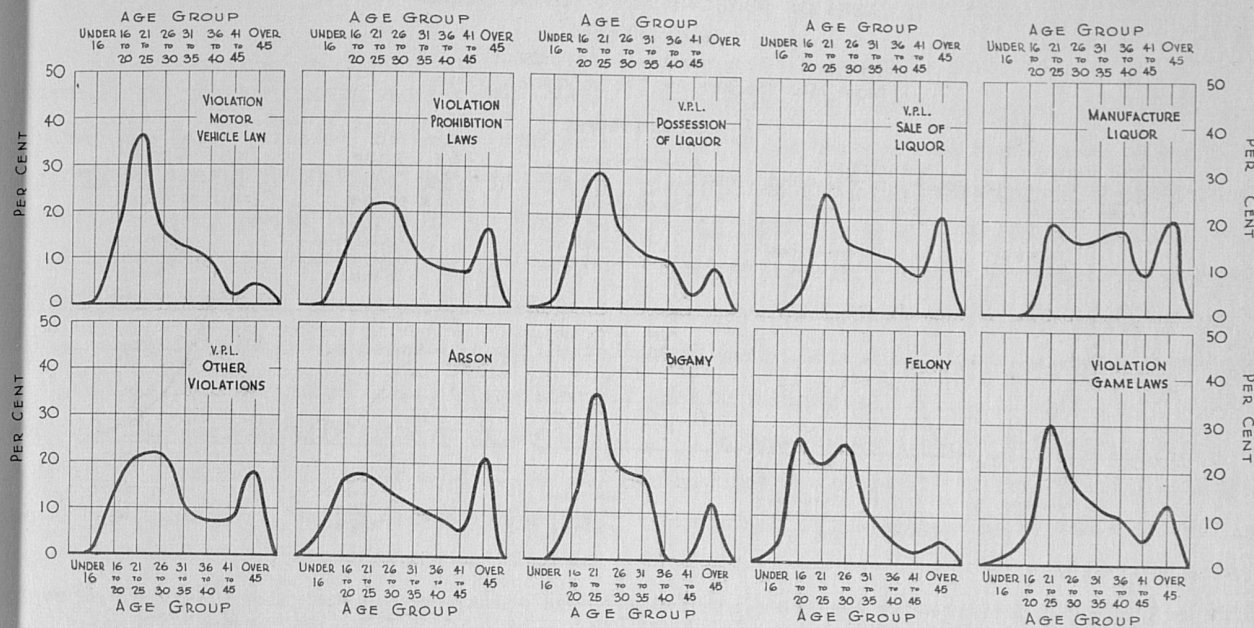


EXHIBIT II (CONT'D) AGES OF PERSONS ACCUSED OF CRIME BY PER CENTS JANUARY 1, 1926, THROUGH DECEMBER 31, 1935 FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES

WHITE FEMALE

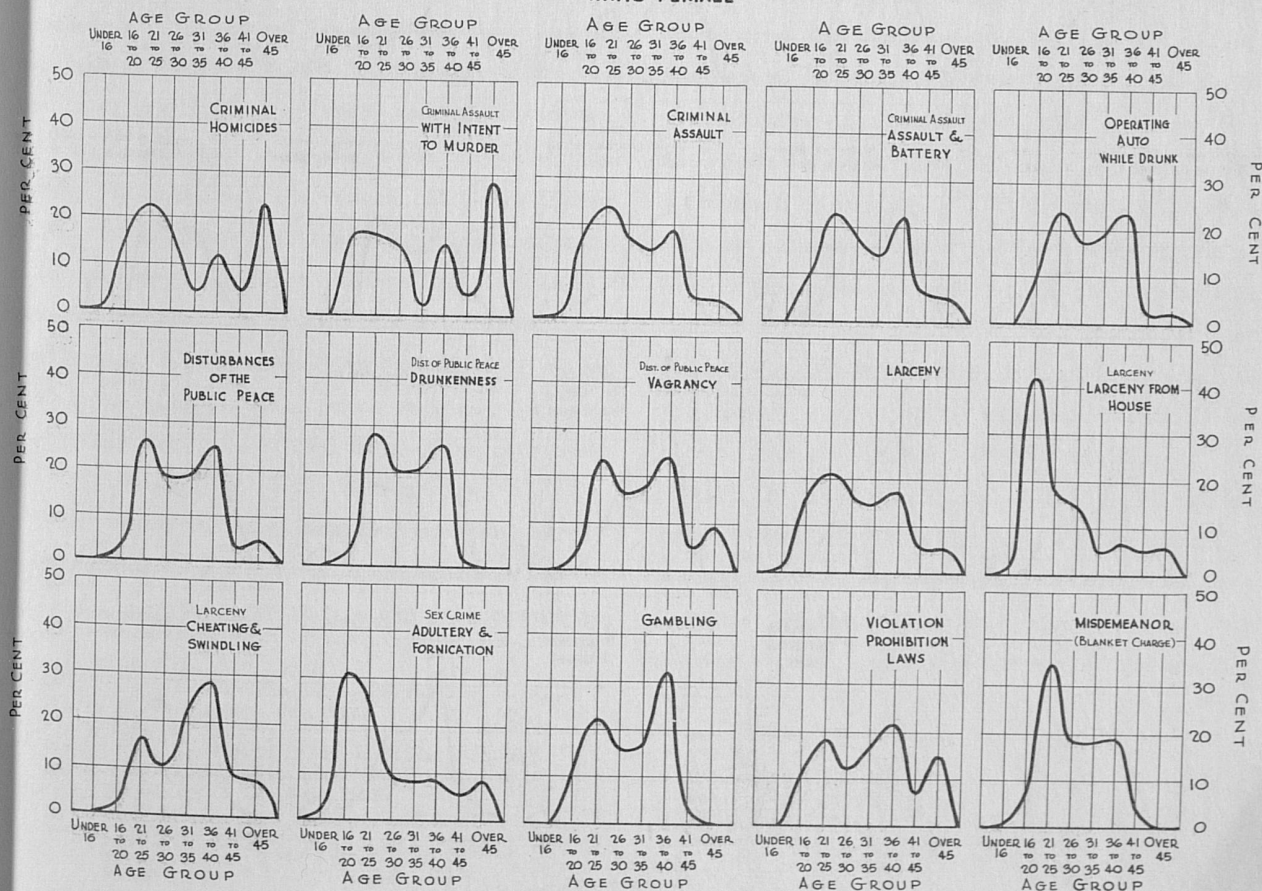
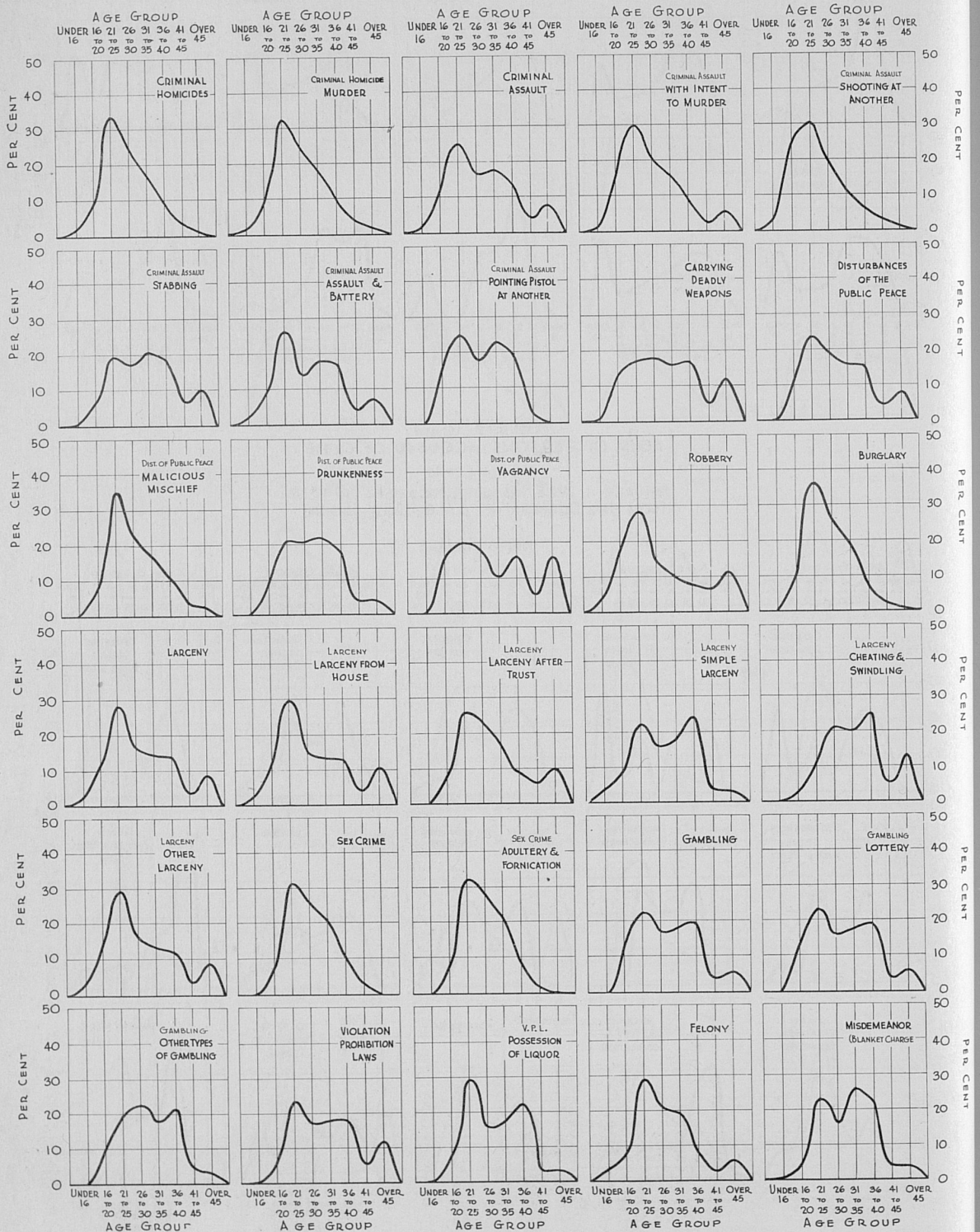


EXHIBIT II (CONT'D) AGES OF PERSONS ACCUSED OF CRIME

By PER CENTS
JANUARY 1, 1926, THROUGH DECEMBER 31, 1935
FROM JAIL DOCKETS OF 27 GEORGIA COUNTIES

COLORED FEMALE



Chapter IV BAIL BONDS

STATUTORY AND CONSTITUTIONAL PROVISIONS: After a person has been arrested or bound over to a trial court, he may be released from jail pending his trial by giving approved bail to the proper officer.⁽¹⁾ Bail may be defined as that security given upon which the accused is delivered "to another or others who becomes entitled to his custody, and responsible for his appearance when and where agreed in fulfillment of the purpose of the arrest."⁽²⁾ Under such a plan, the accused is not punished before conviction and his attendance upon court at the proper time and place is assured.⁽³⁾ As a protection against arbitrary requirements, provision is made in the Constitutions of the State and Nation that "excessive bail shall not be required."⁽⁴⁾

Under the Georgia law, the judicial officer before whom the case is brought for preliminary hearing sets the amount of the bail, except in capital and occasionally in misdemeanor cases.⁽⁵⁾ Two factors determine what that amount shall be: The likelihood of the accused making an appearance at his trial, and the crime of which the person is accused.⁽⁶⁾ The weight of this latter factor is so great that capital cases are bailable only before a judge of the Superior Court, and the granting of bail in such cases is a "matter of sound discretion."⁽⁷⁾ While in many states the size of bail bonds required for each specific crime is set by statute, no provision of this type exists in the Georgia law.

The sheriff, as executive officer of the court, passes on the bail bond tendered by an accused, and is left to his own discretion in

determining the sufficiency of bail bond sureties,⁽⁸⁾ since there are no regulations in the Code which list their qualifications. If the accused feels that the amount is excessive or that the sheriff erred in refusing to accept the tendered bail, he may apply for a writ of habeas corpus - the remedy open to all persons detained without proper authority.⁽⁹⁾

In becoming surety on a bail bond, a person places at the disposal of the State a monetary guarantee for the appearance of the defendant at the trial. At any time before trial the surety has the privilege of releasing himself from this obligation by delivering the accused into the custody of the sheriff and requesting that he be released from his obligation.⁽¹⁰⁾ Any one of the several sureties on the same bond has this privilege. If the accused personally appears at his trial, the obligation becomes null and void; but if he does not appear, the State moves for the forfeiture of the bond by issuing a writ of scire facias - a demand for the sureties and defendant to appear in court and show cause why a judgment in the amount of the bond should not be entered against them.⁽¹¹⁾ After the defendant at bail fails to appear at his trial and the term has expired,⁽¹²⁾ the court alone has the power of releasing a surety, although upon the trial of the scire facias or at any time before that date, if the sureties produce the body of the accused or show sufficient legal cause why he did not appear,⁽¹³⁾ they may escape liability by paying all costs which have accrued. After the issuance of the writ of scire facias, the case becomes a civil suit between the State and the

(1) Sec. 27-418 Ga. Code 1933.

(2) p. 197, Vol. I, New Criminal Law Procedure, J. P. Bishop, E. W. Stephens Co., 1886.

(3) 32 Ga. App. 339 (1).

(4) Amendment to the Constitution of U. S., Par. IX; Sec. 1, Art. I, Constitution of Georgia.

(5) Secs. 27-801; 27-901 Ga. Code 1933.

(6) 6 Corpus Juris.

(7) Sec. 27-901 Ga. Code 1933.

(8) Sec. 27-902 Ga. Code 1933.

(9) 117 Ga. 305.

(10) Sec. 27-904 Ga. Code 1933.

(11) Secs. 27-905; 27-906 *ibid*.

(12) Sec. 27-904 *ibid*.

(13) 112 Ga. 648.

sureties,⁽¹⁾ and if judgment is entered, the State may collect this forfeiture in the manner that other judgments are collected.⁽²⁾

TYPES OF BAIL BONDS: The accused, on being faced with the alternative of going to jail or being released on bail, often finds the latter prejudiced by the amount of the bond and acceptability of sureties. He may give his own recognizance, a cash bond, a surety company bond, or a bond signed by one or more individuals, whichever is sufficient security in the eyes of the officials accepting the bail.⁽³⁾ Where he gives his own recognizance, the accused becomes his own bail and guarantees that he will appear for trial by pledging his property in the amount of assessed bail. Such a bond can be forfeited and judgment rendered against the accused in the same manner as for other bonds.⁽⁴⁾

He may also become his own bail by placing on deposit with the officer the amount of the bond in cash. This type of bond is an advantage to the State in that when final judgment is rendered, it is immediately collectible. Generally, the officer assessing bail names the amount without specifying the type of bond acceptable. When this is done, friends of the accused often sign his bond as sureties. In such cases, each becomes individually subject to the conditions of this bail bond, and, therefore, liable for the payment of its face amount. The sad experience of many persons whose estates have been wrecked by defendants jumping bail have caused persons not thoroughly familiar with the workings of the court to be hesitant about becoming sureties. In cities, it is often difficult for an accused to find friends willing to go his bail, and this fact has given rise in those areas to a specific type of bondsman who makes a profession of becoming surety and who is given the name "professional bondsman."⁽⁵⁾ This individ-

ual sells his services for a fee, and his activities are regulated in part by statute and in part by the ordinances of the city in which he operates.

BAIL BOND PRACTICES: In some states the entire procedure of bail bonds is completely codified and the practice is uniform. In Georgia, however, it varies from county to county and from judicial officer to judicial officer. All bail bonds in one urban county were handled by the solicitor who kept them in his office and distributed them to the sureties after the accused had made his appearance at trial. In a large number of counties, the sheriff kept all bail bonds in his office, but made no record of them. It was a general practice, however, for the sheriff to have a bond docket in which he entered the amount of the bond, the conditions thereto, and the sureties.

In theory it is expected that no person will be allowed to become surety for another unless he possesses property equal in amount to the full face of the bond in addition to such legal exemptions as he may claim.⁽⁶⁾ A practice current in some urban counties requires a description of the property owned by the surety. In one county a bond attorney is employed to check the qualification statements of the sureties, but often he is not given the opportunity to pass on the bond until after the accused has been released. The practice in another county is for the surety to file a qualification statement with a description of his real property, in addition to which he must have an affidavit from the tax receiver to the effect that this property has been returned for taxation. The valuation, as fixed by the tax officer, must be greater than the amount of the assessed bail bond. This eliminates the danger of the bondsman signing a single bond of greater size than a conservative

(1) Sec. 27-906 Ga. Code 1933.

(2) 6 Corpus Juris p. 1074, Sec. 373.

(3) Secs. 27-901; 27-902 Ga. Code 1933.

(4) Sec. 27-905 *ibid.*

(5) Sec. 27-502 *ibid.*

(6) Royal Statutes 866; p. 405, 3rd Edition, "The Duties of Sheriffs, Coroners and Constables", John C. Crocker, Banks & Bros., New York, 1890; p. 89, Chap. III, 2nd Edition, "Handbook of Criminal Law", Wm. L. Clark, Jr., West Publishing Co., St. Paul, Minn., 1902; 6 Corpus Juris 908 (49).

value of his real property. Many other counties require a surety to file an affidavit with the bond citing that he is owner of property in that county to the amount of said bond above all debts and liabilities, but only in rare cases is such an affidavit investigated.

In a rural county just prior to a recent term of court, the docket was found to contain thirty-six criminal cases. No defendant was in jail and more than one-third of them had been allowed to give their own recognizances. Chart II shows the size of bonds required for felony and misdemeanor cases for this county during the period, 1926-1935.

PROFESSIONAL BONDSMEN: The professional bondsman is an urban phenomenon, and is usually willing to provide bail for anyone. In order to moderate the activities of professional sureties, regulatory statutes have been passed by the General Assembly⁽¹⁾ and sometimes ordinances by city authorities; but, for some reason, all such regulations seem difficult of enforcement, and even so simple a requirement as the annual registration of such persons is not always carried out.

Comment has been made about the connections of professional bondsmen with the so-called "criminal element." Even more comment has been made regarding their actual criminal records. Three of the four largest operators in one county were found to have police histories.

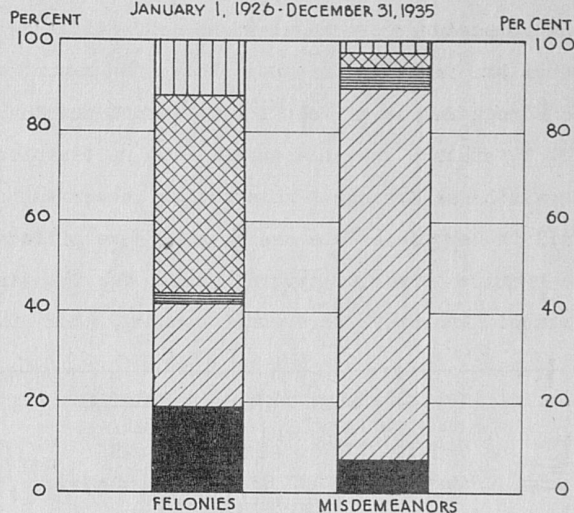
Since the bail bond is insurance for the state against the non-appearance of the accused at his trial, if the surety does not own sufficient property to cover the face amount of the bond, it is uncollectible and the insurance valueless. Activities of professional bondsmen were studied with reference to the amount of bail bonds they had assumed in the year 1935 as compared to the property they had returned for taxation. The results indicate that such persons are often obligated at one time in amounts

many times the value of their taxable holdings.

In the rural counties, even those adjacent to the metropolitan areas, the professional bondsman does not operate. Recent years have

BAIL BONDS REQUIRED IN FELONY AND MISDEMEANOR CASES

IN A RURAL GEORGIA COUNTY
BY AMOUNT OF BONDS IN PER CENTS
JANUARY 1, 1926-DECEMBER 31, 1935



AMOUNT OF BOND:

\$100.00 or less \$101.00-\$200.00 \$201.00-\$300.00 \$301.00-\$500.00 \$501.00-\$1000.00 \$1000.00+

CHART No II

shown a marked increase, however, in the use of this type of surety in the more urban counties. For 1935 in Fulton County, 77.5 percent of the

TABLE V*

VALUE OF PROPERTY RETURNED FOR TAXATION
TO BAIL BOND OBLIGATIONS
9 Professional Bondsmen in Georgia
1935

Bondsman	Value of Property Returned for Taxation	Total Bail Bond Obligations
A	\$ 800	\$ 23,000
B	400	21,000
C	1,800	14,600
D	6,030	29,000
E	15,030	32,500
F	4,500	5,200
G	5,250	3,625
H	7,325	3,950
I	24,455	3,925

*Source: Bond dockets and tax digests of 3 Georgia counties

bail bond sureties were professional bondsmen, as compared to 50.8 percent in 1926. (See Appendix C, Table 6, for annual comparisons.) The types of bail bonds accepted in Fulton County are shown in Charts III and IV.

(1) Sec. 27-501 et sequi Ga. Code 1933.

AMOUNT OF BAIL BONDS: Since a primary purpose of bail is the insurance of the accused's attendance upon his trial, if this purpose is accomplished, the amount of the bail bond and the type of the sureties are matters of little moment. On the other hand, if the attendance of the accused is not accomplished, it follows that the procedure or regulations affecting bail bonds are faulty. In some states the amount of bond required is of sufficient importance to be set by statute for each crime, but no statutory provision as to amount governs the assessment of bail in Georgia. This has caused some officers to require bonds of several sizes for the same crimes. Recently in a rural county, for the

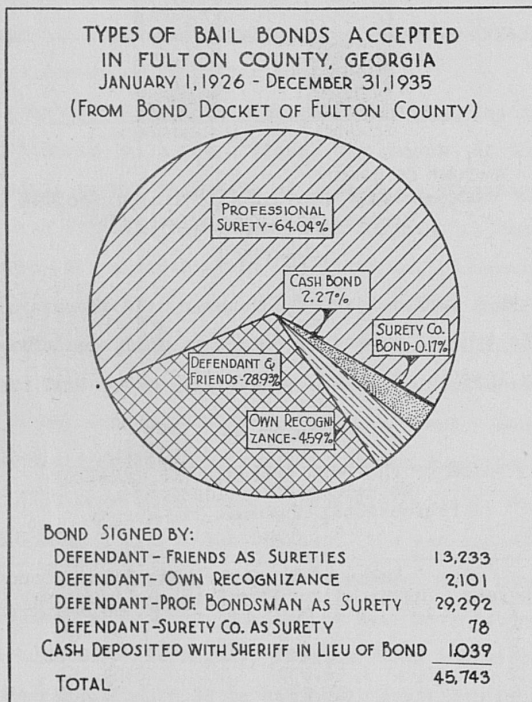


CHART NO. III

crime of assault and battery, a bond of \$1,000 was demanded; yet in many counties bonds for \$100 for this offense are frequently accepted. The requirement of \$1,000 seems a bit unusual since a study of three counties in which the information was available for the period 1926 to 1935 revealed that approximately 12 percent of the bonds set were for amounts above \$500, and two and six-tenths of one percent above \$1,000.

The size of bail bonds accepted in these three counties is shown in percents in Table VI. (For table in numbers, see Appendix C, Table 8.)

The gravity of the offense is expected to

TABLE VI*
BAIL BOND ASSESSMENTS IN GEORGIA COUNTIES
In Percents
January 1, 1926 - December 31, 1935
In Percents

Size	Total	Urban County	Ru-Urban County	Rural County
\$100 or Less	40.4	42.3	17.6	8.1
\$101-200	24.5	23.8	30.8	76.1
\$201-300	12.5	10.8	34.7	4.1
\$301-500	11.0	10.9	12.6	7.8
\$501-1,000	9.0	9.5	3.4	3.9
\$1,001-5,000	2.3	2.4	.8	.
\$5,001-10,000	.2	.2	.1	.
Over \$10,000	.1	.1	-	.
TOTAL	100.0	100.0	100.0	100.0

*Source: Bond dockets of 3 counties.

have due weight in the assessment of bail, but from the study of 74,892 cases from the bond docket of an urban county, little relationship of this type appears to exist. For assault and battery, for instance, the amount of assessed bail varied from \$100 to over \$10,000, and for murder, from \$100 to \$10,000. Table VII lists the amount of bail required for the several crimes.

FORFEITURE PRACTICES: When the court announces its readiness to try a case and the accused does not appear at the bar, it is customary for the court to have this particular defendant called by the sheriff. This is an old historic procedure and consists in the sheriff's calling the defendant's name in a loud voice, and citing the fact that he must appear in court or his bond will be forfeited. If he does not appear by the end of the term, a *scire facias* will be issued to the principal and the sureties requiring them to be in court and show cause why the bond should not be forfeited. These papers are often issued on the last day of the court's sitting, and the record of this proceeding is usually in the minute docket of the court.⁽¹⁾

At the next term, the sureties are expected

(1) Sec. 27-905 Ga. Code 1933.

to present themselves with their reasons why the bond should not be forfeited. If the sureties have brought the accused into court, the judge must set aside this writ upon the payment of the costs by the accused or his sureties.⁽¹⁾ If the defendant is not brought into court, and there is no legal cause why he cannot be, judgment will be rendered against the principal and the sureties for the amount of the bond.⁽²⁾ This step does not close the criminal prosecution and at any future date, the defendant may be haled before the court for trial on the criminal issue of which he is accused.⁽³⁾ The liabilities of the sureties are satisfied upon the payment of the judgment.

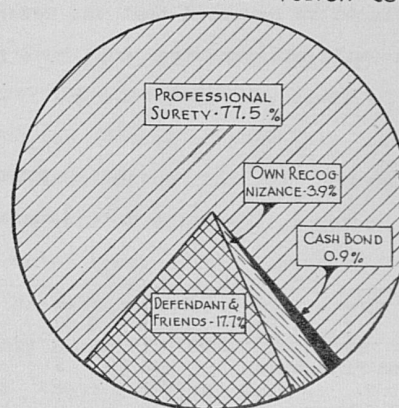
The collection of this judgment may be a lengthy process. According to a statement of a court official in one of the urban counties, there had been no bond forfeitures collected in over fifteen years. Several clerks of the court indicated that collection of bond forfeitures was unsatisfactory in their counties.

Where court officials are on fees, forfeitures are paid into the insolvent fund of the county and disbursed to the several officials. Where they are on salary,⁽⁴⁾ forfeitures are paid to the clerk who deposits them in the general fund of the county to be disbursed by the county's governing board.⁽⁵⁾ If judgment on bonds are not paid voluntarily, it is a duty of the executive arm of the court to force payment.

In a large urban county, during the period between 1926 and 1935, there were 7,421 defendants who failed to appear at court and whose sureties were called to answer why these bail bonds should not be forfeited. These bond forfeitures were set aside in 5,461 cases. Of the remaining 1,960, 446 were paid after judgment had been rendered against the principal and sureties. No final judgment was taken in 120

cases. In recent years there seems to have been greater effort toward the collection of such bonds in this particular county, since the numbers remaining outstanding are much smaller than in previous years. (Appendix C, Table 11, lists the bond forfeitures not set aside in which no final prosecution has been made.)

TYPES OF BAIL BONDS ACCEPTED
IN FULTON COUNTY, GEORGIA
1935
(FROM BOND DOCKET OF FULTON COUNTY)



BOND SIGNED BY:	
DEFENDANT-FRIENDS AS SURETIES	890
DEFENDANT- OWN RECOGNIZANCE	195
DEFENDANT-PROF BONDSMAN AS SURETY	3,904
CASH DEPOSITED WITH SHERIFF IN LIEU OF BOND	45
TOTAL	5,034

CHART No. IV

ADVANTAGES VESTED IN THE DEFENDANT: The procedure followed regarding bail bond forfeiture in Georgia has provided a distinct means for the abatement of trial. A defendant at bail, not wishing to be tried at a specific term, may fail to appear until a later term. In such a case, even though his bond was ordered forfeited at the term of court at which he did not appear, this step amounts to little, since it will be set aside by his appearance at court and payment of the accrued costs. Often it is in the interest of the defendant to delay his trial for a period, and the delay for a single term is often sufficient for the evidence against him to waste itself. The solicitor, because of such unwarranted continuance, is sometimes forced to request a nol pros.

(1) Sec. 27-904 *ibid*.

(2) Sec. 27-906 *ibid*.

(3) 2 Ga. App. 686, 32 Ga. App. 450.

(4) Sec. 27-2902 *ibid*.

(5) *ibid*.

When forfeitures are not collected, it is evident that the bail bond does not completely fill its purpose. If the failure of the defendant to appear at his trial is due to the fact that the bond was too small, then perhaps a corrective measure in the form of a statute providing for uniform bonds for each crime might be a solution. On the other hand, if the forfeiture procedure never reaches the place where the surety or the defendant pays the face of the bond, it is to be expected that the defendant in collusion with his sureties will have no hesi-

tancy in skipping bail. If the sureties were always forced to pay the face of the bond on the failure of the defendant to appear at court at the proper time, it is likely that there would never be collusion between the defendant and his surety in an effort to avoid trial. It seems from records in the several counties studied that the sureties and the principals on bonds feel that bond is a relatively insignificant thing to be used for the hindrance of the operation of the law rather than as a protection of a constitutional right.

TABLE VII*
SIZE OF BONDS REQUIRED IN AN URBAN GEORGIA COUNTY
By Crimes
January 1, 1926 - December 31, 1935

	Misdeemeanors												
CRIMES	Total Cases	Under \$ 50	\$50 100	\$101 200	\$201 300	\$301 400	\$401 500	\$501 600	\$601 800	\$801 1000	\$1001 5000	\$5001 10000	Over \$10000
Adultery and Fornication	646	5	308	198	69	-	38	1	-	23	4	-	-
Assault	571	-	164	219	126	5	45	1	-	7	4	-	-
Assault and Battery	2,779	-	1,194	730	526	23	250	5	4	42	4	-	1
Carrying Deadly Weapons	2,502	1	1,028	918	395	13	129	4	3	8	1	-	2
Cheating and Swindling	3,373	1	1,823	677	379	47	273	13	20	94	44	2	-
Disturbing Divine Worship	41	-	20	15	-	1	5	-	-	-	-	-	-
Drunkenness	1,984	5	1,446	358	91	8	70	-	5	1	-	-	-
Gambling	4,639	32	2,894	901	424	9	278	7	3	72	19	-	-
Larceny, simple	1,088	-	315	327	179	1	180	1	1	70	14	-	-
Maintaining Lewd House	109	-	44	32	14	2	11	1	1	3	1	-	-
Misdemeanor, miscellaneous	5,165	68	2,778	937	440	42	532	6	17	273	71	1	-
Operating Auto While Drunk	3,480	1	1,575	1,149	514	30	182	4	-	23	1	1	-
Public Indecency	124	-	42	33	23	-	16	-	1	5	4	-	-
Receiving Stolen Goods	540	5	160	98	88	5	124	2	5	40	13	-	-
Stabbing	1,011	-	316	379	224	3	78	1	-	6	4	-	-
Vagrancy	1,717	-	1,142	349	86	6	119	-	-	12	2	-	1
Violating of Game Law	49	-	45	4	-	-	-	-	-	-	-	-	-
Violation of Motor Veh. Law	1,258	30	723	272	111	9	86	2	1	21	3	-	-
Violation of Prohibition Law	24,282	7	11,692	7,319	2,590	182	1,979	47	35	385	45	1	-
Wife Beating	1,010	-	375	319	211	5	87	-	2	8	3	-	-
Felonies													
Arson	32	-	1	1	-	-	2	-	-	21	7	-	-
Assault with Intent to Murder	1,953	-	42	129	254	26	736	5	32	528	182	17	2
Assault with Intent to Rape	159	-	2	5	9	2	27	7	2	57	39	9	-
Bestiality	34	-	-	-	1	-	2	-	-	6	22	3	-
Bigamy	49	-	3	3	8	-	15	2	-	15	3	-	-
Burglary	2,728	1	37	132	72	7	400	41	28	1,733	249	26	2
Embezzlement	72	-	2	3	4	-	17	2	-	11	22	4	7
Felony, miscellaneous	1,145	-	80	113	131	4	308	17	12	304	149	25	2
Forgery	538	-	21	27	54	19	149	-	3	174	71	20	-
Kidnapping	64	-	5	1	6	-	13	1	-	21	17	-	-
Larceny	7,815	13	3,162	2,045	961	58	1,026	44	50	364	86	6	-
Larceny of Automobile	1,978	-	48	52	46	5	178	1	5	1,477	161	5	-
Manslaughter	160	-	4	6	14	2	42	3	2	53	32	2	-
Murder	21	-	1	1	1	-	4	-	-	3	10	1	-
Perjury	147	1	7	6	23	3	31	2	1	39	31	3	-
Rape	28	-	1	1	2	-	4	-	-	10	9	1	-
Robbery	1,512	-	15	33	43	1	213	4	6	664	496	37	-
Seduction	89	-	2	1	5	1	28	4	6	26	15	1	-
GRAND TOTAL CASES	74,892	170	31,517	17,793	8,124	519	7,677	228	245	6,599	1,838	165	17

*Source: Bond docket of the urban county.

Chapter V CASES BEFORE CITY COURTS

In order that misdemeanor cases may be brought to trial with minimum delay, the General Assembly designed three types of special courts for their disposition. The most prevalent type now in operation, "constitutional city courts", are established by legislative enactment under that provision of the Constitution which grants the General Assembly authority to create courts of limited jurisdiction similar to the ones functioning in Atlanta and Savannah at the time of the Constitution's adoption.⁽¹⁾ The second most usual type, the "grand jury city court", is established upon the recommendation of the grand jury of the county in which the court is located.⁽²⁾ At one time the most popular type of inferior court with misdemeanor jurisdiction was the "county court", but now only a few of these courts remain in operation. They were established sometimes by legislative enactment and sometimes upon recommendation of the grand jury in accordance with a general law.⁽³⁾ While grand jury city courts and county courts are established under a general law granting the grand jury power to act, the General Assembly reserves for itself the power to abolish courts once they have been established. Since each court is established for an individual county, effort has been made by those responsible to make it fit the conditions therein. Such steps are often reflected in the specifications regarding the several court officials.

Usually the judge must be over twenty-five years of age, with at least three years' experience in the practice of law. In most instances, he is a salaried officer, and is prohibited from practicing in any state court. The solicitors generally must have had two or more years in the practice of law, are fee paid officers, and may

practice in any court other than their own. Other functions are usually performed as ex-officio duties by superior court officers (for details see acts of Georgia General Assembly).

The misdemeanor courts* of the counties in which the Superior Court was studied constitute the sample upon which the figures in this chapter are based. (Map II shows the relative location of these courts within the State.) Schedules were gathered from the cases as they appeared on the docket so that they constitute cross-section of the charges brought in the area. The number of cases, together with the year in which brought, is listed in Table VIII. Due to the fact that some courts were in operation only a part of the period, the city court cases of those counties must be studied along with those of the Superior Court in order that the complete history of any particular crime may be reviewed.

The depression has been accused of fathering a great crime wave, but such does not appear to have been true when the cases coming before the city courts are considered. If only the cases brought in those courts which operated the full decade are considered, there has been only a relatively small change in the number of cases brought. On the other hand, there are some marked variations in certain individual crimes, some of which increased in numbers and others which decreased. Table IX lists the number of violations of the prohibition law and of simple larceny by years in which docketed. (For other crimes, see Appendix D, Table 13.)

The city and county courts were designed for the handling of all misdemeanor offenses, but in

* AUTHOR'S NOTE: Since both city and county courts have the same criminal jurisdiction, for the purposes of this report, no attempt was made to separate the cases coming before the several types of court, and the term "city court" will mean all inferior courts with misdemeanor jurisdiction.

(1) Secs. 2-2901;2-3005 Ga. Code 1933.

(2) P. 96, Acts of 1890-91. p. 107, Acts of 1892.

(3) p. 288, Acts of 1871-72.

certain counties and for the State as a whole, it seems that a larger part of their work is devoted to cases involving about ten crimes.* Ap-

those charges directly related to the possession, sale, or transportation of liquor, and not to any crime growing out of its use.) The com-

TABLE VIII*

MISDEMEANOR CASES
By Year in Which Docketed
29 City Courts of Georgia
January 1, 1926 - December 31, 1935

COUNTY	Total	Year in which Docketed									
		1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Fulton	60,233	6,115	4,915	5,197	5,452	5,731	6,443	6,877	6,375	6,499	6,629
Appling ****	811	136	140	134	92	132	177	-	-	-	-
Bacon ****	406	-	-	22	51	25	11	11	174	80	32
Bibb	9,618	999	920	1,075	1,179	1,075	946	900	854	882	788
Brantley ****	329	-	78	177	74	-	-	-	-	-	-
Bulloch	2,871	342	241	319	261	226	332	227	255	300	368
Burke	1,450	127	129	262	177	189	173	145	110	77	61
Carroll	2,925	299	208	266	299	316	273	237	339	338	350
Chatham	8,458	786	860	869	836	740	746	933	1,047	846	795
Chattooga ****	420	86	42	173	119	-	-	-	-	-	-
Clarke	1,871	227	249	192	231	217	189	148	149	137	132
Clay ****	236	-	-	-	46	34	18	22	23	40	53
Coffee	1,507	101	179	201	244	167	86	108	212	111	98
Coweta	3,770	383	429	365	356	377	285	335	390	430	420
DeKalb	7,538	647	702	902	1,202	736	700	583	548	689	829
Dodge ***	2,853	530	-	113	447	344	539	88	245	286	261
Dougherty	3,006	342	338	330	365	315	402	316	236	225	137
Floyd	3,479	221	337	390	416	396	375	245	357	343	399
Glynn	2,106	179	332	269	250	257	251	181	124	92	171
Jenkins	1,549	152	191	210	180	177	163	80	133	130	133
Liberty	569	95	58	62	79	67	66	40	55	12	35
Lowndes **	3,826	400	545	476	440	522	680	596	167	-	-
Madison	1,065	136	79	188	152	112	83	72	68	109	66
Meriwether ****	1,071	139	139	104	185	188	135	85	96	-	-
Mitchell	1,906	143	121	207	204	245	263	218	186	147	172
Muscogee	8,830	833	843	733	976	915	859	938	950	961	822
McIntosh ****	418	-	-	-	-	-	52	77	131	88	70
Richmond **	5,550	877	1,287	852	1,108	1,389	37	-	-	-	-
Troup	2,385	252	249	364	297	292	194	162	174	208	193
TOTAL	141,056	14,547	13,611	14,452	15,718	15,184	14,478	13,624	13,398	13,030	13,014

* City Court Dockets 1926-1935.

** Data available: Impossible to complete work within given time limits.

*** Records for 1927 not available.

**** Court not in operation during full period.

proximately 30 percent, or 42,691 cases, of the total cases docketed were violations of the prohibition law. (This classification includes only

* AUTHOR'S NOTE: In attempting an analysis of these cases, it became apparent that many solicitors had used different names for crimes which were identical or nearly so. Some solicitors gave the name of "simple larceny" to all types of larceny cases which were brought before their courts. In a few courts, different accusations or indictments were brought for each phase of the violation of the prohibition law, while in other courts, the charge "violation of prohibition law" covered all of its phases. In order to tabulate and organize all data gathering, it became necessary to group all charges which were apparently similar, with the result that 62 classifications were reached. Of these, the classification "misdemeanor" includes only those cases for which the exact crime charge could not be ascertained from the court records. On the other hand, the classification "miscellaneous misdemeanor" includes all those cases which are not closely allied to any of the classifications, and of which less than ten cases were charged for all counties. (Appendix D, Table 12, lists these charges.)

bined total of these and of simple larceny charges - second in point of numbers - constitutes 46 percent of all cases brought. If some expedient could be discovered which would reduce these two crimes, progress would be made toward the elimination of almost one half the cases docketed in the city courts of that area under consideration. When those charged with assault and battery, carrying deadly weapons, operating an automobile while intoxicated, public drunkenness and vagrancy are added to simple larceny and violations of prohibition law, these seven offenses account for 100,198 cases, or about 71 percent, of all cases docketed. Table X lists

the totals of the several crimes studied. (See Appendix D, Table 14, for a detailed list of crimes by counties.)

TABLE IX*

VIOLATIONS PROHIBITION LAW AND SIMPLE LARCENIES
19 City Courts in Georgia
January 1, 1926 - December 31, 1935

Year in Which Docketed	Violations of the Prohibition Law		Simple Larceny	
	Number	Percent	Number	Percent
1926	4,537	11.9	1,479	7.4
1927	3,995	10.5	1,547	7.7
1928	4,558	11.9	1,660	8.2
1929	4,696	12.3	1,638	8.1
1930	3,912	10.2	2,119	10.5
1931	4,207	11.0	2,183	10.6
1932	3,806	10.0	2,558	12.7
1933	3,163	8.3	2,421	12.0
1934	2,908	7.6	2,230	11.0
1935	2,435	6.3	2,390	11.8
	38,217	100.0	20,225	100.0

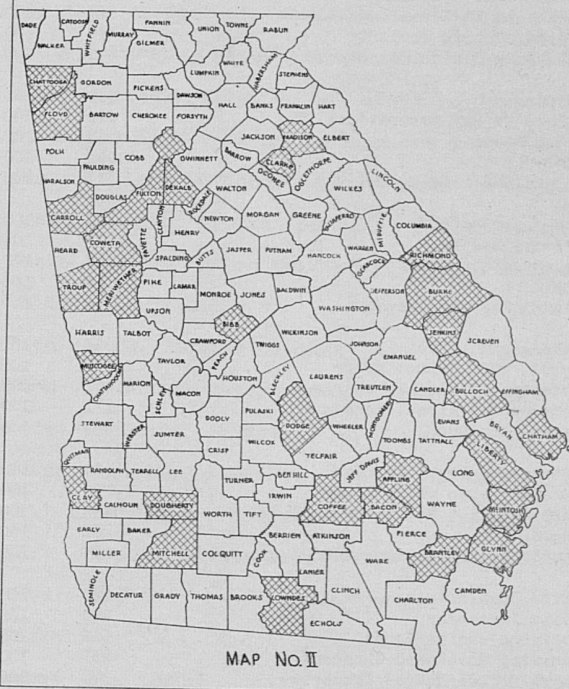
*Source: Dockets of 19 city courts

Not only was violation of prohibition law the largest item in the combined group, but it was the largest category of crime in all individual counties studied, except two. In one of these, simple larceny ranked first, with violation of prohibition law second; while in the other, violation of the motor vehicle law ranked first, with simple larceny second. No larceny crimes were charged in one county where the most prevalent offenses were violation of the prohibition law and assault and battery. For another county, adultery and fornication formed the second largest group. In five counties, simple larceny was moved from second to third place by public drunkenness, but the importance of the variations between the several counties dwindles when totals for the State are considered.

Of the 141,056 cases docketed, 73 percent were tried before January 1, 1936. (For the purpose of this study, the designation "case to trial" will be applied to any case in which a plea of guilty was entered or in which a conviction or acquittal resulted.) This percentage of cases to trial is an average, and, as such, presents only the background of a picture in which the individual crimes are the detail. From the standpoint of human experience, there is little

difference in "assault" and "assault and battery", yet the latter is tried much more often than the former. Stabbing, a type of the latter crime, reaches trial in 72 percent of its cases, while assault and battery reached trial little more than one-half the time, and assault came before the court in only 42 percent of its cases.

GEORGIA COUNTIES IN WHICH CASES
FROM MISDEMEANOR COURTS WERE STUDIED



On the other hand, a close examination reveals that there is some relationship in the percentage of cases reaching trial within the several crime groups. For example, those commonly considered nuisance crimes are consistently low in ratios of cases to trial. Within this type are disturbing divine worship, maintaining a lewd house, malicious mischief, and the like. Sex offenses, on the other hand, show a higher than average proportion coming before the courts. The same is true of those disorderly conduct crimes of public drunkenness, public indecency and vagrancy, and the related vices of gambling and lottery. Table X also shows that

TABLE X*
DISPOSITION OF CASES
By Crimes
29 City Courts of Georgia
January 1, 1926 - December 31, 1935

CRIMES	TOTAL		CASES TO TRIAL		OTHER DISPOSITIONS	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	2,854	100.0	1,848	64.8	1,006	35.2
Adultery and Fornication	2,710	100.0	2,020	74.5	690	25.5
Assault	162	100.0	69	42.6	93	57.4
Assault and Battery	7,729	100.0	4,360	56.4	3,369	43.6
Attempted Bestiality or Sodomy	21	100.0	16	76.2	5	23.8
Barbering without License	141	100.0	57	40.4	84	59.6
Bastardy	931	100.0	659	70.8	272	29.2
Breaking, Entering and Stealing	448	100.0	372	83.0	76	17.0
Bribery, misdemeanor grade	20	100.0	13	65.0	7	35.0
Carrying Deadly Weapons	6,930	100.0	5,158	74.4	1,772	25.6
Carrying on Lottery	2,576	100.0	2,100	81.5	476	18.5
Cheating and Swindling	4,429	100.0	2,319	52.4	2,110	47.6
Cruelty to Children and Animals	245	100.0	139	56.7	106	43.3
Defacing Public Property	49	100.0	33	67.4	16	32.6
Disturbing Divine Worship	543	100.0	346	63.7	197	36.3
Escaping	549	100.0	501	91.3	48	8.7
Failure to Pay Occupational Tax	244	100.0	111	45.5	133	54.5
Firing Woods	37	100.0	15	40.5	22	59.5
Gambling	4,642	100.0	3,555	76.6	1,087	23.4
Hit and Run Driving	76	100.0	58	76.3	18	23.7
Illegal Arrests	50	100.0	32	64.0	18	36.0
Larceny, simple	22,806	100.0	17,833	78.2	4,973	21.8
Larceny After Trust	1,155	100.0	722	62.5	433	37.5
Libel	15	100.0	5	33.3	10	66.7
Maintaining Lewd House	342	100.0	170	49.7	172	50.3
Malicious Mischief	864	100.0	559	64.7	305	35.3
Mayhem, misdemeanor grade	19	100.0	16	84.2	3	15.8
Misdemeanor, blanket charge	3,405	100.0	981	28.8	2,424	71.2
Misdemeanor, miscellaneous	111	100.0	67	60.4	44	39.6
Obscene Language	293	100.0	155	52.9	138	47.1
Obstructing Legal Process	30	100.0	11	36.7	19	63.3
Operating Auto while Drunk	7,138	100.0	6,033	84.5	1,105	15.5
Operating Slot Machine with Slugs	114	100.0	74	64.9	40	35.1
Peeping Tom	47	100.0	34	72.3	13	27.7
Practicing Profession without License	55	100.0	34	61.8	21	38.2
Public Drunkenness	7,427	100.0	5,807	78.2	1,620	21.8
Public Indecency	229	100.0	174	76.0	55	24.0
Receiving Stolen Goods	452	100.0	277	61.3	175	38.7
Receiving Unstamped Tobaccos	937	100.0	699	74.6	238	25.4
Removal of Mortgaged Property	274	100.0	137	50.0	137	50.0
Resisting an Officer	70	100.0	32	45.7	38	54.3
Rioting	250	100.0	116	46.4	134	53.6
Selling Mortgaged Property	128	100.0	62	48.4	66	51.6
Shooting at Occupied Dwelling	58	100.0	39	67.2	19	32.8
Stabbing	2,485	100.0	1,802	72.5	683	27.5
Trespass	416	100.0	225	54.1	191	45.9
Using Auto without Owner's Consent	475	100.0	351	73.9	124	26.1
Using Horse without Owner's Consent	20	100.0	16	80.0	4	20.0
Usury	160	100.0	12	7.5	148	92.5
Vagrancy	5,477	100.0	4,043	73.8	1,434	26.2
Violation of Common School Law	23	100.0	13	56.5	10	43.5
Violation of County Health Rules	27	100.0	18	66.7	9	33.3
Violation of Election Laws	26	100.0	8	30.8	18	69.2
Violation of Game Laws	1,407	100.0	897	63.8	510	36.2
Violation of Highway Regulations	60	100.0	36	60.0	24	40.0
Violation of Labor Laws	131	100.0	17	13.0	114	87.0
Violation of Motor Carrier Laws	72	100.0	29	40.3	43	59.7
Violation of Motor Vehicle Laws	4,453	100.0	3,130	70.3	1,323	29.7
Violation of Prohibition Laws	42,691	100.0	33,784	79.1	8,907	20.9
Violation of the Sabbath	62	100.0	41	66.1	21	33.9
Violation of Timber Law	24	100.0	6	25.0	18	75.0
Wife Beating	1,442	100.0	800	55.5	642	44.5
TOTAL	141,056	100.0	103,046	73.0	38,010	27.0

* Source: Minute dockets of 29 city courts

DISPOSITIONS

er Percent

06 35.2

90 25.6

93 57.4

99 43.6

5 23.8

4 59.6

2 29.2

6 17.0

7 35.0

2 25.6

6 18.6

0 47.6

6 43.3

6 32.6

7 36.3

8 8.7

3 54.5

2 59.6

7 23.4

8 23.7

8 36.0

3 21.3

3 37.5

0 66.7

2 50.3

5 35.3

3 15.8

4 71.2

4 39.6

8 47.1

9 63.3

3 15.6

4 35.1

4 27.7

8 38.2

21.3

24.0

38.7

25.4

50.0

54.3

53.6

51.6

32.8

27.5

45.9

26.1

20.0

92.5

26.2

45.5

33.3

69.2

36.2

40.0

87.0

59.7

29.7

20.3

53.3

75.0

44.5

27.0

those crimes which are coercive in their nature come to trial in relatively few cases. ("Coercive" charges are those in which the main object of the prosecutor is to force performance of some act with which the situation involved is related.) Barbering without license, cheating and swindling, removal and sale of mortgaged property, trespass, et cetera, are within this category. Abandonment and bastardy also belong to this list, and are below the average but are nearer to it than those listed above. It may be said also that the more serious misdemeanors are generally tried more often than those less serious.

Trial as a definite disposition is not reached by all cases within the same time limits. In theory, the court for handling misdemeanor cases is in almost constant session and a case can be tried as soon as the proper papers are drawn and the defendant has had a reasonable time for the preparation of his case. Sometimes also the State needs time in which to perfect its evidence and continuances must be had. It is not expected, however, that interminable delays will be found in the city court. Table XI shows that if a case is to be tried, it will be brought before the city court in 98 percent of the time within one year after it is docketed. In fact, more than 47 percent of the cases are tried within thirty days after being brought. Contrasting with the speed with which these cases are handled is the fate of cases docketed but not tried.

There are many good and valid reasons why some cases are not brought to trial at the first term of court after they are docketed. Equally sound are the practices in some courts of periodically clearing the docket of all cases in which trial is the unlikely disposition. Once a case is brought, it is pending until it is tried, dismissed, nol prossed, or the defendant released upon his demand for trial. In Georgia, if the delays attendant upon court action are

such that there is no way by which a definite date for trial may be set, the judge may remove a case from the active to the dead docket where it remains until a motion of the judge makes it active again. Of the 38,010 cases which were docketed but not tried in the period under study, 18,919, or approximately 50 percent of them, were pending or had been placed upon the dead docket (see Table XII). Such cases, even though not technically complete, in a vast majority of instances, will never be revived and for the purpose of this report, can be considered as ended. Since only a small proportion of cases reaching trial do so after having remained on the docket longer than one year, it appears logical to conclude that only a relatively small number of the pending and dead docket cases brought prior to the year 1935 will ever be tried. Of the 9,461 pending cases, 7,963 had been on the active docket more than one year. When the total cases on the dead docket are added to these, a total of 17,421 is reached, which, in the light of the above deductions, will likely never be tried. In other words, for 12.3 percent of the total cases brought in the city court, it is probable that pending or dead docketing is a final disposition. While the court can order these cases to trial at any time, actually it is not done, and the defendant has a virtual acquittal.

A case in which the court grants a nol pros is likewise a virtual acquittal since the charge can be revived only by the bringing of a new case. This action must be accomplished before the statute of limitations has barred it, and in Georgia this is two years after formal knowledge of the charge is taken by the court.* The court records indicate that revivals of action after a nol pros are extremely rare, and it is likely

* AUTHOR'S NOTE: The statute of limitations in misdemeanor cases is two years after the offense and the offender become known. If the indictment is nol prossed for a formality, a new indictment may be found within six months thereafter; but this contingency arises so seldom that no effort is here made to offset any slight effect it might have on the figure shown.

TABLE XI*
PERIOD BETWEEN DOCKETING AND TRIAL OF CASES
By Crimes
25 City Courts of Georgia
January 1, 1926 - December 31, 1935

CRIMES	Total	MONTHS									
		Less Than 1	1 to 2	2 to 3	3 to 6	6 to 9	9 to 12	12 to 18	18 to 24	Over 24	
Abandonment	1,848	1,331	163	148	137	31	9	12	3	6	
Adultery and Fornication	2,020	478	695	154	601	41	21	12	6	9	
Assault	69	31	7	10	14	4	-	2	1	-	
Assault and Battery	4,360	2,177	530	601	788	143	52	19	14	14	
Attempted Bestiality or Sodomy	16	4	3	5	2	-	-	-	1	-	
Barbering without License	57	16	4	13	23	-	-	-	-	1	
Bastardy	659	421	49	59	93	23	9	2	2	-	
Breaking, Entering and Stealing	372	264	46	21	36	4	-	-	-	-	
Bribery, misdemeanor grade	13	6	2	1	3	1	-	-	-	-	
Carrying Deadly Weapons	5,158	2,781	531	743	888	106	36	16	12	11	
Carrying on Lottery	2,100	664	735	330	329	25	7	6	1	1	
Cheating and Swindling	2,319	1,312	198	252	407	77	29	15	9	7	
Cruelty to Children and Animals	139	73	14	15	31	4	1	1	-	-	
Defacing Public Property	33	18	9	2	4	-	-	-	-	-	
Disturbing Divine Worship	346	175	21	54	71	13	7	3	-	1	
Escaping	501	386	38	27	24	11	3	1	8	2	
Failure to Pay Occupational Tax	111	25	40	9	23	6	-	3	2	3	
Firing Woods	15	11	1	1	2	-	-	-	-	-	
Gambling	3,555	1,448	529	649	725	89	52	19	11	7	
Hit and Run Driving	58	18	10	14	12	4	-	-	-	-	
Illegal Arrests	32	20	2	5	3	2	-	-	-	-	
Larceny, simple	17,833	11,360	1,583	1,878	2,146	252	109	68	21	223	
Larceny After Trust	722	484	58	58	96	12	4	3	1	4	
Libel	5	3	1	-	1	-	-	-	-	-	
Maintaining Lewd House	170	75	28	28	31	6	2	-	-	-	
Malicious Mischief	559	330	59	70	79	9	4	4	-	2	
Mayhem, misdemeanor grade	16	12	1	3	-	-	-	-	-	-	
Misdemeanor, blanket charge	981	532	53	59	256	21	3	3	1	-	
Misdemeanor, miscellaneous	67	37	3	9	14	2	-	-	-	2	
Obscene Language	155	46	25	22	46	6	3	-	-	6	
Obstructing Legal Process	11	5	1	3	1	1	-	-	-	-	
Operating Auto while Drunk	6,033	2,311	1,053	1,094	1,235	206	76	23	8	10	
Operating Slot Machine with Slugs	74	30	8	21	15	-	-	-	-	-	
Peeping Tom	34	21	2	4	6	-	-	-	-	1	
Practicing Profession without License	34	17	5	3	8	1	-	-	-	-	
Public Drunkenness	5,807	2,212	838	1,291	1,156	154	55	33	11	8	
Public Indecency	174	105	22	19	25	1	-	-	2	-	
Receiving Stolen Goods	277	144	40	27	46	15	3	1	-	1	
Receiving Unstamped Tobaccos	699	302	137	99	129	14	11	-	3	-	
Removal of Mortgaged Property	137	73	11	14	20	11	4	-	1	2	
Resisting an Officer	32	14	5	8	4	-	-	-	-	-	
Rioting	116	35	14	9	41	9	-	8	-	-	
Selling Mortgaged Property	62	31	6	8	9	4	2	-	1	1	
Shooting at Occupied Dwelling	39	18	3	8	6	2	-	1	1	-	
Stabbing	1,802	1,215	171	167	197	25	13	8	1	2	
Trespass	225	127	26	19	42	6	1	1	1	1	
Using Auto without Owner's Consent	351	202	45	46	48	6	-	1	-	1	
Using Horse without Owner's Consent	16	12	2	1	1	-	-	-	-	-	
Usury	12	4	3	3	2	-	-	-	-	-	
Vagrancy	4,043	2,891	185	164	737	32	5	6	2	5	
Violation of Common School Law	13	11	1	1	-	-	-	-	-	-	
Violation of County Health Rules	18	8	6	-	4	-	-	-	-	-	
Violation of Election Laws	8	4	1	1	2	-	-	-	-	-	
Violation of Game Laws	897	431	103	85	200	29	8	9	1	6	
Violation of Highway Regulations	36	13	6	5	11	-	1	-	-	-	
Violation of Labor Laws	17	7	2	3	4	-	-	-	-	-	
Violation of Motor Carrier Laws	29	20	3	1	3	-	1	-	-	1	
Violation of Motor Vehicle Laws	3,130	951	465	541	1,003	98	47	10	2	8	
Violation of Prohibition Laws	33,784	12,617	5,054	6,450	7,241	1,352	554	213	122	86	
Violation of the Sabbath	41	15	13	7	5	-	-	1	-	-	
Violation of Timber Laws	6	4	-	-	2	-	-	-	-	-	
Wife Beating	800	490	96	84	76	14	4	2	1	-	
TOTAL	103,046	48,878	13,765	15,426	19,164	2,872	1,136	506	250	432	

* Source: Minute dockets of 29 city courts
** Time of Trial not ascertainable

TABLE XII*

CASES NOT TRIED
By Crimes
29 City Courts of Georgia
January 1, 1926 - December 31, 1935

CRIME	Total	Transferred to Other Courts	Dis- Missed	Not Prosecuted	Released On Demand for Trial	Dead Docket	Pending
Abandonment	1,006	6	10	343	1	432	214
Adultery and Fornication	690	8	5	335	5	197	140
Assault	93	3	4	57	2	6	21
Assault and Battery	3,369	12	24	1,980	5	843	505
Attempted Bestiality or Sodomy	5	-	-	2	-	2	1
Barbering without License	84	-	-	34	-	20	30
Bastardy	272	-	1	112	-	102	57
Breaking, Entering and Stealing	76	3	3	23	-	24	23
Bribery, misdemeanor grade	7	-	-	2	-	2	3
Carrying Deadly Weapons	1,772	4	9	899	6	490	364
Carrying on Lottery	476	1	-	15	4	289	167
Cheating and Swindling	2,110	4	41	1,283	1	451	330
Cruelty to Children and Animals	106	-	-	71	1	18	16
Defacing Public Property	16	-	-	11	-	-	5
Disturbing Divine Worship	197	1	1	138	-	20	37
Escaping	48	2	3	14	-	8	21
Failure to Pay Occupational Tax	133	-	5	94	1	23	10
Firing Woods	22	-	-	19	-	-	3
Gambling	1,087	5	1	532	4	165	380
Hit and Run Driving	18	-	-	8	-	6	4
Illegal Arrests	18	-	-	8	-	7	3
Larceny, simple	4,973	56	70	2,703	8	1,063	1,073
Larceny After Trust	433	6	4	235	1	105	82
Libel	10	-	-	7	-	1	2
Maintaining Lewd House	172	1	-	51	-	84	36
Malicious Mischief	305	-	2	171	-	83	49
Mayhem, misdemeanor grade	3	-	-	1	-	2	-
Misdemeanor, blanket charge	2,424	39	96	1,185	9	61	1,034
Misdemeanor, miscellaneous	44	2	1	25	1	10	5
Using Obscene Language	138	2	-	60	1	45	30
Obstructing Legal Process	19	-	1	9	-	2	7
Operating Auto while Drunk	1,105	3	-	441	4	249	408
Operating Slot Machine with Slugs	40	-	1	6	-	5	28
Peeping Tom	13	-	-	8	-	4	1
Practicing Profession Without License	21	-	-	7	-	5	9
Public Drunkenness	1,620	3	7	925	9	222	454
Public Indecency	55	-	1	17	-	28	9
Receiving Stolen Goods	175	-	-	83	-	54	38
Receiving Unstamped Tobaccos	238	-	12	128	-	80	18
Removal of Mortgaged Property	137	-	3	90	-	17	27
Resisting an Officer	38	-	-	24	-	9	5
Rioting	134	-	-	88	1	13	32
Selling Mortgaged Property	66	-	1	47	1	15	2
Shooting at Occupied Dwelling	19	-	-	11	-	2	6
Stabbing	683	6	4	424	1	170	78
Trespass	191	-	2	133	3	34	19
Using Auto without Owner's Consent	124	2	-	64	-	32	26
Using Horse without Owner's Consent	4	-	-	4	-	-	-
Usury	148	-	-	84	-	58	6
Vagrancy	1,434	7	2	336	-	963	126
Violation of Common School Law	10	-	-	4	-	6	-
Violation of County Health Rules	9	-	-	5	-	4	-
Violation of Election Laws	18	-	-	1	-	1	16
Violation of Game Laws	510	-	14	330	7	80	79
Violation of Highway Regulations	24	-	-	12	-	8	4
Violation of Labor Laws	114	-	1	10	-	1	102
Violation of Motor Carrier Laws	43	-	-	27	-	11	5
Violation of Motor Vehicle Laws	1,323	5	11	706	1	270	330
Violation of Prohibition Laws	8,907	30	34	3,638	22	2,260	2,923
Violation of the Sabbath	21	-	-	11	-	7	3
Violation of Timber Law	18	-	-	11	-	3	4
Wife Beating	642	1	-	303	1	286	51
TOTAL	38,010	212	374	18,405	100	9,458	9,461

*Source: Minute dockets of 29 city courts.

TABLE XIII*

CONVICTIONS AND ACQUITTALS
By Crimes
29 City Courts of Georgia
January 1, 1926 - December 31, 1935

CRIMES	TOTAL		CONVICTED		ACQUITTED	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	1,848	100.0	1,703	92.2	145	7.8
Adultery and Fornication	2,020	100.0	1,924	95.2	96	4.8
Assault	69	100.0	39	56.5	30	43.5
Assault and Battery	4,360	100.0	2,919	66.9	1,441	33.1
Attempted Bestiality or Sodomy	16	100.0	11	68.7	5	31.3
Barbering without License	57	100.0	52	91.2	5	8.8
Bastardy	659	100.0	586	88.9	73	11.1
Breaking, Entering and Stealing	372	100.0	329	88.4	43	11.6
Bribery, misdemeanor grade	13	100.0	11	84.6	2	15.4
Carrying Deadly Weapons	5,158	100.0	4,677	90.7	481	9.3
Carrying on Lottery	2,100	100.0	1,959	93.3	141	6.7
Cheating and Swindling	2,319	100.0	1,981	85.4	338	14.6
Cruelty to Children and Animals	139	100.0	73	52.5	66	47.5
Defacing Public Property	33	100.0	29	87.9	4	12.1
Disturbing Divine Worship	346	100.0	281	81.2	65	18.8
Escaping	501	100.0	485	96.8	16	3.2
Failure to Pay Occupational Tax	111	100.0	98	88.3	13	11.7
Firing Woods	15	100.0	9	60.0	6	40.0
Gambling	3,555	100.0	3,316	93.3	239	6.7
Hit and Run Driving	58	100.0	52	89.7	6	10.3
Illegal Arrests	32	100.0	18	56.2	14	43.8
Larceny, simple	17,833	100.0	15,749	88.3	2,084	11.7
Larceny After Trust	722	100.0	587	81.3	135	18.7
Libel	5	100.0	4	80.0	1	20.0
Maintaining Lewd House	170	100.0	135	79.4	35	20.6
Malicious Mischief	559	100.0	446	79.8	113	20.2
Mayhem, misdemeanor grade	16	100.0	13	81.3	3	18.7
Misdemeanor, blanket charge	981	100.0	761	77.6	220	22.4
Misdemeanor, miscellaneous	67	100.0	53	79.1	14	20.9
Obscene Language	155	100.0	112	72.3	43	27.7
Obstructing Legal Process	11	100.0	7	63.6	4	36.4
Operating Auto while Drunk	6,033	100.0	5,693	94.4	340	5.6
Operating Slot Machine with Slugs	74	100.0	62	83.8	12	16.2
Peeping Tom	34	100.0	28	82.4	6	17.6
Practicing Profession without License	34	100.0	28	82.4	6	17.6
Public Drunkenness	5,807	100.0	5,526	95.2	281	4.8
Public Indecency	174	100.0	160	91.9	14	8.1
Receiving Stolen Goods	277	100.0	209	75.5	68	24.5
Receiving Unstamped Tobaccos	699	100.0	639	91.4	60	8.6
Removal of Mortgaged Property	137	100.0	92	67.2	45	32.8
Resisting an Officer	32	100.0	24	75.0	8	25.0
Rioting	116	100.0	80	69.0	36	31.0
Selling Mortgaged Property	62	100.0	38	61.3	24	38.7
Shooting at Occupied Dwelling	39	100.0	25	64.1	14	35.9
Stabbing	1,802	100.0	1,450	80.5	352	19.5
Trespass	225	100.0	165	73.3	60	26.7
Using Auto without Owner's Consent	351	100.0	291	82.9	60	17.1
Using Horse without Owner's Consent	16	100.0	15	93.8	1	6.2
Usury	12	100.0	10	83.3	2	16.7
Vagrancy	4,043	100.0	3,850	95.2	193	4.8
Violation of Common School Law	13	100.0	9	69.2	4	30.8
Violation of County Health Rules	18	100.0	14	77.8	4	22.2
Violation of Election Laws	8	100.0	7	87.5	1	12.5
Violation of Game Laws	897	100.0	684	76.3	213	23.7
Violation of Highway Regulations	36	100.0	29	80.6	7	19.4
Violation of Labor Laws	17	100.0	9	52.9	8	47.1
Violation of Motor Carrier Laws	29	100.0	23	79.3	6	20.7
Violation of Motor Vehicle Laws	3,130	100.0	2,831	90.4	299	9.6
Violation of Prohibition Laws	33,784	100.0	30,795	91.2	2,989	8.8
Violation of the Sabbath	41	100.0	38	92.7	3	7.3
Violation of Timber Law	6	100.0	4	66.7	2	33.3
Wife Beating	800	100.0	694	86.7	106	13.3
TOTAL	103,046	100.0	91,941	89.2	11,105	10.8

* Source: Minute dockets of 29 city courts.

that for practically all of the 18,405 nol prossed cases, no further action was ever taken.

Similar in effect to a nol pros is a dismissal of a case, in that upon motion of the prosecutor and upon payment of the cost, the court orders the charges dropped. Revival can be effected in the same way as in a nol pros. The proportion of cases so handled is relatively small and important only in showing why certain types of cases were not brought to trial. Almost one third of the dismissed cases were for simple larceny and cheating and swindling, crimes in which a restitution of property can often be forced. Other crimes of a coercive nature make up a large portion of the remainder.

When dismissed and nol prossed cases are added to those on the dead docket and to the ones which have been pending more than one year, a total of 36,200 is reached. In other words, a virtual acquittal is given 27.1 percent of the total city court cases. No doubt it is unwarranted to say that such cases should not have been brought, and probably ample grounds existed for the docketing of a large proportion of them. Nevertheless, the court records were cumbered with untriable cases, the officials burdened with non-productive labor, and the defendants suffered in not having their names cleared by being granted actual acquittals. This is likewise true in respect to the 100 cases where the defendants were released upon demand for trial. For these, however, the acquittal is complete, since after being released in this manner, the charge cannot, under any circumstances, be revived against the defendant.⁽¹⁾

The effectiveness of the court as an institution is judged not by the number of cases brought, but by the later disposition of such cases. Many solicitors find it good practice to charge the defendant in separate cases with the full category of offenses likely committed at the same time as the offense upon which the ar-

rest was made. For instance, a man charged with carrying a concealed weapon is often charged with carrying a pistol without license. A conviction on the former charge is desired, and if secured, the other charge may be nol prossed or left pending. Also, it is current practice in some courts for accusations to be brought before a defendant has been arrested and many such cases remain pending until they are no longer triable. Clearing the docket of non-triable cases is not a regular procedure in all courts. No doubt such practices as those mentioned above account in a large measure for the fact that only 73.0 percent of the criminal cases brought in the city court are tried.

Of the 103,046 cases brought to trial, convictions resulted in 91,941, or 89.2 percent. In other words, if the prosecuting officer felt that the evidence in the case was sufficient for the case to proceed to trial, the chances of being able to secure a conviction were approximately nine to one. This figure is an average, and, as shown by Table XIII, individual crimes differ greatly from it. For many of them, however, the ratio of convictions to acquittals follows a similar pattern to the ratio of cases tried to other dispositions. To illustrate: The percentage of cases to trial for carrying on a lottery (see Table X) is 81.5 (a percentage above the average), and convictions for this offense resulted in 93.3 percent of cases brought to trial. Conversely, assault and battery, with a lower than average percentage of cases to trial, shows a lower ratio of convictions.

When a defendant is called before the bar to answer the formal charge of the court, his guilt can be determined either by his own declaration or by proof in the form of evidence submitted by the state. In the former case, he convicts himself by entering a plea of guilty and such action is in effect a consent judgment with the defendant waiving his rights to the formal procedures of trial. As shown by Table XIV, 68.5

⁽¹⁾ Sec. 27-1901 Ca. Code 1933.

TABLE XIV*
PLEAS OF GUILTY AND NOT GUILTY
By Crimes
29 City Courts of Georgia
January 1, 1926 - December 31, 1935

CRIMES	TOTAL		GUILTY		NOT GUILTY	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	1,848	100.0	1,345	72.8	503	27.2
Adultery and Fornication	2,020	100.0	1,738	86.0	282	14.0
Assault	69	100.0	19	27.5	50	72.5
Assault and Battery	4,360	100.0	1,333	30.6	3,027	69.4
Attempted Bestiality or Sodomy	16	100.0	5	31.3	11	68.7
Barbering without License	57	100.0	27	47.4	30	52.6
Bastardy	659	100.0	462	70.1	197	29.9
Breaking, Entering and Stealing	372	100.0	162	43.5	210	56.5
Bribery, misdemeanor grade	13	100.0	4	30.8	9	69.2
Carrying Deadly Weapons	5,158	100.0	3,594	69.7	1,564	30.3
Carrying on Lottery	2,100	100.0	1,550	73.8	550	26.2
Cheating and Swindling	2,319	100.0	1,500	64.7	819	35.3
Cruelty to Children and Animals	139	100.0	33	23.7	106	76.3
Defacing Public Property	33	100.0	25	75.8	8	24.2
Disturbing Divine Worship	346	100.0	214	61.9	132	38.1
Escaping	501	100.0	422	84.2	79	15.8
Failure to Pay Occupational Tax	111	100.0	85	76.6	26	23.4
Firing Woods	15	100.0	2	13.3	13	86.7
Gambling	3,555	100.0	2,915	82.0	640	18.0
Hit and Run Driving	58	100.0	35	60.3	23	39.7
Illegal Arrests	32	100.0	11	34.4	21	65.6
Larceny, simple	17,833	100.0	10,492	58.8	7,341	41.2
Larceny after Trust	722	100.0	350	48.5	372	51.5
Libel	5	100.0	1	20.0	4	80.0
Maintaining Lewd House	170	100.0	75	44.1	95	55.9
Malicious Mischief	559	100.0	291	52.1	268	47.9
Mayhem, misdemeanor grade	16	100.0	3	18.7	13	81.3
Misdemeanor, blanket charge	981	100.0	653	66.6	328	33.4
Misdemeanor, miscellaneous	67	100.0	39	58.2	28	41.8
Obscene Language	155	100.0	67	43.2	88	56.8
Obstructing Legal Process	11	100.0	4	36.4	7	63.6
Operating Auto while Drunk	6,033	100.0	4,577	75.9	1,456	24.1
Operating Slot Machine with Slugs	74	100.0	51	68.9	23	31.1
Peeping Tom	34	100.0	13	38.2	21	61.8
Practicing Profession without License	34	100.0	15	44.1	19	55.9
Public Drunkenness	5,807	100.0	5,099	87.8	708	12.2
Public Indecency	174	100.0	101	58.0	73	42.0
Receiving Stolen Goods	277	100.0	111	40.1	166	59.9
Receiving Unstamped Tobaccos	699	100.0	554	79.3	145	20.7
Removal of Mortgaged Property	137	100.0	61	44.5	76	55.5
Resisting an Officer	32	100.0	12	37.5	20	62.5
Rioting	116	100.0	55	47.4	61	52.6
Selling Mortgaged Property	62	100.0	24	38.7	38	61.3
Shooting at Occupied Dwelling	39	100.0	17	43.6	22	56.4
Stabbing	1,802	100.0	619	34.3	1,183	65.7
Trespass	225	100.0	111	49.3	114	50.7
Using Auto without Owner's Consent	351	100.0	212	60.4	139	39.6
Using Horse without Owner's Consent	16	100.0	15	93.7	1	6.3
Usury	12	100.0	6	50.0	6	50.0
Vagrancy	4,043	100.0	3,323	82.2	720	17.8
Violation of Common School Law	13	100.0	6	46.2	7	53.8
Violation of County Health Rules	18	100.0	11	61.1	7	38.9
Violation of Election Laws	8	100.0	4	50.0	4	50.0
Violation of Game Laws	897	100.0	602	67.1	295	32.9
Violation of Highway Regulations	36	100.0	23	63.9	13	36.1
Violation of Labor Laws	17	100.0	4	23.5	13	76.5
Violation of Motor Carrier Laws	29	100.0	10	34.5	19	65.5
Violation of Motor Vehicle Laws	3,130	100.0	2,391	76.4	739	23.6
Violation of Prohibition Laws	33,784	100.0	24,656	73.0	9,128	27.0
Violation of the Sabbath	41	100.0	24	58.5	17	41.5
Violation of Timber Laws	6	100.0	2	33.3	4	66.7
Wife Beating	800	100.0	380	47.5	420	52.5
TOTAL	103,046	100.0	70,545	68.5	32,501	31.5

*Source: Minute dockets of 29 city courts.

TABLE XV*
CONVICTIONS AND ACQUITTALS ON PLEAS OF NOT GUILTY
By Crimes
29 City Courts of Georgia
January 1, 1926 - December 31, 1935

Percent	CRIMES	Total		Convictions		Acquittals	
		Number	Percent	Number	Percent	Number	Percent
27.2	Abandonment	503	100.0	358	71.2	145	28.8
14.0	Adultery and Fornication	282	100.0	186	66.0	96	34.0
72.5	Assault	50	100.0	20	40.0	30	60.0
69.4	Assault and Battery	3,027	100.0	1,586	52.4	1,441	47.6
68.7	Attempted Bestiality or Sodomy	11	100.0	6	54.5	5	45.5
52.5	Barbering without License	30	100.0	25	83.3	5	16.7
29.5	Bastardy	197	100.0	124	62.9	73	37.1
56.5	Breaking, Entering and Stealing	210	100.0	167	79.5	43	20.5
69.2	Bribery, misdemeanor grade	9	100.0	7	77.8	2	22.2
30.5	Carrying Deadly Weapons	1,564	100.0	1,083	69.2	481	30.8
26.2	Carrying on Lottery	550	100.0	409	74.4	141	25.6
35.3	Cheating and Swindling	819	100.0	481	58.7	338	41.3
76.3	Cruelty to Children and Animals	106	100.0	40	37.7	66	62.3
24.2	Defacing Public Property	8	100.0	4	50.0	4	50.0
38.1	Disturbing Divine Worship	132	100.0	67	50.8	65	49.2
15.8	Escaping	79	100.0	63	79.7	16	20.3
23.4	Failure to Pay Occupational Tax	26	100.0	13	50.0	13	50.0
86.7	Firing Woods	13	100.0	7	53.8	6	46.2
18.0	Gambling	640	100.0	401	62.7	239	37.3
39.7	Hit and Run Driving	23	100.0	17	73.9	6	26.1
65.6	Illegal Arrests	21	100.0	7	33.3	14	66.7
41.2	Larceny, simple	7,341	100.0	5,257	71.6	2,084	28.4
51.5	Larceny After Trust	372	100.0	237	63.7	135	36.3
80.0	Libel	4	100.0	3	75.0	1	25.0
55.9	Maintaining Lewd House	95	100.0	60	63.2	35	36.8
47.5	Malicious Mischief	268	100.0	155	57.8	113	42.2
81.3	Mayhem, misdemeanor grade	13	100.0	10	76.9	3	23.1
33.4	Misdemeanor, blanket charge	328	100.0	108	32.9	220	67.1
41.5	Misdemeanor, miscellaneous	28	100.0	14	50.0	14	50.0
56.5	Obscene Language	88	100.0	45	51.1	43	48.9
63.6	Obstructing Legal Process	7	100.0	3	42.9	4	57.1
24.1	Operating Auto while Drunk	1,456	100.0	1,116	76.6	340	23.4
31.1	Operating Slot Machine with Slugs	23	100.0	11	47.8	12	52.2
61.5	Peeping Tom	21	100.0	15	71.4	6	28.6
55.5	Practicing Profession without License	19	100.0	13	68.4	6	31.6
12.2	Public Drunkenness	708	100.0	427	60.3	281	39.7
42.0	Public Indecency	73	100.0	59	80.8	14	19.2
59.5	Receiving Stolen Goods	166	100.0	98	59.0	68	41.0
20.7	Receiving Unstamped Tobaccos	145	100.0	85	58.6	60	41.4
55.5	Removal of Mortgaged Property	76	100.0	31	40.8	45	59.2
62.5	Resisting an Officer	20	100.0	12	60.0	8	40.0
52.5	Rioting	61	100.0	25	41.0	36	59.0
61.5	Selling Mortgaged Property	38	100.0	14	36.8	24	63.2
56.4	Shooting at Occupied Dwelling	22	100.0	8	36.4	14	63.6
65.7	Stabbing	1,183	100.0	831	70.2	352	29.8
50.7	Trespass	114	100.0	54	47.4	60	52.6
39.5	Using Auto without Owner's Consent	139	100.0	79	56.8	60	43.2
6.5	Using Horse without Owner's Consent	1	100.0	-	-	1	100.0
50.0	Usury	6	100.0	4	66.7	2	33.3
17.5	Vagrancy	720	100.0	527	73.2	193	26.8
53.5	Violation of Common School Law	7	100.0	3	42.9	4	57.1
38.5	Violation of County Health Rules	7	100.0	3	42.9	4	57.1
50.0	Violation of Election Laws	4	100.0	3	75.0	1	25.0
32.5	Violation of Game Laws	295	100.0	82	27.8	213	72.2
36.1	Violation of Highway Regulations	13	100.0	6	46.2	7	53.8
76.5	Violation of Labor Laws	13	100.0	5	38.5	8	61.5
65.5	Violation of Motor Carrier Laws	19	100.0	13	68.4	6	31.6
23.5	Violation of Motor Vehicle Laws	739	100.0	440	59.5	299	40.5
27.0	Violation of Prohibition Laws	9,128	100.0	6,139	67.3	2,989	32.7
41.5	Violation of the Sabbath	17	100.0	14	82.4	3	17.6
66.7	Violation of Timber Laws	4	100.0	2	50.0	2	50.0
52.5	Wife Beating	420	100.0	314	74.8	106	25.2
31.5	TOTAL	32,501	100.0	21,396	65.8	11,105	34.2

*Source: Minute dockets of 29 city courts

TABLE XVI*

TRIAL PROCEDURE IN CASES WHERE PLEAS OF NOT GUILTY
WERE ENTERED29 City Courts of Georgia
January 1, 1926 - December 31, 1935

CRIMES	Total Pleas of		Cases Tried Before the Court			
	Not Guilty Entered		Without a Jury		With a Jury	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	503	100.0	301	59.9	202	40.1
Adultery and Fornication	282	100.0	192	68.1	90	31.9
Assault	50	100.0	27	54.0	23	46.0
Assault and Battery	3,027	100.0	1,920	63.4	1,107	36.6
Attempted Bestiality or Sodomy	11	100.0	4	36.4	7	63.6
Barbering without License	30	100.0	25	83.3	5	16.7
Bastardy	197	100.0	73	37.0	124	63.0
Breaking, Entering and Stealing	210	100.0	173	82.4	37	17.6
Bribery, misdemeanor grade	9	100.0	5	55.5	4	44.5
Carrying Deadly Weapons	1,564	100.0	1,132	72.4	432	27.6
Carrying on Lottery	550	100.0	481	87.5	69	12.5
Cheating and Swindling	819	100.0	444	54.2	375	45.8
Cruelty to Children and Animals	106	100.0	35	33.0	71	67.0
Defacing Public Property	8	100.0	1	12.5	7	87.5
Disturbing Divine Worship	132	100.0	35	26.5	97	73.5
Escaping	79	100.0	64	81.0	15	19.0
Failure to Pay Occupational Tax	26	100.0	15	57.7	11	42.3
Firing Woods	13	100.0	3	23.0	10	77.0
Gambling	640	100.0	432	67.5	208	32.5
Hit and Run Driving	23	100.0	19	82.6	4	17.4
Illegal Arrests	21	100.0	15	71.4	6	28.6
Larceny, simple	7,341	100.0	5,462	74.4	1,879	25.6
Larceny After Trust	372	100.0	263	70.7	109	29.3
Libel	4	100.0	1	25.0	3	75.0
Maintaining Lewd House	95	100.0	56	58.9	39	41.1
Malicious Mischief	268	100.0	189	70.5	79	29.5
Mayhem, misdemeanor grade	13	100.0	10	77.0	3	23.0
Misdemeanor, blanket charge	328	100.0	74	22.6	254	77.4
Misdemeanor, miscellaneous	28	100.0	16	57.1	12	42.9
Obscene Language	88	100.0	41	46.6	47	53.4
Obstructing Legal Process	7	100.0	3	42.9	4	57.1
Operating Auto while Drunk	1,456	100.0	1,082	74.3	374	25.7
Operating Slot Machine with Slugs	23	100.0	8	34.8	15	65.2
Peeping Tom	21	100.0	11	52.4	10	47.6
Practicing Profession without License	19	100.0	7	36.8	12	63.2
Public Drunkenness	708	100.0	413	58.3	295	41.7
Public Indecency	73	100.0	53	72.6	20	27.4
Receiving Stolen Goods	166	100.0	110	66.2	56	33.8
Receiving Unstamped Tobaccos	145	100.0	101	69.3	44	30.7
Removal of Mortgaged Property	76	100.0	28	36.8	48	63.2
Resisting an Officer	20	100.0	16	80.0	4	20.0
Rioting	61	100.0	7	11.5	54	88.5
Selling Mortgaged Property	38	100.0	11	29.0	27	71.0
Shooting at Occupied Dwelling	22	100.0	11	50.0	11	50.0
Stabbing	1,183	100.0	916	77.4	267	22.6
Trespass	114	100.0	62	54.4	52	45.6
Using Auto without Owner's Consent	139	100.0	105	75.5	34	24.5
Using Horse without Owner's Consent	1	100.0	-	-	1	100.0
Usury	6	100.0	1	16.7	5	83.3
Vagrancy	720	100.0	638	88.6	82	11.4
Violation of Common School Law	7	100.0	4	57.1	3	42.9
Violation of County Health Rules	7	100.0	1	14.3	6	85.7
Violation of Election Laws	4	100.0	2	50.0	2	50.0
Violation of Game Laws	295	100.0	65	22.0	230	78.0
Violation of Highway Regulations	13	100.0	7	53.8	6	46.2
Violation of Labor Laws	13	100.0	1	7.7	12	92.3
Violation of Motor Carrier Laws	19	100.0	13	68.4	6	31.6
Violation of Motor Vehicle Laws	739	100.0	462	62.5	277	37.5
Violation of Prohibition Laws	9,128	100.0	6,547	71.7	2,581	28.3
Violation of the Sabbath	17	100.0	7	41.2	10	58.8
Violation of Timber Laws	4	100.0	2	50.0	2	50.0
Wife Beating	420	100.0	338	80.5	82	19.5
TOTAL	32,501	100.0	22,540	69.4	9,961	30.6

*Source: Minute dockets of 29 city courts.

percent of the cases tried received such judgments. Since an acquittal under this plea is impossible, a comparison of the total convictions with those convicted in this manner is enlightening. For the city court, 76.7 percent of the convictions were obtained by voluntary action on the part of the defendant.

It is not expected, however, that a person would willingly give up his liberty and place himself under the constraints of sentence without some hope of benefitting by this action. Exactly the form of such boons would depend largely upon the status of the individual. Cases are on record of derelicts who, in search of a warm comfortable place to spend the winter season, purposely were caught in the commission of crime. On the other hand, for business reasons, some people would like charges against them completed as soon as possible and make every effort to secure a fine that can be paid and the case forgotten. Often cases like the above are handled by a judge in chambers without the formality of a public hearing. The real grist of these courts, therefore, is the 32,501 cases in which pleas of not guilty were entered, and its real efficiency is determined by the disposition made thereof.

Pleas of guilty may be induced by a preponderance of evidence gathered by the law enforcement department with regard to which the judicial officials may give little or no assistance. On pleas of not guilty, however, much depends on the solicitor's judgment of the case before it goes to trial and his conduct of the case during trial. It is his duty to attempt to secure a conviction when it appears that a crime has been committed and there is convincing evidence against the person charged; but it is likewise his duty to prevent those cases in which he feels that there is insufficient evidence to convict from coming before the court. This action is, from the standpoint of the State, a saving of time and money, and from that

of the individual, avoidance of persecution. Table XV, where convictions on plea of not guilty are shown, merits consideration from the standpoint of court efficiency.

A major purpose in the establishment of a court of misdemeanor jurisdiction is to secure a more rapid disposal of cases than is practicable under the cumbersome procedure necessary in a court of general jurisdiction. As a step in this direction, usually inferior courts provide jury trials only on the request of the defendant. The judge, therefore, having saved the time spent striking a jury, and using a modified procedure, is able to dispose of more cases than could be handled in like time by the superior court. Many defendants, however, do not wish to dispense with their right to a trial by a jury. In fact, 30.6 percent of those entering a plea of not guilty were given jury trials (see Table XVI).

The question then naturally arises as to whether or not there is any advantage to the defendant in a jury trial, and, if so, of what nature. From the figures in Table XVII, it appears that convictions result in only 44.7 percent of the cases in which the jury pronounces the verdict and this figure is smaller by 30.5 percent than where the trial is had without a jury. (See Table XVIII for convictions and acquittals on non-jury trials.) In other words, the defendant has a much better chance of acquittal if he demands a jury. This low percentage of convictions does not apply to all crimes alike, and no doubt skilled defense attorneys have long known those offenses in which a jury trial weighs the scales of justice to the advantage of their clients.

When the figures in Tables XVII and XVIII are compared by crimes, it is readily seen that many jury trials react advantageously for the defendant. This is apparently true of those offenses of an assault nature, with the exception of shooting at an occupied dwelling and simple assault. When only those cases tried be-

TABLE XVII*

CONVICTIONS AND ACQUITTALS ON JURY TRIALS
(Cases Where Defendants Plead Not Guilty)
By Crimes
January 1, 1926 - December 31, 1935

CRIMES	JURY TRIALS		CONVICTIONS		ACQUITTALS	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	202	100.0	98	48.5	104	51.5
Adultery and Fornication	90	100.0	44	48.9	46	51.1
Assault	23	100.0	10	43.5	13	56.5
Assault and Battery	1,107	110.0	378	34.0	729	66.0
Attempted Bestiality or Sodomy	7	100.0	3	42.9	4	57.1
Barbering without License	5	100.0	3	60.0	2	40.0
Bastardy	124	100.0	69	55.6	55	44.4
Breaking, Entering and Stealing	37	100.0	23	62.2	14	37.8
Bribery, misdemeanor grade	4	100.0	3	75.0	1	25.0
Carrying Deadly Weapons	432	100.0	195	45.1	237	54.9
Carrying on Lottery	69	100.0	45	65.2	24	34.8
Cheating and Swindling	375	100.0	162	43.2	213	56.8
Cruelty to Children or Animals	71	100.0	26	36.6	45	63.4
Defacing Public Property	7	100.0	4	57.1	3	42.9
Disturbing Divine Worship	97	100.0	53	54.6	44	45.4
Escaping	15	100.0	9	60.0	6	40.0
Failure to Pay Occupational Tax	11	100.0	4	36.4	7	63.6
Firing Woods	10	100.0	4	40.0	6	60.0
Gambling	208	100.0	79	38.0	129	62.0
Hit and Run Driving	4	100.0	2	50.0	2	50.0
Illegal Arrests	6	100.0	3	50.0	3	50.0
Larceny, simple	1,879	100.0	913	48.6	966	51.4
Larceny after Trust	109	100.0	40	36.7	69	63.3
Libel	3	100.0	3	100.0	-	-
Maintaining Lewd House	39	100.0	24	61.5	15	38.5
Malicious Mischief	79	100.0	22	27.8	57	72.2
Mayhem, misdemeanor grade	3	100.0	2	66.7	1	33.3
Misdemeanor, blanket charge	254	100.0	84	33.1	170	66.9
Misdemeanor, miscellaneous	12	100.0	4	33.3	8	66.7
Obscene Language	47	100.0	20	42.6	27	57.4
Obstructing Legal Process	4	100.0	1	25.0	3	75.0
Operating Auto while Drunk	374	100.0	189	50.5	185	49.5
Operating Slot Machine with Slugs	15	100.0	3	20.0	12	80.0
Peeping Tom	10	100.0	8	80.0	2	20.0
Practicing Profession without License	12	100.0	7	58.3	5	41.7
Public Drunkenness	295	100.0	132	44.7	163	55.3
Public Indecency	20	100.0	13	65.0	7	35.0
Receiving Stolen Goods	56	100.0	34	60.7	22	39.3
Receiving Unstamped Tobaccos	44	100.0	6	13.6	38	86.4
Removal of Mortgaged Property	48	100.0	18	37.5	30	62.5
Resisting an Officer	4	100.0	2	50.0	2	50.0
Rioting	54	100.0	25	46.3	29	53.7
Selling Mortgaged Property	27	100.0	10	37.0	17	63.0
Shooting at Occupied Dwelling	11	100.0	4	36.4	7	63.6
Stabbing	267	100.0	132	49.4	135	50.6
Trespass	52	100.0	21	40.4	31	59.6
Using Auto without Owner's Consent	34	100.0	12	35.3	22	64.7
Using Horse without Owner's Consent	1	100.0	-	-	1	100.0
Usury	5	100.0	3	60.0	2	40.0
Vagrancy	82	100.0	37	45.1	45	54.9
Violation of Common School Law	3	100.0	1	33.3	2	66.7
Violation of County Health Rules	6	100.0	2	33.3	4	66.7
Violation of Election Laws	2	100.0	1	50.0	1	50.0
Violation of Game Laws	230	100.0	43	18.7	187	81.3
Violation of Highway Regulations	6	100.0	3	50.0	3	50.0
Violation of Labor Laws	12	100.0	5	41.7	7	58.3
Violation of Motor Carrier Laws	6	100.0	-	-	6	100.0
Violation of Motor Vehicle Laws	277	100.0	118	42.6	159	57.4
Violation of Prohibition Laws	2,581	100.0	1,257	48.7	1,324	51.3
Violation of the Sabbath	10	100.0	9	90.0	1	10.0
Violation of Timber Laws	2	100.0	2	100.0	-	-
Wife Beating	82	100.0	31	37.8	51	62.2
TOTAL	9,961	100.0	4,458	44.7	5,503	55.3

*Source: Minute dockets of 29 city courts.

TABLE XVIII*

CONVICTIONS AND ACQUITTALS ON NON-JURY TRIALS
(Cases Where the Defendants Plead Not Guilty)
By Crimes

January 1, 1926 - December 31, 1935

CRIMES	Non-Jury Trials		Convictions		Acquittals	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	301	100.0	260	86.4	41	13.6
Adultery and Fornication	192	100.0	142	74.0	50	26.0
Assault	27	100.0	10	37.0	17	63.0
Assault and Battery	1,920	100.0	1,208	62.9	712	37.1
Attempted Bestiality or Sodomy	4	100.0	3	75.0	1	25.0
Barbering without License	25	100.0	22	88.0	3	12.0
Bastardy	73	100.0	55	75.3	18	24.7
Breaking, Entering and Stealing	173	100.0	144	83.2	29	16.8
Bribery, misdemeanor grade	5	100.0	4	80.0	1	20.0
Carrying Deadly Weapons	1,132	100.0	888	78.4	244	21.6
Carrying on Lottery	481	100.0	364	75.7	117	24.3
Cheating and Swindling	444	100.0	319	71.8	125	28.2
Cruelty to Children or Animals	35	100.0	14	40.0	21	60.0
Defacing Public Property	1	100.0	-	-	1	100.0
Disturbing Divine Worship	35	100.0	14	40.0	21	60.0
Escaping	64	100.0	54	84.4	10	15.6
Failure to Pay Occupational Tax	15	100.0	9	60.0	6	40.0
Firing Woods	3	100.0	3	100.0	-	-
Gambling	432	100.0	322	74.5	110	25.5
Hit and Run Driving	19	100.0	15	78.9	4	21.1
Illegal Arrests	15	100.0	4	26.7	11	73.3
Larceny, simple	5,462	100.0	4,344	79.5	1,118	20.5
Larceny after Trust	263	100.0	197	74.9	66	25.1
Libel	1	100.0	-	-	1	100.0
Maintaining Lewd House	56	100.0	36	64.3	20	35.7
Malicious Mischief	189	100.0	133	70.4	56	29.6
Mayhem, misdemeanor grade	10	100.0	8	80.0	2	20.0
Misdemeanor, blanket charge	74	100.0	24	32.4	50	67.6
Misdemeanor, miscellaneous	16	100.0	10	62.5	6	37.5
Obscene Language	41	100.0	25	61.0	16	39.0
Obstructing Legal Process	3	100.0	2	66.7	1	33.3
Operating Auto while Drunk	1,082	100.0	927	85.7	155	14.3
Operating Slot Machine with Slugs	3	100.0	3	100.0	-	-
Peeping Tom	11	100.0	7	63.6	4	36.4
Practicing Profession without License	7	100.0	6	85.7	1	14.3
Public Drunkenness	413	100.0	295	71.4	118	28.6
Public Indecency	55	100.0	46	86.8	7	13.2
Receiving Stolen Goods	110	100.0	64	58.2	46	41.8
Receiving Unstamped Tobaccos	101	100.0	79	78.2	22	21.8
Removal of Mortgaged Property	23	100.0	13	46.4	15	53.6
Resisting an Officer	16	100.0	10	62.5	6	37.5
Rioting	7	100.0	-	-	7	100.0
Selling Mortgaged Property	11	100.0	4	36.4	7	63.6
Shooting at Occupied Dwelling	11	100.0	4	36.4	7	63.6
Stabbing	916	100.0	699	76.3	217	23.7
Trespass	62	100.0	33	53.2	29	46.8
Using Auto without Owner's Consent	105	100.0	67	63.8	38	36.2
Using Horse without Owner's Consent	-	-	-	-	-	-
Usury	1	100.0	1	100.0	-	-
Vagrancy	638	100.0	490	76.8	148	23.2
Violation Common School Law	4	100.0	2	50.0	2	50.0
Violation County Health Rules	1	100.0	1	100.0	-	-
Violation of Election Laws	2	100.0	2	100.0	-	-
Violation of Game Laws	65	100.0	39	60.0	26	40.0
Violation of Highway Regulations	7	100.0	3	42.9	4	57.1
Violation of Labor Laws	1	100.0	-	-	1	100.0
Violation of Motor Carrier Laws	13	100.0	13	100.0	-	-
Violation of Motor Vehicle Laws	462	100.0	322	69.7	140	30.3
Violation of Prohibition Laws	6,547	100.0	4,882	74.6	1,665	25.4
Violation of the Sabbath	7	100.0	5	71.4	2	28.6
Violation of Timber Laws	2	100.0	-	-	2	100.0
Wife Beating	338	100.0	283	83.7	55	16.3
TOTAL	22,540	100.0	16,938	75.2	5,602	24.8

*Source: Minute dockets of 29 city courts.

fore the jury are considered, it appears that the percentage of acquittals for these two crimes is about the same as those for wife beating, stabbing, and assault and battery. This would lead to the conclusion that while there is some consistency in the jury verdicts for a limited type of crimes, the results reached when tried before a judge without a jury are widely divergent.

On the other hand, juries do not seem to grant acquittals in other types of crimes in the same degree of regularity as in those mentioned above. The offenses which are grouped in the Code as against public morality show wide variations. Acquittals in charges of violation of the Sabbath are rare when tried before a jury. Conversely, gambling charges result in a large percentage of acquittals, while lottery charges show a percentage of convictions almost twice that of gambling.

Turning to the treatment of the same type of offenses tried before a judge but without a jury, it is found that exactly the opposite results occur. It is unusual for the ratio of convictions to acquittals for crimes in this group to be greatly at variance from the average on such trials and these exceptions are found in those offenses for which there are few cases. Exclusive of public indecency charges, conviction of the crimes of this type range between

65 and 75 percent.

From an analysis of the two tables, a broad general conclusion may be drawn that defendants tried before a jury are acquitted in a larger percentage of cases than where tried before a judge without a jury, but the variations within crime types and as between given offenses are so great as to indicate that the results reached are more likely the outcome of coincidence than the working of a pattern.

In considering the acquittals resulting from jury trials, it is well to take into account the small percentage of cases in which such procedures are demanded. Contrasting with these is the fact that nine-tenths of the work of the city court is handled by the judge without the aid of a jury and that convictions result in approximately 94 percent of these cases. It should be borne in mind, however, that voluntary admissions of guilt make up a large percentage of these convictions.

Such admissions cannot be ignored in estimating the value of the court performance. Of the total 141,056 cases, pleas of guilty accounted for 50 percent out of the 65 percent which resulted in convictions. In the light of the foregoing discussion, it might be said that the eventual dispositions of the remaining one-third of the cases studied was an actual or virtual acquittal.



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Chapter VI CASES BEFORE SUPERIOR COURTS

Courts for the handling of misdemeanor cases are usually found only in the more populous counties. In the other areas, all cases are brought in the Superior Court, the court of general jurisdiction and the major trial court under the Georgia system.⁽¹⁾ This tribunal functions through a judicial unit in each county,⁽²⁾ and must sit for the trial of cases at least twice a year and as many other times as are necessary.⁽³⁾ The regular terms are set by law and special terms by the presiding judge of the circuit.⁽⁴⁾ Due to the press of business, the court sits almost continuously in the more populous counties, while the few cases brought in some of the small counties make two short terms adequate.

For the handling of criminal business, the Superior Court has the following officers: a judge, elected from the circuit;⁽⁵⁾ a solicitor general, elected from the same territory;⁽⁶⁾ a clerk, and a sheriff, elected from the county;⁽⁷⁾ a grand jury of eighteen to twenty-three men,⁽⁸⁾ and a petit jury panel of twenty-four or more men, selected from the qualified citizens of the county;⁽⁹⁾ one or more bailiffs, appointed by the sheriff or judge;⁽¹⁰⁾ and a reporter, appointed by the judge. The judge presides over and is responsible for the functioning of this court.⁽¹¹⁾ The clerk is the custodian of the court records, and is administration officer,⁽¹²⁾ while the sheriff is custodian of the prisoners, and executive officer;⁽¹³⁾ and the bailiffs are assistants of the

sheriff.⁽¹⁴⁾ The solicitor general represents the state and handles the state's case before the court;⁽¹⁵⁾ the reporter makes a record of all the evidence in felony cases.⁽¹⁶⁾ The petit jury is the judge of the law and the facts,⁽¹⁷⁾ while the grand jury inquires into each case brought before it or originated by it as to whether or not a crime has been committed. When this question is answered affirmatively, this body then determines if there is sufficient evidence to indicate the parties implicated in the crime.⁽¹⁸⁾ It, as a part of the court, eliminates those cases which are not triable and leaves upon the court docket only those cases in which there is evidence sufficient for trial. The criminal cases remaining form the grist which the court must grind, and usually there is a well-filled docket. Of the 93,268 cases docketed in the Superior Court in the counties studied, 55,588 had been brought to trial by December 31, 1935. (See Appendix E, Table 17, for cases by counties.) Table XIX lists the several crimes studied, along with the percentage of each reaching trial. An interesting side-light on the work of this court is the similarity of the disposal pattern with that in the misdemeanor courts.

In the city court, the solicitor brings the formal accusation of the state against the accused, while in the Superior Court this work is done by the grand jury. Perhaps at some time in its early history, this body functioned independently of the prosecutor's office and without assistance brought such indictments as it deemed in the best interest of the state. Today, it leans heavily upon the solicitor general and has often been accused of being a rubber stamp for

(1) Sec. 24-2615 Ga. Code 1933.

(2) Sec. 24-2501 *ibid.*

(3) Sec. 24-3009 *ibid.*

(4) Sec. 24-2609 *ibid.*

(5) Sec. 24-2601 *ibid.*

(6) Sec. 24-2901 *ibid.*

(7) Secs. 24-2801; 24-2701 *ibid.*

(8) Sec. 59-202 *ibid.*

(9) Secs. 59-707; 59-801 *ibid.*

(10) Sec. 24-3351 *ibid.*

(11) Sec. 24-3101 *ibid.*

(12) Sec. 24-2616 *ibid.*

(13) Sec. 24-2714 *ibid.*

(14) Sec. 24-2813 *ibid.*

(15) Sec. 24-3351 *ibid.*

(16) Sec. 24-2908 *ibid.*

(17) Sec. 27-2401 *ibid.*

(18) Secs. 2-201; 27-2301 *ibid.*

(19) Sec. 27-701 *ibid.*

TABLE XIX*
DISPOSITION OF CASES
By Crimes
57 Superior Courts of Georgia **
January 1, 1926 - December 31, 1935

CRIMES	Total		Cases to Trial		Other Dispositions	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	1,388	100.0	429	30.9	959	69.1
Adultery and Fornication	566	100.0	297	52.5	269	47.5
Assault	189	100.0	97	51.3	92	48.7
Assault and Battery	1,889	100.0	816	43.2	1,073	56.8
Attempted Bestiality or Sodomy	48	100.0	32	66.7	16	33.3
Bastardy	151	100.0	62	41.1	89	58.9
Blackmail and Extortion	95	100.0	41	43.2	54	56.8
Breaking, Entering and Stealing	247	100.0	148	59.9	99	40.1
Carrying Deadly Weapons	3,779	100.0	2,129	56.3	1,650	43.7
Carrying on Lottery	1,005	100.0	301	30.0	704	70.0
Cheating and Swindling	2,922	100.0	1,187	40.6	1,735	59.4
Cock Fighting	74	100.0	21	28.4	53	71.6
Cruelty to Children and Animals	97	100.0	40	41.2	57	58.8
Disturbing Divine Worship	542	100.0	267	49.3	275	50.7
Defamation of Virtuous Female	21	100.0	6	28.6	15	71.4
Escape	296	100.0	214	72.3	82	27.7
Failure to Pay Occupational Tax	347	100.0	60	17.3	287	82.7
Firing Woods	23	100.0	3	13.0	20	87.0
Gambling	2,089	100.0	948	45.4	1,141	54.6
Hit and Run Driving	35	100.0	10	28.6	25	71.4
Interfering with Laborers	21	100.0	9	42.9	12	57.1
Killing Farm Animals	11	100.0	5	45.5	6	54.5
Libel	17	100.0	3	17.6	14	82.4
Larceny, simple	6,439	100.0	3,995	62.0	2,444	38.0
Larceny, attempted	80	100.0	49	61.2	31	38.8
Larceny After Trust	88	100.0	53	60.2	35	39.8
Malpractice by Public Officer	8	100.0	2	25.0	6	75.0
Malicious Mischief	294	100.0	152	51.7	142	48.3
Maintaining Lewd House	283	100.0	156	55.1	127	44.9
Maintaining Opium Joint	21	100.0	13	61.9	8	38.1
Mayhem, misdemeanor	13	100.0	6	46.2	7	53.8
Misdemeanor, blanket charge	2,471	100.0	863	34.9	1,608	65.1
Misdemeanor, miscellaneous	101	100.0	48	47.5	53	52.5
Obstructing Legal Process	12	100.0	4	33.3	8	66.7
Operating Auto while Drunk	1,828	100.0	1,267	69.3	561	30.7
Operating Slot Machine with Slugs	272	100.0	109	40.1	163	59.9
Peddling without License	12	100.0	2	16.7	10	83.3
Peeping Tom	21	100.0	15	71.4	6	28.6
Performance of Peace Officer's Duty, illegally	39	100.0	28	71.8	11	28.2
Pointing Pistol at Another	573	100.0	257	44.9	316	55.1
Practicing Profession without License	38	100.0	11	28.9	27	71.1
Public Drunkenness	3,307	100.0	2,162	65.4	1,145	34.6
Public Indecency	37	100.0	16	43.2	21	56.8
Receiving Stolen Goods	627	100.0	335	53.4	292	46.6
Receiving Unstamped Tobaccos	214	100.0	43	20.1	171	79.9
Removal of Mortgaged Property	159	100.0	48	30.2	111	69.8
Resisting an Officer	14	100.0	11	78.6	3	21.4
Rioting	369	100.0	122	33.1	247	66.9
Selling Mortgaged Property	116	100.0	36	31.0	80	69.0
Shooting at Occupied Dwelling	84	100.0	40	47.6	44	52.4
Stabbing	389	100.0	220	56.6	169	43.4
Trespass	164	100.0	58	35.4	106	64.6
Using Auto without Owner's Consent	147	100.0	118	80.3	29	19.7
Using Obscene Language	766	100.0	263	34.3	503	65.7
Usury	129	100.0	-	-	129	100.0
Vagrancy	1,006	100.0	754	75.0	252	25.0
Violation of Common School Law	39	100.0	21	53.8	18	46.2
Violation of Election Laws	71	100.0	21	29.6	50	70.4
Violation of Professional Bondsmen's Act	15	100.0	6	40.0	9	60.0
Violation of Game Law	513	100.0	234	45.6	279	54.4

Table XIX - Disposition of Cases (Cont'd)

CRIMES	Total		Cases to Trial		Other Dispositions	
	Number	Percent	Number	Percent	Number	Percent
Violation of Highway Regulations	36	100.0	18	50.0	18	50.0
Violation of Motor Vehicle Law	1,175	100.0	730	62.1	445	37.9
Violation of Prohibition Law	11,021	100.0	7,023	63.7	3,998	36.3
Violation of Security License Law	83	100.0	12	14.5	71	85.5
Violation of the Sabbath	44	100.0	16	36.4	28	63.6
Violation of Timber Law	11	100.0	4	36.4	7	63.6
Wife Beating	194	100.0	86	44.3	108	55.7
Total Misdemeanors	49,175	100.0	26,552	54.0	22,623	46.0
Felonies						
Assault with Intent to Murder	6,130	100.0	3,791	61.8	2,339	38.2
Assault with Intent to Rape	428	100.0	280	65.4	148	34.6
Assault with Intent to Rob	290	100.0	192	66.2	98	33.8
Arson	310	100.0	144	46.5	166	53.5
Bigamy	133	100.0	75	56.4	58	43.6
Breaking and Entering Vehicle	557	100.0	347	62.3	210	37.7
Bribery	81	100.0	36	44.4	45	55.6
Burglary	11,638	100.0	8,718	74.9	2,920	25.1
Destroying House with Explosives	12	100.0	5	41.7	7	58.3
Embezzlement	365	100.0	131	35.9	234	64.1
Entrapment	15	100.0	4	26.7	11	73.3
Felony, blanket charge	341	100.0	150	44.0	191	56.0
Forgery	2,399	100.0	1,526	63.6	873	36.4
Incest	28	100.0	17	60.7	11	39.3
Involuntary Manslaughter	268	100.0	164	61.2	104	38.8
Kidnapping	187	100.0	57	30.5	130	69.5
Larceny from Building	2,743	100.0	1,919	70.0	824	30.0
Larceny from Person	118	100.0	65	55.1	53	44.9
Larceny of Automobile	4,363	100.0	3,243	74.3	1,120	25.7
Larceny of Farm Animals	574	100.0	356	62.0	218	38.0
Larceny	63	100.0	48	76.2	15	23.8
Larceny After Trust	1,448	100.0	492	34.0	956	66.0
Mayhem	4	100.0	1	25.0	3	75.0
Manufacturing Liquor	2,309	100.0	1,450	62.8	859	37.2
Miscellaneous Felony	73	100.0	24	32.9	49	67.1
Murder	2,901	100.0	2,073	71.5	828	28.5
Obtaining Money Under False Pretense	94	100.0	48	51.1	46	48.9
Perjury	286	100.0	90	31.5	196	68.5
Personating Another	10	100.0	8	80.0	2	20.0
Poisoning Well	18	100.0	6	33.3	12	66.7
Possessing Counterfeit Type	5	100.0	4	80.0	1	20.0
Possessing Burglary Tools	82	100.0	63	76.8	19	23.2
Rape	511	100.0	335	65.6	176	34.4
Receiving Stolen Goods	29	100.0	12	41.4	17	58.6
Robbery	3,816	100.0	2,515	65.9	1,301	34.1
Seduction	308	100.0	74	24.0	234	76.0
Shooting at Another	749	100.0	458	61.1	291	38.9
Sodomy and Bestiality	137	100.0	81	59.1	56	40.9
Violation of Banking Regulations	219	100.0	4	1.8	215	98.2
Voluntary Manslaughter	34	100.0	22	64.7	12	35.3
Wrecking Trains	17	100.0	8	47.1	9	52.9
Total Felonies	44,093	100.0	29,036	65.9	15,057	34.1
GRAND TOTAL	93,268	100.0	55,588	59.6	37,680	40.4

* Source: Minute dockets of 57 Superior Courts.

** For a county breakdown by crimes, see Appendix E, Table 17.

TABLE XX*

CASES NOT TRIED
By Crimes
57 Superior Courts in Georgia
January 1, 1926 - December 31, 1935

Misdemeanors

CRIMES	Total	Transferred to Other Courts	Dismissed	Not Prosecuted	Released On Demand For Trial	Dead Docket	Pending
Abandonment	959	337	17	123	3	104	
Adultery and Fornication	269	63	10	103	3	5	
Assault	92	8	-	32	2	12	
Assault and Battery	1,073	282	44	381	14	49	
Attempted Bestiality or Sodomy	16	3	2	4	-	2	
Bastardy	89	25	7	30	-	9	
Blackmail and Extortion	54	-	1	19	-	-	
Breaking, Entering and Stealing	99	34	4	33	-	-	
Carrying Deadly Weapons	1,650	183	49	579	2	41	
Carrying on Lottery	704	635	12	30	-	1	
Cheating and Swindling	1,735	200	28	451	4	118	
Cock Fighting	53	27	-	-	-	19	
Cruelty to Children and Animals	57	16	1	27	-	4	
Disturbing Divine Worship	275	80	10	94	1	10	
Defamation of Virtuous Female	15	8	1	4	-	-	
Escape	82	5	6	17	-	10	
Failure to Pay Occupational Tax	287	75	9	97	2	10	
Firing Woods	20	2	1	11	1	-	
Gambling	1,141	194	17	394	4	20	
Hit and Run Driving	25	4	-	10	-	-	
Interfering with Laborers	12	-	-	7	-	-	
Killing of Farm Animals	6	1	-	2	-	-	
Libel	14	2	1	2	2	-	
Larceny, simple	2,444	304	92	969	16	214	
Larceny, attempted	31	7	3	7	-	-	
Larceny After Trust	35	1	3	14	-	5	
Malpractice by Public Officer	6	-	-	5	-	-	
Malicious Mischief	142	11	8	77	-	3	
Maintaining Lewd House	127	40	-	37	-	2	
Maintaining Opium Joint	8	-	-	-	-	-	
Mayhem, misdemeanor	7	1	1	3	-	-	
Misdemeanor, blanket charge	1,608	358	66	463	9	66	
Misdemeanor, miscellaneous	53	7	-	19	2	1	
Obstructing Legal Process	8	-	-	4	-	-	
Operating Auto while Drunk	561	98	41	233	1	25	
Operating Slot Machine with Slugs	163	2	1	66	1	1	
Peddling without License	10	-	-	7	-	-	
Peeping Tom	6	-	2	2	-	-	
Performance of Peace Officer's Duty, illegally	11	-	1	1	-	3	
Pointing Pistol At Another	316	69	16	129	1	11	
Practicing Profession without License	27	19	-	5	1	1	
Public Drunkenness	1,145	213	51	449	6	60	
Public Indecency	21	5	2	2	-	3	
Receiving Stolen Goods	292	10	3	107	2	31	
Receiving Unstamped Tobaccos	171	2	-	153	-	1	
Removal of Mortgaged Property	111	10	5	53	2	7	
Resisting an Officer	3	1	-	-	-	-	
Rioting	247	37	5	93	1	-	
Selling Mortgaged Property	80	6	3	29	-	4	
Shooting at Occupied Dwelling	44	14	2	12	-	-	
Stabbing	169	50	9	48	2	5	
Trespass	106	11	7	53	1	5	
Using Auto without Owner's Consent	29	10	4	8	-	-	
Using Obscene Language	503	199	30	153	1	6	
Usury	129	125	-	1	-	1	
Vagrancy	252	40	14	94	1	10	
Violation of Common School Law	18	1	-	6	-	-	
Violation of Election Law	50	17	-	29	-	-	
Violation of Professional Bondsmen's Act	9	-	1	6	-	-	
Violation of Game Law	279	31	10	140	1	15	

Table XX - Cases Not Tried (Cont'd)

CRIMES	Total	Transferred to Other Courts	Dismissed	Not Passed	Released On Demand For Trial	Dead Docket	Pending
Violation of Highway Regulations	18	6	1	6	-	1	4
Violation of Motor Vehicle Law	445	65	50	162	1	30	137
Violation of Prohibition Law	3,998	754	167	1,785	21	226	1,045
Violation of Security License Law	71	2	-	16	-	5	46
Violation of the Sabbath	28	8	-	17	-	-	3
Violation of Timber Law	7	4	-	3	-	-	-
Wife Beating	108	33	1	43	1	3	27
Total Misdemeanors	22,623	4,755	819	7,961	109	1,159	7,820
Felonies							
Assault with Intent to Murder	2,339	40	36	764	27	294	1,178
Assault with Intent to Rape	148	4	7	62	2	13	60
Assault with Intent to Rob	98	4	2	28	-	16	48
Arson	166	1	5	80	7	13	60
Bigamy	58	-	3	18	-	7	30
Breaking and Entering Vehicle	210	2	3	33	4	29	139
Bribery	45	1	-	18	-	-	26
Burglary	2,920	133	79	906	13	470	1,319
Destroying House with Explosives	7	-	-	-	-	-	7
Embezzlement	234	3	6	62	2	40	121
Embracery	11	-	-	6	-	-	5
Felony, blanket charge	191	20	1	77	3	13	77
Forgery	873	10	16	274	4	93	476
Incest	11	-	2	4	1	-	4
Involuntary Manslaughter	104	7	4	36	2	1	54
Kidnapping	130	-	4	39	2	19	66
Larceny from Building	824	127	36	219	3	74	365
Larceny from Person	53	9	1	20	1	2	20
Larceny of Automobile	1,120	35	19	253	5	85	723
Larceny of Farm Animals	218	3	13	60	1	37	104
Larceny	15	-	3	3	2	3	4
Larceny After Trust	956	48	22	294	6	66	520
Mayhem	3	1	-	1	-	-	1
Manufacturing Liquor	859	22	33	371	9	71	353
Miscellaneous Felony	49	4	2	18	-	4	21
Murder	828	18	43	157	1	63	546
Obtaining Money under False Pretense	46	-	-	13	-	9	24
Perjury	196	7	5	49	6	9	120
Personating Another	2	-	-	-	-	-	2
Poisoning Well	12	-	-	9	-	-	3
Possessing Counterfeit Type	1	-	-	-	-	-	1
Possessing Burglary Tools	19	1	1	4	1	-	12
Rape	176	7	5	75	-	13	76
Receiving Stolen Goods	17	1	-	8	-	-	8
Robbery	1,301	13	17	347	8	110	806
Seduction	234	3	11	93	-	26	101
Shooting at Another	291	8	5	133	2	18	125
Sodomy and Bestiality	56	1	-	23	-	6	26
Violation of Banking Regulations	215	139	16	36	-	-	24
Voluntary Manslaughter	12	1	-	3	-	1	7
Wrecking Trains	9	-	-	3	-	-	6
Total Felonies	15,057	673	400	4,599	112	1,605	7,666
GRAND TOTAL	37,680	5,428	1,219	12,560	221	2,764	15,486

* Source: Minute dockets of 57 Superior Courts

his office. The grand jury, under the Georgia law, has powers adequate for it to fulfill the utmost expectations of the citizenry,⁽¹⁾ and when it does not live up to them, such failures may be attributed largely to its leadership. While it is the duty of this body to keep as many non-triable cases from the docket as possible, probably its failure to thoroughly sift the evidence is responsible in part for the fact that approximately 40 percent of the indictments were not tried. The disposition of all such cases is shown in Table XX.

For the city court, only a small percentage of the cases not tried were transferred to other courts. In fact, little reason existed for transferrals, except for those cases which involved minors. On the other hand, the Superior Court, with its general jurisdiction, had all types of cases brought before its grand juries, and where proper evidence was presented, an indictment was returned. Often, then, the Superior Court judge, instead of trying misdemeanor and juvenile cases, saw fit to place them under the jurisdiction of the courts especially designed for them. Also, while in the city court a change of venue is a very rare occurrence, it is not so rare in the Superior Court, and such cases add to the volume of those sent to other courts.

For the purpose of this study, cases transferred to other courts were assumed to be completed. Under such an assumption, they are not then a part of the grist of the Superior Court, and can be eliminated from further consideration. When this is done, the total cases not tried is 32,252, or 36.8 percent, of the 87,840 cases under consideration (cases docketed minus cases transferred). Upon an application, then, of the reasoning employed in the preceding chapter in regard to dismissed, nol prossed, and pending cases, approximately one-third of the cases brought in the Superior Court result in

virtual acquittals.

Due to the more serious nature of felony crimes,*it is to be expected that they are tried in greater ratios than misdemeanors. When the cases transferred to other courts are eliminated, the expectation is shown to be fulfilled by 66.9 percent of the felonies, and only 59.8 percent of the misdemeanors reaching trial. The procedure of the city and county courts was designed especially for the rapid disposal of minor crimes, while that in the Superior Court has changed little from the cumbersome routine used in early colonial times. Since felony cases, by their very nature, are more important, from the standpoint of disposal, than misdemeanors, it is in the interest of the state that these lesser crimes be tried in the courts designed for their trial where such courts are operating. Transferrals to these courts are not always made, however, and in many counties, the Superior Court attempts the trial of large percentages of misdemeanor cases. This practice perhaps accounts in part for the recent change in the law, and allows the solicitor general to initiate charges on accusation in misdemeanor cases as is done in the city court.⁽²⁾ This change is so recent that its effect on the cases studied is negligible.

Nevertheless, in the Superior Court, as in the city court, a defendant may waive his rights to a full examination of the case by the court upon entering a plea of guilty. The judge, in cases of this kind, makes such inquiry into the case as he deems necessary and sentences the defendant according to the law of the particular crime involved. Pleas of guilty were entered in 73.8 percent of the misdemeanors and 55.6 per-

* AUTHOR'S NOTE: For the purposes of this chapter and for the remainder of those in this report, all tables and computations were made on the basis of the crime charged and not on the basis of the crime for which sentence was passed. In other words, if a person charged with rape in the indictment was convicted and sentenced for assault and battery, the figures throughout this report show this case under rape.

⁽¹⁾ Sec. 59-301 et sequi, *ibid*.

⁽²⁾ P. 196, Acts of 1935

cent of the felonies tried in the Superior Court. The numbers of pleas of guilty in one of the more serious felonies no doubt causes wonder on the part of the average individual, and yet, pleas of guilty were entered in 17.8 percent of the murder charges coming to trial in the period under discussion. This, however, does not tell the complete story, since often a defendant charged with a heinous crime may find it advisable after a conference with the solicitor general to plead guilty to an offense not so grave as the one with which he is charged, and willingly receive the maximum sentence for the lesser offense. Contrasting with the solicitor who has made a bargain is that prosecuting officer whose case is so well prepared and whose evidence is so complete that the defendant prefers to rest upon the mercy of the court rather than face an enraged jury, even though the punishment meted out by the judge might be electrocution. There are among the cases studied, several in which the defendants were given the maximum punishment allowed by law under pleas of guilty. Table XXI lists the cases tried according to the plea entered.

The charge of murder is not the only one in which pleas of guilty are entered in surprising ratios. Rape, robbery, burglary, and arson - all heinous crimes - show such percentages of pleas of guilty. On the other hand, among the misdemeanor cases, there are points of similarity, as well as points of difference, in the plea pattern to that in the city court. Taken all in all, however, there is so much difference between the ratios of the several crimes that it is probable that a definite pattern does not exist between crimes of all types and crimes supposedly similar in character, and that pleas of guilty are made more on the basis of the evidence known by the defendant to be in the hands of the state rather than upon any specific quality inherent in the crime or crime type.

Even in cases of serious felonies, only a

small portion of time is consumed by the judge in handling a case if the defendant pleads guilty. On the other hand, if the defendant pleads not guilty, it is necessary for a suitable jury to be impanelled and the case proceeds before it. A large portion of the time in the Superior Court is consumed by the assembling, choosing, and qualifying of jurors. Nevertheless, 35.7 percent of the total cases tried in the Superior Court were tried before a jury. Of these, convictions resulted in 53.4 percent of misdemeanor cases and 65.2 percent of the felony cases. This difference is maybe due to the fact that solicitors general spend greater effort in the preparation of felony cases and in the selections of juries for them. As shown by Table XXII, percentages of convictions vary between the several crimes. These differences are probably due to the fact that because of their very nature, evidence in some types of cases is more easily obtained and presented than in others. Arson and embezzlement are two crimes in which evidence must be gathered by a costly and laborious process, and which, after being gathered, does not lend itself to a clear presentation to a jury.

The percentage of convictions before a jury for misdemeanor cases is slightly higher in the Superior Court than in the city court, but not so much higher as to lead one to believe that the jury of the Superior Court is so much more effective than in the inferior courts. Taken as a whole, almost 39 percent of the cases tried before a jury are acquittals. When to these are added those virtual acquittals due to nol pros, dismissal, and pending dispositions, it is found that convictions occur in the Superior Court in only 54.5 percent of the cases docketed there.

This fact indicates clearly that a large portion of the labor of our law enforcement and court departments is non-productive, and changes of some type are necessary if the desired purposes are to be served by them. No one individ-

TABLE XXI*

PLEAS OF GUILTY AND NOT GUILTY - BY CRIMES
57 Superior Courts in Georgia
January 1, 1926 - December 31, 1935

CRIMES	Total		Misdemeanors Guilty		Not Guilty	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	429	100.0	304	70.9	125	29.1
Adultery and Fornication	297	100.0	204	68.7	93	31.3
Assault	97	100.0	38	39.2	59	60.8
Assault and Battery	816	100.0	368	45.1	448	54.9
Attempted Bestiality or Sodomy	32	100.0	22	68.8	10	31.2
Bastardy	62	100.0	23	37.1	39	62.9
Blackmail and Extortion	41	100.0	23	56.1	18	43.9
Breaking, Entering and Stealing	148	100.0	93	62.8	55	37.2
Carrying Deadly Weapons	2,129	100.0	1,455	68.3	674	31.7
Carrying on Lottery	301	100.0	281	93.4	20	6.6
Cheating and Swindling	1,187	100.0	890	75.0	297	25.0
Cock Fighting	21	100.0	9	42.9	12	57.1
Cruelty to Children and Animals	40	100.0	12	30.0	28	70.0
Disturbing Divine Worship	267	100.0	173	64.8	94	35.2
Defamation of Virtuous Female	6	100.0	1	16.7	5	83.3
Escape	241	100.0	175	81.3	39	18.2
Failure to Pay Occupational Tax	60	100.0	54	90.0	6	10.0
Firing Woods	3	100.0	2	66.7	1	33.3
Gambling	948	100.0	827	87.2	121	12.8
Hit and Run Driving	10	100.0	6	60.0	4	40.0
Interfering with Labors	9	100.0	7	77.8	2	22.2
Killing Farm Animals	5	100.0	-	-	5	100.0
Libel	3	100.0	-	-	3	100.0
Larceny, simple	3,995	100.0	2,641	66.1	1,354	33.9
Larceny, attempted	49	100.0	27	55.1	22	44.9
Larceny After Trust	53	100.0	33	62.3	20	37.7
Malpractice by Public Officer	2	100.0	1	50.0	1	50.0
Malicious Mischief	162	100.0	98	64.5	54	35.5
Maintaining Lewd House	156	100.0	136	87.2	20	12.8
Maintaining Opium Joint	13	100.0	8	61.5	5	38.5
Mayhem	6	100.0	3	50.0	3	50.0
Misdemeanor, blanket charge	863	100.0	222	22.1	241	27.9
Misdemeanor, miscellaneous	48	100.0	31	64.6	17	35.4
Obstructing Legal Process	4	100.0	4	100.0	-	-
Operating Auto while Drunk	1,267	100.0	1,047	82.6	220	17.4
Operating Slot Machine with Slugs	109	100.0	98	89.9	11	10.1
Peddling without License	2	100.0	2	100.0	-	-
Peeping Tom	15	100.0	8	53.3	7	46.7
Performance of Peace Officer's Duty, illegally	28	100.0	18	64.3	10	35.7
Pointing Pistol at Another	257	100.0	104	40.5	153	59.5
Practicing Profession without License	11	100.0	6	54.5	5	45.5
Public Drunkenness	2,162	100.0	1,369	86.4	293	13.6
Public Indecency	16	100.0	13	81.3	3	18.7
Receiving Stolen Goods	335	100.0	185	55.2	150	44.8
Receiving Unstamped Tobaccos	43	100.0	35	81.4	8	18.6
Removal of Mortgaged Property	48	100.0	17	35.4	31	64.6
Resisting an Officer	11	100.0	8	72.7	3	27.3
Rioting	122	100.0	51	41.8	71	58.2
Selling Mortgaged Property	36	100.0	13	36.1	23	63.9
Shooting at Occupied Dwelling	40	100.0	19	47.5	21	52.5
Stabbing	220	100.0	89	40.5	131	59.5
Trespass	58	100.0	40	69.0	18	31.0
Using Auto without Owner's Consent	118	100.0	86	72.9	32	27.1
Using Obscene Language	263	100.0	145	55.1	118	44.9
Vagrancy	754	100.0	704	93.4	50	6.6
Violation of Common School Law	21	100.0	10	47.6	11	52.4
Violation of Election Law	21	100.0	15	71.4	6	28.6
Violation of Professional Bondsmen's Act	6	100.0	1	16.7	5	83.3
Violation of Game Law	234	100.0	174	74.4	60	25.6
Violation of Highway Regulations	18	100.0	10	55.6	8	44.4
Violation of Motor Vehicle Law	730	100.0	595	81.5	135	18.5
Violation of Prohibition Law	7,023	100.0	5,579	79.4	1,444	20.6
Violation of Security License Law	12	100.0	5	41.6	7	58.4
Violation of the Sabbath	16	100.0	15	93.8	1	6.2
Violation of Timber Law	4	100.0	2	50.0	2	50.0
Wife Beating	86	100.0	58	67.4	28	32.6
Total Misdemeanors	26,552	100.0	19,592	73.8	6,960	26.2

TABLE XXI - Pleas of Guilty and Not Guilty (Cont'd)

CRIMES	Total		Felonies Guilty		Not Guilty	
	Number	Percent	Number	Percent	Number	Percent
Assault with Intent to Murder	3,791	100.0	1,323	34.9	2,468	65.1
Assault with Intent to Rape	280	100.0	77	27.5	203	72.5
Assault with Intent to Rob	192	100.0	89	46.4	103	53.6
Arson	144	100.0	31	21.5	113	78.5
Bigamy	75	100.0	46	61.3	29	38.7
Breaking and Entering Vehicle	347	100.0	261	75.2	86	24.8
Bribery	36	100.0	12	33.3	24	66.7
Burglary	8,718	100.0	5,685	65.2	3,033	34.8
Destroying House with Explosives	5	100.0	3	60.0	2	40.0
Embezzlement	131	100.0	68	51.9	63	48.1
Embracery	4	100.0	2	50.0	2	50.0
Felony, blanket charge	150	100.0	90	60.0	60	40.0
Forgery	1,526	100.0	1,251	82.0	275	18.0
Incest	17	100.0	9	52.9	8	47.1
Involuntary Manslaughter	164	100.0	42	25.6	122	74.4
Kidnapping	57	100.0	16	28.1	41	71.9
Larceny from Building	1,919	100.0	1,357	70.7	562	29.3
Larceny from Person	65	100.0	28	43.1	37	56.9
Larceny of Automobile	3,243	100.0	2,398	73.9	845	26.1
Larceny of Farm Animals	356	100.0	189	53.1	167	46.9
Larceny	48	100.0	26	54.2	22	45.8
Larceny After Trust	492	100.0	279	56.7	213	43.3
Mayhem	1	100.0	1	100.0	-	-
Manufacturing Liquor	1,450	100.0	893	61.6	557	38.4
Miscellaneous Felony	24	100.0	13	54.2	11	45.8
Murder	2,073	100.0	370	17.8	1,703	82.2
Obtaining Money under False Pretense	48	100.0	31	64.4	17	35.4
Perjury	90	100.0	41	45.6	49	54.4
Personating Another	8	100.0	5	62.5	3	37.5
Poisoning Well	6	100.0	3	50.0	3	50.0
Possessing Counterfeit Type	4	100.0	1	25.0	3	75.0
Possessing Burglary Tools	63	100.0	35	55.6	28	44.4
Rape	335	100.0	68	20.3	267	79.7
Receiving Stolen Goods	12	100.0	3	25.0	9	75.0
Robbery	2,515	100.0	1,135	45.1	1,380	54.9
Seduction	74	100.0	23	31.1	51	68.9
Shooting at Another	458	100.0	186	40.6	272	59.4
Sodomy and Bestiality	81	100.0	59	72.8	22	27.2
Violation of Banking Regulations	4	100.0	-	-	4	100.0
Voluntary Manslaughter	22	100.0	4	18.2	18	81.8
Wrecking Trains	8	100.0	5	62.5	3	37.5
Total Felonies	29,036	100.0	16,158	55.6	12,878	44.4
GRAND TOTAL	55,588	100.0	35,750	64.3	19,838	35.7

* Source: Minute dockets of 57 Superior Courts

ual nor one part of the court can be blamed for this fact. It may be that the law enforcement department has not assembled all the witnesses or that courts of inquiry have allowed frivolous charges to be bound over to the trial courts. Then, maybe the grand jury has brought indictments in cases where the evidence was faulty and insufficient, perhaps the solicitor general has failed to prepare the case properly, or maybe the petit jury has not done its duty. Even when all departments are functioning at their

best, it is not to be expected - indeed, it is not desirable from a standpoint of public policy, that all cases docketed will result in convictions. Some allowance must be made for human errors in judgment on the part of those charged with the various phases of law enforcement and court routine. The fact, however, that so relatively few convictions result from the cases docketed is incontrovertible evidence that either a great portion of the effort of state agencies is directed toward abortive attempts to

TABLE XXII*
CONVICTIONS AND ACQUITTALS
(Cases Where Pleas of Not Guilty Were Entered)
57 Superior Courts in Georgia
January 1, 1926 - December 31, 1935
Misdemeanors

CRIMES	Total		Convictions		Acquittals	
	Number	Percent	Number	Percent	Number	Percent
Abandonment	125	100.0	79	63.2	46	36.8
Adultery and Fornication	93	100.0	48	51.6	45	48.4
Assault	59	100.0	23	39.0	36	61.0
Assault and Battery	448	100.0	212	47.3	236	52.7
Attempted Bestiality or Sodomy	10	100.0	8	80.0	2	20.0
Bastardy	39	100.0	22	56.4	17	43.6
Blackmail and Extortion	18	100.0	8	44.4	10	55.6
Breaking, Entering and Stealing	55	100.0	34	61.8	21	38.2
Carrying Deadly Weapons	674	100.0	408	60.5	266	39.5
Carrying on Lottery	20	100.0	6	30.0	14	70.0
Cheating and Swindling	297	100.0	160	53.9	137	46.1
Cock Fighting	12	100.0	12	100.0	-	-
Cruelty to Children and Animals	28	100.0	13	46.4	15	53.6
Disturbing Divine Worship	94	100.0	43	45.7	51	54.3
Defamation of Virtuous Female	5	100.0	-	-	5	100.0
Escape	39	100.0	22	56.4	17	43.6
Failure to Pay Occupational Tax	6	100.0	1	16.7	5	83.3
Firing Woods	1	100.0	-	-	1	100.0
Gambling	121	100.0	52	43.0	69	57.0
Hit and Run Driving	4	100.0	2	50.0	2	50.0
Interfering with Laborers	2	100.0	1	50.0	1	50.0
Killing Farm Animals	5	100.0	-	-	5	100.0
Libel	3	100.0	1	33.3	2	66.7
Larceny, simple	1,354	100.0	787	58.1	567	41.9
Larceny, attempted	22	100.0	14	63.6	8	36.4
Larceny After Trust	20	100.0	10	50.0	10	50.0
Malpractice by Public Officers	1	100.0	-	-	1	100.0
Malicious Mischief	54	100.0	27	50.0	27	50.0
Maintaining Lewd House	20	100.0	14	70.0	6	30.0
Maintaining Opium Joint	5	100.0	4	80.0	1	20.0
Mayhem	3	100.0	1	33.3	2	66.7
Misdemeanor, blanket charge	241	100.0	130	54.0	111	46.0
Misdemeanor, miscellaneous	17	100.0	6	35.3	11	64.7
Operating Auto while Drunk	220	100.0	116	52.7	104	47.3
Operating Slot Machine with Slugs	11	100.0	8	72.7	3	27.3
Peeping Tom	7	100.0	3	43.0	4	57.0
Performance of Peace Officer's Duty, illegally	10	100.0	4	40.0	6	60.0
Pointing Pistol at Another	153	100.0	66	43.1	87	56.9
Practicing Profession without License	5	100.0	3	60.0	2	40.0
Public Drunkenness	293	100.0	126	43.0	167	57.0
Public Indecency	3	100.0	1	33.3	2	66.7
Receiving Stolen Goods	150	100.0	88	58.7	62	41.3
Receiving Unstamped Tobaccos	8	100.0	4	50.0	4	50.0
Removal of Mortgaged Property	31	100.0	12	38.7	19	61.3
Resisting an Officer	3	100.0	1	33.3	2	66.7
Rioting	71	100.0	41	57.7	30	42.3
Selling Mortgaged Property	23	100.0	10	43.5	13	56.5
Shooting at Occupied Dwelling	21	100.0	12	57.1	9	42.9
Stabbing	131	100.0	83	63.4	48	36.6
Trespass	18	100.0	6	33.3	12	66.7
Using Auto without Owner's Consent	32	100.0	14	43.8	18	56.2
Using Obscene Language	118	100.0	61	51.7	57	48.3
Vagrancy	50	100.0	29	58.0	21	42.0
Violation of Common School Law	11	100.0	4	36.4	7	63.6
Violation of Election Laws	6	100.0	2	33.3	4	66.7
Violation of Professional Bondsmen's Act	5	100.0	2	40.0	3	60.0
Violation of Game Law	60	100.0	24	40.0	36	60.0
Violation of Highway Regulations	8	100.0	-	-	8	100.0
Violation of Motor Vehicle Law	135	100.0	66	48.9	69	51.1
Violation of Prohibition Law	1,444	100.0	765	53.0	679	47.0
Violation of Security License Law	7	100.0	5	71.4	2	28.6
Violation of the Sabbath	1	100.0	1	100.0	-	-
Violation of Timber Law	2	100.0	-	-	2	100.0
Wife Beating	28	100.0	15	53.6	13	46.4
Total Misdemeanors	6,960	100.0	3,720	53.4	3,240	46.6

TABLE XXII - Convictions and Acquittals (Cont'd)

CRIMES	Total		Convictions		Acquittals	
	Number	Percent	Number	Percent	Number	Percent
Assault with Intent to Murder	2,468	100.0	1,564	63.4	904	36.6
Assault with Intent to Rape	203	100.0	125	61.6	78	38.4
Assault with Intent to Rob	103	100.0	62	60.2	41	39.8
Arson	113	100.0	45	39.8	68	60.2
Bigamy	29	100.0	19	65.5	10	34.5
Breaking and Entering Vehicle	86	100.0	62	72.1	24	27.9
Bribery	24	100.0	18	75.0	6	25.0
Burglary	3,033	100.0	2,098	69.2	935	30.8
Destroying House with Explosives	2	100.0	1	50.0	1	50.0
Embezzlement	63	100.0	28	44.4	35	55.6
Embracery	2	100.0	2	100.0	0	-
Felony, blanket charge	60	100.0	36	60.0	24	40.0
Forgery	275	100.0	179	65.1	96	34.9
Incest	8	100.0	6	75.0	2	25.0
Involuntary Manslaughter	122	100.0	81	66.4	41	33.6
Kidnapping	41	100.0	19	46.3	22	53.7
Larceny from Building	562	100.0	334	59.4	228	40.6
Larceny from Person	37	100.0	17	45.9	20	54.1
Larceny of Automobile	845	100.0	576	68.2	269	31.8
Larceny of Farm Animals	167	100.0	89	53.3	78	46.7
Larceny	22	100.0	15	68.2	7	31.8
Larceny After Trust	213	100.0	94	44.1	119	55.9
Manufacturing Liquor	557	100.0	372	66.8	185	33.2
Miscellaneous Felony	11	100.0	6	54.5	5	45.5
Murder	1,703	100.0	1,199	70.4	504	29.6
Obtaining Money under False Pretense	17	100.0	13	76.5	4	23.5
Perjury	49	100.0	33	67.3	16	32.7
Personating Another	3	100.0	3	100.0	-	-
Poisoning Well	3	100.0	-	-	3	100.0
Possessing Counterfeit Type	3	100.0	2	66.7	1	33.3
Possessing Burglary Tools	28	100.0	20	71.4	8	28.6
Rape	267	100.0	156	58.4	111	41.6
Receiving Stolen Goods	9	100.0	3	33.3	6	66.7
Robbery	1,380	100.0	917	66.4	463	33.6
Seduction	51	100.0	33	64.7	18	35.3
Shooting at Another	272	100.0	141	51.8	131	48.2
Sodomy and Bestiality	22	100.0	16	72.7	6	27.3
Violation of Banking Regulations	4	100.0	1	25.0	3	75.0
Voluntary Manslaughter	18	100.0	5	27.8	13	72.2
Wrecking Trains	3	100.0	3	100.0	-	-
Total Felonies	12,878	100.0	8,393	65.2	4,485	34.8
GRAND TOTAL	19,838	100.0	12,113	61.1	7,725	38.9

*Source: Minute dockets of 57 Superior Courts.

punish individuals for crimes which were never committed, or innumerable crimes are committed for which the perpetrator is never punished. Neither premise can be justified by any stretch of plausible theory.

In order to remedy this sort of situation, some states have seen fit to equip the prosecuting attorney's office with funds and personnel adequate to gather the necessary evidence in criminal cases. Other places have woven this office closely in a state department of justice so as to give the office greater efficiency,

while others have taken it from the political arena so that local interference no longer impedes its activity. With but few exceptions, the Georgia solicitor general enjoys meagre facilities to aid him in gathering evidence, has no assistants other than those paid from his own pocket, and is often hampered by having to request reelection at the hands of those whom he has recently prosecuted. How much effect such facts have had on the effectiveness of the court was not determined by the survey. Nevertheless, the preceding tables indicate clearly that con-

TABLE XXIII*
PERIOD BETWEEN DOCKETING AND TRIAL
By Crimes
57 Superior Courts in Georgia
January 1, 1926 - December 31, 1935
Misdemeanors

CRIMES	Total	Less Than 1	MONTHS										Over 24
			1 to 2	2 to 3	3 to 6	6 to 9	9 to 12	12 to 18	18 to 24				
Abandonment	429	138	58	55	96	38	18	12	4	10			
Adultery and Fornication	297	111	29	41	78	15	13	2	3	5			
Assault	97	47	5	6	27	7	1	-	-	4			
Assault and Battery	816	249	71	57	320	55	18	15	6	25			
Attempted Bestiality or Sodomy	32	7	5	11	7	-	1	1	-	-			
Bastardy	62	16	5	5	24	7	3	-	-	2			
Blackmail and Extortion	41	13	6	9	6	3	4	-	-	-			
Breaking, Entering and Stealing	148	66	25	16	37	2	1	1	-	-			
Carrying Deadly Weapons	2,129	657	318	260	676	104	37	32	8	37			
Carrying on Lottery	301	153	67	34	38	4	1	-	2	2			
Cheating and Swindling	1,187	447	217	118	274	59	30	10	5	27			
Cock Fighting	21	14	4	-	3	-	-	-	-	-			
Cruelty to Children and Animals	40	15	1	-	18	3	-	2	-	1			
Disturbing Divine Worship	267	71	15	15	113	16	5	13	3	16			
Defamation of Virtuous Female	6	2	-	-	4	-	-	-	-	-			
Escape	214	77	19	22	83	3	4	4	-	2			
Failure to Pay Occupational Tax	60	25	2	4	24	3	-	2	-	-			
Firing Woods	3	1	-	-	1	-	-	1	-	-			
Gambling	948	270	112	102	367	63	21	3	4	6			
Hit and Run Driving	10	6	2	1	1	-	-	-	-	-			
Interfering with Laborers	9	3	-	2	4	-	-	-	-	-			
Killing Farm Animals	5	-	-	-	5	-	-	-	-	-			
Libel	3	1	-	-	-	2	-	-	-	-			
Larceny, simple	3,995	1,164	308	573	1,554	210	63	55	11	57			
Larceny, attempted	49	25	1	8	14	-	1	-	-	-			
Larceny After Trust	53	11	1	5	31	2	-	1	-	2			
Malpractice by Public Officer	2	-	-	1	1	-	-	-	-	-			
Malicious Mischief	152	49	11	21	49	10	-	11	-	1			
Maintaining Lewd House	156	117	7	16	9	5	-	2	-	-			
Maintaining Opium Joint	13	2	3	4	4	-	-	-	-	-			
Mayhem	6	2	-	-	4	-	-	-	-	-			
Misdemeanor, blanket charge	863	234	46	66	384	50	20	24	4	35			
Misdemeanor, miscellaneous	48	20	8	2	9	5	-	1	-	3			
Obstructing Legal Process	4	-	-	1	3	-	-	-	-	-			
Operating Auto while Drunk	1,267	408	93	188	448	58	23	22	7	20			
Operating Slot Machine with Slugs	109	36	30	6	29	3	2	-	1	2			
Peddling without License	2	-	-	1	1	-	-	-	-	-			
Peeping Tom	15	4	1	1	9	-	-	-	-	-			
Performance of Peace Officer's Duty, illegally	28	12	4	5	4	1	1	-	-	1			
Pointing Pistol at Another	257	76	32	14	99	17	5	4	4	6			
Practicing Profession without License	11	4	-	1	3	-	-	1	1	1			
Public Drunkenness	2,162	620	136	295	801	141	53	60	12	44			
Public Indecency	16	1	2	2	5	1	-	5	-	-			
Receiving Stolen Goods	335	137	42	34	89	21	8	2	1	1			
Receiving Unstamped Tobaccos	43	12	1	5	17	5	1	-	-	2			
Removal of Mortgaged Property	48	10	8	3	17	4	3	2	-	1			
Resisting an Officer	11	1	-	2	6	-	-	1	-	1			
Rioting	122	27	14	19	44	5	1	7	-	5			
Selling Mortgaged Property	36	6	1	3	19	2	2	1	1	1			
Shooting at Occupied Dwelling	40	13	7	4	11	2	-	2	-	1			
Stabbing	220	71	15	9	94	22	2	6	-	3			
Trespass	58	14	2	7	29	1	2	-	-	1			
Using Auto without Owner's Consent	118	64	2	13	31	4	-	1	-	3			
Using Obscene Language	263	79	22	18	101	22	5	5	4	7			
Vagrancy	754	297	150	93	197	10	1	2	-	4			
Violation of Common School Law	21	13	-	1	5	1	-	1	-	-			
Violation of Election Laws	21	12	1	1	5	1	-	1	-	-			
Violation of Professional Bondsmen's Act	6	-	2	1	1	2	-	-	-	-			
Violation of Game Law	234	58	11	8	119	18	6	6	-	8			
Violation of Highway Regulations	18	12	1	1	2	1	-	-	1	-			
Violation of Motor Vehicle Law	730	221	69	84	272	31	12	6	4	31			
Violation of Prohibition Law	7,023	1,946	523	881	2,685	482	205	135	43	125			

Table XXIII - Period Between Docketing and Trial (Cont'd)

		MONTHS									
		Less Than 1	1 to 2	2 to 3	3 to 6	6 to 9	9 to 12	12 to 18	18 to 24	Over 24	
CRIMES	Total	1	2	3	6	9	12	18	24	24	
Violation of Security License Law	12	1	3	-	2	-	4	-	-	2	
Violation of the Sabbath	16	3	3	1	7	-	1	-	-	1	
Violation of Timber Law	4	1	-	-	3	-	-	-	-	-	
Wife Beating	86	27	9	14	30	2	-	1	1	2	
Total Misdemeanors	26,552	8,199	2,530	3,170	9,453	1,523	578	463	130	506	
Felonies											
Assault with Intent to Murder	3,791	1,060	503	594	1,192	205	94	68	17	58	
Assault with Intent to Rape	280	77	48	42	94	8	6	-	2	3	
Assault with Intent to Rob	192	87	39	28	28	5	3	1	-	1	
Arson	144	45	11	17	40	13	14	1	-	3	
Bigamy	75	21	9	10	23	6	3	2	-	1	
Breaking and Entering Vehicle	347	148	37	58	94	3	3	4	-	-	
Bribery	36	10	6	5	7	4	3	1	-	-	
Burglary	8,718	3,613	1,124	1,451	2,150	187	57	51	11	74	
Destroying House with Explosives	5	-	3	1	1	-	-	-	-	-	
Embezzlement	131	23	13	26	42	14	4	3	1	5	
Embracery	4	1	2	1	-	-	-	-	-	-	
Felony, blanket charge	150	33	1	4	97	8	1	4	1	1	
Forgery	1,526	661	209	242	322	49	6	11	7	19	
Incest	17	9	-	4	3	-	1	-	-	-	
Involuntary Manslaughter	164	21	34	36	44	15	5	4	-	5	
Kidnapping	57	19	7	8	20	2	1	-	-	-	
Larceny from Building	1,919	626	211	387	587	40	22	18	5	23	
Larceny from Person	65	27	10	11	13	2	-	-	-	2	
Larceny of Automobile	3,243	1,926	480	348	332	81	42	12	5	17	
Larceny of Farm Animals	356	118	20	31	140	20	10	5	-	12	
Larceny	48	25	1	9	11	2	-	-	-	-	
Larceny After Trust	492	128	81	61	116	40	30	20	7	9	
Manufacturing of liquor	1,450	397	53	157	497	129	91	64	26	36	
Mayhem	1	-	-	1	-	-	-	-	-	-	
Miscellaneous Felony	24	1	6	2	13	1	-	1	-	-	
Murder	2,073	484	284	284	304	102	50	18	10	37	
Obtaining Money Under False Pretense	48	15	-	11	20	1	-	-	-	1	
Perjury	90	25	14	19	23	4	4	-	1	-	
Personating Another	8	1	3	-	3	1	-	-	-	-	
Poisoning Well	6	-	1	-	3	1	-	1	-	-	
Possessing Counterfeit Type	4	2	-	-	1	-	-	-	-	1	
Possessing Burglary Tools	63	14	13	21	13	2	-	-	-	-	
Rape	335	112	46	59	92	14	3	2	6	1	
Receiving Stolen Goods	12	2	1	3	5	-	1	-	-	-	
Robbery	2,515	1,060	532	379	457	30	22	14	1	20	
Seduction	74	13	11	3	29	4	4	5	2	3	
Shooting at Another	458	175	83	59	89	24	11	6	2	9	
Sodomy and Bestiality	81	26	21	17	15	1	1	-	-	-	
Violation of Banking Regulations	4	-	-	2	2	-	-	-	-	-	
Voluntary Manslaughter	22	4	3	5	5	3	2	-	-	-	
Wrecking Trains	8	5	2	-	1	-	-	-	-	-	
Total Felonies	29,036	11,014	3,922	4,396	7,428	1,021	494	316	104	341	
GRAND TOTAL	55,588	19,213	6,452	7,566	16,881	2,544	1,072	779	234	847	

*Source: Mimite dockets of 57 Superior Courts.

viations both on pleas of guilty and not guilty had some relationship to the likely availability of evidence and community reaction to certain crimes. This is further brought out by the prevalence of some types of cases in certain

counties. (See Appendix E, Table 17.) For instance, in a mountain county, there were no violations of the prohibition law docketed, while in some South Georgia counties, cruelty to animals was an important misdemeanor.

The solicitor general can but do his best, and if the jury does not convict, no doubt some other part of the court is not functioning properly. The juries of Georgia are composed of Georgia citizens, and no effort was made on this survey to attempt any analysis of this phase of court procedure. Suffice it to say that when twelve good men and true have returned a verdict of not guilty, adequate evidence for conviction was not presented.

The problem remains that approximately one-half the cases docketed in the Superior Court resulted in convictions. Some have suggested that innumerable delays and continuances account in part for this low percentage of convictions. No doubt, the fact that often cases are not triable when first docketed has some bearing on this problem. In those counties where the Superior Court meets only once in six months, this is more important than in those counties where the court's sessions are more frequent. Despite the fact that the Superior Court does not sit as often as the city court, it has a record of relatively rapid case disposal. In fact, of those cases which are to be tried, approximately 97 percent are tried within 12 months after being brought and over a third are tried within 30 days after being docketed. For cases in the city court, a larger percentage is tried immediately upon being brought, but when the longer procedure of the Superior Court is taken into consideration, its record for rapidity of case

disposal is much better than generally supposed. The cases tried in each of several periods are shown in Table XXIII.

If the speed with which a crime is tried is a criteria of its seriousness in the eyes of the people, perhaps there are revisions which should be made regarding treatment of those convicted of certain crimes. Charges of maintenance of a lewd house were dealt with faster than any other crime. Of the felonies, larceny of an automobile went to trial in almost 60 percent of the cases within a month after being brought, while the capital offenses of murder, rape, and arson often seem to have been delayed at least one term before trial. This is in contrast with the procedure in a sister state where the law provides for the convening of special venues so that such cases can be given as rapid a trial as is consistent with public policy. In further contrast is the fact that of the 546 pending murder cases (see Table XX) on the dockets of the courts studied, 286 had been there prior to the year, 1932.

The counties selected for study by this survey are typical Georgia counties, and there is no doubt but that the Superior Court in the remaining counties of the State has the same problems as those discovered and presented in this chapter. Each of these problems is probably entwined with others not so apparent and the solution to one and all cannot be accomplished by an attack upon a single phase of court procedure.



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(1) Sec. 27-2
(2) Secs. 27-2
(3) 50 SR 434.
(4) Secs. 26-1

Chapter VII CRIMES AND SENTENCES

POWERS OF THE COURT: The trial of a case in the superior and city courts is completed when a verdict is rendered, and the defendant is immediately released from custody, if it is in his favor. If, on the other hand, the verdict has been "guilty" or a "plea of guilty" made, the offender is called before the bar to receive the formal award of the court's judgment - the penalty provided by law for the criminal act of which he was convicted.⁽¹⁾ Wide limits are allowed in such matters, with a maximum and a minimum sentence provided for each felony, and the punishment for a misdemeanor being a fine not to exceed \$1,000, imprisonment not to exceed six months, work on the chain gang not to exceed twelve months, or a combination of any or all of these.⁽²⁾ It is generally accepted that this latitude of discretion is given in order that the following factors may be taken into consideration: The circumstances surrounding the accused at the time the act was committed; the potential injury within the specific act; the environment and intellect of the accused, his previous criminal record, if any, and the possibility of his reforming and becoming a good citizen.⁽³⁾ His ability to pay a fine, the financial situation of the county, the capacity of its jails, the personal feelings of the judge, and public sentiment in the community, are not proper considerations in fixing the penalty.

In determining the sentence of the accused, the judge, in felony cases, is assisted by the jury when one is sitting. This arm of the court can recommend mercy in a capital case and this recommendation must be followed.⁽⁴⁾ For felonies punishable by terms shorter than life imprisonment, it sets the maximum and minimum sentence

within limits provided by law.⁽⁵⁾ If, upon the trial of the case, the facts and evidence are such that the jury considers the crime to be of minor importance only, it may recommend that the defendant be given a misdemeanor sentence.⁽⁶⁾ This does not serve as a mandate to the court, and the trial judge may disregard it entirely and sentence the defendant for a felony. Conversely, if the jury does not recommend that the offense be punished as a misdemeanor, the judge may impose such a sentence. This method of sentence reduction is applicable to all felonies other than those specifically excepted.* Again, the jury may find the defendant innocent of the crime charged but guilty of a lesser crime, the elements of which are covered in the indictment, in which case the accused receives the sentence provided for the lesser crime. For instance, the defendant may be indicted for seduction and be found guilty of adultery and fornication.⁽⁷⁾ The former is a felony and draws a penitentiary sentence, while the latter is a misdemeanor.

After the pronouncement of a misdemeanor sentence, the accused may be placed on probation, or the sentence or a part of it may be suspended.⁽⁸⁾ These privileges are granted only after a careful investigation has been made to determine if it would be feasible to allow the offender to serve his sentence outside the jail or chain gang.

MISDEMEANOR SENTENCES: A misdemeanor is a crime of lesser importance and, therefore, carries a

* AUTHOR'S NOTE: The following felonies cannot be reduced to crimes of misdemeanor grade by the method cited above: Treason, insurrection, murder, manslaughter, assault with intent to rape, rape, sodomy, foeticide, mayhem, burning railroad bridges, train wrecking, destroying, injuring or obstructing railroads, seduction, arson, false swearing, and subornation of perjury or false swearing.⁽⁹⁾

(1) Sec. 27-2505 et sequi; Ga. Code 1933.
(2) Secs. 27-2502; 27-2506 Ga. Code 1933.
(3) 60 SE 434.
(4) Secs. 26-1005; 27-2302 Ga. Code 1933.

(5) Sec. 27-2502 *ibid*.
(6) Sec. 27-2501 *ibid*.
(7) 54 Ga. 389.
(8) Secs. 27-2702; 27-2706 Ga. Code 1933.
(9) Sec. 27-2501 *ibid*.

TABLE XXIV*

SENTENCES FOR CONVICTIONS OF ASSAULT AND BATTERY
57 Superior and 29 City Courts in Georgia
January 1, 1926 - December 31, 1935

	Number of Cases			Number of Cases	
	City Court	Superior Court		City Court	Superior Court
<u>Detention or Fine</u>			<u>Fine Only</u>		
\$10 or 15 days	8	-	\$10 Fine	1	1
\$10 or 1 month	1	1	\$25 Fine	2	-
\$10 or 2 months	1	1	\$50 Fine	4	5
\$10 or 3 months	12	6	\$75 Fine	1	-
\$10 or 4 months	1	2	\$100 Fine	1	3
\$10 or 6 months	7	1	Sub Total	9	9
\$10 or 10 months	2	-			
\$10 or 12 months	1	-	<u>Detention and Fine</u>		
\$25 or 15 days	4	-	\$10 and 6 months	2	4
\$25 or 1 month	59	2	\$10 and 12 months	1	1
\$25 or 2 months	67	4	\$25 and 15 days	1	-
\$25 or 3 months	379	14	\$25 and 1 month	1	-
\$25 or 4 months	38	16	\$25 and 2 months	4	-
\$25 or 5 months	4	-	\$25 and 3 months	24	2
\$25 or 6 months	49	13	\$25 and 4 months	5	-
\$25 or 7 months	1	-	\$25 and 6 months	26	2
\$25 or 8 months	4	-	\$25 and 8 months	1	2
\$25 or 9 months	3	-	\$25 and 12 months	28	9
\$25 or 12 months	9	8	\$50 and 3 months	7	1
\$50 or 1 month	26	3	\$50 and 4 months	12	1
\$50 or 2 months	32	3	\$50 and 6 months	28	13
\$50 or 3 months	104	45	\$50 and 8 months	2	4
\$50 or 4 months	116	19	\$50 and 9 months	3	-
\$50 or 5 months	14	8	\$50 and 12 months	14	15
\$50 or 6 months	209	53	\$75 and 1 month	1	-
\$50 or 7 months	1	-	\$75 and 4 months	1	1
\$50 or 8 months	4	3	\$75 and 6 months	8	7
\$50 or 9 months	5	2	\$75 and 8 months	1	-
\$50 or 12 months	21	18	\$75 and 9 months	1	-
\$50 or 18 months	1	3	\$75 and 12 months	4	4
\$75 or 1 month	1	-	\$100 and 4 months	1	-
\$75 or 2 months	2	-	\$100 and 5 months	1	-
\$75 or 3 months	9	4	\$100 and 6 months	3	1
\$75 or 4 months	8	4	\$100 and 8 months	3	2
\$75 or 5 months	2	-	\$100 and 10 months	1	-
\$75 or 6 months	51	14	\$100 and 12 months	11	6
\$75 or 8 months	8	6	\$200 and 6 months	1	1
\$75 or 9 months	4	1	\$200 and 8 months	2	2
\$75 or 10 months	1	1	\$200 and 12 months	2	2
\$75 or 12 months	10	9	\$1000 and 12 months	1	2
\$100 or 1 month	2	-	Sub Total	201	82
\$100 or 2 months	6	-			
\$100 or 3 months	16	1	<u>Detention Only</u>		
\$100 or 4 months	9	-	No Fine 15 days	9	-
\$100 or 5 months	2	1	No Fine 1 month	32	1
\$100 or 6 months	38	11	No Fine 2 months	27	4
\$100 or 8 months	15	5	No Fine 3 months	227	8
\$100 or 9 months	3	-	No Fine 4 months	95	4
\$100 or 10 months	4	-	No Fine 5 months	5	3
\$100 or 12 months	20	10	No Fine 6 months	417	32
\$200 or 3 months	2	1	No Fine 7 months	4	-
\$200 or 4 months	3	-	No Fine 8 months	42	4
\$200 or 5 months	2	-	No Fine 9 months	16	1
\$200 or 6 months	10	2	No Fine 10 months	23	2
\$200 or 8 months	1	1	No Fine 12 months	356	101
\$200 or 9 months	1	2	No Fine 18 months	6	11
\$200 or 10 months	1	1	Sub Total	1,259	171
\$200 or 12 months	14	8			
\$300 or 6 months	6	2	GRAND TOTAL	2,919	580
\$300 or 8 months	1	-			
\$300 or 9 months	1	-			
\$300 or 10 months	1	-			
\$300 or 12 months	7	8			
\$400 or 8 months	1	-			
\$500 or 6 months	2	-			
\$500 or 10 months	1	-			
\$1000 or 6 months	1	-			
\$1000 or 12 months	1	1			
Sub Total	1,450	518			

* Source: Minute dockets, Superior and City Courts

relatively light sentence set by the judge in the discretion granted him under the law. In the city and superior courts, thirty crimes were studied as to the different sentences imposed, and little uniformity of penalties was discover-

Sentences for other misdemeanors varied as widely as did those for assault and battery. For some crimes there was a different sentence imposed for every 4.6 cases. Table XXV lists the ratio of different sentences imposed to the

TABLE XXV*
TOTAL CONVICTIONS IN RELATION TO THE DIFFERENT TYPE SENTENCES
By Crimes
30 Misdemeanors in 29 City Courts in Georgia
January 1, 1926 - December 31, 1935

CRIMES	Total Cases Studied	Number of Different Sentences Imposed	Ratio of Sentences to Cases
Abandonment	1,703	54	31.5
Adultery and Fornication	1,924	80	24.1
Assault and Battery	2,919	118	24.7
Bastardy	586	37	15.8
Breaking and Entering Building	329	45	7.3
Carrying Deadly Weapons	4,677	126	37.1
Carrying on Lottery	1,959	65	30.1
Cheating and Swindling	1,981	105	18.9
Disturbing Divine Worship	281	47	6.0
Escaping	485	39	12.4
Gambling	3,316	84	39.5
Larceny, simple	15,749	134	117.6
Larceny After Trust	587	70	8.4
Lewdness or Public Indecency	160	34	4.7
Maintaining Lewd House	135	39	3.5
Malicious Mischief	446	56	8.0
Misdemeanor	761	74	10.3
Operating Auto while Drunk	5,693	121	47.0
Public Drunkenness	5,526	110	50.2
Receiving Stolen Goods	209	48	4.4
Receiving Unstamped Tobaccos	639	44	14.5
Stabbing	1,450	88	16.5
Trespass	165	38	4.3
Using Auto without Owner's Consent	291	63	4.6
Using Obscene Language	112	29	3.9
Vagrancy	3,850	69	55.8
Violation of Game Law	684	48	14.3
Violation of Motor Vehicle Law	2,831	103	27.5
Violation of Prohibition Law	30,795	143	215.3
Wife Beating	694	56	12.4

*Source: Minute dockets of the City Courts.

ed among them. The sentences imposed for abandonment, for example, varied from a \$10 fine or 15 days in jail to 12 months at hard labor on the chain gang and 6 months in jail. Likewise, persons convicted of disturbing divine worship were given sentences as small as 1 month in jail or fines of \$10, or as great as 12 months in jail. For 3,499 convictions of assault and battery, a misdemeanor of minor import, 118 variations in sentences were made. The full extent of these, as well as the number of cases receiving such sentences, is detailed in Table XXIV.

city court cases studied.

When setting the punishment for a misdemeanor, the judge may require that the offender pay a fine or serve a detention sentence (jail or hard labor), or pay a fine and serve a detention sentence. Table XXVI shows the types of misdemeanor sentences imposed by the superior and city courts for the crimes studied.

There is little relationship between the several courts in the types of sentence imposed, either in total or for individual crimes. Some judges lean toward the detention sentences,

which include hard labor on the chain gang, as well as confinement in the county jail, and others appear to prefer imposing a fine, while a combination fine with detention is a frequent practice. When this last named practice oc-

TABLE XXVI*

TOTAL CONVICTIONS IN RELATION
TO THE DIFFERENT TYPE SENTENCES
By Types
30 Misdemeanors in 57 Superior
and 29 City Courts in Georgia
January 1, 1926 - December 31, 1935

Type of Case	Superior Court		City Court	
	Number	Percent	Number	Percent
Fine Only	532	2.4	301	.3
Fine or Detention	11,576	51.7	48,511	53.3
Fine and Detention	3,093	13.8	10,690	11.8
Detention Only	7,193	32.1	31,435	34.6
TOTAL	22,394	100.0	90,937	100.0

* Source: Minute dockets of the courts.

curs, often a detention sentence will be suspended upon the payment of the fine or the offender allowed to serve the detention sentence on probation.

TABLE XXVII*

FINE AND ALTERNATIVE FINE-DETENTION SENTENCES
By Fine Imposed
30 Misdemeanors in 57 Superior
and 29 City Courts in Georgia
January 1, 1926 - December 31, 1935

Amount of Fine	Superior Court		City Court	
	Number	Percent	Number	Percent
\$10 or Less	559	4.6	2,946	6.0
\$11 - 25	2,165	17.9	20,549	42.1
\$26 - 50	6,262	51.7	16,346	33.5
\$51 - 75	1,165	9.6	3,173	6.5
\$76 - 100	977	8.1	3,676	7.5
\$101 - 200	691	5.7	1,254	2.6
\$201 - 300	182	1.5	457	.9
\$301 - 400	48	.4	112	.2
\$401 - 500	40	.3	169	.4
\$501 - 800	8	.1	43	.1
\$801 - 1,000	11	.1	87	.2
TOTAL	12,108	100.0	48,812	100.0

* Source: Minute dockets of the courts.

There is a set relationship between the amount of fine and the alternative jail term in some states. In other words, the defendant is given a choice of paying the fine or working out his fine at a specific rate per day on the county roads or other public works. Little or no relationship appears to exist between the amount of the fine and its alternative detention sen-

tence in Georgia. A man may be given a \$10 fine or a detention sentence of 15 days, or he may receive a sentence of 12 months at hard labor and 6 months in jail along with an alternative sentence of a \$10 fine. Table XXIX lists the alternative sentences imposed for the crimes studied by amount of fine and length of detention or hard labor.

TABLE XXVIII*

DETENTION SENTENCES
By Length of Detention
30 Misdemeanors in 57 Superior
and 29 City Courts in Georgia
January 1, 1926 - December 31, 1935

Sentence by Months	Superior Court		City Court	
	Number	Percent	Number	Percent
15 days	-	-	208	.7
1 month	99	1.4	2,429	7.1
2 months	126	1.7	778	2.5
3 months	500	7.0	4,490	14.2
4 months	242	3.4	2,701	8.6
5 months	44	.6	195	.6
6 months	1,163	16.2	8,074	25.7
7 months	36	.5	87	.3
8 months	160	2.2	1,594	5.1
9 months	99	1.4	315	1.0
10 months	84	1.2	791	2.5
12 months	4,101	57.0	9,654	30.7
18 months	539	7.4	119	.4
TOTAL	7,193	100.0	31,435	100.0

*Source: Minute dockets of the courts.

The value of convict labor is 50¢ per day in some places. If this were true for Georgia as a whole, where the \$10 fines were assessed, those given the longer sentences were far more valuable to the county from the standpoint of labor than those given shorter sentences. It is possible that the lack of fixed relationship between fine and detention has worked an unnecessary hardship on prisoners. Not only is there no fixed relationship between the amount of fine and the length of detention, but there also seems to be little regularity in the amount of the fine sentence imposed. This is well brought out by the wide variation in the amount of the fine and the length of detention, as shown for any particular crime. Fifty-one and seven-tenths percent of the superior court cases carrying fine or alternative fine-detention sentence had the fine set at \$50. In the city court, \$25

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was the more prevalent amount. Table XXVII lists the number of cases receiving fines for the various amounts. It seems strange when one considers the amount of the costs, that these fines are often so small, particularly when the sentences rarely carry requirements that the defendant pay the cost in addition to the fine.

made to differentiate between sentences carrying hard labor and those carrying confinement. The policy of the court in imposing hard labor on the chain gang, labor on the State Farm, or confinement in the county jail was determined by the physical fitness of the defendant to do hard labor, and also by the custom current in that

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City Court
Number Percent

208 7.7
2,429 7.7
778 2.5
4,490 14.2
2,701 8.6
195 .6
8,074 25.7
87 .3
1,594 5.1
315 1.0
791 2.5
9,654 30.1
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TABLE XXIX*

ALTERNATIVE FINE-DETENTION SENTENCES
By Fine Imposed
30 Misdemeanors in 57 Superior and 29 City Courts in Georgia
January 1, 1926 - December 31, 1935

Number of Cases

CITY COURT

FINE	TOTAL	PERCENT	15 Days	1 Mo.	2 Mo.	3 Mo.	4 Mo.	5 Mo.	6 Mo.	7 Mo.	8 Mo.	9 Mo.	10 Mo.	11 Mo.	12 Mo.	18 Mo.
\$ 10	2,870	5.9	458	1,280	186	401	148	3	270	-	1	16	8	-	97	2
\$ 25	20,451	42.1	124	4,701	1,448	10,862	1,204	90	1,864	19	95	59	34	-	451	-
\$ 50	16,276	33.6	-	964	1,118	3,071	4,679	431	5,026	42	169	109	64	11	579	13
\$ 75	3,151	6.5	-	74	77	210	381	34	1,434	40	354	158	77	-	309	3
\$ 100	3,654	7.5	-	116	144	484	251	77	1,044	8	568	76	108	42	725	11
\$ 200	1,244	2.6	-	12	12	85	51	17	313	11	178	9	161	21	373	1
\$ 300	454	.9	-	5	10	33	30	3	104	1	26	42	3	-	195	2
\$ 400	112	.2	-	-	-	-	3	-	13	-	1	93	-	-	2	-
\$ 500	169	.4	-	1	-	-	2	-	78	-	-	-	10	-	78	-
\$ 600	6	-	-	-	-	-	-	-	1	-	1	-	-	-	4	-
\$ 800	37	.1	-	-	-	-	-	-	10	-	-	-	-	-	27	-
\$1000	87	.2	-	-	-	-	7	-	9	-	-	-	-	-	71	-
TOTAL	48,511		582	7,153	2,995	14,646	6,756	655	10,166	121	1,593	562	465	74	2,911	32
PERCENT		100.0	1.2	14.7	6.2	30.1	13.9	1.4	21.0	.2	2.8	1.2	1.0	.2	6.0	.1

SUPERIOR COURT

\$ 10	554	4.6	-	36	46	327	58	2	38	-	-	5	6	-	10	6
\$ 25	2,096	18.1	-	88	128	665	204	19	681	1	12	3	24	-	241	30
\$ 50	5,936	51.2	-	27	142	1,685	910	252	1,997	29	124	36	21	-	645	68
\$ 75	1,105	9.5	-	-	1	31	66	22	470	32	81	41	40	-	314	7
\$ 100	938	8.1	-	2	-	25	7	7	232	13	41	18	33	-	533	27
\$ 200	679	6.0	-	-	1	5	2	-	65	3	33	28	9	-	497	36
\$ 300	181	1.6	-	1	1	1	-	-	18	-	5	3	3	-	135	14
\$ 400	49	.4	-	-	-	6	-	-	1	-	1	-	-	-	36	4
\$ 500	40	.3	-	1	-	-	1	-	4	-	-	-	-	-	33	1
\$ 600	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
\$ 800	6	.1	-	-	-	-	-	-	-	-	1	-	-	-	5	-
\$1000	11	.1	-	-	-	-	-	-	7	-	-	-	-	-	10	-
TOTAL	11,576		-	155	319	2,745	1,248	302	3,507	78	298	134	136	-	2,461	193
PERCENT		100.0		1.3	2.7	23.7	10.8	2.6	30.2	.7	2.6	1.2	1.2		21.2	1.8

* Source: Minute dockets of City and Superior Courts.

Detention sentences imposed vary as widely as fines. In the Superior Court "twelve months" is the detention given in a majority of cases. This sentence was also usual in the city court, although "six months" was given almost as often as "twelve." Table XXXVIII lists the number of cases receiving a detention sentence in the city and superior courts together with the length of detention imposed.

For the purpose of this study, no effort was

county for the utilization of convict labor. Some counties in recent years have found it expedient to utilize the services of the State Farm in the care of misdemeanor convicts rather than attempt the maintenance of a county chain gang.

It is the privilege of the court when it deems it to be for the best interest of the State to combine fine and detention into one sentence. The combinations made by the Superior

and City Courts for misdemeanor cases present a strange pattern. Fines of \$10 were attached to sentences up to twelve months at hard labor and six months in jail. Since a \$10 fine is usually insufficient to pay all the accrued costs in misdemeanor cases, one wonders what good purpose

than a misdemeanor and carries a heavier penalty. Crimes of this class have several grades and each has a punishment set by statute according to its seriousness in the judgment of the General Assembly. A few of them carry the utmost penalty which can be exacted under the Constitution.

TABLE XXX*

FINE AND DETENTION SENTENCES
By Amount of Fine and Length of Detention
30 Misdemeanors in 57 Superior and 29 City Courts

CITY COURT														
FINE	Total	Percent	15 Days	1 Mo.	2 Mo.	3 Mo.	4 Mo.	5 Mo.	6 Mo.	7 Mo.	8 Mo.	9 Mo.	10 Mo.	12 Mo.
\$ 10	183	1.7	3	19	17	32	22	-	33	-	-	-	2	55
\$ 25	1,941	18.1	4	41	48	364	141	-	638	-	20	60	26	586
\$ 50	3,539	33.1	-	6	36	128	280	12	1,950	3	113	11	9	991
\$ 75	645	6.0	1	3	2	22	5	3	176	-	159	4	8	260
\$ 100	2,499	23.4	-	-	19	6	9	1	168	1	676	-	262	1,348
\$ 200	1,308	12.2	-	-	-	19	1	-	156	-	8	9	173	938
\$ 300	370	3.5	-	-	-	-	2	-	4	11	-	-	-	350
\$ 400	6	.1	-	-	-	-	-	-	-	-	-	-	-	5
\$ 500	125	1.2	-	-	-	1	-	-	1	-	-	1	-	122
\$ 600	-	-	-	-	-	-	-	-	-	-	-	-	-	-
\$ 800	40	.4	-	-	-	-	-	-	-	-	-	-	-	40
\$1000	34	.3	-	-	-	-	-	-	-	-	-	-	-	33
TOTAL	10,690		8	69	122	572	460	16	3,126	15	976	85	480	4,728
PERCENT		100.0	.1	.6	1.1	5.4	4.3	.2	29.2	.2	9.1	.8	4.5	44.2
SUPERIOR COURT														
\$ 10	166	5.4	-	12	4	9	-	-	8	-	1	-	1	107
\$ 25	377	12.4	-	-	7	50	13	-	83	-	3	2	-	186
\$ 50	1,196	38.4	-	5	4	73	40	15	300	1	95	29	2	569
\$ 75	438	14.1	-	-	-	7	4	-	95	1	33	3	5	274
\$ 100	497	16.0	-	2	-	5	3	-	77	4	5	9	4	314
\$ 200	262	8.4	-	-	1	-	1	2	11	-	10	2	1	140
\$ 300	72	2.4	-	-	2	-	1	1	3	-	1	-	-	46
\$ 400	27	1.0	-	-	-	-	-	-	3	-	-	-	-	13
\$ 500	33	1.0	-	-	-	1	-	-	3	-	-	1	-	23
\$ 600	5	.2	-	-	-	-	-	-	-	-	-	-	-	5
\$ 800	8	.3	-	-	-	-	-	-	-	-	-	-	-	8
\$1000	12	.4	-	-	-	-	-	-	-	-	-	-	-	5
TOTAL	3,093		-	19	18	145	62	18	583	6	148	46	13	1,690
PERCENT		100.0		.6	.6	4.7	2.0	.6	18.8	.2	4.8	1.5	.4	54.6

*Source: Minute dockets of the City and Superior Courts.

can be served by the attachment of such a small fine to such a long detention sentence. Table XXX lists the number of misdemeanor cases in the city and superior courts receiving fines and detention sentences by amount of fine and the length of detention. Almost one-half of these cases in the city court and more than one-half of them in the Superior Court received detention sentences of twelve months or longer, regardless of the amount of fine attached to the sentence. FELONY SENTENCES: From the standpoint of wrong done, a felony is a much more serious offense

tion of the State and Nation, while others carry only relatively short detention sentences to be served in the penitentiary. At one time it was thought that nearly all crimes were sufficiently heinous to be worthy of death, and the early Georgia colonists could recite a long list for which this penalty was exacted. This has now been changed and only seven crimes (treason, insurrection, murder, foeticide, rape, arson, and castration) may carry this heavy penalty. Conviction after such a charge does not always mean that the maximum sentence will be imposed.

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10 Mo.	12 Mo.	18 Mo.
2	55	.
26	586	18
9	991	.
8	260	.
262	1,348	.
173	938	.
-	350	.
-	5	1
-	122	.
-	-	.
-	40	.
-	33	1
80	4,728	33
5	44.2	5

1	107	24
-	186	33
2	569	63
5	274	16
4	314	74
1	140	94
-	46	13
-	13	11
-	23	5
-	5	.
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-	5	1
13	1,690	345
4	54.6	11.4

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ll be imposed

since the statutes allow for several punishment degrees for each crime and for the court to be merciful in its actions. As a result, John Doe, charged with murder, might be convicted of that charge and sentenced to electrocution, or he may be found guilty of involuntary manslaughter and receive a sentence of a small fine. This variety of treatment which each felony may receive accounts for the fact that of 24,504 felony convictions studied, 12,022 of them carried misdemeanor sentences. (See Appendix F, Table 21, for the punishment called for in felony convictions.)

To many people, murder is the most grievous of all crimes, and under the law, after conviction on such a charge, sentences of life imprisonment or electrocution are given. When the evidence indicates that the defendant did not commit the crime charged, the jury may find him guilty of a lesser crime, and this seems to have been done in a large percentage of the cases where the indictment was for murder, since out of 1569 convictions, only about one-half of them received sentences of life imprisonment or electrocution. For people in the South, rape carries most of the horrors of murder, and the supreme penalty is usually thought too light for a person so convicted. Under the law, however, the punishment varies from that of a misdemeanor to electrocution, and all types of intermediate sentences were represented in the charges studied, with the death penalty called for in only seven cases out of 224. Considering the large number of murder and rape charges and the small percentage of sentences indicating the commission of these crimes, it may be worthy of note that the fee allowed for the prosecution of a capital offense is \$50, whereas that for other felonies is \$25.

Punishment for other felonies varied almost as widely as for the two crimes discussed. In some of them the percentage receiving misdemeanor sentences was 75 percent. On the other hand,

for some, penitentiary sentences were received in over 75 percent of the cases. The exemplary effect of the swift, sure and vigorous punishment of criminals is supposed to be a crime deterrent. If this is true, it is likely that the effect is minimized for Georgia by the great variety of punishments imposed for the same crime. Another theory regarding the penalties exacted for infractions of the law is that a person found guilty owes a debt to society and pays it by incarceration or the payment of a fine. If this be true, then the inconsistencies in the treatment given those convicted of the same and various crimes operate to nullify the efficacy of that theory. Prior to the passage of the present law⁽¹⁾ allowing the punishment for felonies to be set by the jury, the judge of the Superior Court set the punishment for each case according to the law affecting it.⁽²⁾ The punishments set under this system varied widely for each crime, and the change in the law was expected to curb this tendency. Evidently, the jury in the exercise of its present prerogatives is not able to bring about the desired uniformity of punishment.

PROBATION AND SUSPENSION SENTENCES: For many years no provision was made in the law for the judge to suspend the sentence of an accused. A recent enactment of the General Assembly gives the judge this privilege in misdemeanor cases or felony cases in which a misdemeanor sentence is given.⁽³⁾ In suspending a sentence, the court does not hold an indefinite threat over the head of the offender. At the end of the sentence period, both the sentence and the threat come to an end automatically if the conduct of the defendant has been good. On the other hand, if the offender is arrested on another charge, suspension may be revoked, but even in such cases, at the end of 12 months from the date set for the beginning of the suspended sentence, the of-

(1)p. 387, Acts of 1919.

(2)Secs. 1062;1063 Code 1910, P. C.

(3)Sec. 22-2701 Ga. Code 1933.

TABLE XXXI*

PROBATION AND SUSPENSION SENTENCES IN RELATION TO THE TOTAL SENTENCES IMPOSED
City and Superior Courts of 57 Georgia Counties
January 1, 1926 - December 31, 1935

County	City Courts			Superior Courts					
	Misdemeanor Cases Sentences			Misdemeanor Cases Sentences			Felony Cases Given Misdemeanor Sentences		
	Total	Probated and Suspended Number	Percent	Total	Probated and Suspended Number	Percent	Total	Probated and Suspended Number	Percent
Appling	366	54	14.8	88	42	47.7	16	7	43.8
Atkinson	**	-	-	131	30	22.9	31	9	29.0
Bacon	121	53	43.8	38	12	31.6	34	9	26.5
Banks	**	-	-	45	1	2.2	28	2	7.2
Baker	**	-	-	221	77	34.8	80	39	48.8
Ben Hill	**	-	-	994	419	42.2	179	83	46.4
Berrien	**	-	-	403	128	31.8	98	20	20.4
Bibb	4,860	1,195	24.6	284	43	15.1	346	87	25.1
Brantley	221	50	22.6	149	39	26.2	37	2	5.4
Bulloch	1,449	172	11.9	372	118	31.7	203	39	19.2
Burke	1,232	402	32.6	36	20	55.6	139	69	49.6
Calhoun	**	-	-	265	90	34.0	69	6	8.7
Camden	**	-	-	99	34	34.3	31	8	25.8
Carroll	1,686	329	19.5	30	-	-	64	12	18.8
Chatham	5,582	361	6.5	70	14	20.0	352	20	5.7
Chattooga	247	45	18.2	659	167	25.3	105	44	41.9
Clarke	1,092	255	23.4	212	23	10.8	76	25	32.9
Clay	118	-	-	119	14	11.8	15	2	13.3
Clinch	**	-	-	143	26	18.2	38	5	13.2
Cobb	**	-	-	3,871	304	7.9	230	34	14.8
Coffee	825	78	9.5	52	5	9.6	46	9	19.6
Coweta	2,268	77	3.4	44	-	-	122	4	3.3
Crisp	**	-	-	1,270	337	26.5	206	58	28.2
Dawson	**	-	-	197	-	-	31	-	-
DeKalb	5,469	1,173	21.4	137	44	32.1	295	223	75.6
Dodge	1,611	201	12.5	75	14	18.7	141	28	19.9
Dougherty	1,648	125	7.6	253	86	34.0	368	70	19.0
Echols	**	-	-	5	-	-	3	-	-
Floyd	2,299	516	22.4	1,238	499	40.3	287	92	32.1
Fulton	45,452	7,342	16.2	3,182	1,241	39.0	4,563	2,074	45.5
Gilmer	**	-	-	244	61	25.0	103	37	35.9
Glynn	1,175	214	18.2	66	16	24.2	128	31	24.2
Greene	**	-	-	381	91	23.9	109	28	25.7
Habersham	**	-	-	636	-	-	172	-	-
Heard	**	-	-	180	14	7.8	64	9	14.1
Houston	**	-	-	592	61	10.3	160	21	13.1
Jeff Davis	**	-	-	223	101	45.3	43	15	34.9
Jenkins	914	61	6.7	163	12	7.4	111	16	14.4
Liberty	209	-	-	27	2	7.4	40	2	5.0
Lowndes	1,435	299	20.8	130	33	25.4	82	27	32.9
McIntosh	142	15	10.6	131	6	4.6	16	3	18.8
Madison	755	45	6.0	10	4	40.0	25	-	-
Meriwether	535	222	41.5	73	6	8.2	66	15	22.7
Mitchell	1,110	167	15.0	150	48	32.0	63	11	17.5
Muscogee	5,763	825	14.3	1,474	721	48.9	845	268	31.7
Peach	**	-	-	603	76	12.6	78	18	23.1
Randolph	**	-	-	688	337	49.0	116	34	29.3
Richmond	1,943	788	40.6	41	15	36.6	681	321	47.1
Taliaferro	**	-	-	131	13	9.9	20	5	25.0
Taylor	**	-	-	276	51	18.5	71	14	19.7
Telfair	**	-	-	465	146	31.4	105	21	20.0
Tift	**	-	-	425	43	10.1	95	11	11.6
Troup	1,414	85	6.0	60	2	3.3	175	20	11.4
Upson	**	-	-	680	19	2.8	122	6	4.9
Ware	***	-	-	65	11	16.9	117	24	20.5
Wheeler	**	-	-	388	87	22.4	54	11	20.4
Wilkes	**	-	-	328	85	25.9	148	46	31.1
TOTAL	91,941	15,149	16.5	23,312	5,888	25.3	12,042	4,094	34.0

*Source: Minute dockets, Superior and City Courts. **No city courts in operation. ***City court not studied.
****6 felonies involving 20 cases included in this table are not included in figures on page 71.

offender has completed that sentence. In practice,* the difference between placing the offender on probation and giving him a suspended sentence consists in the fact that a person on probation must report at stated intervals to the probation officer of the court in which he was sentenced.

In Georgia, probation officers hold their commission through special appointment by the judge of the court, and may or may not be full-time officers, skilled or experienced in the task before them. In some courts, it is customary to appoint the sheriff as probation officer, and this busy official, unless he has specially appointed deputies in his office, finds probation cases just another duty on a long list of sometimes very pressing ones. Some of the larger counties have a separate department for the care of probation cases, and it is likely that probation in such counties means considerably more, both in the welfare of the county and in the life of the individual under such care, than it does in those counties where there are only casual officers. Table XXXI lists the probation and suspension sentences granted by the city and superior courts studied.

The value of probation and suspended sentences to the body politic is measured in the reform and good citizenship of former offenders. To the individual the value consists in a new lease on life and a chance to rebuild his respect in the community in which he lives. In some counties probation and suspended sentences have been revoked at frequent intervals by the court authorities, while in other counties, it is rare that such action is taken. Often, however, no record is made by the court of its actions in such matters, and the complete value of suspension and probation to society and to its individual citizens could not be ascertained.

RECIDIVISM: In contrast to the action of the court in suspending the sentences or placing the offender on probation, the courts of Georgia may

impose maximum penalties for offenders whose previous records indicate that they have not taken advantage of opportunities to reform. It is expected, when a verdict of guilty has been received or a plea of guilty made, that the

TABLE XXXII*

RECIDIVIST CASES
In Five Georgia Counties
January 1, 1926 - December 31, 1935

County	Total Cases Reviewed	Total Recidivist Cases Number	Percent
Clarke	732	107	14.6
Crisp	538	170	31.6
Floyd	6,910	895	13.0
Jenkins	2,203	134	6.1
Troup	3,118	546	17.5
TOTAL	13,501	1,852	13.7

*Source: Dockets of the City and Superior Courts

solicitor-general will inform the court of the offender's criminal history. This task, if carried out in minute detail, would entail more satisfactory criminal records than are now provided the solicitor-general. In order for him to keep a complete record of each criminal, it would be necessary to have an index file giving full details of pertinent circumstances, connected with each criminal's life. This would allow the solicitor-general to present the court with fair and accurate information regarding the offender's life. At the present time, the sole record which most solicitors have is the minute docket of the superior court. Often this record contains such a paucity of detail that any recommendation which might be made is likely to be biased and not entirely correct. Much criticism has been raised regarding light sentences, probation and suspension, as well as the privilege of the chief executive in pardoning and paroling persons sentenced to the state penitentiary. The answer to such criticism rests partially in the number of recidivists before the courts. Spot studies were made in five counties with a view toward determining the persons constantly before the superior and city courts. It is likely that the information gathered on these is not entirely accurate, but

* AUTHOR'S NOTE: Under the law, suspended and probated cases are identical.

it serves as an indicator of this phase of the court's business. Table XXXII lists the sample secured from each county, along with the percentage of recidivism indicated by the sample.

If the sentence given serves as a deterrent for further crime, the percentage of recidivism in the court should be very small. On the other hand, large percentages of recidivism indicate that the court and other attendant features of government are likely not solving the crime problems of the locality. In theory, the individual starts his criminal career by doing petty things of a questionable nature and gradually grows into a hardened criminal. This theory explodes of its own weight when the criminal histories of the recidivists uncovered by this study are shown. Many of them started their careers before the courts with crimes of major importance and ended their careers with such nuisance crimes as cheating and swindling and simple larceny. On the other hand, there are criminals whose careers rise to a great peak and end their days serving long terms in the state penitentiary. (See Appendix F for typical cases.)

BAUMES LAW: Some years ago New York State attempted to solve its problem of recidivism by passing the Baumes Law, which, among other things, required the judge to sentence four-time felony offenders to life imprisonment. The theory behind this act is that the man so convicted does not receive punishment but that society receives protection. Theoretically, the man who has been convicted two or three times and served his sentence and then resumes a criminal career cannot learn his lesson and is incurable and non-reformable. In the eyes of some, he is anti-social, a habitual criminal, and a menace to society, and should be segregated for the good of society and for his own good as well. The law operated as follows:

1. After arrest upon a felony charge, the fingerprints of the accused were compared with those on record. If he

was found to have a criminal record, this fact was submitted to the trial judge before bail was allowed. If a previous conviction upon a felony charge was shown, bail was allowed only after the case had been reviewed by an appellate court.

2. One committing robbery faced from 15 years to life imprisonment instead of two years minimum and 20 years maximum.

3. For burglary in the first degree, the sentence was increased from 10 to 15 years; for second degree, to 10 to 15 years, and for third degree, from five to ten years.

4. Persons convicted of crime were no longer allowed to be released after serving little more than half their sentence, but must serve at least five-sixths of their term.

5. If a person armed with a pistol, or other deadly weapon, committed a felony, punishment in addition to that for the crime was added as follows: For the first offense, from five to ten years; for the second, from 10 to 15 years; for the third, from 15 to 25 years; and for the fourth, life imprisonment. Such persons were considered potential murderers and were denied the privileges of probation and suspension of sentence.

6. If a man were convicted of four felonies, he was sentenced to prison for life. This was mandatory, and required confinement for the prisoner's natural life.

Whether or not this particular law was ever given an adequate social test is problematical. It has remained on the statute books for some time, but has been changed by recent legislation in that State so that its provisions are not now so harsh as they were originally. Social minded individuals have heralded the law both as a boon and as a curse - which it is, is yet to be proved. There are, however, some advantages in the provisions which demand that the second, third, and fourth time offender be given more stringent punishment than for a first offense. The provision on Georgia statute books allowing the previous criminal record of an individual to be considered by the court in passing sentence is in part a type of Baumes Law. Before, however, the courts can make adequate use of the existing provisions, the record system must be designed so that the court will have accurate information on which to sentence the prisoner at the bar.

Chapter VIII THE APPELLATE COURTS

When a defendant has been sentenced and is dissatisfied with the proceedings of the trial court, he may have them reviewed by a court of competent jurisdiction. In Georgia, provision is made for a direct appeal to the Supreme Court in cases of conviction of capital felony; for review by the Court of Appeals in other cases; and for certiorari to the superior courts for cases arising in inferior tribunals.⁽¹⁾ The Supreme Court, as the capstone of the State's judicial system, has final review on jurisdictional questions and its decisions are binding on all other courts.⁽²⁾

It gained its present status by the Constitution of 1877⁽³⁾ and subsequent amendments thereto,⁽⁴⁾ which were the last of a series of changes which had taken place since the establishment of the court in 1845.⁽⁵⁾ A supreme court was not a part of the original judiciary, because those who framed the first Georgia Constitution felt that such a court would enshackle the State with the dilatory procedure then current in England.⁽⁶⁾ As need for an appellate court developed, a convention of superior court judges, first by law,⁽⁷⁾ and then by consent,⁽⁸⁾ acted as a tribunal for the correction of errors. When the Supreme Court was finally established, an effort was made to curb dilatory procedure by the constitutional requirement that unless a decision was rendered on a case within a specified time, the findings of the lower court were automatically affirmed.⁽⁹⁾

In order to keep pace with an ever increas-

- (1) Secs. 2-3005; 2-3205 Ga. Code 1933.
- (2) Sec. 2-3009 *ibid.*
- (3) Sec. 2, Art. VI, Constitution of 1877.
- (4) P. 15, Acts of 1895; p. 24, Acts of 1916.
- (5) P. 18, Acts of 1845.
- (6) "History of the Establishment of the Supreme Court of Georgia," by Joseph R. Lamar, 24 Georgia Bar Association Reports, 85 - 1907.
- (7) P. 308, "Digest of the Laws of Georgia," Marbury & Crawford, 1802.
- (8) P. 47, "Journal of the House of Representatives," 1815.
- (9) Sec. 2-3006 Ga. Code 1933.

ing volume of business, the number of justices were increased from time to time. By the turn of the century, however, it became evident that this method of clearing a crowded docket would not be a permanent remedy, and the Court of Appeals, created by constitutional amendment in 1906, was thought to be the simplest means of keeping pace with the multiplying appeals.

Both the Supreme Court and the Court of Appeals have six elected judges,⁽¹⁰⁾ each receiving the same salary,⁽¹¹⁾ referred to as "Justices" in the Supreme Court and "Judges" in the Court of Appeals.⁽¹²⁾ The Chief Justice of the Supreme Court is selected by the people,⁽¹³⁾ and the corresponding officer in the Court of Appeals by members of the court.⁽¹⁴⁾ It is interesting to note that, unlike the highest tribunal of many states, the Supreme Court of Georgia does not make rules for all the courts in the State,⁽¹⁵⁾ but each court - Supreme Court, Court of Appeals, Superior Court - makes its own rules.⁽¹⁶⁾ Also, in Georgia, each of the two high courts regulates the admission of attorneys to its bar.⁽¹⁷⁾

The Supreme Court has the power in the exercise of its appellate jurisdiction to hear and determine all cases that may properly come before it, and to grant judgments of affirmance or reversal or any other order or direction.⁽¹⁸⁾ The criminal jurisdiction of the Supreme Court is defined in the Constitution as being "a court alone for the trial and correction of errors ... in all cases of conviction of a capital felony."⁽¹⁹⁾

Writs of error are allowed from Superior Court

- (10) Secs. 2-3008; 2-3009 *ibid.*; p. 56, Acts of 1906.
- (11) Sec. 2-4001 Ga. Code 1933.
- (12) Secs. 2-3001; 2-3009 *ibid.*
- (13) Sec. 2-3008 *ibid.*
- (14) Secs. 2-3009; 24-3501 *ibid.*
- (15) 15 Corpus Juris 904.
- (16) Supreme Court: Sec. 24-3901; Court of Appeals: Secs. 24-3901; 2-3009; Superior Court: Sec. 24-2628 Ga. Code 1933.
- (17) Secs. 24-3601; 24-4501 *ibid.*
- (18) Sec. 24-3901 *ibid.*
- (19) Sec. 2-3005 *ibid.*

and "constitutional" city courts on cases involving a constitutional question.⁽¹⁾ The Court of Appeals has appellate criminal jurisdiction "in all cases in which such jurisdiction has not been conferred by the Constitution upon the Supreme Court."⁽²⁾ In the event a case is erroneously filed in one appellate court when jurisdiction thereof is in the other, it is transferred automatically.⁽³⁾

NUMBER OF CASES: Two thousand nine hundred ten criminal cases were appealed to these courts during the period under study, 85 percent of which were carried to the Court of Appeals. The number annually appealed was relatively constant, averaging 44 per year for the Supreme Court and 247 for the Court of Appeals. Prior to 1932, in the Court of Appeals, the average was about 260 cases per year, but for that and the two succeeding years, the average dropped to 206, although there was not a similar fluctuation in the Supreme Court. Over 90 percent of the cases appealed to the Supreme Court were on the charges of murder and rape. The records of the trial courts show that there was little variation in the number of these crimes charged annually, and that the depression seemed to have had little or no effect on such crimes. On the other hand, the effect of the depression in general apparently accounts for the smaller number of cases coming before the Court of Appeals. Convictions in which the sentence of life imprisonment or the death penalty have been imposed are almost always appealed; whereas, when times are hard, often minor penalties for lesser crimes will be accepted as less costly from a financial standpoint than the expenses incident upon an appeal.

During the period under study, 436 cases, encompassing 21 different crimes, were appealed to the Supreme Court. Of this number, 341 were murder cases, 57 cases of rape, and 19 were mis-

demeanor cases appealed upon constitutional questions. Four cases were brought in which the charge was only "misdemeanor" or "felony."

The docket of the Court of Appeals carried a much greater percentage of such blanket charges. In this court, the four largest groups of crimes were violations of the prohibition law, larcenies, homicides, and assaults, respectively. Felonies predominated in these, with the exception of violations of the prohibition law where possession of intoxicating liquors accounts for 64 percent of such charges. The number of miscellaneous crimes not included in the above groups varied from year to year both as to number and type, but included, as a total, 96 sex crimes, 22 vice crimes, and 14 cases involving the police power of the State to pass regulatory measures for the several professions.

There were five counties from which no cases were carried to either appellate court in the period under study. From seven counties no criminal cases were appealed to the Court of Appeals, and from 43, no such cases were sent to the Supreme Court. One case each was sent from eight counties to appellate courts (see Appendix G, Table 24). As is to be expected, a larger number of cases was appealed from Fulton County than from any other. The eleven counties from which the greatest number of appeals reached the appellate courts are listed below, together with the number of appeals from each of these counties, and the Superior Court Circuits in which the counties are located:

County	Circuit	Number of Cases
Fulton	Atlanta	470
Laurens	Dublin	130
Bibb	Macon	107
Floyd	Rome	100
Wilkes	Toombs	76
Whitfield	Cherokee	70
Chatham	Eastern	63
Walker	Rome	57
Miller	Pataula	52
Chattooga	Rome	45
Carroll	Coweta	43

DISPOSITION OF CASES: Of the 436 cases appealed to the Supreme Court, the judgment of the lower courts was affirmed in 325, or 75 percent, and

(1) *ibid.*

(2) Sec. 2-3009 *ibid.*

(3) Sec. 2-3005 *ibid.*

the judgment was reversed in 90 cases. One case was withdrawn and six were dismissed for want of prosecution.

In the Court of Appeals, larger proportions of cases were withdrawn and dismissed for want of prosecution. These were 32 (1.3 percent) and 228 (9.2 percent) respectively. The judgment of the lower court was affirmed in 67 percent of the cases appealed to the Court of Appeals and was reversed in 5.9 percent. In 315 (12.7 percent) cases, the Court of Appeals reversed the decision of the lower court and sent the cases back for a new trial. When only the cases actually decided are considered, the percentages of affirmation are 83.3 percent and 78.3 percent respectively for the Supreme Court and the Court of Appeals.

No crime seems to have been reversed or remanded more readily than any other. On the other hand, cases carrying the blanket charge of felony or misdemeanor are withdrawn or dismissed for want of prosecution approximately five and one-half times as readily as are other crime

charges. Fifty-four percent of the cases docketed carrying these blanket charges were either dismissed for want of prosecution or withdrawn.

In 247 cases where judgment was rendered in the Court of Appeals, the defendant applied to the Supreme Court for a writ of certiorari. Such an action is a request to a higher court to review the judgment of the lower court,⁽¹⁾ and is granted when the higher court finds evidence in the petition that the other may have erred. In only seven cases did the Supreme Court see fit to review the actions of the Court of Appeals.

Much has been said about the delays in appellate procedure, but in the Supreme Court and Court of Appeals in Georgia, 29 percent and 73.1 percent respectively are handled in three months after the bills of exceptions are filed. By the end of six months, 56.2 percent and 94.1 percent respectively were disposed of. It is an exception for any case to remain before these courts for twelve months or longer.

⁽¹⁾ *ibid.*



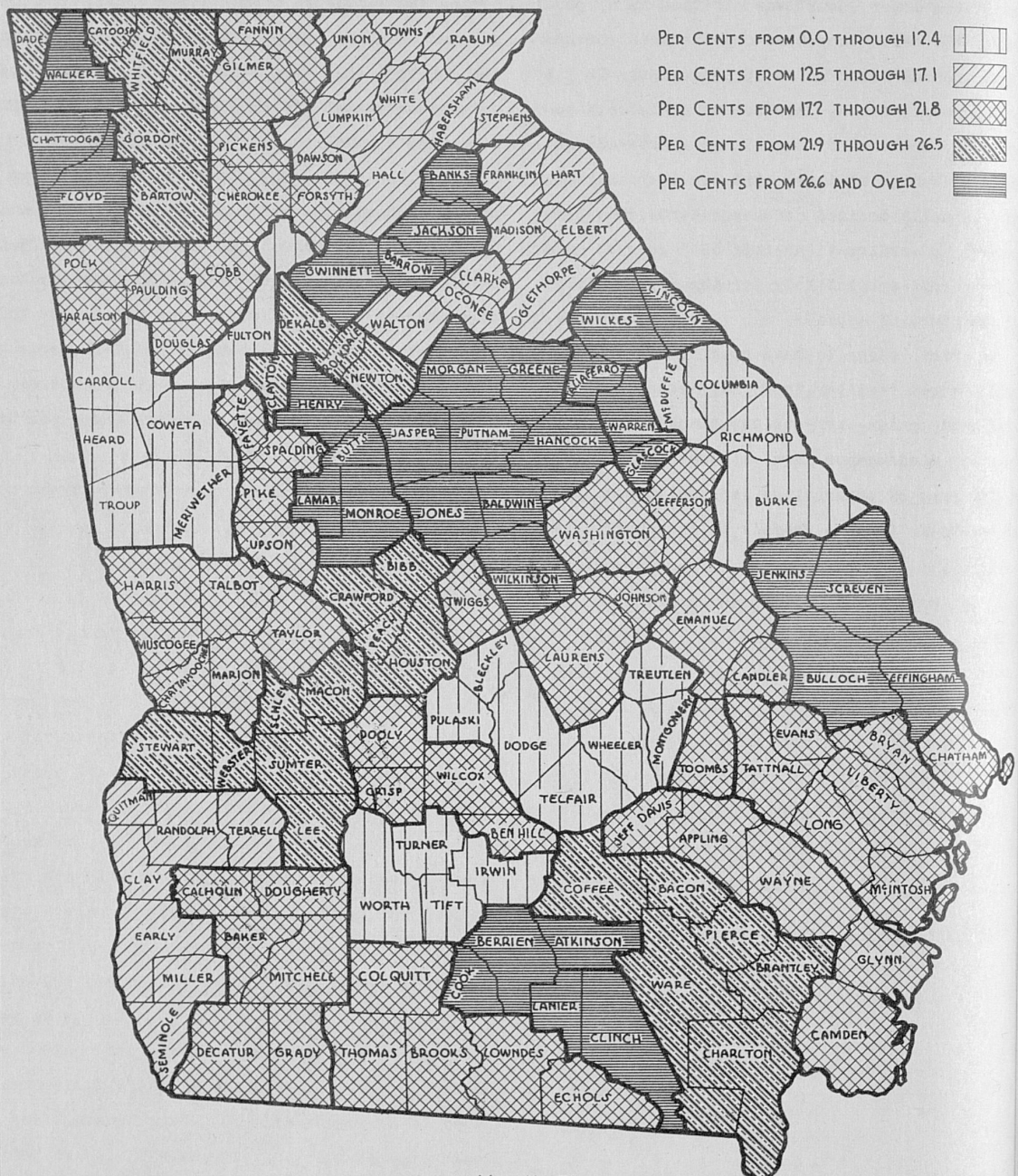
RELATION OF CASES REVERSED TO CASES APPEALED

· BY JUDICIAL DISTRICTS OF THE SUPERIOR COURT

COURT OF APPEALS AND SUPREME COURT

STATE OF GEORGIA

JANUARY 1, 1926 - DECEMBER 31, 1935



MAP No. III

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(1) Sec. 77-
(2) Sec. 77-
(3) Ibid.
(4) Sec. 77-
(5) Sec. 77-
(6) Sec. 77-
(7) Sec. 77-
(8) Sec. 77-
(9) Sec. 77-
(10) p. 71, A

Chapter IX PROCEDURE AFTER SENTENCE

THE ROLE OF THE PRISON COMMISSION: When a defendant has received a felony sentence, he is delivered into the custody of the sheriff. It then becomes the duty of the clerk of the court in which the case was tried to notify the Prison Commission of such conviction and that the convict is being held subject to its instructions.⁽¹⁾ Upon the order of this body, the sheriff delivers prisoners in his custody to the designated institutions.⁽²⁾ They may be turned over to any county on the request of its proper officer and put to work on the roads, bridges, and other public works,⁽³⁾ or sent to the state penitentiary. On the other hand, persons receiving misdemeanor sentences are registered with the Prison Commission,⁽⁴⁾ but are worked on the chain gang of the county of conviction,⁽⁵⁾ unless that county does not maintain a convict camp, in which case disposition is made of them under the same regulations as govern the placement of felony convicts.⁽⁶⁾ The Commission may farm out prisoners to the State Highway Department for work on the highways,⁽⁷⁾ and when the needs of the counties and of the State Highway Department have been met, it may hire the remaining convicts to municipalities at one hundred dollars per year.⁽⁸⁾ Such labor, however, may never be used in competition with free labor.⁽⁹⁾

The Prison Commission of Georgia, created by the General Assembly in 1897,⁽¹⁰⁾ heralded a new era in penal management in this State, and set in motion machinery for the elimination of many abuses then existent in the handling of prisoners. Among these was the convict lease system,

an arrangement whereby any individual who presented satisfactory means of so doing could lease from the State such convicts as he desired. The leased prisoners were fed, clothed, and housed by the lessee and labored for him. This practice had been in vogue since 1874,⁽¹¹⁾ and seems to have been designed as a substitute for the state penitentiary. The Governor leased the convicts, and the head keeper of the penitentiary was charged with seeing that all of them lived and worked under humane conditions.⁽¹²⁾

Today, administrative control and supervision over all persons under sentence is exercised by the Prison Commission. This supervision is retained even though the convict camp may be operated by a county, city, or the State Highway Department. The Commission makes all rules and regulations regarding proper management, living conditions, disciplinary measures, and sanitation for all convict establishments.⁽¹³⁾ It also distributes prisoners among the several farms, camps, and institutions,⁽¹⁴⁾ and regulates the work they can do within the limits set by law. Some Commissioner is required to make a thorough inspection of each convict camp and prison at least once every six months,⁽¹⁵⁾ and the Commission, as a whole, is required to make a report to each session of the General Assembly showing its activities and expenditures since the preceding session. At this time it may make recommendations for new legislation that it deems best for the betterment of the prison system.⁽¹⁶⁾

In addition to the administrative duties of the Commission, it must investigate all applications for executive clemency and make such recommendations to the Governor as it sees fit in

(1) Sec. 77-339 Ga. Code 1933.

(2) Sec. 77-325 *ibid.*

(3) *ibid.*

(4) Sec. 77-339 *ibid.*

(5) Sec. 77-201 *ibid.*

(6) Sec. 77-336 *ibid.*

(7) Sec. 77-326 *ibid.*

(8) Sec. 77-330 *ibid.*

(9) Sec. 77-331 *ibid.*

(10) p. 71, Acts of 1897.

(11) p. 26, Acts of 1874.

(12) p. 40, Acts of 1876.

(13) Sec. 77-313 Ga. Code 1933.

(14) Sec. 77-325 *ibid.*

(15) Sec. 77-316 *ibid.*

(16) Sec. 77-340 *ibid.*

each case.⁽¹⁾ It makes rules for the parole of the prisoners, allowing them, with the consent of the Governor, to serve their sentences beyond the confines of the penitentiary; remaining, however, within the legal custody of the Commission and subject at any time to be returned to prison by its order. When a person has served twelve months of his parole in a satisfactory manner and his history before the perpetration of the crime, along with his prison record, shall warrant consideration, the Commission, if it feels that he will become an upright, honest citizen, may, upon its own motion, recommend to the Governor that such prisoner be pardoned and his rights of citizenship restored to him. Such

TABLE XXXIII*

RELEASES GRANTED GEORGIA PENITENTIARY CASES
January 1, 1926 - December 31, 1935

Release Granted Through:	Number of Cases	Percent of Admissions
Completion of Sentence	2,055	11.9
Pardon	286	1.6
Sentence Commuted	777	4.4
Parole	5,780	33.3
Death of Prisoner	415	2.4
Total Released	9,313	53.6
Cases Not Released	8,023	46.4
Total Cases Admitted	17,336	100.0

*Source: Records of the Prison Commission.

recommendations, however, are not mandatory upon the Governor.⁽²⁾

DISPOSITION OF PRISONERS: A thorough study of the prison system of Georgia was not included in the scope of this survey, and effort was made to include only such information as is related to the court system. Facts regarding the final disposition of persons under sentence and data concerning the length of confinement in relation to the sentences imposed were considered pertinent.

In the decade January 1, 1926 through December 31, 1935, 17,336 cases* in which felony sentences were imposed were admitted to the penitentiary system. Prior to the end of the period, more than 50 percent of them had been granted some form of release - some of the prisoners

had died, some had served their allotted sentences, and some had been given pardons and paroles. The percentage of each type of release is listed in Table XXXIII.

Adverse comment has been made from time to time regarding deaths of convicts in the prison institutions of the South. In Georgia, the death rate for felony convicts in the State Penitentiary is lower than that of the adult population throughout the State. No effort was made on this survey to inquire into the cause of death among convicts.

Contrasting with the number of prisoners who served the minimum sentences given them are those granted pardons, commutations, and paroles. Such methods of release are expressions of executive clemency exercised in this State, sometimes by the Governor upon his own initiative, and sometimes upon the recommendations of the Prison Commission. Cases were studied only as to the percentage of the sentence served, and no effort was made to inquire into the merits of any case or to the reason why special treatment was afforded it.

In recent years, governors in general have been accused of opening the gates to the penal institutions and allowing hardened criminals of all types to be loosed upon society. Large numbers have been freed in Georgia before the expiration of their sentence, but only 286 felony cases entering the penitentiary during the decade 1926-1935 received the full pardon before the end of that period. A pardon releases the prisoner from custody and forgives him completely of his crime.⁽³⁾ Table XXXV lists the crimes

* AUTHOR'S NOTE: For the purpose of this study, only cases in which felony sentences were imposed are included, since the records of convicts given misdemeanor sentences are kept in the chain gang camps, and data from such places could be gathered only at a prohibitive cost. Cases referred to in this chapter represent a smaller number of persons, since often an individual was sentenced for more than one charge, and no effort was made to correlate the actual persons involved to the number of cases. (See Appendix H, Exhibit 6, for details how data for this chapter was gathered.)

(3) Sec. 27-2701 *ibid.*

(1) Sec. 77-501 *ibid.*

(2) Secs. 2-2612; 27-2701 *ibid.*

in which pardons were granted in the period studied.

One would expect, in the absence of extraordinary circumstances, that a convicted person would serve at least the minimum time set in his sentence. Such, however, does not seem to have been the case. In fact, more than 20 percent of those granted pardons served less than 11 percent of their sentences. The Prison Commission has on record cases which were pardoned before they were turned over to its custody. There are other cases, however, where persons who, after serving their complete sentences, desiring to again enjoy full rights of citizenship, request

TABLE XXXIV*

PARDONS - PERCENT MINIMUM SENTENCE SERVED
Felony Cases** Admitted to Georgia Penitentiary
January 1, 1926 - December 31, 1935

Percent of Sentence Served	Cases	
	Number	Percent
10 and Under	52	20.2
11-20	19	7.4
21-30	23	9.0
31-40	24	9.3
41-50	32	12.4
51-60	22	8.6
61-70	13	5.1
71-80	14	5.4
81-90	15	5.8
91-100	36	14.1
Over 100	7	2.7
TOTAL	257	100.0

*Source: Records of the Prison Commission.
**Cases where life imprisonment or electrocution was the sentence not included. Pardons granted at the completion of the sentence not included.

and receive pardons. These, however, are not shown in this chapter. In order to place a yardstick as to the place within the sentence most persons receive pardons, the 257 pardons granted to persons not under life sentence were studied as to the percentage of the minimum sentence they actually served. The results of these computations are shown in Table XXXIV.

The effect of a commutation of sentence is similar to a pardon in that upon such a release, the prisoner is free from further legal restraints. There is a difference between the two, however, in that a commutation of sentence is a shortening of the sentence and a part of it

must be served before release is effected.⁽¹⁾ Commutations were made in a much wider variety of

TABLE XXXV*

PARDONS - BY CRIMES
Felony Cases** Admitted to Georgia Penitentiary
January 1, 1926 - December 31, 1935

CRIME	Number of Pardons
Aiding Escape	5
Assault with Intent to Murder	13
Assault with Intent to Rape	4
Assault with Intent to Rob	1
Arson	3
Bigamy	3
Burglary	43
Embezzlement	12
Felony	8
Forgery	15
False Swearing	2
Involuntary Manslaughter	19
Kidnapping	4
Larceny After Trust	4
Larceny from House	2
Larceny of Auto	19
Larceny of Baled Cotton	2
Larceny, simple	6
Manufacturing Liquor	6
Mob Violence	2
Murder	31
Perjury	2
Rape	8
Riot	3
Robbery	46
Seduction	5
Shooting at Another	2
Voluntary Manslaughter	15
Violation of Banking Regulations	1
TOTAL	286

*Source: Records of the Prison Commission.
**Includes life imprisonment and electrocution sentences.

crimes than were pardons, and, as shown by Table XXXVI, often only a small percentage of the minimum sentence was served.

TABLE XXXVI*

COMMUTATIONS - PERCENT MINIMUM SENTENCE SERVED
Felony Cases** Admitted to Georgia Penitentiary
January 1, 1926 - December 31, 1935

Percent of Sentence Served	Cases	
	Number	Percent
10 and Under	121	16.0
11-20	40	5.3
21-30	93	12.3
31-40	71	9.3
41-50	104	13.7
51-60	67	8.9
61-70	45	6.0
71-80	61	8.0
81-90	42	5.5
91-100	89	11.7
Over 100	25	3.3
TOTAL	758	100.0

* Records of the Prison Commission
** See footnote Table XXXIV.

Differing from the procedure under a pardon or a commutation, a person placed on parole re-

(1) 46 Corpus Juris 1197.

mains under the supervision of the Prison Commission, and while freed from confinement, is still subject to its regulations and may be re-

granted such releases are returned to custody; but paroles still continue to be granted in large numbers and for all types of crimes.

TABLE XXXVII*

PARDONS - COMMUTATIONS - PAROLES
Percent Minimum Sentence Served - By Minimum Sentence Imposed
Felony Cases** Admitted to Georgia Penitentiary
January 1, 1926 - December 31, 1935

Minimum Sentence In Years	Total Cases	Percent of Sentence Served										Over 100
		0-10	11-20	21-30	31-40	41-50	51-60	61-70	71-80	81-90	91-100	
1	2,212	101	17	16	22	68	46	31	40	26	1,624	221
2	2,128	112	21	48	40	75	95	74	93	51	1,408	111
3	993	30	24	26	41	61	46	41	26	562	70	66
4	369	27	6	24	32	25	24	13	18	155	27	13
5	488	37	9	29	31	53	28	28	204	15	38	15
6	62	2	3	6	4	8	7	1	24	5	2	-
7	79	8	3	8	11	10	6	3	23	1	6	-
8	57	2	2	5	5	7	6	2	24	2	2	-
9	7	1	-	1	1	1	1	1	1	-	-	-
10	139	10	14	20	26	22	10	10	24	3	-	-
11	2	-	-	-	1	-	1	-	-	-	-	-
12	21	1	4	5	1	3	2	4	1	-	-	-
13	1	1	-	-	-	-	-	-	-	-	-	-
14	3	2	-	1	-	-	-	-	-	-	-	-
15	44	4	7	14	8	8	3	-	-	-	-	-
16	1	-	1	-	-	-	-	-	-	-	-	-
17	2	-	-	1	-	-	1	-	-	-	-	-
18	8	-	5	3	-	-	-	-	-	-	-	-
19	6	-	3	1	2	-	-	-	-	-	-	-
20	42	19	7	13	3	-	-	-	-	-	-	-
TOTAL	6,664	357	126	221	228	341	276	208	478	820	3,177	458

* Source: Records of the Prison Commission.

** Cases where life imprisonment or electrocution was the sentence not included.

*** For all sentences in this column, the maximum sentence was evoked.

turned to the penitentiary upon its order. Such order may be issued upon any violation of the provisions of the parole or after arrest upon

TABLE XXXVIII*

PAROLES - PERCENT MINIMUM SENTENCE SERVED
Felony Cases** Admitted to Georgia Penitentiary
January 1, 1926 - December 31, 1935

Percent of Sentence Served	Cases	
	Number	Percent
10 and Under	184	3.3
11-20	67	1.2
21-30	105	1.9
31-40	133	2.4
41-50	205	3.6
51-60	187	3.3
61-70	150	2.6
71-80	403	7.1
81-90	763	13.5
91-100	3,052	54.0
Over 100	400	7.1
TOTAL	5,649	100.0

* Source: Records of the Prison Commission.

** See footnote Table XXXIV.

another charge. The reports of the Prison Commission to the General Assembly show that for each biennium more than 30 percent of those

While pardons and commutations of sentence are often granted shortly after conviction, paroles, as shown by Table XXXVIII, seem to be secured more often after a greater part of the sentence has been served.

If the figures shown in Tables XXXIV, XXXVI and XXXVIII are combined and shown in relation to the minimum sentence imposed, it appears that the percentage of sentence likely to be served decreases in reverse ratio to the length of the sentence imposed. In other words, 83.4 percent of those with sentences of one year serve over 90 percent of it in confinement, while only 11.0 percent of those with five year sentences serve the same percentage of their sentence, and only 9.2 percent of those with sentences longer than ten years serve more than 50 percent of their sentence. Table XXXVII lists the percentages served of each length sentence imposed.

For those prisoners sentenced to life imprisonment, the record is not greatly different from that for convicts with shorter terms. Under the law, persons sentenced to life imprisonment are not eligible to parole until after they have served three years of the sentence. On the other hand, pardons and commutations can be issued at any time after sentence has been imposed. Likewise, a commutation can be issued to shorten a sentence and shortly thereafter a parole be granted. Table XXXIX lists the pardons, paroles, and commutations granted prisoners under life sentences, along with the number of months served by them.

Perhaps more publicity is attendant upon pardons, paroles, and commutations for murder than for any other crime. This crime, under the Georgia law, unlike most others, is peculiar in that only two sentences may be imposed upon a defendant convicted of such a charge. These two punishments are life imprisonment and electrocution. Of the 1,137 felony cases admitted to the penitentiary and sentenced to life imprisonment, 1,124 were for murder. The records of the State Penitentiary at Milledgeville show that during the period studied, there were 123 convicted murderers electrocuted. In other words, for the State as a whole, during the decade January 1, 1926 through December 31, 1935, there were 1,247 convicted murderers received by the penitentiary system. Of these, 9.8 percent were electrocuted; 4.0 percent died from natural causes; 895 were still serving sentence on December 31, 1935, and 179, or 14.2 percent, had been released upon pardon, commutation of sentence, or parole.

In any prison system, there are always individuals who can devise ways and means for securing an illegal release. Of the 17,336 cases incarcerated in the state penitentiary, escapes were accomplished in 4,078, and 56.5 percent were recaptured during the period under consideration. Of those who escaped, more than one-half had effected more than one escape. A sur-

prising proportion of those who had only one year to serve effected not one escape, but several. (See Appendix H for complete statistics on escapes.) Events such as these lead to the

TABLE XXXIX*

PARDONS - COMMUTATIONS - PAROLES
By Months Served
Convicts Under Life Sentence Admitted to
Georgia Penitentiary
January 1, 1926 - December 31, 1935

Months in Confinement	Total Granted Releases	Commu- Pardons tations	Paroles
3 mos. or Less	3	-	3
4 - 6 mos.	3	-	1
7 - 9 mos.	1	1	-
10-12 mos.	2	-	1
13-15 mos.	2	1	1
16-18 mos.	5	3	1
19-24 mos.	5	1	2
25-30 mos.	5	1	4
31-36 mos.	5	1	2
37-48 mos.	31	5	2
49-60 mos.	20	3	24
61-72 mos.	31	5	17
73-84 mos.	28	2	25
85-96 mos.	26	4	26
Over 96 mos.	12	-	22
TOTAL	179	29	131

* Source: Records of the Prison Commission.

belief that it is not only through parole, commutation, and pardon that hardened criminals are turned loose upon society. The means in the hands of the Prison Commission for effecting recapture are the local law enforcement departments, and it is likely that these officers are no better equipped to handle the capture of escapes than they are to capture suspects. Taken all in all, the proportion of release from the penitentiary system is greater than is supposed by the average individual.

Perhaps the most important result to be found in the foregoing considerations is the fact that, if convicts under life sentence are excluded, 46 percent of the felons admitted to the penitentiary during the period studied and released during that same period served less than 90 percent of the minimum term to which they had been sentenced. Reviewing conditions found in the superior and city courts, it will be remembered that for those counties studied, convictions resulted in 59.7 percent of the

cases docketed. If it be assumed that this ratio holds good for the State, and that the percentage of misdemeanor convicts who serve a full term is comparable to that found for felony convicts, then the unescapable conclusion is that, for all cases docketed in the trial courts of this State, only a relatively small percentage

were convicted and served their minimum sentence. If the reason that this did not occur in the remaining cases is the supposition that such a course would have been unjust, what an appalling waste of time, money, and effort was that expended in the handling of these other cases.

SUPERIOR COURT CIRCUITS



MAP No. IV

Chapter X THE DEVELOPMENT OF THE GEORGIA COURT SYSTEM

JOHN D. HUMPHRIES
Judge of the Superior Court, Atlanta Circuit

From his day-to-day contact with the courts, one may be prone to accept the law and the courts as an immutable thing, remaining fixed and constant in a world forever changing. Such, however, is not the case, and like all other human institutions, the courts of Georgia have developed with the advancement of science and civilization in a manner similar to the educational institutions of the State, its industrial evolution and other functions of the State and its people. As with other things in life, a proper perspective on the court system can only be gained by a knowledge of its history and background.

UNDER THE TRUSTEES: By Charter of King George II of England, the country between the Savannah and Altamaha, and from the head springs of those rivers due west to the Pacific, was, on June 9, 1732, erected into the Province of Georgia. For twenty-one years it was placed under the guardianship of a corporation "in trust for the poor." The purpose of the patrons was expressed in the seal of the corporation, which had on one side a group of silk worms at work, with the words "non sibi, sed aliis" -- not for themselves but for others. All executive and legislative powers were for twenty-one years given exclusively to the trustees or their common council; and they were expressly authorized to erect and constitute judicatures and courts of record to hear and determine "all manner of crimes, offenses, pleas, processes, complaints, actions, matters, causes, and things whatsoever, arising or happening within the said province of Georgia, or between persons of Georgia, whether the same be civil or criminal, and whether the said crimes be capital or not capital, and whether said pleas be real, personal, or mixed; and for awarding and making out executions."

In pursuance of that authority the trustees, before sailing from England, erected on November 2, 1732, a "court of judicature", styled "Town Court", bestowing upon it judicial power and authority commensurate with those exercised in England by the Courts of King's Bench, Common Pleas and Exchequer. On November 17, 1732, James Edward Oglethorpe and 130 persons sailed from Gravesend, England, on the ship "Anne" for the new colony, and on February 12, 1733, they landed at Yamacraw Bluff on the Savannah River, where the City of Savannah now stands. On the way over, stops were made at Charleston and Beaufort. From the latter place, General Oglethorpe made a trip to Savannah in advance of the landing. Thus was projected the first settlement of the new colony.

Under the charter, the Colony was to be governed by the laws of the realm of England and such as might be enacted by the Council of the Province. There were no lawyers among the settlers, and it does not appear that any were wanted. Therefore, its judges, three in number and called "Bailiffs", were laymen, unlearned in the law, and little qualified to preside over a court of small jurisdiction, much less one whose authority was practically unlimited and from whose decisions there was no appeal. Complaints of the most serious kind were soon made.

When Frederica was settled in 1736, a similar court was established there. Its judges were less qualified than those at Savannah; some were not able to write. "The power was too great for the irresponsible hands that wielded it," said W. B. Stevens, in his history of Georgia, page 223. "They were charged with setting aside the laws of England, making false imprisonments, wrongfully discharging grand juries, threatening petit juries, blasphemy, ir-

reverence, drunkenness, obstructing the course of law, and other equally grave and heinous offenses."

Realizing that the bailiff's magistracy was a failure, the trustees, in 1741, divided the province into two counties, one called Savannah and the other Frederica, with a president and four associates for each, who constituted the civil and judicial tribunals of their respective counties. In 1743, before appointment had been made for Frederica, that territory was placed under the officers of Savannah, and the magistrates at Frederica were made subordinate to the superior authority at Savannah.⁽¹⁾ That plan worked better, but still there were many complaints. There were no courts of chancery or of admiralty in the province, but before the charter of the trustees was surrendered, the assembly petitioned for a court of chancery, and a movement was started for the establishment of a court of admiralty.

UNDER THE KING: The trustees surrendered their trust to the King on April 23, 1752, and on June 23, they ceased to exist as a body. Early in July the Lord Justices, the King being absent in Hanover, with the advice of the Privy Council, continued all officers in the province in their respective offices until another form of government should be established.⁽²⁾ In the meantime "the government of the province was administered according to the plan inaugurated by the trustees, by a president and four assistants, who received their instructions from and made report to the Lord Justices and the Lord Commissioners of Trade and Plantations."⁽³⁾

On March 5, 1754, the Lord Commissioners of Trade and Plantations submitted a plan for the establishment of a civil government in the province, which received the approval of the Crown and became the governmental policy of the province. That plan provided for the appointment

(1) pp. 223-226, Vol. I, "A History of Georgia", William Bacon Stevens, Appleton Publishing Co., New York, 1847.

(2) p. 372, *ibid.*

(3) p. 462, Vol. II, "History of Georgia", Charles Colcock Jones, Jr., Houghton Publishing Co. Boston, Mass., 1853.

of a governor, with power to call an assembly to pass laws, grant lands and do all other things necessary and proper for the government of the province.⁽⁴⁾ On November 8, 1754, the Governor brought to the attention of the Board, composed of himself and members of the Council, the royal instructions regarding the erection of courts; and the matter was referred to the Attorney General, recently arrived in the Colony, for investigation and report to the Board, with recommendations.⁽⁵⁾

In the meantime, on November 27, 1754, the Board established a Court of Oyer and Terminer to be held twice yearly. The judges appointed were Noble Jones and William Spencer, Esq., "who took the State oaths and subscribed the test required by law, and likewise took an oath for the due execution of their office of judge." The establishing of the other courts and officers was postponed for future consideration.⁽⁶⁾

On December 12, 1754, the Attorney General made his report to the Board, recommending the establishment of courts for the speedy administration of justice, as follows:

1. A General Court, to be held every three months before two or more persons to be appointed as judges, with jurisdiction to try "all actions, real, personal and mixt", exceeding 40 shillings in value; and all criminal matters, with like power and authority as used and exercised by the respective courts of King's Bench, Common Pleas and Exchequer in England. The right of appeal to the Governor and Council was given in causes exceeding 300 pounds in amount; and to his Majesty in Council in matters exceeding 500 pounds in amount, and in criminal cases where the fine imposed was as much as 200 pounds.

2. A Court of Chancery, for matters in equity, to be held before the Governor as Chancellor after each session of the General Court.

3. A Court of Oyer and Terminer, to be held twice yearly by two members of the Council, commissioned by the Governor for that purpose, or judges of the General Court, for the trial of persons charged with committing crimes after the sessions of the General Court.

4. A Court of Admiralty, for maritime matters, to be held before the Governor as Vice Admiral, or "before whomsoever

(4) pp. 460-466, *ibid.*

(5) p. 391, Vol. I, "A History of Georgia", William Bacon Stevens, Appleton Publishing Co., New York, 1847.

(6) p. 40, Vol. VII, Colonial Records.

he shall depute or surrogate for this purpose." Right of appeal was given to the High Court of Admiralty of Great Britain.

5. A Special Commission of Oyer and Terminer, issued by the Governor when necessary, directed to the justices of the district or division where the offense was committed, for the trial of slaves charged with capital offenses, without a jury. On conviction the commissioners were to award execution, and fix the value of the slave, to be paid to the owner by the General Assembly, "as an encouragement to the people to discover the villanies of their slaves."

6. Inferior courts, to be thereafter established as might be thought requisite and necessary, to try small causes, for the ease and convenience of inhabitants of the province residing at too great a distance from Savannah.

On the same date the report of the Attorney General was submitted, the Board resolved:

"That the respective courts of justice mentioned in the aforesaid report be constituted as occasion may require, conformable to the said report.

"That a court of record be immediately constituted by the name and style of the General Court, to be holden yearly at Savannah within this province, on the second Tuesday in January, the second Tuesday in April, the second Tuesday in July and the second Tuesday in October.

"That the said General Court have jurisdiction and cognizance of all actions, 'real, personal and mixt,' exceeding the value of 40 shillings, except where the title to a freehold comes in question; and also have cognizance of all criminal matters, with the like power and authority as used and exercised by the respective courts of King's Bench, Common Pleas and Exchequer in England.

"That his Excellency, the Governor, will grant a commission to Noble Jones and Jonathan Bryan, Esq., to be judges to hold the said court, which commission is ordered to be entered in this day's minutes."

On December 13, 1754, the Board took into consideration what further regulations might be necessary in regard to courts, and Resolved:

"That a commission be issued appointing the justices of the peace within the province, with power for any two of them and three freeholders to be judges in causes not exceeding the value of 40 shillings sterling."

This was a departure from the rule in England, where justice courts had no civil jurisdiction.

On page 391, Stevens' History of Georgia, Vol. 1, it is stated that agreeable to the recommendation of the Attorney General, on December 12, 1754, the Council established a General

Court, a Court of Oyer and Terminer, a Court of Admiralty, a Commission of Oyer and Terminer to try slaves, and justices courts.

In November 1755, the Governor and Council ordered that the judges of the General Court "hold courts of Oyer and Terminer and General Gaol delivery each second Tuesday in December and the second Tuesday in June yearly." An act of February 21, 1756, provided funds "to defray the expenses of the courts of Oyer and Terminer."⁽¹⁾ An act of December 13, 1756 regulated the drawing of jurors for the courts of Oyer and Terminer and the General Courts.⁽²⁾

On March 19, 1762, a special commission of Oyer and Terminer was issued to judges of the General Court and others to try two Spaniards charged with murder.⁽³⁾ Other commissioners were added March 26, 1762.⁽⁴⁾

An act of April 24, 1760,⁽⁵⁾ reciting that costs in the General Courts often exceeded the debt sued for, gave justice courts jurisdiction in civil causes not exceeding eight pounds; to be tried by two justices and three jurors, if the amount involved did not exceed 40 shillings, and by two justices and twelve jurors, if the amount involved were above 40 shillings and did not exceed eight pounds. By act of March 4, 1762,⁽⁶⁾ an appeal to the General Court was allowed if the judgment were for more than 40 shillings. These courts came to be known as courts of conscience, because of the rule of decision, which was according to conscience and equity. In acts of March 12, 1774, and August 5, 1782,⁽⁷⁾ they are referred to as Courts of Conscience.

Referring to the expense to ship masters, supercargoes, and other transient persons having causes against merchants and traders, due to delays incident to trials in the usual course, an

(1) p. 504, Vol. XVIII, Col. Rec.

(2) p. 144, *ibid.*

(3) p. 659, Vol. VIII, Col. Rec.

(4) p. 671, *ibid.*

(5) p. 77, Georgia Colonial Laws.

(6) p. 149, *ibid.*

(7) pp. 31, 169, Vol. XIX-II, Col. Rec.

reverence, drunkenness, obstructing the course of law, and other equally grave and heinous offenses."

Realizing that the bailiff's magistracy was a failure, the trustees, in 1741, divided the province into two counties, one called Savannah and the other Frederica, with a president and four associates for each, who constituted the civil and judicial tribunals of their respective counties. In 1743, before appointment had been made for Frederica, that territory was placed under the officers of Savannah, and the magistrates at Frederica were made subordinate to the superior authority at Savannah.⁽¹⁾ That plan worked better, but still there were many complaints. There were no courts of chancery or of admiralty in the province, but before the charter of the trustees was surrendered, the assembly petitioned for a court of chancery, and a movement was started for the establishment of a court of admiralty.

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(2) p. 372, *ibid.*

(3) p. 462, Vol. II, "History of Georgia", Charles Colcock Jones, Jr., Houghton Publishing Co., Boston, Mass., 1853.

of a governor, with power to call an assembly to pass laws, grant lands and do all other things necessary and proper for the government of the province.⁽⁴⁾ On November 8, 1754, the Governor brought to the attention of the Board, composed of himself and members of the Council, the royal instructions regarding the erection of courts, and the matter was referred to the Attorney General, recently arrived in the Colony, for investigation and report to the Board, with recommendations.⁽⁵⁾

In the meantime, on November 27, 1754, the Board established a Court of Oyer and Terminer to be held twice yearly. The judges appointed were Noble Jones and William Spencer, Esq., "who took the State oaths and subscribed the test required by law, and likewise took an oath for the due execution of their office of judge." The establishing of the other courts and officers was postponed for future consideration.⁽⁶⁾

On December 12, 1754, the Attorney General made his report to the Board, recommending the establishment of courts for the speedy administration of justice, as follows:

1. A General Court, to be held every three months before two or more persons to be appointed as judges, with jurisdiction to try "all actions, real, personal and mixt", exceeding 40 shillings in value; and all criminal matters, with like power and authority as used and exercised by the respective courts of King's Bench, Common Pleas and Exchequer in England. The right of appeal to the Governor and Council was given in causes exceeding 300 pounds in amount; and to his Majesty in Council in matters exceeding 500 pounds in amount, and in criminal cases where the fine imposed was as much as 200 pounds.

2. A Court of Chancery, for matters in equity, to be held before the Governor as Chancellor after each session of the General Court.

3. A Court of Oyer and Terminer, to be held twice yearly by two members of the Council, commissioned by the Governor for that purpose, or judges of the General Court, for the trial of persons charged with committing crimes after the sessions of the General Court.

4. A Court of Admiralty, for maritime matters, to be held before the Governor as Vice Admiral, or "before whomsoever

(4) pp. 460-466, *ibid.*

(5) p. 391, Vol. I, "A History of Georgia", William Bacon Stevens, Appleton Publishing Co., New York, 1847.

(6) p. 40, Vol. VII, Colonial Records.

he shall depute or surrogate for this purpose." Right of appeal was given to the High Court of Admiralty of Great Britain.

5. A Special Commission of Oyer and Terminer, issued by the Governor when necessary, directed to the justices of the district or division where the offense was committed, for the trial of slaves charged with capital offenses, without a jury. On conviction the commissioners were to award execution, and fix the value of the slave, to be paid to the owner by the General Assembly, "as an encouragement to the people to discover the villanies of their slaves."

6. Inferior courts, to be thereafter established as might be thought requisite and necessary, to try small causes, for the ease and convenience of inhabitants of the province residing at too great a distance from Savannah.

On the same date the report of the Attorney General was submitted, the Board resolved:

"That the respective courts of justice mentioned in the aforesaid report be constituted as occasion may require, conformable to the said report.

"That a court of record be immediately constituted by the name and style of the General Court, to be holden yearly at Savannah within this province, on the second Tuesday in January, the second Tuesday in April, the second Tuesday in July and the second Tuesday in October.

"That the said General Court have jurisdiction and cognizance of all actions, 'real, personal and mixt,' exceeding the value of 40 shillings, except where the title to a freehold comes in question; and also have cognizance of all criminal matters, with the like power and authority as used and exercised by the respective courts of King's Bench, Common Pleas and Exchequer in England.

"That his Excellency, the Governor, will grant a commission to Noble Jones and Jonathan Bryan, Esq., to be judges to hold the said court, which commission is ordered to be entered in this day's minutes."

On December 13, 1754, the Board took into consideration what further regulations might be necessary in regard to courts, and Resolved:

"That a commission be issued appointing the justices of the peace within the province, with power for any two of them and three freeholders to be judges in causes not exceeding the value of 40 shillings sterling."

This was a departure from the rule in England, where justice courts had no civil jurisdiction.

On page 391, Stevens' History of Georgia, Vol. 1, it is stated that agreeable to the recommendation of the Attorney General, on December 12, 1754, the Council established a General

Court, a Court of Oyer and Terminer, a Court of Admiralty, a Commission of Oyer and Terminer to try slaves, and justices courts.

In November 1755, the Governor and Council ordered that the judges of the General Court "hold courts of Oyer and Terminer and General Gaol delivery each second Tuesday in December and the second Tuesday in June yearly." An act of February 21, 1756, provided funds "to defray the expenses of the courts of Oyer and Terminer."⁽¹⁾ An act of December 13, 1756 regulated the drawing of jurors for the courts of Oyer and Terminer and the General Courts.⁽²⁾

On March 19, 1762, a special commission of Oyer and Terminer was issued to judges of the General Court and others to try two Spaniards charged with murder.⁽³⁾ Other commissioners were added March 26, 1762.⁽⁴⁾

An act of April 24, 1760,⁽⁵⁾ reciting that costs in the General Courts often exceeded the debt sued for, gave justice courts jurisdiction in civil causes not exceeding eight pounds; to be tried by two justices and three jurors, if the amount involved did not exceed 40 shillings, and by two justices and twelve jurors, if the amount involved were above 40 shillings and did not exceed eight pounds. By act of March 4, 1762,⁽⁶⁾ an appeal to the General Court was allowed if the judgment were for more than 40 shillings. These courts came to be known as courts of conscience, because of the rule of decision, which was according to conscience and equity. In acts of March 12, 1774, and August 5, 1782,⁽⁷⁾ they are referred to as Courts of Conscience.

Referring to the expense to ship masters, supercargoes, and other transient persons having causes against merchants and traders, due to delays incident to trials in the usual course, an

(1) p. 504, Vol. XVIII, Col. Rec.

(2) p. 144, *ibid.*

(3) p. 659, Vol. VIII, Col. Rec.

(4) p. 671, *ibid.*

(5) p. 77, Georgia Colonial Laws.

(6) p. 149, *ibid.*

(7) pp. 31, 169, Vol. XIX-II, Col. Rec.

act of April 7, 1763,⁽¹⁾ authorized and directed the Chief Justice of the General Court, or in his absence, another justice, on application, to call a special or extraordinary court to try such causes within seven days. An act of March 6, 1766,⁽²⁾ extended the time for trial, in the discretion of the justice, to not more than twenty days, due to the distance from Savannah of some defendants. These special courts were known as "Courts Merchants."

An act of April 7, 1763,⁽³⁾ gave the General Court authority to partition lands, which was amended by act of March 27, 1767,⁽⁴⁾ so as to insure quicker results than was afforded under the English rule of practice. An act of February 29, 1764,⁽⁵⁾ regulated the practice before the Ordinary. An act of April 11, 1768,⁽⁶⁾ authorized the Justices of the peace of a parish, or any three of them and seven free holders, to try slaves. On conviction, the defendant was executed by the Constable, for which he received a fee of three shillings.

An act of April 11, 1768,⁽⁷⁾ prescribed the qualifications of grand jurors as men owning 500 acres of land in fee simple, fee taille, or for life, or in commission of the peace; but they were not exempt from petit jury service. The grand jury, inherited from England, became an important institution in the administration of the criminal laws of the province. It had no civil authority. The oath taken by its members was as follows:

"You shall diligently inquire and true presentments make of all such articles, matters and things as shall come to your own knowledge touching this present service. The King's Council, your fellows and your own, you shall keep secret; you shall present no person for hatred or malice; neither shall you leave any one unpresented for favor, or affection, for love or gain, or any hopes thereof; but in all things you shall present the truth, the whole truth, and nothing but the truth, to the

best of your knowledge; so help you God."

With the words, "State's Counsel", qualified by the provision "unless called upon to give evidence thereof in some court of law in this State", substituted for the words "King's Council", that oath is substantially the oath taken by grand jurors today. The courts as thus established under the royal rule constituted the judicial system inherited from England, and for a time continued in effect by the newly declared republic.

INDEPENDENCE OF THE CROWN: On July 6, 1775, the Provincial Congress of Georgia adopted a resolution providing that the province join "with all other provinces in America now met by delegates in Continental Congress" in Philadelphia, and providing, also, for the appointment of a committee "whose duty it shall be to see that the resolutions of the Continental Congress and the Provincial Congress be duly observed, and that every person who shall act in opposition thereto have his name transmitted to the Continental Congress, and that his misdeeds be published in every American paper."⁽⁸⁾

On December 1, 1775, the courts of the province were taken under supervision of the Council of Safety, and a committee of fifteen was appointed as a Court of Appeals, to sit in Savannah quarterly, and to hear and determine between the parties, and to sanction or prohibit processes, according to the circumstances of the case.⁽⁹⁾ The constitution of the courts of inferior jurisdiction was left unchanged.

On April 15, 1776, the Provincial Congress proclaimed a temporary constitution for Georgia, which provided that all laws, common and statute, and acts of the Assembly, formerly acknowledged to be of force in the province and not inconsistent with the government proclaimed, be of full force and effect in the province until otherwise ordered; and that a Chief Justice

(1) p. 162, Ga. Col. Laws.

(2) p. 342, *ibid.*

(3) p. 169, *ibid.*

(4) p. 375, *ibid.*

(5) p. 209, *ibid.*

(6) p. 417, *ibid.*

(7) p. 442, *ibid.*

(8) p. 192, Vol. II, "History of Georgia," *supra*.

(9) p. 207, *ibid.*

and two assistant judges of the court of sessions, or Oyer and Terminer, be appointed by ballot to serve during the pleasure of the Congress, the former rules of procedure to continue.⁽¹⁾

THE CONSTITUTION OF 1777: The passing of Georgia from a Colony of the British Crown to statehood brought little immediate change in its laws and judicial procedure. In pursuance of a recommendation of the General Congress at Philadelphia, independence of the British crown having been declared on July 4, 1776, a convention of the people assembled in October 1776 at Savannah and proclaimed a Constitution for the State on February 5, 1777. That Constitution established a court, to be called the Superior Court, and to meet twice yearly for each county in the State, namely: Chatham, Effingham, Burke, Richmond, Wilkes, Liberty, Glynn, and Camden.

All causes of what nature soever were to be tried in the Superior Court,* except as in the Constitution otherwise provided; which court consisted of a 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 of the bench was to act as Chief Justice. Justices were made assistants to the Chief Justice of the Superior Court by Act of March 1, 1778,⁽²⁾ to carry out the provisions of the Constitution of 1777. An Act of February 13, 1786, increased the number of assistant justices of each county to four. The jury was made judges

of the law, as well as of fact; but if any had any doubts as to the law they could apply to the bench, who each "in rotation" gave his opinion. The Court of Conscience was continued as theretofore practiced with jurisdiction of causes not amounting to more than ten pounds. The legislature was authorized to provide for a register of probates in each county for proving wills and granting letters of administration. No person was permitted to plead in the courts of law of the State unless authorized to do so by the House of Assembly; but this provision was "not intended to exclude any person from that inherent privilege of every freeman - the liberty to plead his own cause." The grand jury was to be composed of not less than eighteen men, but twelve were authorized to find a bill. Their qualifications were defined by Act of March 1, 1788, as follows: "all persons returned to serve as grand jurors at the said superior court shall every one of them have and be seized of not less than 250 acres of land, in their own right, in fee simple, fee taille, or for life of themselves or some other person, or shall be in commission of the peace."

THE CONSTITUTION OF 1789: The Constitution of May 6, 1789, provided for a superior court for each county, to be held twice yearly, in which "shall be tried and brought to final decision all causes, civil and criminal, except such as may be subject to a Federal Court, and such as may by law be referred to inferior jurisdictions." The General Assembly was authorized to "point out the mode of correcting errors and appeals, which shall extend as far as to empower the judges to direct a new trial by a jury within the county where the action originated, which shall be final." Courts of Merchant were continued as previously existing, "subject to such regulations as the General Assembly may direct." All causes were to be tried in the county where the defendant or one of them resided, except cases of real estate, which were to be

* AUTHOR'S NOTE: The word "Supreme" in paragraph XI, as printed in Watkin's Digest, p. 13, is evidently a typographical error, notwithstanding it appears, also, in Marbury and Crawford's Digest, page 11, unless used in the sense of superior. The marginal index in Watkin's Digest is "Superior Court Jurisdiction." Paragraph XXXVI creates the Superior Court, which was intended to take the place of the Court of Oyer and Terminer referred to in the temporary constitution proclaimed by the Provincial Congress on April 15, 1776. In the Constitution as printed in Volume I, p. 293, of "Revolutionary Records of Georgia," the word "Superior" appears with marginal index as follows: "Organization and jurisdiction of the superior court."

⁽¹⁾ pp. 274-276, Vol. I. Revolutionary Records.

⁽²⁾ p. 219, "A Digest of the Laws of Georgia", Robert & George Watkins, R. Aitkin, Philadelphia, 1800.

tried where the land lay.

An Act of February 9, 1797, made it the duty of the superior court judge to report the trial of every capital case, "which shall be published in one of the public gazettes, within sixty days after such trial shall have taken place."

Referring to the constitutional provision authorizing the creation of inferior courts, an Act of December 23, 1789, created common-law courts, to be called Inferior County Courts, to be held in each county twice yearly. If the case was for more than 5 pounds, an appeal lay to the Superior Court; if for more than 50 pounds, the case might be removed to the Superior Court. An Act of February 9, 1797, gave this court concurrent jurisdiction with the Superior Court in all civil cases except land cases, with the right of appeal to the Superior Court. An Act of December 17, 1792, authorized the inferior courts to provide for the poor, bind out orphans and levy a tax. An Act of February 21, 1796, gave the court jurisdiction of court-houses, jails, and the care of the poor, with the authority to levy taxes to pay jailors' fees and expenses of caring for prisoners.

An Act of February 10, 1797, gave justice courts civil jurisdiction of causes not involving more than thirty dollars, "provided that no justice of the inferior court, or clerk, sheriff or attorney, being a justice of the peace, shall try any warrant or give judgment thereon in any civil case whatsoever." An appeal lay to a jury of five in the Justice Court.

THE CONSTITUTION OF 1798: The Constitution of May 30, 1798, vested the judicial powers of the State in a superior court, and in such inferior jurisdictions as might be established by the legislature. The Superior Court was given exclusive and final jurisdiction of all criminal cases, which were to be tried in the counties

(1) p. 396, "A Digest of the Laws of Georgia", supra.

(2) p. 636, *ibid.*

(3) p. 497, *ibid.*

(4) p. 595, *ibid.*

(5) p. 638, *ibid.*

where the crimes were committed; of all cases respecting titles to land; of appellate jurisdiction by certiorari of all inferior jurisdictions, as well as of errors in the Superior Court; of appellate jurisdiction in such other cases as might be provided by law; and authority "to issue writs of mandamus, prohibition, scire facias, and all other writs which may be necessary for carrying their powers fully into effect." In cases of application for new trials or correction of errors, the judges were required to enter their opinions on the minutes of the court. An Act of February 16, 1799,⁽⁶⁾ gave the Superior Court equity jurisdiction.

Divorces were formerly granted by the legislature, but under this Constitution they could not be granted by the legislature "until the parties shall have had a fair trial before the Superior Court, and a verdict shall have been obtained authorizing a divorce upon legal principles. And in such cases, two-thirds of each branch of the legislature may pass acts of divorce accordingly." On December 22, 1849, the Constitution was amended to allow divorces by the Superior Court on two concurrent verdicts of juries.

The Inferior Courts were given jurisdiction of "all other civil cases", but the legislature might, by two-thirds vote of each branch, "give concurrent jurisdiction to the superior courts." The powers of a court of ordinary were vested in the Inferior Courts, with the right of appeal to the Superior Court, and any one or more of them could grant temporary letters of administration "until the next meeting of said court." The Clerk could issue marriage licenses. An Act of February 16, 1799,⁽⁷⁾ made Inferior Courts courts of record, and regulated proceedings therein for the probate of wills and the administration of estates of deceased persons.

Amendments to the Constitution in 1812 and

(6) p. 706, *ibid.*

(7) p. 691, *ibid.*

1819 vested concurrent jurisdiction in the Superior and Inferior Courts of all civil cases except those involving titles to land, and made the judges of the Inferior Courts elective by the people. An Act of December 20, 1823, prohibited Inferior Court judges, less than a majority, from discharging or admitting prisoners to bail. Acts of 1843 and 1847 vested concurrent jurisdiction in the Superior and Inferior Courts to grant charters to churches and other eleemosynary institutions, and to business and manufacturing concerns.

An amendment to the Constitution on December 5, 1851, provided that "the powers of a court of ordinary or register of probates shall be vested in an ordinary for each county, from whose decisions there may be an appeal to the Superior Court, under such restrictions and regulations as may be, or may have been, prescribed by law."

An Act of February 16, 1799,⁽¹⁾ provided for an annual convention of the superior court judges, at the seat of government on the second Monday in January, for the purpose of passing rules for the courts, and "for determining on such points as may be reserved for argument, and which may require an uniform decision, and to give their opinions on all constitutional questions which may be referred to them by the executive department."

That Act constituted a statutory form of appeal to the judges of the State in convention assembled, on "such points as may be reserved for argument"; but it was repealed by an Act of December 5, 1801, and "all points reserved for argument and now awaiting a decision at the seat of government" were directed to be "sent back to the respective counties from whence they have been sent, and there decided by the presiding judge."

In his preface to a volume of decisions rendered in the superior courts of the Eastern District, published in 1824, referring to the

requirement that superior court judges enter upon the minutes of the court their opinions in applications for new trial and the correction of errors, Judge Thomas U. P. Charlton said:

"Decisions, therefore, upon questions of the first importance are left to float upon the memories of the gentlemen of the bar, whose recollections can be of no authority; and hence the conflicting adjudications, which are thus represented of the different judges of this district, and I presume of the other districts. It is not surprising, therefore, that such scanty materials should be found for a volume of reports, or that this effort of mine should be the 'coup d'essai.' In our equity practice, we have the same difficulties to contend with. The judge of the superior courts (the highest tribunal of the State) is also chancellor."

A proposed amendment to the Constitution, confirmed December 22, 1835,⁽²⁾ provided for a supreme court for the correction of errors, to consist of three judges to be elected by the legislature for such terms as might be prescribed by law. However, for ten years the legislature refused to carry that amendment into effect and provide for the organization of a supreme court.

In the meantime, other volumes of superior court decisions were published. In the preface to a volume of these decisions published in 1838 by Judge Robert M. Charlton, son of Judge Thomas U. P. Charlton, referring to the authority of a superior court judge, the publisher said:

"This legal Hercules is the ultima spes of the desponding suitor--the ne plus ultra of the zealous lawyer. His fiat is conclusive. There exists no tribunal that can correct his errors or change his decrees."

"The Constitution does not require him to assign written reasons for his judgments, save on motions for new trial, but the practice in our circuit (particularly of late years) has been to give written opinions in all matters to which deliberate investigation has been bestowed."

"The Constitution of the State (as amended a few years ago) declares that there shall be a 'supreme court for the correction of errors', but the legislature of Georgia has hitherto disregarded the solemn mandate, and refused to organize such a tribunal."

On December 10, 1845,⁽³⁾ the legislature put

(2)p. 49, Acts of 1835.

(3)p. 18, Acts of 1845.

into effect the constitutional amendment of December 22, 1835, and provided for the organization of the Supreme Court, with three judges to be elected at that session of the General Assembly, and commissioned by the Governor within twenty days after election.

THE CONSTITUTION OF 1861: The Constitution of 1861 provided that the judicial powers of this State shall be vested in a supreme court for the correction of errors in law and equity from the "superior, inferior, ordinary and justices courts, and in such other courts as have been, or may be, established by law." The Supreme Court consisted of three judges, to be appointed by the Governor, with the advice and consent of two-thirds of the Senate, for such terms as might be prescribed by law, "removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon."

Judges of the Superior Court were appointed in the same manner as judges of the Supreme Court from the circuits they were to serve, for terms of four years. That court had exclusive jurisdiction of divorce cases (total divorces to be granted only on two concurrent verdicts of juries); of criminal cases, except as relates to persons of color, and minor offenses by free white persons; of cases respecting titles to land, to be tried in the county where the land lies; and of equity cases. It had appellate jurisdiction of such cases as might be provided by law; power to correct errors in inferior judicatories by writs of certiorari; to grant new trials in the superior court; to issue writs of mandamus, prohibition, *scire facias*; and all other writs necessary to carry its powers into effect.

The Superior and Inferior Courts were given concurrent jurisdiction in all other civil causes, each to sit twice yearly in each county. The justices of the inferior courts and justices of the peace were elected by the people.

The powers of a court of ordinary and probate were vested in an ordinary for each county, elected by the people for terms of four years. The right of appeal from this court lay to the Superior Court.

THE CONSTITUTION OF 1865: The judicial system under the Constitution of 1865 was substantially the same as under the Constitution of 1861. The Supreme Court judges were elected by the General Assembly for such terms of years - not less than six - as should be prescribed by law, for the correction of errors of law and equity from the Superior Courts, and from the city courts of Savannah and Augusta, and such other like courts as might be thereafter established in other cities. There were two terms of the court yearly, and all cases were required to be disposed of at the first or second term.

The judges of the Superior Courts were made elective by the people, for terms of four years, vacancies to be filled as provided "by the laws of force prior to January 1, 1861." The jurisdictional provision in the Constitution of 1861 relating to persons of color was omitted. There were no substantial changes in the Constitution and jurisdiction of the other courts.

THE CONSTITUTION OF 1868: The Constitution of 1868 vested the judicial powers of the State "in a supreme court, superior courts, courts of ordinary, justices of the peace, commissioned notaries public, and such other courts" as had been or might be established by law. Judges of the Supreme Court were appointed by the Governor, with the consent of the Senate, for terms of twelve years. Their jurisdiction was the same as prescribed under the Constitution of 1865. Judges of the Superior Court were appointed in the same manner as supreme court judges, for terms of eight years. Their jurisdiction was substantially the same as under the previous constitution. The General Assembly was authorized to merge the common law and equity jurisdiction in the same court. Inferior courts

were abolished, their business to be transferred to such tribunals as the legislature should direct. Justices courts were continued, with jurisdiction in civil cases not exceeding one hundred dollars. If the amount involved were more than fifty dollars, an appeal lay to the Superior Court.

Until otherwise provided, a district court was established for each senatorial district to sit in each county of the district not less than once a month with authority to try criminal cases less than capital on written accusation founded on affidavit without a jury, unless demanded by the defendant when the jury should consist of seven; and with such civil jurisdiction as might be conferred upon it by the General Assembly. By Act of October 28, 1870,⁽¹⁾ district courts were established and their jurisdiction defined; but that Act was repealed over the Governor's veto by Act of December 7, 1871.⁽²⁾

THE CONSTITUTION OF 1877: The Constitution of 1877 continued the judicial system of the State substantially as it had existed under the Constitution of 1868. The terms of supreme court justices (so-called under this Constitution) were reduced to six years, and those of superior court judges to four years. The provision for district courts was omitted. The General Assembly was authorized to confer upon the courts of common law the powers previously exercised by courts of equity, which was done by the uniform procedure act of October 2, 1887.⁽³⁾ That had not been done under the authority of the Constitution of 1868. Total divorces required two verdicts of juries at different terms of the court.

The legislature of 1887⁽⁴⁾ and of 1893,⁽⁵⁾ proposed amendments to the Constitution increasing the number of justices of the Supreme Court from

three to five. The proposal of 1887 failed of ratification.*

In his resignation of the office of Chief Justice, tendered to the Governor October 13, 1894, Chief Justice Logan E. Bleckley declared that the business of the Supreme Court had become too heavy to be adequately handled and disposed of by three justices, and added: "The fact has also been twice recognized by the General Assembly, and a constitutional amendment to increase the number from three to five has been twice proposed and submitted to the people for ratification," who "have twice rejected the amendment by a decisive vote against it."

On December 16, 1895, the General Assembly proposed an amendment to the Constitution increasing the number of supreme court justices from three to six, the justices to be elected by the people. The Act of proposal directed that those voting for the amendment should have printed on their ballots the words, "For Supreme Court Amendment"; and those voting against it, the words, "Against Supreme Court Amendment." As thus submitted the proposed amendment was ratified by the people at the general election of October 7, 1895. An Act of December 17, 1896,⁽⁶⁾ provided for the reorganization of the Supreme Court in accordance with that amendment.

By amendment to the Constitution, proposed in 1897,⁽⁷⁾ and ratified at the general election of October 5, 1898, judges of the Superior Court were to be elected by the people.

On July 31, 1906,⁽⁸⁾ the General Assembly proposed an amendment to the Constitution creating

* AUTHOR'S NOTE: A note to Section 2-3001, Code of 1933, and a pamphlet in the State Library dealing with Constitutional Amendments, state that there is no record of the submission of the proposal of 1893 to the people. But the report of a House Committee of 1894, dealing with another proposal of the same kind, said: "As this question has only recently been submitted to the people it is deemed advisable not to immediately resubmit the same question." (9)

(6) p. 42, Acts of 1896.

(7) p. 16, Acts of 1897.

(8) p. 24, Acts of 1906.

(9) pp. 375-376, House Journals, 1894.

the Court of Appeals, with three judges. The proposal was ratified at the general election of October 3, 1906, and its first judges were elected November 6, 1906. The amendment defined the class of cases appealable to the Supreme Court and to the Court of Appeals and authorized the Court of Appeals to certify questions of law to the Supreme Court for instructions, which instructions when given are binding on the Court of Appeals. An amendment of August 19, 1916, increased the number of judges from three to six.

In 1912,⁽¹⁾ the General Assembly proposed an amendment to the Constitution authorizing the abolition of justices' courts in certain cities, which was ratified at the general election of October 2, 1912. That provision has been broadened by subsequent amendments ratified on November 3, 1914, November 6, 1918, November 6, 1928, and November 8, 1932.

By virtue of those amendments to the Constitution, municipal courts have been established in Atlanta, Augusta, Columbus, Macon, and Savannah, with five judges of the Municipal Court of Atlanta (Fulton Division), and one for the Municipal Court of Atlanta (DeKalb Division); three judges for the Municipal Court of Savannah; and one judge each for the Municipal Courts of Macon, Augusta, and Columbus. These courts are not of uniform jurisdiction.

CONCLUSION: The simple judicial system with which the Colony of Georgia was projected in 1733 has developed in two hundred years into the State's present broad and complicated system.

For the correction of errors, the State has the Supreme Court with six justices, and the Court of Appeals with six judges sitting in two divisions. There are 181 published volumes of Supreme Court decisions, and 51 volumes of Court of Appeals decisions, and each set is increasing at the rate of about two yearly.

There are 39 superior court judges in the

⁽¹⁾ p. 30, Acts of 1912.

State presiding over the superior courts of its 159 counties; and there are 64 city court judges, presiding over as many city courts, with jurisdiction of various amounts and with different rules of practice.

An Act of January 19, 1872,⁽²⁾ subsequently amended, provides for the creation of county courts upon the recommendation of the grand jury, except in Walton County and those counties having a city court or county court then existing. These courts have common law jurisdiction of cases of contract and tort, where the principal sum claimed does not exceed five hundred dollars, and of misdemeanors. Where the principal sum claimed exceeds fifty dollars, the right of appeal to the Superior Court exists. There are a number of these courts in the State.

There is a Court of Ordinary in each county of the State exercising jurisdiction of estates of deceased persons, minors and lunatics, with other statutory authority.

In each militia district of the State there is a justice's court and a Notary Public, ex-officio justice's court; the justices of the peace being elected by the people of their respective districts; and the Notaries Public, ex-officio justices of the peace, being appointed by the judges of the superior courts on nomination of the grand jury.

Other statutory courts have been established with varied jurisdiction for the trial of civil and misdemeanor cases. The Criminal Court of Fulton County is a type of these courts. It tries misdemeanor cases only, and is assisted by the judges of the Municipal Court of Atlanta. Other courts of the kind have both civil and criminal jurisdiction.

A radical departure from the former method of handling certain classes of personal injury cases may be found in the Act of August 17, 1920, known as the Georgia Workmen's Compensation Act. That Act was benevolent in purpose,

⁽²⁾ p. 288, Acts of 1871-72

and not only created a special court for the easy and speedy adjudication of personal injury cases by employees against employers, but had as its purpose the establishment of a more humanitarian rule of decision in such cases. Under it the amounts recoverable in some cases may not be as large as might otherwise have been possible, yet recovery may be had under circumstances which would not have been possible under the general law.

For 175 years no legislative policy was inaugurated in Georgia looking toward the rehabilitation of the character of persons charged with crime. Such cases were not viewed as social problems, to be dealt with as such. Persons convicted of crime were regarded as a menace to society, to be punished for their crimes, that they themselves, as well as others by their example, might be deterred from committing crimes in the future. Hence, long terms of punishment - longer than are now deemed necessary - were the rule.

On September 4, 1906,⁽¹⁾ the legislature established

⁽¹⁾ P. 1107, Acts of 1908.

established children's courts as branches of the superior courts. But on August 14, 1915,⁽²⁾ the supreme court held that Act to be unconstitutional. Subsequently, the legislature passed the Acts of August 16, 1915, and of August 19, 1916, which provided for juvenile courts in each county of the State, with jurisdiction over delinquent children under sixteen years of age.

Juvenile Courts have been established under these Acts, the larger counties having salaried judges and paid probation officers. Those courts are doing the most constructive work of any in the State. That of Fulton County alone handles 200 cases monthly.

In 1913, 180 years after the founding of the Colony, the legislature provided for the probation of adult offenders.⁽³⁾ In pursuance of that Act, the larger counties have established adult probation offices, with salaried officers; and in the smaller counties the courts are probating offenders to the care of individuals who are willing to assume that obligation without pay.

⁽²⁾ 143 Ga 822, Law vs McCord.

⁽³⁾ p. 112, Acts of 1913.



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Chapter XI EXPENSE OF THE GEORGIA COURT SYSTEM

Among the most pertinent questions raised by a tax payer regarding any function of government are the efficiency of its operation and the cost to him. Preceding chapters have detailed the operation of the criminal courts, and in this chapter, effort will be made to discuss vital features affecting the cost of the present system. The criminal courts of Georgia are maintained by revenues from the State treasury, from county treasuries, and from direct fees and assessed costs paid by those convicted in the courts. Although effort has been made to reward each official in proportion to the value of service which he renders, there is a wide variation throughout the State in the amounts paid for similar service. Some officers are paid salaries by the State, others receive payment from the county, and the large majority receive remuneration on a fee basis. Due to the fact that no compilation of these costs is made annually, and that so few counties handle the expenditures for the judicial system in the same manner, it is impossible to determine with any degree of accuracy the actual costs of the courts to the people of Georgia. The purpose of this chapter is, therefore, to give an epitome of some of the items of expenditure for which direct provision is made in the Code, and from which it may be possible to estimate the cost of a specific court in a given locality, rather than an attempt to arrive at the actual cost of crime to the State.

For the operation of each criminal court of trial grade, it is necessary to have a judge, a prosecutor, a clerk, and an executive officer. These four constitute the irreducible minimum, but only rarely can a trial court function with such a skeleton staff. When court is opened, usually all officials call for such assistants as may be necessary and for which provision is

made by law. For inferior courts, the number is relatively small, but for Superior Court operations, to the above named essential officers, there must be added bailiffs, grand jurors, petit jurors, and a reporter, as well as witnesses for the State, and usually, tales jurors. It is quite likely, therefore, at any session of the Superior Court, that more than fifty persons will have to be paid for services therein, and often this number will be greatly augmented for the trial of an important case.

The only trial court officers which universally receive salaries from the State treasury are judges and solicitors general of the Superior Court.⁽¹⁾ In the county and city courts, the local governments pay such officers as are on salary,⁽²⁾ while, for the Court of Appeals and Supreme Court, all costs are borne by the State,⁽³⁾ and courts of inquiry are supported by fees alone.⁽⁴⁾ Provision is made in the Code for Superior Court judges to receive \$5,000 from the State, but in some of the larger counties, this salary is supplemented by an additional amount from the county treasury (see Appendix E, Exhibit 5). The result is that not even judges of the Superior Court receive uniform remuneration.

There is an even wider variation among the judges of the inferior courts where the range is from \$600 to \$9,000.⁽⁵⁾ It is true that meager emoluments are paid in the smaller counties, while full time judges in the populous counties receive salaries somewhat commensurate with that of the judges of the Superior Court, but such does not account in full for the salary differences. Some salaries were set by the General Assembly and some by the governing bodies of the several counties, and no effort has been made to

(1) Secs. 2-4001;24-2606;24-2904 Ga. Code 1933.

(2) See Various Acts Creating City Courts.

(3) Secs. 24-4005;24-3503 Ga. Code 1933.

(4) Sec. 24-1601 *ibid*.

(5) See Various Acts Creating City Courts.

establish uniformity.

The same practices exist in regard to the prosecuting officers in the city, county, and superior courts, even though in the latter court an annual salary of \$250 is provided from the State treasury.⁽¹⁾ This amount is supplemented by fees paid by the State if it becomes necessary for a case to be litigated in the appellate courts.⁽²⁾ Solicitors in the city court are paid either from the county treasuries or on a fee basis. When this latter is the case, the same fees are paid them as are provided by law for the solicitor general (prosecutor of the Superior Court).⁽³⁾ In many circuits, it has been found advisable to place that officer on salary and have the fees otherwise due him paid into the county treasury, but even then, the salaries have not been uniform. It is customary where a change from fees to salaries has been made that each county of the circuit contribute a predetermined amount to the salary of the solicitor general, but that amount has not always been in proportion to the time and services rendered the several counties of the circuit. The number of those on salary has been increased until now almost one-half of them are paid by this method.

Fees for this office vary with the duty performed. For every prosecution of a capital offense, a solicitor general is entitled to a fee of \$50.00; for the prosecution of any other felony or of the charge of gaming, to the point of trial or to a plea of guilty, he may receive a fee of \$25.00. An exception to this is made in the case of an indictment for "assault with intent to murder" and conviction of "assault and battery" or "simple assault", in which case the fee is \$5.00. An equal fee is allowed for the prosecution of all other cases to trial or to plea of guilty. In addition, the solicitor general may collect \$5.00 for each indictment or presentment made by the grand jury, even though

(1) See Various Acts Creating City Courts.

(2) Sec. 24-2906 *ibid.*

(3) See Various Acts Creating City Courts.

the case may be later *nol prossed*, which event entitles him to a fee of twenty-five cents.⁽⁴⁾

The difference in the fee allowed for a felony charge and a misdemeanor charge has given rise to a criticism that some solicitors have attempted to obtain felony indictments regardless of the gravity of the offense involved. The special treatment given by the legislature to charges of "assault with intent to murder", which are reduced upon trial to misdemeanor crimes, may have been adopted to curb such practices if they ever existed. In the counties studied, there were 6,130 charges of assault with intent to murder, in which 3,791 came to trial. Convictions of the crime charged resulted in 1,065 cases, and conviction of "assault and battery" or of a misdemeanor resulted in 1,822 cases. The percentage given misdemeanor punishment is much greater than the average for all crimes as shown by Appendix F, Table 21 (table of felony punishments).

Most of the clerks of the Superior Court are compensated by fees, but a few receive salaries which vary from \$2,400 to \$9,000 per year.⁽⁵⁾ As in the case of the solicitor general, when the clerk is paid a salary, fees which would otherwise accrue to him are paid into the general funds of the county.⁽⁶⁾ The fees to which a clerk is entitled in a criminal case total \$6.00 for each case brought to trial, to plea of guilty, or to settlement; \$3.00 for each case in which a *nol pros* is entered; and fifteen cents per hundred words of transcribed evidence.⁽⁷⁾ In counties having a population of less than 50,000, the clerk is entitled to \$5.00 for each day's attendance at court.⁽⁸⁾ Except in the large city counties, the clerks of the Superior Court are usually ex-officio clerks of the city or county courts, but where the two officers are separated and the clerk of the Superior Court receives a

(4) Sec. 24-2904 *ibid.*

(5) See Various Acts Relating to County Officers.

(6) *ibid.*

(7) Sec. 24-2727 Ga. Code 1933.

(8) Sec. 24-2228 *ibid.*

salary, the corresponding officer of the inferior court is generally paid a commensurate salary. The fees in the inferior courts are the same as in the Superior Court for the clerk, as well as for the solicitor.⁽¹⁾

Except in the larger counties, the sheriff is usually a fee paid officer. With one or two exceptions, he serves all the trial courts of his county, and when on salary, the double duty is taken into consideration. Due to the difference in law enforcement problems within the several larger counties, no uniformity of salaries exists for the sheriff or his under-deputies. The fees, however, are uniform throughout the State, and in criminal cases are:⁽²⁾

Removing prisoner when habeas corpus is sought for his release.	\$1.25
Removing prisoner under habeas corpus, when no mileage is paid	2.00
Personal services rendered out of the county on authorized official business, per day	3.50
Attending person taken by warrant to judge's chamber for each time	1.25
Conducting prisoner before judge or court to and from jail	1.25
Executing and returning a bench warrant	3.00
Apprehending a person suspected, if committed or held to bail	3.00
Each person, not exceeding two, who may be employed to guard a prisoner to and from jail, per day	1.50
Summoning each witness	.50
Taking bonds in criminal cases	2.00
Executing a criminal	10.00
Executing a warrant of escape	1.00
Services in every criminal case before a judge or a judge and jury	2.00

In addition to his duties as executive officer of the court, the sheriff is generally jailor of his county.⁽³⁾ In this office, he receives a turnkey fee of sixty cents for admission, release, or conducting a prisoner before the court, as well as monies for feeding prisoners, which are set by the governing body of the county and paid from its general fund.⁽⁴⁾

Attached to each Superior Court is a reporter, who, for counties where the court is in constant session, is paid a salary,⁽⁵⁾ and for the other counties, receives fees from the county treasury upon order of the judge of the court.⁽⁶⁾

(1) See Various Acts Creating City Courts.
 (2) Sec. 24-2823 Ga. Code 1933.
 (3) Sec. 77-101 *ibid.*
 (4) Sec. 24-2823 *ibid.*
 (5) See Various Acts Creating City Courts.
 (6) Sec. 24-3104 Ga. Code 1933.

For the trial courts, juries are provided and serve such times as called for by the judge. In the city court, the number of jurors necessary to constitute a trial panel varies with the specific court and may be as few as five or as great as twelve.⁽⁷⁾ The trial panel in the Superior Court varies with the type of cases, 48 jurors being allowed for felony cases, and only 24 for misdemeanors. If, for any reason, the number of jurors on the trial panel is reduced below the necessary size, the judge may order the sheriff to supplement the panel by tales jurors.⁽⁸⁾ These are summoned for a special case, and serve through an emergency. Each juror is paid a per diem for service he renders which may consist of either merely reporting ready for duty or in hearing numerous cases.

In the city court, except for some of the larger centers, a jury is not convened until after one has been demanded in the trial of a case, while in the Superior Court, both the trial jury and the grand jury report at the opening of the session. The trial jury will likely remain until court is dismissed, and for the courts constantly in session, it means that a jury panel is always ready.⁽⁹⁾ The grand jury, consisting of from 18 to 23 members, may complete its business after a day or two and recess, or it may continue in session more or less constantly.⁽¹⁰⁾ Records in rural counties indicated many grand juries were excused after serving only two days of a session. It is customary to have a bailiff to serve each jury. In the rural counties, this officer receives the same per diem as the jurors, which is either \$2.00 or \$3.00, as determined by the governing body of the county.⁽¹¹⁾

It is customary in this State that witnesses residing in the county where the court is held shall not be paid, but remuneration is provided

(7) See Various Acts Creating City Courts.
 (8) Secs. 59-801; 59-708 Ga. Code 1933.
 (9) Sec. 59-204 *ibid.*
 (10) Sec. 59-202 *ibid.*
 (11) Sec. 24-3202 *ibid.*

for those residing elsewhere. A small mileage allowance not exceeding four cents per mile to and from their homes to court is granted, in addition to the maximum per diem of \$2.00.⁽¹⁾ The courts have inherent authority to grant fees to expert witnesses where such testimony is necessary for adequate presentation of the case for the State.

Payment for witnesses, jurors, court reporters, and sums for feeding prisoners, come from the general fund of the county and all other fees are theoretically assessed upon the defendant, if he is convicted.⁽²⁾ If the defendant is acquitted, or a sentence given which does not include the cost, the fees are classed as insolvent and can be collected from the insolvent fund of the county.⁽³⁾ Where costs are assessed as part of the sentence, the defendant is supposed to pay them to the clerk of the court who disburses the monies to the officers entitled to them. Where a fine is assessed, it is also collected by the clerk and is placed in the insolvent fund;⁽⁴⁾ which accumulates, in theory, from the excess of fines and forfeitures over fees which encumber it. Actually, payment of costs in State courts is relatively rare and most costs become insolvent. Due to this, it not infrequently occurs that the amount of the insolvent fund is insufficient to pay all the fees which are due the various court officers. When this happens, the fund is disbursed in the same ratio as the fees of each officer bear to the total owing.

The foregoing makes it evident that ascertainment of the total costs of operating courts or the cost of an average case is a virtual impossibility. This cost varies from county to county to such a degree that it is doubtful if a true figure can ever be reached for the system now in practice in this State. It is possible,

however, to a certain extent, to determine the minimum cost of a felony or a misdemeanor case by the use of the amount of fees allowed the several officials for various steps of the prosecution of the case for which a jury is not impanelled. For example, the first steps in a criminal case are the issuing of a warrant, the arrest, and the commitment hearing. If as many as three witnesses have been examined, the fees due the justice of the peace are \$3.75, and to the constable \$2.00, making a total of \$5.75. If the case is a misdemeanor charge and is bound over to a city court where all officers are on fees, the following sums will be due to the several officials for the service indicated:⁽⁵⁾

The Solicitor:	Drawing the accusation	\$5.00
	Carrying the case to trial or to plea of guilty	5.00
The Clerk of the Court:	Writing up a case brought to trial or plea of guilty	6.00
The Sheriff:	Conducting the prisoner before court	1.50
	Summoning three witnesses	1.50
	Services before the judge	2.00
	The Jailor: Turnkey fee	1.00
Total before the court		21.50
Court of inquiry costs		5.75
	GRAND TOTAL	\$27.25

Had the case been tried in the Superior Court, the cost would have been the same, except that the accused would have probably given bail for which the sheriff would have been entitled to an additional \$2.00 fee.⁽⁷⁾ Had the case been a felony, the cost in the Superior Court would have been increased, due to a difference in the solicitor's fee, to \$49.70 for an ordinary felony and \$74.70 for a capital felony.⁽⁸⁾

It must be remembered that these figures are the absolute minimum and do not include the cost to the county for services of the grand jury in returning the indictment, if the case were in the Superior Court; nor the cost of the petit jury if the case were tried before one. Neither does it include the cost of the State's witness, nor the proportionate salary of the judge and per diem of bailiffs, the cost to the State for the General Assembly in legislating criminal

(1) Secs. 38-1902; 38-1905 *ibid.*

(2) *Ante*; 27-2801 *ibid.*

(3) Sec. 27-2903 *ibid.*

(4) Sec. 27-2902 *ibid.*

(5) *Ante*; Sec. 24-820 *ibid.*

(6) *Ante*.

(7) Sec. 24-2823 *ibid.*

(8) *Ante*.

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case brought	6.00
plea of guilty	1.50
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LAND TOTAL	\$27.75

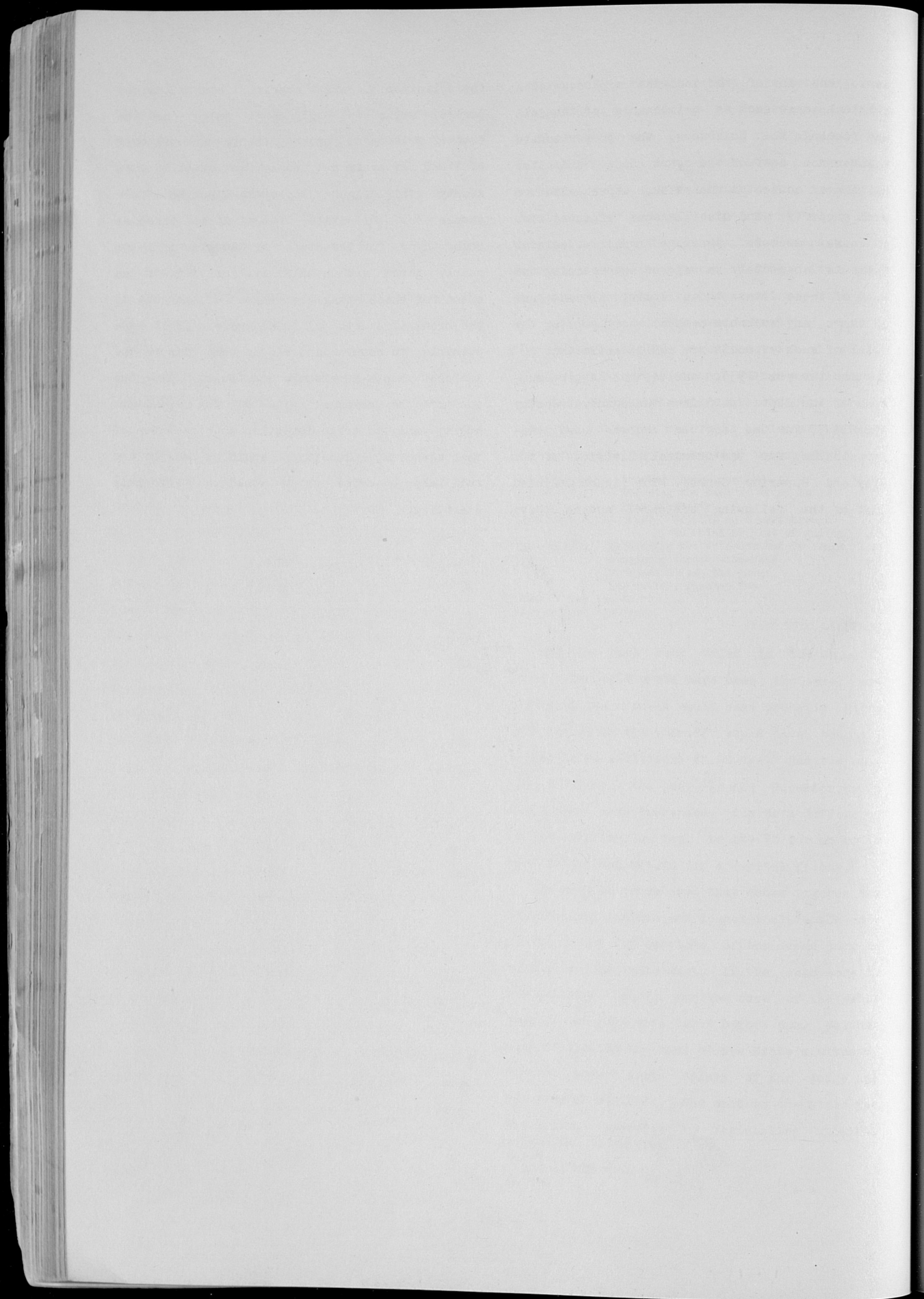
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laws, nor any of the indirect expenses of a criminal case such as maintenance of the jail and feeding the prisoners, the proportionate maintenance cost of the court house and other buildings connected therewith, depreciation on such property, and miscellaneous expenses such as books, dockets, papers, forms, et cetera. There is absolutely no way of apportioning the cost of these items to an individual case; nor is there any workable method whereby even the total of such expenditures can be estimated.

For the year 1935, one of the larger counties of the State paid from the county treasury \$92,813.57 for the tangible charges easily ascertainable for the criminal division of its city and Superior Courts. The figure included cost of the following officers, and no other:

the solicitor, clerk, sheriff, county police, juries, witnesses, city court judge, and the feed of prisoners; and represents a total cost of \$1.20 for every man, woman, and child in that county. This figure may or may not be a fair sample for the State, but if it be taken as such, then, for the State of Georgia in 1935, nearly three and a half million dollars was spent for those tangible items of the cost of the criminal courts of trial grade. If it were possible to obtain and add to this figure the indirect costs heretofore mentioned, plus the cost of the criminal side of the appellate court, and the crime detection and law enforcement agencies, exposition would be made of the toll taken by crime which would be profoundly startling.

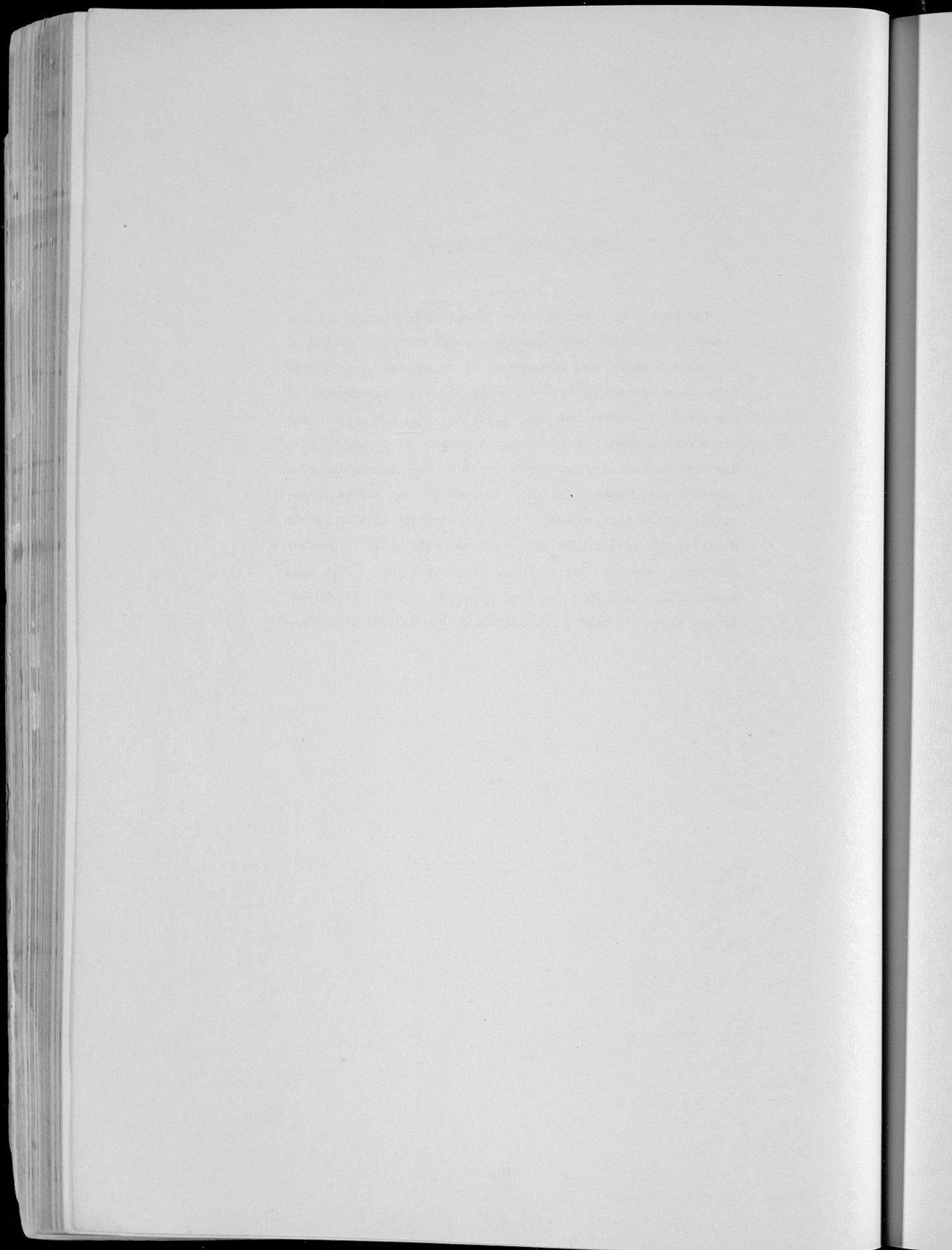




CONCLUDING STATEMENT

The Survey of Criminal Court Procedure in Georgia was designed to study the cases passing through the court system of the State. Those who instigated and conducted the survey felt that recommendations and suggestions for improvement of the criminal courts and their procedure was not within the scope of the study. Reforms may be needed, or it may be that any defects which exist are inherent in the undertaking of a state to deal with crime and, therefore, can not be eliminated. It is felt, however, that the findings of this survey will furnish material to the proper authorities by which they can judge whether the workings of the machinery have been successful. Upon this decision rests the question of whether or not there is need for revision of the courts' structure.





APPENDIXES

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APPENDIX A

Exhibit 1 (Schedule used for information from the sheriff's office)

Jail Docket - Schedule 1			
County _____	State vs _____		
Age _____	Sex: Male ☐ Female ☐ N.A. ☐	Race: White ☐ Black ☐ N.A. ☐	
Date Committed _____	Process on which committed _____		
Date Released _____	Process on which released _____		
Charge _____	Time in jail _____		
Filled By _____	Date _____		
Edited By _____	Date _____		

Exhibit 2 (Schedules used for information from the trial courts)

Superior Court - Schedule 2			
County _____	Court _____	Term _____	Year _____
Case Number _____	State vs _____	Attorney ☐	Not Represented ☐
Crime charged with _____			
Sentenced for _____			
Plea: Guilty ☐ Not Guilty ☐	Date _____	Verdict: Guilty ☐ Not Guilty ☐	Date _____
Motions: Made: Demurrer ☐ Change of Venue ☐ To Quash ☐ Demand for Trial ☐		Granted ☐ Over-ruled ☐	Date _____
Dispositions: Completed ☐ Appealed ☐ Pending ☐ Probation ☐ Suspension ☐		Date _____	
Dead Docket ☐ Nolle Prosequi ☐ Released on Demand for Trial ☐			
Probation Revoked ☐		Suspension Invoked ☐	
Sentence _____			
Remarks _____			
Time between docketing and trial _____		Time between plea and sentence _____	
County Worker _____	Date _____	Editor _____	Date _____

City Court - Schedule 2a			
County _____	Court _____	Month _____	Year _____
Case Number _____	State vs _____	Attorney ☐	Not Represented ☐
Charge _____			
Plea: Guilty ☐ Not Guilty ☐	Date _____	Tried By: Judge ☐ Jury ☐	Date _____
Disposition: Defendant: Convicted ☐	Acquitted ☐	Dismissed ☐	
Case: Completed ☐ Appealed ☐ Pending ☐ Suspension ☐ Released upon Demand for Trial ☐		Date _____	
Probation ☐ Dead Docket ☐ Nolle Prosequi ☐			
Sentence _____ Date _____			
Remarks _____			
Time between docketing and disposal _____			
County Worker _____	Date _____	Editor _____	Date _____

Exhibit 3

Appellate Courts - Schedule 3

State vs _____ County _____

Charge _____

Date Bill of Exceptions Filed _____ Date of Decision _____

Disposition: Affirmed ☐ Reversed ☐ Remanded for New Trial ☐ Other _____

Certiorari ☐ Date Filed _____ Disposition _____ Date _____

Schedule Filled By _____ Date _____

Edited By _____ Date _____

Exhibit 4

Prison Commission - Schedule 4

Records and Disposition of Felony Sentences

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APPENDIX B

TABLE 1*

FELONS ADMITTED TO THE GEORGIA PENITENTIARY
By Ages of Admission
January 1, 1926 - December 31, 1935

Ages	Total	Males		Females		Ages	Total	Males		Females	
		White	Negro	White	Negro			White	Negro	White	Negro
11	1	1	-	-	-	50	92	39	50	2	1
12	6	-	5	-	1	51	45	20	25	-	-
13	14	2	12	-	-	52	85	30	55	-	-
14	59	5	50	-	4	53	68	23	45	-	-
15	131	20	99	1	11	54	53	19	34	-	-
16	445	91	339	2	13	55	52	19	33	-	-
17	834	237	573	3	21	56	52	25	27	-	-
18	1,069	294	754	4	17	57	39	12	26	1	-
19	1,291	427	822	9	33	58	26	12	14	-	-
20	1,181	381	764	1	35	59	26	8	18	-	-
21	1,170	355	785	3	27	60	40	20	20	-	-
22	1,207	349	830	2	26	61	24	10	14	-	-
23	1,061	318	710	4	29	62	23	15	8	-	-
24	863	298	534	5	26	63	26	11	14	1	-
25	779	262	500	1	16	64	15	4	11	-	-
26	723	230	471	3	19	65	22	9	13	-	-
27	617	208	391	2	16	66	9	7	2	-	-
28	633	233	385	1	14	67	6	4	2	-	-
29	507	178	314	5	10	68	8	6	2	-	-
30	477	166	294	3	14	69	11	6	5	-	-
31	291	133	152	2	4	70	7	2	5	-	-
32	352	105	240	-	7	71	3	2	1	-	-
33	307	119	174	3	11	72	4	1	3	-	-
34	269	133	132	1	3	73	-	-	-	-	-
35	360	110	237	5	8	74	7	2	4	1	-
36	196	79	109	3	5	75	3	-	3	-	-
37	182	84	93	3	2	76	4	2	2	-	-
38	232	93	132	1	6	77	1	1	-	-	-
39	240	96	139	2	3	78	2	1	1	-	-
40	221	67	147	2	5	79	1	1	-	-	-
41	99	47	52	-	-	80	2	-	2	-	-
42	138	81	57	-	-	81	-	-	-	-	-
43	116	46	68	1	1	82	2	-	2	-	-
44	72	30	42	-	-	84	1	1	-	-	-
45	127	42	80	2	3	85	1	-	1	-	-
46	70	34	35	1	-	86	1	-	1	-	-
47	74	40	34	-	-	98	1	-	1	-	-
48	74	28	44	1	1						
49	86	33	52	-	1						
						TOTAL	17,336	5,767	11,095	81	393

* Source: Records of the Prison Commission.

TABLE 2*
PERSONS JAILED
By Crimes of Which Accused
29 Georgia Counties
January 1, 1926 - December 31, 1935

	Total	Baker	Bibb	Bulloch	Carroll	Chatham	Chattooga	Cherokee	Clarke	Coweta	Crisp	DeKalb	Dodge
CRIMINAL HOMICIDES	2,394	19	149	52	8	184	1	3	59	45	23	72	42
Murder	2,077	19	129	49	8	154	1	3	54	40	22	51	40
Involuntary Manslaughter	205	-	6	-	-	17	-	-	5	1	1	14	-
Voluntary Manslaughter	112	-	14	3	-	13	-	-	8	4	-	7	2
CRIMINAL ASSAULTS	15,134	113	921	314	38	1,284	8	7	151	271	227	625	176
Assault with Intent to Murder	4,414	72	234	114	30	386	3	5	56	82	42	121	71
Shooting at Another	879	16	73	18	2	23	-	-	6	30	-	43	3
Stabbing	2,040	2	216	19	-	403	-	-	16	44	9	63	5
Mayhem	23	-	-	-	-	11	-	-	-	-	-	1	-
Assault and Battery	4,957	19	297	86	4	323	-	2	51	71	143	189	62
Wife Beating	1,502	1	62	39	2	7	-	-	7	20	6	79	27
Pointing Pistol at Another	997	3	37	10	-	131	1	-	8	12	7	33	3
Assault, simple	322	-	2	28	-	-	4	-	7	12	20	96	5
CARRYING DEADLY WEAPONS	4,403	11	676	119	-	690	14	-	38	75	79	207	42
OPERATING AUTO WHILE DRUNK	6,443	4	274	21	-	249	3	-	56	123	16	759	16
DISTURBANCES OF PUBLIC PEACE	12,685	31	700	151	9	390	19	6	289	336	130	1,024	337
Drunkenness	6,140	31	142	81	9	70	14	3	74	275	5	844	302
Vagrancy	3,592	-	192	-	-	121	2	3	149	13	-	24	7
Hobbing	1,521	-	154	-	-	64	-	-	43	24	105	-	6
Malicious Mischief	516	-	73	-	-	22	3	-	8	6	-	28	4
Other Disturbances	916	-	139	50	-	113	-	-	15	18	20	128	18
ROBBERY	2,866	8	276	16	7	371	-	4	10	7	15	153	7
BURGLARY	8,278	56	767	135	71	962	18	17	124	140	91	491	113
LARCENIES	32,273	155	2,160	686	37	2,180	22	12	482	597	577	934	467
Larceny of Automobile	3,820	-	197	22	3	322	11	2	40	35	25	210	8
Larceny from House	6,730	1	59	28	8	434	1	-	105	57	31	142	6
Larceny from Person	311	-	13	-	-	37	-	-	4	4	2	-	-
Larceny of Live Stock	497	20	23	93	-	36	-	-	2	13	7	17	68
Embezzlement	115	-	7	2	-	6	-	-	1	-	2	-	-
Larceny After Trust	2,191	-	49	8	2	186	-	-	22	7	34	55	2
Larceny of Chickens	415	-	47	53	-	-	-	-	7	34	6	52	7
Larceny of Bicycle	137	-	-	-	-	-	-	-	-	-	-	11	-
Larceny, simple	4,225	12	331	93	5	-	-	-	-	-	-	72	4
Larceny of Cotton	92	1	-	16	7	97	2	-	66	155	65	14	-
Other Larcenies	7,735	111	1,198	230	11	634	6	10	162	186	343	276	346
Attempt Larceny	182	-	7	-	-	85	-	-	-	-	-	2	1
Cheating and Swindling	4,528	7	182	125	1	304	1	-	54	62	-	42	17
Defrauding Board Bill	159	1	10	10	-	7	-	-	13	15	26	-	-
Passing Worthless Checks	418	2	37	6	-	11	-	-	6	12	4	27	7
Larceny from Automobile	718	-	-	-	-	21	1	-	-	-	-	10	-
FORGERY	1,142	7	58	43	5	108	1	2	14	15	11	31	19
NON-SUPPORT	4,146	-	132	34	48	37	15	-	112	88	14	237	59
Bastardy	1,340	-	20	3	-	6	-	-	64	47	14	78	-
Abandonment	2,806	-	112	31	48	31	15	-	48	41	-	159	59
SEX CRIMES	4,308	9	205	124	4	174	7	9	44	90	30	1,298	63
Rape	536	5	47	7	1	39	2	2	14	18	4	34	13
Assault with Intent to Rape	446	-	38	13	2	38	-	-	5	12	4	36	7
Seduction	293	3	21	31	1	7	2	4	6	1	3	9	10
Adultery and Fornication	2,350	1	45	59	-	22	3	12	57	17	1,166	25	30
Public Indecency	299	-	45	9	-	47	-	-	2	-	-	36	-
Sodomy and Bestiality	158	-	-	2	-	5	-	-	2	-	-	16	-
Incest	10	-	-	2	-	-	-	-	-	-	-	-	1
Operating Lewd House	216	-	9	1	-	16	-	-	5	-	2	1	7
GAMBLING	6,994	13	189	132	4	115	7	-	31	104	60	494	60
Lottery	3,038	-	-	-	1	-	-	-	-	-	-	190	-
Other Types of Gambling	3,956	13	189	132	3	115	7	-	31	104	60	304	60
VIOLATION MOTOR VEHICLE LAW	2,665	3	145	58	-	158	1	-	47	33	6	372	5
VIOLATION PROHIBITION LAW	42,739	54	1,599	388	60	509	29	-	341	589	341	1,494	509
Possessing Liquor	5,242	42	3	93	39	-	10	-	312	15	282	1,151	425
Selling Liquor	402	3	2	45	2	-	4	-	19	8	28	89	71
Manufacturing Liquor	854	4	-	38	19	10	15	-	7	50	49	141	6
Other Violations	36,241	5	1,594	212	-	499	-	-	3	516	2	113	7
MISCELLANEOUS CRIMES	28,641	424	1,334	554	750	379	148	796	1,764	282	544	1,849	599
Arson	197	-	17	19	3	4	-	-	1	2	8	9	3
Bigamy	186	2	12	4	-	3	3	-	2	7	3	14	1
Bribery	36	-	5	-	-	2	-	-	-	-	-	-	-
Perjury	283	11	16	13	12	18	12	8	-	-	-	-	-
Rioting	166	-	24	36	-	-	-	-	-	-	12	11	12
Felony	4,394	8	275	-	47	11	3	85	353	12	-	-	17
Misdemeanor, miscellaneous	1,446	2	134	28	2	93	38	-	42	22	8	285	19
Misdemeanor, blanket charge	20,618	384	713	414	686	11	81	702	1,313	228	478	1,390	489
Obtaining Money under False Pretense	133	1	21	6	-	2	-	-	4	2	3	3	2
Escaping	569	4	87	10	-	186	1	-	7	6	9	3	26
False Oath	85	-	3	-	-	-	-	-	1	-	-	5	7
Kidnapping	226	4	15	13	-	9	-	-	7	1	3	5	7
Blackmail and Extortion	33	-	-	-	-	-	-	-	-	-	-	-	-
Cruelty to Children and Animals	70	-	6	4	-	9	-	-	-	-	-	-	-
Violation of Game Law	249	8	6	7	-	31	7	-	1	2	1	2	4
TOTAL	175,111	907	9,585	2,807	1,041	7,790	293	856	3,562	2,795	2,164	10,040	2,514

* Source: Jail dockets of the counties.

Dodge	Floyd	Fulton	Glynn	Habersham	Houston	Liberty	Lowndes	McIntosh	Madison	Muscogee	Peach	Richmond	Taliaferro	Taylor	Tift	Troup	Ware
42	72	952	38	35	32	4	12	18	8	160	30	216	1	35	16	89	19
40	67	766	33	34	31	4	12	17	8	153	30	201	1	35	16	80	19
-	-	158	2	-	-	-	-	-	-	2	-	-	-	-	-	1	-
2	5	28	3	1	1	-	-	1	-	5	-	15	-	-	-	8	-
176	361	7,654	178	96	198	16	3	47	54	1,084	185	462	26	94	203	334	4
71	82	1,567	86	67	91	8	-	21	2	571	54	319	14	70	69	177	-
3	24	524	7	1	18	-	-	4	-	26	17	5	3	2	13	21	-
5	39	1,047	18	6	21	4	2	1	8	24	29	25	4	4	12	19	-
-	-	9	1	-	-	-	-	-	-	-	-	1	-	-	-	-	-
62	127	2,870	43	2	46	3	1	14	24	269	57	68	4	16	72	92	2
27	35	1,022	9	1	14	1	-	2	2	100	6	23	-	2	23	11	1
3	16	565	6	1	8	-	-	1	12	91	8	21	-	-	10	13	-
5	38	50	8	18	-	-	-	4	6	3	14	-	1	-	4	1	1
42	73	1,695	23	17	56	11	-	13	34	256	46	107	17	18	40	34	12
16	316	3,576	102	3	7	-	-	4	48	622	44	62	5	19	46	67	1
337	764	4,666	181	121	47	3	51	27	220	1,418	105	557	14	38	412	328	331
302	375	1,956	161	108	13	2	-	22	158	1,044	18	90	9	38	51	229	16
7	22	2,210	14	4	24	-	3	1	28	278	1	429	-	-	39	27	1
6	347	21	-	6	3	-	48	-	11	-	52	4	-	-	301	18	314
4	5	294	-	3	2	-	-	-	13	45	-	4	-	-	4	5	-
18	15	185	6	3	5	1	-	4	10	51	34	30	5	-	17	49	-
7	44	1,514	36	3	20	-	6	4	-	129	13	178	-	7	18	19	1
113	142	2,630	136	42	112	12	22	12	-	610	129	925	11	61	153	284	12
467	567	16,223	584	165	252	17	8	76	158	2,456	397	1,837	24	105	550	530	15
8	92	2,170	98	3	9	3	-	3	2	279	25	154	2	3	30	71	-
6	36	4,074	31	6	2	-	2	1	19	842	24	701	7	22	77	14	-
-	-	177	3	-	1	-	-	-	-	32	3	30	-	-	-	1	-
68	10	68	8	-	23	2	-	9	-	22	12	20	-	1	14	29	-
-	-	24	-	-	-	-	-	-	-	6	1	2	-	-	-	-	-
2	7	1,453	26	1	3	-	-	1	1	157	16	108	-	-	21	32	-
7	4	103	18	-	1	-	-	-	3	2	16	8	-	-	52	-	2
-	-	124	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-
4	97	1,140	4	11	164	1	1	10	85	746	170	597	11	44	180	60	2
-	9	-	-	-	7	-	-	-	3	-	4	-	-	-	3	7	-
346	249	2,841	295	136	3	9	2	47	1	99	63	107	2	34	71	260	3
1	-	78	-	-	-	-	-	-	-	8	-	-	-	-	-	1	-
17	20	3,216	60	1	37	2	2	4	37	144	42	77	2	-	28	35	-
7	25	13	2	-	-	-	-	-	1	4	10	9	-	-	4	8	-
1	18	19	39	7	2	-	-	-	1	113	10	19	-	1	59	10	8
-	-	663	-	-	-	-	-	1	5	2	-	4	-	-	11	-	-
19	19	561	26	7	5	-	-	1	-	42	7	80	-	4	50	24	2
59	91	2,680	10	1	-	4	29	-	14	308	-	137	1	3	4	74	14
-	17	939	-	1	-	-	-	-	3	99	-	31	1	3	4	6	14
59	74	1,741	10	-	-	4	29	-	11	219	-	106	-	-	-	68	-
63	78	1,468	37	39	14	-	8	4	21	252	29	131	-	21	58	85	7
13	13	170	7	8	5	-	3	-	8	42	11	47	-	8	8	19	1
7	9	183	7	8	4	-	-	-	19	19	4	29	-	5	5	18	-
10	24	95	6	3	1	-	4	-	2	8	6	13	-	4	11	14	4
25	30	674	16	17	3	-	1	3	3	138	8	5	-	3	23	14	2
-	-	127	-	-	-	-	-	1	4	1	-	6	-	-	3	8	-
1	-	78	1	-	1	-	-	-	4	39	-	12	-	1	3	4	-
7	2	136	-	2	-	-	-	-	3	1	-	19	-	-	5	7	-
60	99	4,880	1	2	17	-	-	2	75	472	47	94	8	16	37	24	11
-	-	2,835	-	-	-	-	-	-	-	-	-	12	-	-	-	-	-
60	99	2,045	1	2	17	-	-	2	75	472	47	82	8	16	37	24	11
5	42	1,255	21	1	8	-	-	103	15	244	29	65	3	-	29	11	11
509	1,004	26,071	524	118	422	8	-	68	280	3,809	334	2,524	91	116	481	740	236
425	448	40	-	69	-	4	-	53	236	1,253	1	-	79	43	425	3	236
71	29	32	-	1	-	-	-	2	6	8	1	-	3	-	37	12	-
6	33	23	26	33	-	4	-	3	-	70	28	116	9	22	19	129	-
7	494	25,976	498	15	422	-	-	10	38	2,478	304	2,408	-	51	-	596	-
599	1,888	4,134	296	220	212	37	1,134	118	870	318	131	7,675	33	367	423	165	1,197
3	10	54	8	1	8	-	-	-	-	17	3	22	-	2	-	5	1
1	4	63	8	4	1	-	1	-	-	13	3	3	-	2	6	5	1
-	-	29	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12	6	96	2	3	2	-	-	2	-	9	-	4	2	-	-	1	1
17	-	23	2	21	7	-	-	2	3	-	-	-	-	-	4	-	-
19	209	560	11	5	13	-	168	10	150	24	4	1,823	2	11	45	-	253
14	30	636	23	1	3	-	-	20	17	119	45	32	4	7	29	31	-
489	1,602	2,356	192	178	166	37	965	61	686	61	47	5,718	23	333	267	105	932
2	-	3	1	-	-	-	-	1	-	26	10	4	1	-	40	1	-
26	16	55	21	2	1	-	-	-	1	24	6	57	1	-	4	4	8
3	-	76	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7	9	84	4	4	7	-	-	-	-	14	3	6	-	12	9	7	-
-	-	32	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
4	2	15	1	-	1	-	-	3	1	10	3	2	-	-	1	2	-
514	-	52	23	-	3	-	-	19	12	1	7	4	-	-	18	4	1
	5,560	79,959	2,193	869	1,402	112	1,273	497	1,797	12,180	1,526	15,050	234	904	2,520	2,803	1,872

TABLE 2*

PERSONS JAILED
By Crimes of Which Accused
29 Georgia Counties
January 1, 1926 - December 31, 1935

	Total	Baker	Bibb	Bulloch	Carroll	Chatham	Cherokee	Clarke	Coweta	Crisp	DeKalb	Dodge
CRIMINAL HOMICIDES	2,394	19	149	52	8	184	1	3	59	45	23	42
Murder	2,077	19	129	49	8	154	1	3	54	40	22	40
Involuntary Manslaughter	205	-	6	-	-	17	-	-	3	1	1	-
Voluntary Manslaughter	112	-	14	3	-	13	-	-	2	4	14	2
CRIMINAL ASSAULTS	15,134	113	921	314	38	1,284	8	7	151	271	227	176
Assault with Intent to Murder	4,414	72	234	114	30	386	3	5	56	82	42	121
Shooting at Another	879	16	73	18	2	23	-	-	6	30	-	43
Stabbing	2,040	2	216	19	-	403	-	-	16	44	9	63
Mayhem	23	-	-	-	-	11	-	-	-	-	-	1
Assault and Battery	4,957	19	297	86	4	323	-	2	51	71	143	189
Wife Beating	1,502	1	62	39	2	7	-	-	7	20	6	79
Pointing Pistol at Another	997	3	37	10	-	131	1	-	8	12	7	33
Assault, simple	322	-	2	28	-	-	4	-	7	12	20	96
CARRYING DEADLY WEAPONS	4,403	11	676	119	-	690	14	-	38	75	79	207
OPERATING AUTO WHILE DRUNK	6,443	4	274	21	-	249	3	-	56	123	16	759
DISTURBANCES OF PUBLIC PEACE	12,685	31	700	151	9	390	19	6	289	336	130	1,024
Drunkenness	6,140	31	142	81	9	70	14	3	74	275	5	844
Vagrancy	3,592	-	192	-	-	121	2	3	149	13	-	24
Hobbing	1,521	-	154	-	-	64	-	-	43	24	105	-
Malicious Mischief	516	-	73	-	-	22	3	-	8	6	-	28
Other Disturbances	916	-	139	50	-	113	-	-	15	18	20	128
ROBBERY	2,866	8	276	16	7	371	-	4	10	7	15	153
BURGLARY	8,278	56	767	135	71	962	18	17	124	140	91	491
LARCENIES	32,273	155	2,160	686	37	2,180	22	12	462	597	577	934
Larceny of Automobile	3,820	-	197	22	3	322	11	2	40	35	25	210
Larceny from House	6,730	1	59	28	8	434	1	-	105	57	31	142
Larceny from Person	311	-	13	-	-	37	-	-	4	4	2	-
Larceny of Live Stock	497	20	23	93	-	36	-	-	2	13	7	17
Embezzlement	115	-	7	2	-	6	-	-	1	-	2	68
Larceny After Trust	2,191	-	49	8	2	186	-	-	22	7	34	55
Larceny of Chickens	415	-	47	53	-	-	-	-	7	34	6	52
Larceny of Bicycle	137	-	-	-	-	-	-	-	-	-	-	11
Larceny, simple	4,225	12	331	93	5	97	2	-	66	155	65	72
Larceny of Cotton	92	1	-	16	7	-	-	-	-	17	4	14
Other Larcenies	7,735	111	1,198	230	11	634	6	10	162	186	343	276
Attempt Larceny	182	-	7	-	-	85	-	-	-	-	-	2
Cheating and Swindling	4,528	7	182	125	1	304	1	-	54	62	26	42
Defrauding Board Bill	159	1	10	10	-	7	-	-	13	15	26	-
Passing Worthless Checks	418	2	37	6	-	11	-	-	6	12	4	27
Larceny from Automobile	718	-	-	-	-	21	1	-	-	-	-	10
FORGERY	1,142	7	58	43	5	108	1	2	14	15	11	31
NON-SUPPORT	4,146	-	132	34	48	37	15	-	112	88	14	237
Bastardy	1,340	-	20	3	-	6	-	-	64	47	14	78
Abandonment	2,806	-	112	31	48	31	15	-	48	41	-	159
SEX CRIMES	4,308	9	205	124	4	174	7	9	44	90	30	1,298
Rape	536	5	47	7	1	39	2	2	14	18	4	34
Assault with Intent to Rape	446	-	38	13	2	38	-	-	5	12	4	36
Seduction	293	3	21	31	1	7	2	4	6	1	3	9
Adultery and Fornication	2,350	1	45	59	-	22	3	3	12	57	17	1,166
Public Indecency	289	-	45	9	-	47	-	-	-	-	-	36
Sodomy and Bestiality	168	-	-	2	-	5	-	-	2	-	-	16
Incest	10	-	-	-	-	-	-	-	-	-	-	1
Operating Lewd House	216	-	9	1	-	16	-	-	5	-	2	1
GAMBLING	6,994	13	189	132	4	115	7	-	31	104	60	494
Lottery	3,038	-	-	-	1	-	-	-	-	-	-	190
Other Types of Gambling	3,956	13	189	132	3	115	7	-	31	104	60	304
VIOLATION MOTOR VEHICLE LAW	2,665	3	145	58	-	158	1	-	47	33	6	372
VIOLATION PROHIBITION LAW	42,739	54	1,599	388	60	509	29	-	341	589	341	1,494
Possessing Liquor	5,242	42	3	93	39	-	10	-	312	15	262	1,151
Selling Liquor	402	3	2	45	2	-	4	-	19	8	28	89
Manufacturing Liquor	854	4	-	38	19	10	15	-	7	50	49	141
Other Violations	36,241	5	1,594	212	-	499	-	-	3	516	2	113
MISCELLANEOUS CRIMES	28,641	424	1,334	554	750	379	148	796	1,764	282	544	1,849
Arson	197	-	17	19	3	4	-	-	1	2	8	9
Bribery	166	2	12	4	-	3	3	1	2	7	3	14
Perjury	36	-	5	-	-	-	-	-	-	-	-	-
Rioting	253	11	16	13	12	18	12	8	-	-	-	11
Felony	166	-	24	36	-	-	-	-	-	-	12	11
Misdemeanor, miscellaneous	4,394	8	275	-	47	11	3	85	353	12	8	285
Misdemeanor, blanket charge	1,446	2	134	28	2	93	38	-	42	22	13	61
Obtaining Money under False Pretense	20,618	384	713	414	686	11	81	702	1,313	228	478	1,390
Escaping	133	1	21	6	-	2	-	-	-	-	-	4
False Oath	569	4	87	10	-	186	1	-	7	2	5	3
Kidnapping	85	-	3	-	-	-	-	-	-	-	-	3
Blackmail and Extortion	226	4	15	13	-	9	3	-	7	1	3	5
Cruelty to Children and Animals	33	-	-	-	-	-	-	-	-	-	-	-
Violation of Game Law	70	-	6	4	-	9	-	-	1	2	1	2
TOTAL	249	8	6	7	-	31	7	-	6	-	4	34

* Source: Jail dockets of the counties.

lb
Dodge

	Floyd	Fulton	Glynn	Habersham	Houston	Liberty	Lowndes	McIntosh	Madison	Muscogee	Peach	Richmond	Taliaferro	Taylor	Tift	Troup	Ware
42	72	952	38	35	32	4	12	18	8	160	30	216	1	35	16	89	19
40	67	766	33	34	31	4	12	17	8	153	30	201	1	35	16	80	19
-	-	158	2	-	-	-	-	-	-	2	-	-	-	-	-	1	-
2	5	28	3	1	1	-	-	1	-	5	-	15	-	-	-	8	-
176	361	7,654	178	96	198	16	3	47	54	1,084	185	462	26	94	203	334	4
71	82	1,567	86	67	91	8	-	21	2	571	54	319	14	70	69	177	-
3	24	524	7	1	18	-	-	4	-	26	17	5	3	2	13	21	-
5	39	1,047	18	6	21	4	2	1	8	24	29	25	4	4	12	19	-
-	-	9	1	-	-	-	-	-	-	-	-	1	-	-	-	-	-
62	127	2,870	43	2	46	3	1	14	24	269	57	68	4	16	72	92	2
27	35	1,022	9	1	14	1	-	2	2	100	6	23	-	2	23	11	1
3	16	565	6	1	8	-	-	1	12	91	8	21	-	-	10	13	-
5	38	50	8	18	-	-	-	4	6	3	14	-	1	-	4	1	1
42	73	1,695	23	17	56	11	-	13	34	256	46	107	17	18	40	34	12
16	316	3,576	102	3	7	-	-	4	48	622	44	62	5	19	46	67	1
337	764	4,666	181	121	47	3	51	27	220	1,418	105	557	14	38	412	328	331
302	375	1,956	161	108	13	2	-	22	158	1,044	18	90	9	38	51	229	16
7	22	2,210	14	4	24	-	3	1	28	278	1	429	-	-	39	27	1
6	347	21	-	6	3	-	48	-	11	-	52	4	-	-	301	18	314
4	5	294	-	-	2	-	-	-	13	45	-	4	-	-	4	5	-
18	15	185	6	3	5	1	-	4	10	51	34	30	5	-	17	49	-
7	44	1,514	36	3	20	-	6	4	-	129	13	178	-	7	18	19	1
113	142	2,630	136	42	112	12	22	12	-	610	129	925	11	61	153	284	12
467	567	16,223	584	165	252	17	8	76	158	2,456	397	1,837	24	105	550	530	15
8	92	2,170	98	3	9	3	1	3	2	279	25	154	2	3	30	71	-
6	36	4,074	31	6	2	-	2	1	19	842	24	701	7	22	77	14	-
-	-	177	3	-	1	-	-	-	-	32	3	30	-	-	-	1	-
68	10	63	8	-	23	2	-	9	-	22	12	20	-	1	14	29	-
-	-	84	-	-	-	-	-	-	-	6	1	2	-	-	-	-	-
2	7	1,453	26	1	3	-	-	1	1	157	16	108	-	-	21	32	-
7	4	103	18	-	1	-	-	-	3	2	16	8	-	-	52	-	2
-	-	124	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
4	97	1,140	4	11	164	1	1	10	85	746	170	597	11	44	180	60	2
-	9	-	-	-	7	-	-	-	3	-	4	-	-	-	3	7	-
346	249	2,841	295	136	3	9	2	47	1	99	63	107	2	34	71	260	3
1	-	78	-	-	-	-	-	-	-	8	-	-	-	-	-	1	-
17	20	3,216	60	1	37	2	2	4	37	144	42	77	2	-	28	35	-
1	25	13	2	-	-	-	-	-	1	4	10	9	-	-	4	8	-
7	18	19	39	7	2	-	-	-	1	113	10	19	-	1	59	10	8
-	-	663	-	-	-	-	-	1	5	2	-	4	-	-	11	-	-
19	19	561	26	7	5	-	-	1	-	42	7	80	-	4	50	24	2
59	91	2,680	10	1	-	4	29	-	14	308	-	137	1	3	4	74	14
-	17	939	-	-	-	-	-	-	3	99	-	31	1	3	4	6	14
59	74	1,741	10	-	-	4	29	-	11	219	-	106	-	-	-	68	-
63	78	1,468	37	38	14	-	8	4	21	252	29	131	-	21	58	85	7
13	13	170	7	8	5	-	3	-	8	42	11	47	-	8	8	19	1
7	9	183	7	8	4	-	-	-	-	19	4	29	-	5	5	18	-
10	24	95	6	3	1	-	4	-	2	8	6	13	-	4	11	14	4
25	30	674	16	17	3	-	1	3	3	138	8	5	-	3	23	14	2
-	-	127	-	-	-	-	-	1	1	4	-	6	-	-	3	8	-
-	-	78	1	-	1	-	-	-	4	39	-	12	-	1	3	4	-
1	-	5	-	-	-	-	-	-	-	1	-	-	-	-	-	1	-
7	2	136	-	2	-	-	-	-	3	1	-	19	-	-	5	7	-
60	99	4,880	1	2	17	-	-	2	75	472	47	94	8	16	37	24	11
-	-	2,835	-	-	-	-	-	-	-	-	-	12	-	-	-	-	-
60	99	2,045	1	2	17	-	-	2	75	472	47	82	8	16	37	24	11
5	42	1,255	21	1	8	-	-	103	15	244	29	65	3	-	29	11	11
509	1,004	26,071	524	118	422	8	-	68	280	3,809	334	2,524	91	116	481	740	236
425	448	40	-	69	-	4	-	53	236	1,253	1	-	79	43	425	3	236
71	29	32	-	1	-	-	-	2	6	8	1	-	3	-	37	12	-
6	33	23	26	33	-	4	-	3	-	70	28	116	9	22	19	129	-
7	494	25,976	498	15	422	-	-	10	38	2,478	304	2,408	-	51	-	596	-
599	1,888	4,134	296	220	212	37	1,134	118	870	318	131	7,675	33	367	423	165	1,197
3	10	54	8	1	8	-	-	-	-	17	3	22	-	2	-	5	1
1	4	63	8	4	1	-	1	-	-	13	3	3	-	2	-	5	1
-	-	29	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12	6	96	2	3	2	-	-	2	-	9	-	4	-	-	-	-	1
17	-	23	2	21	7	-	-	2	3	-	-	-	-	-	4	-	-
19	209	560	11	5	13	-	168	10	150	24	4	1,823	2	11	45	-	253
14	30	636	23	1	3	-	-	20	17	119	45	32	4	7	29	31	-
489	1,602	2,356	192	178	166	37	965	61	686	61	47	5,718	23	333	267	105	932
2	-	3	1	-	-	-	-	1	-	26	10	4	1	-	40	1	-
26	16	55	21	2	1	-	-	-	1	24	6	57	-	-	4	4	8
3	-	76	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7	9	84	4	4	7	-	-	-	-	14	3	6	-	12	9	7	-
-	-	32	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
4	2	15	1	-	1	-	-	3	1	10	3	2	-	-	1	2	-
2	-	52	23	-	3	-	-	19	12	1	7	4	-	-	18	4	1
2,514	5,560	79,959	2,193	869	1,402	112	1,273	497	1,797	12,180	1,526	15,050	234	904	2,520	2,803	1,873

TABLE 3*
MONTH BY MONTH VARIATION OF PERSONS JAILED
By Crime of which Accused
12 Counties of Georgia
January 1, 1926 - December 31, 1935

		Total	January	February	March	April	May	June	July	August	September	October	November	December
Adultery and Fornication	Number	970	55	83	68	79	79	80	89	115	116	86	67	53
	Percent	100.0	5.6	8.6	7.0	8.1	8.1	8.2	9.2	11.9	12.0	8.9	7.0	5.4
Assault and Battery	Number	3,765	255	218	277	300	317	356	393	403	365	340	277	264
	Percent	100.0	6.8	5.8	7.4	8.0	8.4	9.5	10.4	10.7	9.7	9.0	7.4	6.9
Assault with Intent to Murder	Number	3,140	218	210	238	246	253	275	259	337	310	307	236	251
	Percent	100.0	6.9	6.7	7.6	7.8	8.1	8.8	8.2	10.7	9.9	9.8	7.5	8.0
Assault with Intent to Rape	Number	293	27	16	18	31	25	14	34	40	22	19	23	24
	Percent	100.0	9.2	5.5	6.1	10.6	8.5	4.8	11.6	13.7	7.5	6.5	7.8	8.2
Bastardy	Number	1,203	110	85	111	90	104	109	123	103	86	103	105	74
	Percent	100.0	9.1	7.0	9.2	7.5	8.7	9.0	10.2	8.6	7.1	8.6	8.8	6.2
Burglary	Number	5,310	583	449	450	441	386	390	379	499	342	453	458	450
	Percent	100.0	11.0	8.4	8.6	8.3	7.3	7.3	7.0	9.4	6.4	8.5	8.6	8.5
Carrying Concealed Weapons	Number	2,474	244	173	203	210	191	173	253	196	183	198	223	247
	Percent	100.0	9.9	7.0	8.2	8.5	7.7	7.0	9.4	7.9	7.4	8.0	9.0	10.0
Cheating and Swindling	Number	3,752	239	278	330	288	336	345	313	377	328	330	287	301
	Percent	100.0	6.4	7.4	8.8	7.7	9.0	9.2	8.3	10.1	8.7	8.8	7.6	8.0
Forgery	Number	821	38	73	73	56	79	63	62	67	60	83	72	65
	Percent	100.0	8.3	8.9	8.9	6.8	9.6	7.7	7.6	8.2	7.3	10.1	8.7	7.8
Gambling	Number	3,049	280	177	318	285	230	254	240	215	250	230	314	256
	Percent	100.0	9.2	5.8	10.4	9.3	7.6	8.3	7.9	7.1	8.2	7.5	10.3	8.4
Larceny, simple	Number	3,504	316	311	334	260	260	236	306	277	232	285	286	401
	Percent	100.0	9.0	8.9	9.5	7.4	7.4	6.7	8.8	7.9	6.6	8.1	8.2	11.5
Larceny of Automobile	Number	2,910	287	241	251	233	227	208	237	247	279	218	238	244
	Percent	100.0	9.9	8.3	8.6	8.0	7.8	7.1	8.1	8.5	9.6	7.5	8.2	8.4
Larceny of Farm Animals	Number	214	24	13	30	13	7	14	13	22	14	15	21	28
	Percent	100.0	11.2	6.1	14.0	6.1	3.3	6.5	6.1	10.3	6.5	7.0	9.8	13.1
Larceny from House	Number	5,973	516	416	522	497	443	496	469	528	491	492	455	648
	Percent	100.0	8.7	7.0	8.7	8.3	7.4	8.3	7.9	8.8	8.2	8.2	7.6	10.9
Larceny After Trust	Number	1,827	168	130	132	167	146	154	148	159	164	141	184	144
	Percent	100.0	8.6	7.1	7.2	9.2	8.0	8.4	8.1	8.7	9.0	7.7	10.1	7.9
Manufacturing Liquor	Number	497	52	40	43	32	37	30	35	46	50	60	40	32
	Percent	100.0	10.5	8.0	8.7	6.4	7.5	6.0	7.0	9.3	10.1	12.1	8.0	6.4
Murder	Number	1,481	131	121	118	91	121	150	118	132	127	135	120	117
	Percent	100.0	8.8	8.2	8.0	6.1	8.2	10.1	8.0	8.9	8.6	9.1	8.1	7.9
Operating Auto while Drunk	Number	4,986	365	320	369	385	401	382	447	481	485	477	449	425
	Percent	100.0	7.3	6.4	7.4	7.7	8.1	7.7	9.0	9.6	9.7	9.6	9.0	8.5
Public Drunkenness	Number	4,321	271	293	330	329	356	403	402	445	386	367	373	366
	Percent	100.0	6.3	6.8	7.6	7.6	8.2	9.3	9.3	10.3	8.9	8.5	8.7	8.5
Rape	Number	363	34	27	22	29	36	32	26	32	46	42	16	21
	Percent	100.0	9.4	7.4	6.1	8.0	9.9	8.8	7.2	8.8	12.7	11.5	4.4	5.8
Robbery	Number	1,959	117	129	194	191	162	140	167	137	167	159	157	239
	Percent	100.0	6.0	6.6	9.9	9.7	8.3	7.2	8.5	7.0	8.5	8.1	8.0	12.2
Seduction	Number	185	16	13	16	12	17	10	17	19	17	10	17	21
	Percent	100.0	8.6	7.0	8.6	6.5	9.2	5.4	9.2	10.3	9.2	5.4	9.2	11.4
Shooting at Another	Number	686	53	40	64	54	55	68	64	46	61	60	64	57
	Percent	100.0	7.7	5.9	9.3	7.9	8.0	9.9	9.3	6.7	8.9	8.8	9.3	8.3
Stabbing	Number	1,288	78	78	122	101	110	107	148	124	123	114	91	92
	Percent	100.0	6.1	6.1	9.5	7.8	8.5	8.3	11.5	9.6	9.5	8.9	7.1	7.1
Vagrancy	Number	3,220	243	270	300	244	271	346	297	279	254	246	237	233
	Percent	100.0	7.5	8.4	9.3	7.6	8.4	10.8	9.2	8.7	7.9	7.6	7.4	7.2
Violation of Prohibition Law	Number	33,286	2,692	2,514	2,901	2,886	2,765	2,599	2,845	2,923	2,936	3,030	2,620	2,575
	Percent	100.0	8.1	7.6	8.7	8.7	8.3	7.8	8.5	8.8	8.8	9.1	7.9	7.7
Wife Beating	Number	1,265	74	71	102	102	110	119	143	134	123	104	88	95
	Percent	100.0	5.8	5.6	8.1	8.1	8.7	9.4	11.3	10.6	9.7	8.2	7.0	7.5
TOTAL	Number	92,742	7,506	6,789	7,936	7,652	7,524	7,553	8,007	8,383	8,017	8,104	7,518	7,753
	Percent	100.0	8.2	7.3	8.6	8.2	8.2	8.2	8.7	9.0	8.5	8.7	8.2	8.2

* Source: Jail dockets of the counties.

TABLE 4*
AGES OF PERSONS ACCUSED OF CRIME
27 Counties of Georgia
January 1, 1926 - December 31, 1935

PART I
CRIMINAL HOMICIDES

A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	32	1.6	17	2.7	53.1	-	-	-	12	1.1	37.5	3	1.4	9.4
16 - 20	266	13.1	113	17.9	42.5	8	16.3	3.0	126	11.0	47.4	19	9.2	7.1
21 - 25	623	30.8	214	34.0	34.3	11	22.4	1.8	329	28.8	52.8	69	33.5	11.1
26 - 30	384	19.0	118	18.7	30.7	8	16.3	2.1	208	18.2	54.2	50	24.4	13.0
31 - 35	290	14.3	95	15.1	32.8	2	4.1	.7	157	13.8	54.1	36	17.5	12.4
36 - 40	187	9.2	44	7.0	23.5	6	12.2	3.2	118	10.3	63.1	19	9.2	10.2
41 - 50	130	6.4	5	.8	3.9	5	10.2	3.9	113	9.9	86.9	7	3.4	5.3
Over 50	114	5.6	24	3.8	21.0	9	18.5	7.9	78	6.9	68.5	3	1.4	2.6
TOTAL	2,026	100.0	630	100.0	31.1	49	100.0	2.4	1,141	100.0	56.3	206	100.0	10.2

B. MURDER

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	31	1.8	16	3.5	51.6	-	-	-	12	1.1	38.7	3	1.6	9.7
16 - 20	217	12.5	80	17.0	36.9	7	17.5	3.2	112	10.8	51.6	18	9.4	8.3
21 - 25	515	29.6	150	32.0	29.1	7	17.5	1.4	297	28.7	57.7	61	31.9	11.8
26 - 30	344	19.8	100	21.3	29.1	6	15.0	1.7	191	18.4	55.5	47	24.6	13.7
31 - 35	255	14.7	75	16.0	29.4	1	2.5	.4	145	14.0	56.9	34	17.8	13.3
36 - 40	166	9.6	30	6.4	13.1	6	15.0	3.6	112	10.8	67.5	18	9.5	10.9
41 - 50	113	6.5	-	-	-	4	10.0	3.5	102	9.8	90.3	7	3.6	6.2
Over 50	96	5.5	18	3.8	18.7	9	22.5	9.4	66	6.4	68.8	3	1.6	3.1
TOTAL	1,737	100.0	469	100.0	27.0	40	100.0	2.3	1,037	100.0	59.7	191	100.0	11.0

C. INVOLUNTARY MANSLAUGHTER

	Total	
	Number	Percent
Under 16	1	.5
16 - 20	19	9.9
21 - 25	77	40.3
26 - 30	29	15.2
31 - 35	26	13.6
36 - 40	16	8.4
41 - 50	12	6.3
Over 50	11	5.8
TOTAL	191	100.0

D. VOLUNTARY MANSLAUGHTER

	Total	
	Number	Percent
Under 16	-	-
16 - 20	30	30.6
21 - 25	31	31.6
26 - 30	11	11.2
31 - 35	9	9.2
36 - 40	5	5.1
41 - 50	5	5.1
Over 50	7	7.2
TOTAL	98	100.0

TABLE 4 (Cont'd)

PART II

CRIMINAL ASSAULTS

A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	92	.7	26	.6	28.3	2	.7	2.1	49	.8	53.3	15	1.0	16.3
16 - 20	2,517	19.7	846	18.1	33.6	50	16.9	2.0	1,452	23.0	57.7	169	11.4	6.7
21 - 25	3,404	26.7	1,375	29.4	40.4	71	24.1	2.1	1,583	25.1	46.5	375	25.3	11.0
26 - 30	2,381	18.7	964	20.6	40.5	51	17.3	2.1	1,111	17.6	46.7	255	17.6	10.7
31 - 35	1,578	12.4	488	10.4	30.9	41	13.9	2.6	779	12.4	49.4	270	18.2	17.1
36 - 40	1,362	10.7	555	11.9	40.8	55	18.6	4.0	534	8.5	39.2	218	14.7	16.0
41 - 50	935	7.3	322	6.9	34.4	25	8.5	2.7	456	7.2	48.8	132	8.9	14.1
Over 50	484	3.8	96	2.1	19.8	-	-	-	341	5.4	70.5	47	3.3	9.7
TOTAL	12,753	100.0	4,672	100.0	36.7	295	100.0	2.3	6,305	100.0	49.4	1,481	100.0	11.6

B. ASSAULT WITH INTENT TO MURDER

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	26	.8	4	.4	15.4	2	4.3	7.7	17	.9	65.4	3	.3	11.5
16 - 20	1,026	31.0	293	26.9	28.6	16	34.0	1.6	658	36.7	64.1	59	15.2	5.7
21 - 25	595	17.9	211	19.4	35.5	14	29.8	2.4	254	14.2	42.7	116	30.0	19.4
26 - 30	610	18.4	200	18.4	32.7	5	10.6	.9	327	18.2	53.6	78	20.2	12.8
31 - 35	347	10.5	93	8.5	26.8	9	19.1	2.6	182	10.2	52.4	63	16.3	18.2
36 - 40	275	8.3	128	11.8	46.5	1	2.2	.4	111	6.2	40.4	35	9.0	12.7
41 - 50	280	8.4	95	8.7	33.9	-	-	-	163	9.1	58.2	22	5.7	7.9
Over 50	156	4.7	64	5.9	41.0	-	-	-	81	4.5	51.9	11	2.8	7.1
TOTAL	3,315	100.0	1,088	100.0	32.8	47	100.0	1.4	1,793	100.0	54.1	387	100.0	11.7

C. SHOOTING AT ANOTHER

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	7	1.0	4	3.1	57.1	-	-	-	1	.2	14.3	2	3.2	28.6
16 - 20	147	21.4	29	22.3	19.7	8	53.3	5.5	94	19.6	63.9	16	25.4	10.9
21 - 25	210	30.6	35	26.9	16.7	3	20.0	1.4	153	32.0	72.9	19	30.2	9.0
26 - 30	78	11.4	10	7.8	12.8	2	13.3	2.6	54	11.3	69.2	12	19.0	15.4
31 - 35	92	13.4	25	19.2	27.2	1	6.7	1.1	59	12.3	64.1	7	11.1	7.6
36 - 40	61	8.9	5	3.8	8.2	1	6.7	1.6	51	10.6	83.6	4	6.3	6.6
41 - 50	60	8.7	20	15.4	33.3	-	-	-	38	7.9	63.4	2	3.2	3.3
Over 50	32	4.6	2	1.5	6.3	-	-	-	29	6.1	90.6	1	1.6	3.1
TOTAL	687	100.0	130	100.0	18.9	15	100.0	2.2	479	100.0	69.7	63	100.0	9.2

D. STABBING

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	13	.7	3	1.6	23.1	-	-	-	8	.7	61.5	2	.4	15.4
16 - 20	322	17.9	18	9.9	5.6	1	8.3	.3	272	24.0	84.5	31	6.6	9.6
21 - 25	475	26.3	52	28.6	11.0	2	16.7	.4	329	29.0	69.3	92	19.3	19.3
26 - 30	320	17.7	60	33.0	18.8	4	33.3	1.2	174	15.4	54.4	82	17.2	25.6
31 - 35	299	16.6	45	24.7	15.1	1	8.3	.3	155	13.7	51.8	98	20.5	32.8
36 - 40	197	10.9	2	1.1	1.0	4	33.4	2.0	105	9.3	53.3	86	18.2	43.7
41 - 50	132	7.4	2	1.1	1.5	-	-	-	59	5.2	44.7	71	14.9	53.8
Over 50	45	2.5	-	-	-	-	-	-	31	2.7	68.9	14	2.9	31.1
TOTAL	1,803	100.0	182	100.0	10.1	12	100.0	.7	1,133	100.0	62.8	476	100.0	26.4

TABLE 4 (Cont'd)
PART II - Criminal Assault (Cont'd)
E. MAYHEM

Age Group	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	7	36.8	-	-	-	-	-	-	4	36.4	57.1	3	42.9	42.9
21 - 25	7	36.8	-	-	-	-	-	-	4	36.4	57.1	3	42.9	42.9
26 - 30	3	15.8	1	100.0	33.3	-	-	-	1	9.1	33.3	1	14.2	33.4
31 - 35	1	5.3	-	-	-	-	-	-	1	9.1	100.0	-	-	-
36 - 40	1	5.3	-	-	-	-	-	-	1	9.0	100.0	-	-	-
41 - 50	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Over 50	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL	19	100.0	1	100.0	5.3	-	-	-	11	100.0	57.9	7	100.0	36.8

F. ASSAULT AND BATTERY

Age Group	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	35	.8	10	.5	28.6	-	-	-	17	1.0	48.6	8	1.8	22.8
16 - 20	783	17.7	452	21.9	57.7	23	11.2	2.9	263	15.5	33.6	45	9.8	5.8
21 - 25	1366	30.8	752	36.4	55.1	47	22.9	3.4	447	26.3	32.7	120	26.3	8.8
26 - 30	801	18.1	357	17.3	44.6	37	18.1	4.6	342	20.2	42.7	65	14.2	8.1
31 - 35	496	11.2	175	8.5	35.3	28	13.7	5.6	208	12.2	41.9	85	18.6	17.2
36 - 40	426	9.6	160	7.7	37.5	46	22.4	10.6	141	8.3	33.0	79	17.3	18.9
41 - 50	315	7.1	131	6.3	41.5	24	11.7	7.6	125	7.4	39.7	35	7.7	11.2
Over 50	206	4.7	30	1.4	14.6	-	-	-	156	9.1	75.7	20	4.3	9.7
TOTAL	4,428	100.0	2,067	100.0	46.7	205	100.0	4.6	1,699	100.0	38.4	457	100.0	10.3

G. WIFE BEATING

Age Group	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	67	4.8	7	.8	10.4	-	-	-	60	11.0	89.6	-	-	-
21 - 25	365	26.2	165	19.5	45.2	-	-	-	200	36.6	54.8	-	-	-
26 - 30	318	22.9	215	25.4	67.6	-	-	-	103	18.9	32.4	-	-	-
31 - 35	234	16.8	135	16.0	57.7	-	-	-	99	18.1	42.3	-	-	-
36 - 40	305	21.9	250	29.6	82.0	-	-	-	55	10.1	18.0	-	-	-
41 - 50	98	7.0	74	8.7	75.5	-	-	-	24	4.4	24.5	-	-	-
Over 50	5	.4	-	-	-	-	-	-	5	.9	100.0	-	-	-
TOTAL	1,392	100.0	846	100.0	60.8	-	-	-	546	100.0	39.2	-	-	-

H. POINTING PISTOL AT ANOTHER

Age Group	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	3	.4	-	-	-	-	-	-	3	.6	100.0	-	-	-
16 - 20	112	13.3	23	10.4	20.5	1	11.1	.9	79	14.8	70.5	9	14.8	8.1
21 - 25	281	34.1	99	44.6	35.2	3	33.4	1.1	164	30.8	58.4	15	24.2	5.3
26 - 30	175	21.2	75	33.7	42.9	1	11.1	.6	88	16.5	50.3	11	17.6	6.2
31 - 35	95	11.5	15	6.8	15.8	1	11.1	1.1	65	12.2	68.4	14	22.6	14.7
36 - 40	85	10.3	10	4.5	11.8	2	22.2	2.3	61	11.4	71.8	12	19.3	14.1
41 - 50	43	5.3	-	-	-	1	11.1	2.3	41	7.7	95.4	1	1.5	2.3
Over 50	32	3.9	-	-	-	-	-	-	32	6.0	100.0	-	-	-
TOTAL	826	100.0	222	100.0	26.9	9	100.0	1.1	533	100.0	64.5	62	100.0	7.5

TABLE 4 (Cont'd)
PART II - Criminal Assault (Cont'd)
I. ASSAULT SIMPLE

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	8	2.3	5	3.7	62.5	-	-	-	3	2.7	37.5	-	-	-
16 - 20	53	18.7	24	17.6	45.3	1	14.3	1.9	22	19.8	41.5	6	20.7	11.3
21 - 25	105	37.1	61	44.9	58.1	2	28.6	1.9	32	28.8	30.5	10	34.6	9.5
26 - 30	76	26.9	46	33.8	60.5	2	28.6	2.7	22	19.8	28.9	6	20.7	7.9
31 - 35	14	4.9	-	-	-	1	14.3	7.2	10	9.0	71.4	3	10.3	21.4
36 - 40	12	4.2	-	-	-	1	14.2	8.3	9	8.1	75.0	2	6.8	16.7
41 - 50	7	2.5	-	-	-	-	-	-	6	5.4	85.7	1	3.4	14.3
Over 50	8	2.9	-	-	-	-	-	-	7	6.4	87.5	1	3.4	12.5
TOTAL	283	100.0	136	100.0	48.1	7	100.0	2.5	111	100.0	39.2	29	100.0	10.2

PART III
CARRYING DEADLY WEAPONS
TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	36	1.0	26	2.7	72.2	-	-	-	9	.4	25.0	1	.7	2.8
16 - 20	662	18.2	218	22.5	33.0	5	19.2	.8	420	16.9	63.4	19	12.8	2.8
21 - 25	1,246	34.3	447	46.1	35.9	11	42.3	.8	763	30.6	61.2	25	16.9	2.1
26 - 30	691	19.0	233	24.0	33.7	5	19.2	.8	426	17.1	61.6	27	18.2	3.9
31 - 35	374	10.3	27	2.8	7.2	1	3.8	.3	322	12.9	86.1	24	16.2	6.4
36 - 40	234	6.5	5	.5	2.2	4	15.5	1.7	199	8.0	85.0	26	17.6	11.1
41 - 50	204	5.6	8	.8	3.9	-	-	-	180	7.2	88.3	16	10.8	7.8
Over 50	187	5.1	6	.6	3.2	-	-	-	171	6.9	91.4	10	6.8	5.4
TOTAL	3,634	100.0	970	100.0	26.7	26	100.0	.7	2,490	100.0	68.5	148	100.0	4.1

PART IV
OPERATING AUTO WHILE DRUNK
TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	1	-	-	-	-	-	-	-	1	.1	100.0	-	-	-
16 - 20	1,211	20.8	775	19.1	64.0	16	11.0	1.3	416	26.4	34.4	4	14.3	.3
21 - 25	1,521	26.1	995	24.5	65.4	35	24.0	2.3	480	30.4	31.6	11	39.3	.7
26 - 30	1,045	18.0	818	20.1	78.3	25	17.1	2.4	196	12.4	18.7	6	21.4	.6
31 - 35	801	13.8	590	14.5	73.7	28	19.2	3.5	178	11.3	22.2	5	17.8	.6
36 - 40	798	13.7	612	15.0	76.7	34	23.3	4.3	151	9.6	18.9	1	3.6	.1
41 - 50	300	5.2	203	5.0	67.7	8	5.4	2.7	88	5.6	29.3	1	3.6	.3
Over 50	142	2.4	75	1.8	52.8	-	-	-	67	4.2	47.2	-	-	-
TOTAL	5,819	100.0	4,068	100.0	69.9	146	100.0	2.5	1,577	100.0	27.1	28	100.0	.5

TABLE 4 (Cont'd)

PART V

DISTURBANCES OF THE PUBLIC PEACE

A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	30	.3	8	.1	26.7	-	-	-	22	.8	73.3	-	-	-
16 - 20	1,176	11.2	522	8.5	44.4	38	3.9	3.2	545	19.9	46.3	71	11.4	6.1
21 - 25	3,286	31.4	2,020	33.0	61.5	256	26.1	7.7	864	31.6	26.4	146	23.4	4.4
26 - 30	2,287	21.8	1,562	25.5	68.2	176	17.9	7.7	428	15.6	18.7	121	19.4	5.4
31 - 35	1,710	16.3	1,067	17.4	62.3	182	18.5	10.7	359	13.1	21.0	102	16.3	6.0
36 - 40	1,324	12.6	727	11.9	54.9	249	25.3	18.8	248	9.1	18.7	100	16.1	7.6
41 - 50	479	4.6	202	3.3	42.2	59	6.0	12.3	165	6.0	34.4	53	8.5	11.1
Over 50	179	1.8	18	.3	10.0	23	2.3	12.8	107	3.9	59.8	31	4.9	17.4
TOTAL	10,471	100.0	6,126	100.0	58.5	983	100.0	9.4	2,738	100.0	26.1	624	100.0	6.0

B. DRUNKENNESS

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	11	.2	5	.2	45.5	-	-	-	6	.5	54.5	-	-	-
16 - 20	563	10.0	295	7.7	52.4	12	3.2	2.1	230	20.3	40.9	26	9.0	4.6
21 - 25	1,807	32.1	1,273	33.3	70.5	107	28.5	5.9	365	32.2	20.2	62	21.4	3.4
26 - 30	1,372	24.4	1,073	28.0	78.2	75	20.0	5.4	164	14.5	12.0	60	20.7	4.4
31 - 35	931	16.5	643	16.8	69.1	78	20.7	8.3	147	12.9	15.8	63	21.7	6.8
36 - 40	642	11.4	392	10.2	61.1	100	26.5	15.5	96	8.5	15.0	54	18.6	8.4
41 - 50	245	4.4	146	3.8	59.6	4	1.1	1.6	70	6.2	28.6	25	8.6	10.2
Over 50	56	1.0	-	-	-	-	-	-	56	4.9	100.0	-	-	-
TOTAL	5,627	100.0	3,327	100.0	68.0	376	100.0	6.7	1,134	100.0	20.2	290	100.0	5.1

C. VAGRANCY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	3	.1	-	-	-	-	-	-	3	.4	100.0	-	-	-
16 - 20	249	10.1	72	8.1	28.9	20	3.8	8.0	119	14.9	47.8	38	14.9	15.3
21 - 25	673	27.2	248	27.9	36.2	123	23.1	18.3	251	31.4	37.3	51	20.0	7.6
26 - 30	433	17.5	164	18.5	37.9	89	16.7	20.5	136	17.0	31.4	44	17.2	10.2
31 - 35	411	16.6	159	17.9	38.7	95	17.9	23.1	131	16.4	31.9	26	10.2	6.3
36 - 40	428	17.3	175	19.7	40.9	130	24.4	30.3	82	10.3	19.2	41	16.1	9.6
41 - 50	176	7.1	52	5.9	29.6	53	10.0	30.1	46	5.8	26.1	25	9.8	14.2
Over 50	101	4.1	18	2.0	17.8	22	4.1	21.8	31	3.8	30.7	30	11.8	29.7
TOTAL	2,474	100.0	888	100.0	35.9	532	100.0	21.5	799	100.0	32.3	255	100.0	10.3

D. HOBOING

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	5	.4	-	-	-	-	-	-	5	1.1	100.0	-	-	-
16 - 20	217	17.3	117	14.8	53.9	-	-	-	100	22.0	46.1	-	-	-
21 - 25	388	30.9	245	31.1	63.1	3	50.0	.8	135	30.0	34.8	5	71.4	1.3
26 - 30	227	18.1	157	19.9	69.2	1	16.7	.4	68	15.1	30.0	1	14.3	.4
31 - 35	170	13.6	117	14.8	68.8	-	-	-	52	11.5	30.6	1	14.3	.6
36 - 40	203	16.2	153	19.4	75.4	2	33.3	1.0	48	10.6	23.6	-	-	-
41 - 50	35	2.8	-	-	-	-	-	-	35	7.8	100.0	-	-	-
Over 50	8	.7	-	-	-	-	-	-	8	1.9	100.0	-	-	-
TOTAL	1,253	100.0	789	100.0	63.0	6	100.0	.5	451	100.0	36.0	7	100.0	.5

TABLE 4 (Cont'd)
PART V - Disturbances of the Public Peace (Cont'd)

E. MALICIOUS MISCHIEF

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	8	1.9	1	.5	12.5	-	-	-	7	4.6	87.5	-	-	-
16 - 20	94	21.8	15	6.9	16.0	4	23.5	4.2	71	47.3	75.5	4	8.3	4.3
21 - 25	155	35.8	82	37.7	52.9	6	35.3	3.9	50	33.3	32.2	17	35.4	11.0
26 - 30	97	22.4	65	29.9	67.0	2	11.8	2.1	19	12.7	19.6	11	22.9	11.3
31 - 35	61	14.1	50	23.0	82.0	-	-	-	3	2.1	4.9	8	16.6	13.1
36 - 40	12	2.8	2	1.0	16.7	5	29.4	41.7	-	-	-	5	10.5	41.6
41 - 50	5	1.2	2	1.0	40.0	-	-	-	-	-	-	3	6.3	60.0
Over 50	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL	432	100.0	217	100.0	50.2	17	100.0	4.0	150	100.0	34.7	48	100.0	11.1

F. OTHER DISTURBANCES

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	3	.4	2	.5	66.7	-	-	-	1	.5	33.3	-	-	-
16 - 20	53	7.7	23	5.7	44.0	2	3.8	4.0	25	12.2	46.0	3	12.4	6.0
21 - 25	263	38.4	172	42.5	65.4	17	32.6	6.5	63	30.9	23.9	11	45.8	4.2
26 - 30	158	23.0	103	25.4	65.2	9	17.3	5.7	41	20.1	25.9	5	20.8	3.2
31 - 35	137	20.0	98	24.2	71.5	9	17.3	6.6	26	12.7	19.0	4	16.8	2.9
36 - 40	39	5.7	5	1.2	12.8	12	23.2	30.8	22	10.8	56.4	-	-	-
41 - 50	18	2.7	2	.5	11.1	2	3.9	11.1	14	6.9	77.8	-	-	-
Over 50	14	2.1	-	-	-	1	1.0	7.1	12	5.9	85.8	1	4.2	7.1
TOTAL	685	100.0	405	100.0	59.2	52	100.0	7.6	204	100.0	29.7	24	100.0	3.5

PART VI

ROBBERY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	33	1.3	11	1.3	33.3	2	4.9	6.1	16	1.1	48.5	4	3.6	12.1
16 - 20	648	26.6	221	26.7	34.1	8	19.5	1.3	400	27.5	61.7	19	17.0	2.9
21 - 25	753	30.9	244	29.5	32.4	13	31.7	1.7	464	31.8	61.6	32	28.5	4.3
26 - 30	403	16.5	170	20.5	42.2	2	4.9	.5	215	14.7	53.3	16	14.3	4.0
31 - 35	229	9.4	75	9.1	32.8	6	14.6	2.6	136	9.3	59.4	12	10.7	5.2
36 - 40	207	8.5	50	6.0	24.2	2	4.9	1.0	146	10.0	70.6	9	8.0	4.3
41 - 50	134	5.5	50	6.0	37.3	-	-	-	70	4.8	52.3	14	12.5	10.4
Over 50	53	1.3	7	.9	21.2	8	19.5	24.2	12	.8	36.4	6	5.4	18.2
TOTAL	2,440	100.0	828	100.0	33.9	41	100.0	1.7	1,459	100.0	59.8	112	100.0	4.6

PART VII

BURGLARY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	283	3.4	31	1.3	10.9	3	6.5	1.1	249	4.4	88.0	-	-	-
16 - 20	2,966	36.1	893	38.6	30.1	15	32.6	.5	2037	36.1	68.7	21	10.6	.7
21 - 25	2,230	27.2	648	28.0	29.1	17	36.9	.7	1494	26.5	67.0	71	35.7	3.2
26 - 30	1,219	14.9	504	21.8	41.3	8	17.4	.7	656	11.6	53.8	51	25.6	4.2
31 - 35	616	7.5	137	5.9	22.2	1	2.2	.2	439	7.8	71.3	39	19.6	6.3
36 - 40	345	4.2	75	3.2	21.7	1	2.2	.3	257	4.5	74.5	12	6.0	3.5
41 - 50	435	5.3	25	1.1	5.7	-	-	-	406	7.2	93.4	4	2.0	.9
Over 50	113	1.4	2	.1	1.8	1	2.2	.9	109	1.9	96.4	1	.5	.9
TOTAL	8,207	100.0	2,315	100.0	28.2	46	100.0	.6	5,647	100.0	68.8	199	100.0	2.4

TABLE 4 (Cont'd)

PART VIII

LARCENIES

A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	538	1.9	191	1.8	35.5	10	1.6	1.9	283	2.0	52.6	54	2.3	10.0
16 - 20	6,498	23.3	2,492	23.4	38.4	104	16.3	1.6	3,625	25.5	55.8	277	12.0	4.2
21 - 25	7,200	25.9	3,014	28.3	41.9	136	21.3	1.9	3,390	23.8	47.1	660	28.5	9.1
26 - 30	4,888	17.6	2,027	19.1	41.5	103	16.1	2.1	2,390	16.8	48.9	368	15.8	7.5
31 - 35	3,265	11.7	1,384	13.0	42.4	100	15.6	3.1	1,442	10.1	44.1	339	14.6	10.4
36 - 40	2,561	9.2	930	8.7	36.3	109	17.1	4.3	1,194	8.4	46.7	328	14.2	12.7
41 - 50	1,825	6.6	404	3.8	22.1	74	11.6	4.1	1,166	8.2	63.9	181	7.8	9.9
Over 50	1,055	3.8	190	1.9	18.0	3	.4	.3	752	5.2	71.3	110	4.8	10.4
TOTAL	27,830	100.0	10,632	100.0	38.2	639	100.0	2.3	14,242	100.0	51.2	2,317	100.0	8.3

B. LARCENY OF AUTO

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	85	2.9	66	3.9	77.6	-	-	-	19	1.6	22.4	-	-	-
16 - 20	920	31.9	632	37.8	68.7	21	47.8	2.3	266	23.0	28.9	1	6.2	.1
21 - 25	820	28.4	425	25.4	51.8	13	29.5	1.6	377	32.6	46.0	5	31.4	.6
26 - 30	394	13.6	215	12.9	54.6	5	11.4	1.3	170	14.7	43.1	4	25.0	1.0
31 - 35	228	7.9	110	6.6	48.2	2	4.5	.9	112	9.7	49.1	4	25.0	1.8
36 - 40	232	8.0	100	6.0	43.1	3	6.8	1.3	128	11.1	55.2	1	6.2	.4
41 - 50	187	6.5	121	7.2	64.7	-	-	-	65	5.6	34.8	1	6.2	.5
Over 50	22	.8	3	.2	13.6	-	-	-	19	1.7	86.4	-	-	-
TOTAL	2,888	100.0	1,672	100.0	57.9	44	100.0	1.5	1,156	100.0	40.0	16	100.0	.6

C. LARCENY FROM HOUSE

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	79	1.3	9	.7	11.4	2	1.3	2.5	41	1.1	51.9	27	2.6	34.2
16 - 20	1,722	27.4	450	37.4	26.1	64	41.8	3.7	1,082	28.0	62.9	126	12.2	7.3
21 - 25	1,357	21.7	300	24.9	22.1	27	17.6	2.0	722	18.6	53.2	308	29.8	22.7
26 - 30	1,172	18.7	197	16.4	16.8	24	15.7	2.1	803	20.7	68.5	148	14.3	12.6
31 - 35	726	11.6	103	8.6	14.2	7	4.6	1.0	475	12.3	65.4	141	13.6	19.4
36 - 40	551	8.8	100	8.3	18.2	11	7.2	2.0	306	7.9	55.5	134	13.0	24.3
41 - 50	443	7.1	44	3.7	9.9	16	10.5	3.6	298	7.7	67.3	85	8.2	19.2
Over 50	211	3.4	-	-	-	2	1.3	1.0	144	3.7	68.2	65	6.3	30.8
TOTAL	6,261	100.0	1,203	100.0	19.2	153	100.0	2.4	3,871	100.0	61.9	1,034	100.0	16.5

D. LARCENY FROM PERSON

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	5	1.8	1	1.1	20.0	1	4.8	20.0	3	2.3	60.0	-	-	-
16 - 20	61	21.6	30	33.0	49.2	4	19.0	6.6	20	15.3	32.8	7	17.9	11.4
21 - 25	96	34.0	26	28.5	27.1	6	28.6	6.3	48	36.6	50.0	16	41.1	16.6
26 - 30	56	19.9	20	22.0	35.7	6	28.6	10.7	21	16.0	37.5	9	23.1	16.1
31 - 35	38	13.5	13	14.3	34.2	4	19.0	10.6	14	10.7	36.8	7	17.9	16.4
36 - 40	12	4.3	-	-	-	-	-	-	12	9.2	100.0	-	-	-
41 - 50	9	3.2	1	1.1	11.1	-	-	-	8	6.1	88.9	-	-	-
Over 50	5	1.7	-	-	-	-	-	-	5	3.8	100.0	-	-	-
TOTAL	282	100.0	91	100.0	32.3	21	100.0	7.4	131	100.0	46.5	39	100.0	13.8

TABLE 4 (Cont'd)
PART VIII - Larcenies (Cont'd)
E. LARCENY OF LIVE STOCK

	Total		White						Female					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	2	.6	2	1.4	100.0	-	-	-	-	-	-	-	-	-
16 - 20	85	24.8	50	32.9	58.8	-	-	-	35	19.7	41.2	-	-	-
21 - 25	96	28.0	50	32.9	52.1	-	-	-	40	22.5	41.7	6	50.0	6.2
26 - 30	60	17.5	25	16.4	41.7	1	100.0	1.6	31	17.4	51.7	3	25.0	5.0
31 - 35	44	12.8	25	16.4	56.8	-	-	-	17	9.6	38.6	2	16.7	4.8
36 - 40	15	4.4	-	-	-	-	-	-	14	7.8	93.3	1	8.3	6.7
41 - 50	14	4.1	-	-	-	-	-	-	14	7.8	100.0	-	-	-
Over 50	27	7.8	-	-	-	-	-	-	27	15.2	100.0	-	-	-
TOTAL	343	100.0	152	100.0	44.3	1	100.0	.3	178	100.0	51.9	12	100.0	3.5

F. EMBEZZLEMENT

	Total	
	Number	Percent
Under 16	-	-
16 - 20	-	-
21 - 25	5	4.6
26 - 30	13	11.9
31 - 35	41	37.6
36 - 40	29	26.6
41 - 50	17	15.6
Over 50	4	3.7
TOTAL	109	100.0

G. LARCENY OF COTTON

	Total	
	Number	Percent
Under 16	1	2.0
16 - 20	6	12.0
21 - 25	17	34.0
26 - 30	8	16.0
31 - 35	13	26.0
36 - 40	2	4.0
41 - 50	1	2.0
Over 50	2	4.0
TOTAL	50	100.0

H. LARCENY AFTER TRUST

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	9	.5	5	.5	55.6	1	2.9	11.1	3	.4	33.3	-	-	-
16 - 20	272	13.9	125	12.9	46.0	2	5.9	.7	137	15.9	50.4	8	8.1	2.9
21 - 25	502	25.6	300	31.1	59.8	10	29.4	2.0	166	19.3	33.1	26	26.3	5.1
26 - 30	374	19.1	218	22.5	58.3	12	35.3	3.2	121	14.1	32.4	23	23.2	6.1
31 - 35	296	15.1	132	13.7	44.6	5	14.7	1.7	142	16.5	48.0	17	17.2	5.7
36 - 40	238	12.1	115	11.9	48.3	4	11.8	1.7	110	12.8	46.2	9	9.1	3.8
41 - 50	129	6.6	15	1.5	11.6	-	-	-	102	11.9	79.1	12	12.1	9.3
Over 50	139	7.1	57	5.9	41.0	-	-	-	78	9.1	56.1	4	4.0	2.6
TOTAL	1,959	100.0	967	100.0	49.3	34	100.0	1.7	859	100.0	43.9	99	100.0	5.1

I. LARCENY OF CHICKENS

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	10	2.9	-	-	-	-	-	-	10	4.1	100.0	-	-	-
16 - 20	49	14.2	12	13.8	24.5	1	20.0	2.0	34	14.0	69.4	2	20.0	4.1
21 - 25	105	30.6	42	48.2	40.0	2	40.0	1.9	58	24.0	55.2	3	30.0	2.9
26 - 30	77	22.4	32	36.8	41.6	1	20.0	1.3	43	17.8	55.8	1	10.0	1.3
31 - 35	39	11.3	-	-	-	1	20.0	2.6	37	15.3	94.8	1	10.0	2.6
36 - 40	28	8.1	-	-	-	-	-	-	25	10.3	89.3	3	30.0	10.7
41 - 50	23	6.7	-	-	-	-	-	-	23	9.5	100.0	-	-	-
Over 50	13	3.8	1	1.2	7.7	-	-	-	12	5.0	92.3	-	-	-
TOTAL	344	100.0	87	100.0	25.3	5	100.0	1.5	242	100.0	70.3	10	100.0	2.9

TABLE 4 (Cont'd)
PART VIII - Larcenies (Cont'd)
J. LARCENY OF BICYCLE

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	4	3.7	1	4.3	25.0	-	-	-	3	3.5	75.0	-	-	-
16 - 20	60	55.0	10	43.5	16.7	-	-	-	50	58.1	83.3	-	-	-
21 - 25	39	35.8	10	43.5	25.6	-	-	-	29	33.7	74.4	-	-	-
26 - 30	4	3.7	2	8.7	50.0	-	-	-	2	2.3	50.0	-	-	-
31 - 35	1	.9	-	-	-	-	-	-	1	1.2	100.0	-	-	-
36 - 40	1	.9	-	-	-	-	-	-	1	1.2	100.0	-	-	-
41 - 50	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Over 50	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL	109	100.0	23	100.0	21.1	-	-	-	86	100.0	78.9	-	-	-

K. SIMPLE LARCENY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	63	1.8	3	.3	4.8	-	-	-	51	2.3	81.0	9	3.4	14.2
16 - 20	521	14.7	80	7.8	15.4	2	7.1	.4	416	18.7	79.8	23	8.8	4.4
21 - 25	1268	35.9	421	41.2	33.2	6	21.4	.5	783	35.2	61.7	58	22.2	4.6
26 - 30	553	15.6	200	19.5	36.2	4	14.3	.7	307	13.8	55.5	42	16.0	7.6
31 - 35	397	11.2	205	20.0	51.6	6	21.4	1.5	138	6.2	34.8	48	18.3	12.1
36 - 40	395	11.2	115	11.2	29.1	8	28.7	2.0	208	9.4	52.7	64	24.4	16.2
41 - 50	150	4.2	-	-	-	2	7.1	1.3	130	5.8	86.7	18	6.9	12.0
Over 50	190	5.4	-	-	-	-	-	-	190	8.6	100.0	-	-	-
TOTAL	3,537	100.0	1,024	100.0	29.0	28	100.0	.8	2,223	100.0	62.8	262	100.0	7.4

L. OTHER LARCENIES

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	265	3.9	95	5.3	35.9	6	7.0	2.3	146	3.5	55.0	18	2.4	6.8
16 - 20	2,195	32.2	680	37.6	31.0	2	2.4	.1	1,406	33.7	64.0	107	14.3	4.9
21 - 25	1,470	21.6	350	19.3	23.8	20	23.6	1.4	878	21.1	59.7	222	29.7	15.1
26 - 30	1,202	17.6	366	20.2	30.4	19	22.3	1.6	697	16.7	58.0	120	15.9	10.0
31 - 35	555	8.1	152	8.4	27.4	17	20.0	3.1	287	6.9	51.7	99	13.2	17.8
36 - 40	393	5.8	75	4.2	19.1	8	9.4	2.0	216	5.2	56.0	94	12.5	23.9
41 - 50	492	7.2	40	2.2	8.1	12	14.1	2.4	385	9.2	78.3	55	7.3	11.2
Over 50	242	3.6	51	2.8	21.1	1	1.2	.4	155	3.7	64.0	35	4.7	14.5
TOTAL	6,814	100.0	1,809	100.0	26.6	85	100.0	1.2	4,170	100.0	61.2	750	100.0	11.0

M. ATTEMPTED LARCENIES

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	2	1.4	2	3.2	100.0	-	-	-	-	-	-	-	-	-
16 - 20	37	25.0	19	30.7	51.4	-	-	-	17	20.7	45.9	1	33.3	2.7
21 - 25	41	27.7	23	37.1	56.1	-	-	-	17	20.7	41.5	1	33.3	2.4
26 - 30	28	18.9	15	24.2	53.6	1	100.0	3.5	12	14.6	42.9	-	-	-
31 - 35	16	10.8	1	1.6	6.3	-	-	-	14	17.1	87.5	1	33.4	6.2
36 - 40	11	7.4	2	3.2	18.2	-	-	-	9	11.0	81.8	-	-	-
41 - 50	7	4.7	-	-	-	-	-	-	7	8.6	100.0	-	-	-
Over 50	6	4.1	-	-	-	-	-	-	6	7.3	100.0	-	-	-
TOTAL	148	100.0	62	100.0	41.9	1	100.0	.7	82	100.0	55.4	3	100.0	2.0

TABLE 4 (Cont'd)
PART VIII - Larcenies (Cont'd)
N. CHEATING AND SWINDLING

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 61	5	.1	4	.1	80.0	-	-	-	1	.1	20.0	-	-	-
16 - 20	425	10.9	355	12.6	83.5	6	2.5	1.4	62	8.0	14.6	2	2.7	.5
21 - 25	1,075	27.5	869	31.0	80.9	39	16.5	3.6	158	20.5	14.7	9	12.0	.8
26 - 30	679	17.5	525	18.7	77.3	25	10.6	3.7	113	14.6	16.7	16	21.3	2.3
31 - 35	683	17.6	475	16.9	69.5	55	23.3	8.1	138	17.9	20.2	15	20.0	2.2
36 - 40	551	14.2	345	12.3	62.7	69	29.3	12.5	118	15.3	21.4	19	25.3	3.4
41 - 50	303	7.8	160	5.7	52.8	42	17.8	13.9	93	12.1	30.7	8	10.7	2.6
Over 50	170	4.4	75	2.7	44.1	-	-	-	89	11.5	52.4	6	8.0	3.5
TOTAL	3,891	100.0	2,808	100.0	72.2	236	100.0	6.1	772	100.0	19.9	75	100.0	1.3

O. DEFRAUDING BOARD BILL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	18	12.6	10	9.0	55.6	-	-	-	8	40.0	44.4	-	-	-
21 - 25	50	34.7	36	32.4	72.0	5	83.3	10.0	5	25.0	10.0	4	57.1	8.0
26 - 30	52	36.1	50	45.1	96.2	-	-	-	1	5.0	1.9	1	14.3	1.9
31 - 35	13	9.0	10	9.0	76.9	-	-	-	2	10.0	15.4	1	14.3	7.7
36 - 40	9	6.3	5	4.5	55.6	1	16.7	11.1	2	10.0	22.2	1	14.3	11.1
41 - 50	2	1.4	-	-	-	-	-	-	2	10.0	100.0	-	-	-
Over 50	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL	144	100.0	111	100.0	77.1	6	100.0	4.2	20	100.0	13.9	7	100.0	4.8

P. PASSING WORTHLESS CHECKS

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21 - 25	112	29.5	102	34.0	91.0	5	29.4	4.5	5	8.6	4.5	-	-	-
26 - 30	124	32.7	110	36.7	88.7	4	23.5	3.2	10	17.3	8.1	-	-	-
31 - 35	92	24.3	75	25.0	81.5	2	11.8	2.2	13	22.3	14.1	2	50.0	2.2
36 - 40	28	7.4	13	4.3	46.4	4	23.5	14.3	11	19.0	39.3	-	-	-
41 - 50	14	3.7	-	-	-	2	11.8	14.3	10	17.3	71.4	2	50.0	14.3
Over 50	9	2.4	-	-	-	-	-	-	9	15.5	100.0	-	-	-
TOTAL	379	100.0	300	100.0	79.2	17	100.0	4.5	58	100.0	15.3	4	100.0	1.0

Q. LARCENY FROM AUTO

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	8	1.4	3	1.4	37.5	-	-	-	5	1.4	62.5	-	-	-
16 - 20	127	22.2	37	17.1	29.1	2	40.0	1.6	88	25.4	69.3	-	-	-
21 - 25	147	25.7	55	25.5	37.4	2	40.0	1.4	90	25.9	61.2	-	-	-
26 - 30	92	16.1	37	17.1	40.2	-	-	-	54	15.6	58.7	1	25.0	1.1
31 - 35	83	14.5	41	19.0	49.4	-	-	-	41	11.8	49.4	1	25.0	1.2
36 - 40	66	11.5	35	16.2	53.0	1	20.0	1.5	28	8.1	42.5	2	50.0	3.0
41 - 50	34	6.0	8	3.7	23.5	-	-	-	26	7.5	76.5	-	-	-
Over 50	15	2.6	-	-	-	-	-	-	15	4.3	100.0	-	-	-
TOTAL	572	100.0	216	100.0	37.8	5	100.0	.9	347	100.0	60.6	4	100.0	.7

TABLE 4 (Cont'd)

PART IX

FORGERY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	14	1.8	4	.9	28.6	-	-	-	10	3.6	71.4	-	-	-
16 - 20	52	6.5	-	-	-	7	22.6	13.5	43	15.4	82.7	2	5.1	3.8
21 - 25	212	26.7	115	25.8	54.2	10	32.3	4.7	67	23.9	31.6	20	51.2	9.5
26 - 30	221	27.8	149	33.5	67.4	11	35.5	5.0	50	17.9	22.6	11	28.2	5.0
31 - 35	126	15.8	76	17.2	60.3	2	6.5	1.6	42	15.0	33.3	6	15.5	4.8
36 - 40	76	9.6	50	11.2	65.8	1	3.1	1.3	25	8.9	32.9	-	-	-
41 - 50	46	5.8	25	5.6	54.3	-	-	-	21	7.5	45.7	-	-	-
Over 50	48	6.0	26	5.8	54.2	-	-	-	22	7.8	45.8	-	-	-
TOTAL	795	100.0	445	100.0	56.0	31	100.0	3.9	280	100.0	35.2	39	100.0	4.9

PART X

NON-SUPPORT

A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	8	.3	1	.1	12.5	-	-	-	7	.3	87.5	-	-	-
16 - 20	648	20.2	102	10.0	15.7	-	-	-	544	25.0	84.0	2	25.0	.3
21 - 25	1,010	31.4	290	28.4	28.7	-	-	-	718	32.9	71.1	2	25.0	.2
26 - 30	638	19.8	232	22.7	36.4	3	75.0	.5	401	18.4	62.8	2	25.0	.3
31 - 35	376	11.7	166	16.2	44.1	1	25.0	.3	208	9.5	55.3	1	12.5	.3
36 - 40	257	8.0	107	10.5	41.6	-	-	-	149	6.8	58.0	1	12.5	.4
41 - 50	203	6.3	99	9.7	48.8	-	-	-	104	4.8	51.2	-	-	-
Over 50	75	2.3	25	2.4	33.3	-	-	-	50	2.3	66.7	-	-	-
TOTAL	3,215	100.0	1,022	100.0	31.8	4	100.0	.1	2,181	100.0	67.9	8	100.0	.2

B. BASTARDY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	7	.5	-	-	-	-	-	-	7	.7	100.0	-	-	-
16 - 20	484	36.1	70	25.0	14.5	-	-	-	414	39.1	85.5	-	-	-
21 - 25	474	35.4	113	40.4	23.8	-	-	-	361	34.1	76.2	-	-	-
26 - 30	165	12.3	42	15.0	25.5	-	-	-	123	11.6	74.5	-	-	-
31 - 35	110	8.2	30	10.7	27.3	-	-	-	80	7.5	72.7	-	-	-
36 - 40	39	2.9	8	2.9	20.5	-	-	-	31	2.9	79.5	-	-	-
41 - 50	47	3.5	16	5.7	34.0	-	-	-	31	2.9	66.0	-	-	-
Over 50	14	1.1	1	.3	7.1	-	-	-	13	1.2	92.9	-	-	-
TOTAL	1,340	100.0	280	100.0	20.9	-	-	-	1,060	100.0	79.1	-	-	-

C. ABANDONMENT

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	1	.1	1	.1	100.0	-	-	-	-	-	-	-	-	-
16 - 20	164	8.7	32	4.3	19.5	-	-	-	130	11.6	79.3	2	25.0	1.2
21 - 25	536	28.6	177	23.9	33.0	-	-	-	357	31.8	66.6	2	25.0	.4
26 - 30	473	25.2	190	25.6	40.2	3	75.0	.6	278	24.8	58.8	2	25.0	.4
31 - 35	266	14.2	136	18.3	51.1	1	25.0	.4	128	11.4	48.1	1	12.5	.4
36 - 40	218	11.6	99	13.3	45.4	-	-	-	118	10.5	54.1	1	12.5	.5
41 - 50	156	8.3	83	11.2	53.2	-	-	-	73	6.5	46.8	-	-	-
Over 50	61	3.3	24	3.3	39.3	-	-	-	37	3.4	60.7	-	-	-
TOTAL	1,875	100.0	742	100.0	39.6	4	100.0	.2	1,121	100.0	59.8	8	100.0	.4

TABLE 4 (Cont'd)

PART XI

SEX CRIMES

A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	88	2.7	31	1.9	35.2	5	1.4	5.7	52	5.5	59.1	-	-	-
16 - 20	781	24.0	473	28.5	60.4	84	23.5	10.9	202	21.2	25.9	22	7.6	2.8
21 - 25	1,035	31.8	607	36.6	58.5	95	26.8	9.4	242	25.4	23.3	91	31.4	8.8
26 - 30	512	15.7	261	15.7	50.8	41	11.6	8.2	134	14.1	26.2	76	26.2	14.8
31 - 35	370	11.4	113	8.9	40.0	41	11.3	11.1	121	12.6	32.4	60	21.0	16.5
36 - 40	233	7.1	71	4.3	30.5	51	14.1	21.9	81	8.4	34.7	30	10.4	12.9
41 - 50	118	3.6	24	1.5	20.3	32	8.8	27.1	52	5.5	44.1	10	3.4	8.5
Over 50	122	3.7	43	2.6	35.2	9	2.5	7.4	70	7.3	57.4	-	-	-
TOTAL	3,259	100.0	1,658	100.0	50.8	358	100.0	11.1	954	100.0	29.2	289	100.0	8.2

B. RAPE

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	14	3.1	5	2.3	35.7	-	-	-	9	3.7	64.3	-	-	-
16 - 20	119	26.0	56	26.2	47.1	-	-	-	63	25.9	52.9	-	-	-
21 - 25	136	29.8	72	33.6	53.0	-	-	-	64	26.3	47.0	-	-	-
26 - 30	54	11.8	26	12.1	48.1	-	-	-	28	11.6	51.9	-	-	-
31 - 35	57	12.4	25	11.7	43.9	-	-	-	32	13.1	56.1	-	-	-
36 - 40	33	7.2	15	7.0	45.5	-	-	-	18	7.4	54.5	-	-	-
41 - 50	20	4.4	5	2.4	25.0	-	-	-	15	6.2	75.0	-	-	-
Over 50	24	5.3	10	4.7	41.7	-	-	-	14	5.8	58.3	-	-	-
TOTAL	457	100.0	214	100.0	46.9	-	-	-	243	100.0	53.1	-	-	-

C. ASSAULT WITH INTENT TO RAPE

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	13	3.3	3	1.4	23.1	-	-	-	10	5.5	76.9	-	-	-
16 - 20	72	18.3	41	19.4	56.9	-	-	-	31	17.1	43.1	-	-	-
21 - 25	137	34.7	98	46.5	71.5	1	50.0	.7	38	21.0	27.7	-	-	-
26 - 30	81	20.5	50	23.7	61.7	1	50.0	1.2	30	16.6	37.1	-	-	-
31 - 35	29	7.4	10	4.7	34.5	-	-	-	19	10.5	65.5	-	-	-
36 - 40	14	3.6	-	-	-	-	-	-	14	7.7	100.0	-	-	-
41 - 50	13	3.3	-	-	-	-	-	-	13	7.2	100.0	-	-	-
Over 50	35	8.9	9	4.3	25.7	-	-	-	26	14.4	74.3	-	-	-
TOTAL	394	100.0	211	100.0	53.6	2	100.0	.5	181	100.0	45.9	-	-	-

D. SEDUCTION

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	2	.7	1	.6	50.0	-	-	-	1	1.0	50.0	-	-	-
16 - 20	109	39.2	79	43.9	72.5	-	-	-	30	30.6	27.5	-	-	-
21 - 25	69	24.8	35	19.4	50.7	-	-	-	34	34.7	49.3	-	-	-
26 - 30	27	9.7	15	8.3	55.5	-	-	-	12	12.5	44.5	-	-	-
31 - 35	34	12.2	25	13.9	73.5	-	-	-	9	9.2	26.5	-	-	-
36 - 40	26	9.4	20	11.1	76.9	-	-	-	6	6.0	23.1	-	-	-
41 - 50	7	2.5	5	2.8	71.4	-	-	-	2	2.0	28.6	-	-	-
Over 50	4	1.5	-	-	-	-	-	-	4	4.0	100.0	-	-	-
TOTAL	278	100.0	180	100.0	64.7	-	-	-	98	100.0	35.3	-	-	-

TABLE 4 (Cont'd)
Part XI - Sex Crimes (Cont'd)
E. ADULTERY AND FORNICATION

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	53	3.4	21	2.6	39.6	5	2.0	9.5	27	9.2	50.9	-	-	-
16 - 20	428	27.1	274	34.0	64.0	79	31.3	18.5	56	19.0	13.1	19	8.3	4.4
21 - 25	515	32.6	312	38.7	60.6	64	25.3	12.4	66	22.4	12.8	73	32.0	14.2
26 - 30	248	15.7	119	14.7	48.0	24	9.5	9.7	40	13.6	16.1	65	28.5	26.2
31 - 35	165	10.4	50	6.2	30.3	22	8.7	13.3	42	14.2	25.5	51	22.4	30.9
36 - 40	94	5.9	20	2.5	21.3	23	9.2	24.5	33	11.2	35.1	18	7.9	19.1
41 - 50	46	2.9	-	-	-	26	10.4	56.5	18	5.1	39.1	2	.9	4.4
Over 50	33	2.0	11	1.3	33.3	9	3.6	27.3	13	4.3	39.4	-	-	-
TOTAL	1,582	100.0	807	100.0	51.0	252	100.0	15.9	295	100.0	18.6	228	100.0	14.5

F. PUBLIC INDECENCY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	2	1.1	-	-	-	-	-	-	2	3.6	100.0	-	-	-
16 - 20	27	15.3	16	17.4	59.3	1	7.1	3.7	8	14.3	29.6	2	14.3	7.4
21 - 25	62	35.2	34	37.0	54.8	5	35.7	8.1	19	33.9	30.6	4	28.6	6.5
26 - 30	30	17.0	17	18.5	56.7	2	14.3	6.7	10	17.7	33.3	1	7.1	3.3
31 - 35	26	14.8	13	14.1	50.0	2	14.3	7.7	9	16.1	34.6	2	14.3	7.7
36 - 40	10	5.7	5	5.4	50.0	2	14.3	20.0	2	3.6	20.0	1	7.1	10.0
41 - 50	15	8.5	6	6.5	40.0	2	14.3	13.3	3	5.4	20.0	4	28.6	26.7
Over 50	4	2.4	1	1.1	25.0	-	-	-	3	5.4	75.0	-	-	-
TOTAL	176	100.0	92	100.0	52.3	14	100.0	8.0	56	100.0	31.7	14	100.0	8.0

G. SODOMY AND BEASTIALITY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	4	2.5	1	.9	25.0	-	-	-	3	6.5	75.0	-	-	-
16 - 20	15	9.3	5	4.9	33.3	-	-	-	9	19.5	60.0	1	20.0	6.7
21 - 25	42	26.1	25	24.9	59.5	4	44.4	9.5	10	21.7	23.8	3	60.0	7.2
26 - 30	34	21.1	24	23.9	70.5	2	22.2	5.9	7	15.2	20.7	1	20.0	2.9
31 - 35	22	13.7	17	16.9	77.3	1	11.2	4.5	4	8.7	18.2	-	-	-
36 - 40	18	11.1	11	10.9	61.1	2	22.2	11.1	5	10.9	27.8	-	-	-
41 - 50	8	5.1	8	7.8	100.0	-	-	-	-	-	-	-	-	-
Over 50	18	11.1	10	9.8	55.6	-	-	-	8	17.5	44.4	-	-	-
TOTAL	161	100.0	101	100.0	62.7	9	100.0	5.5	46	100.0	28.6	5	100.0	3.2

H. OPERATING A LEWD HOUSE

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	10	4.9	2	4.0	20.0	4	5.0	40.0	4	12.5	40.0	-	-	-
21 - 25	74	36.3	31	62.0	41.9	21	26.2	28.3	11	34.3	14.9	11	26.3	14.9
26 - 30	37	18.1	10	20.0	27.1	11	13.8	29.7	7	21.9	18.9	9	21.4	24.3
31 - 35	37	18.1	7	14.0	18.9	16	20.0	43.3	6	18.8	16.2	8	19.0	21.6
36 - 40	36	17.6	-	-	-	24	30.0	66.7	2	6.3	5.6	10	23.8	27.7
41 - 50	9	4.5	-	-	-	4	5.0	44.5	1	3.1	11.1	4	9.5	44.4
Over 50	1	.5	-	-	-	-	-	-	1	3.1	100.0	-	-	-
TOTAL	204	100.0	50	100.0	24.5	80	100.0	39.2	32	100.0	15.7	42	100.0	20.6

TABLE 4 (Cont'd)
PART XI - Sex Crimes (Cont'd)

I. INCEST

	Total	
	Number	Percent
Under 16	-	-
16 - 20	1	14.3
21 - 25	-	-
26 - 30	1	14.3
31 - 36	1	14.3
36 - 40	1	14.3
41 - 50	-	-
Over 50	3	42.9
TOTAL	7	100.0

PART XII

GAMBLING

A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	13	.2	-	-	-	-	-	-	13	.3	100.0	-	-	-
16 - 20	1,090	18.7	230	23.4	21.1	9	11.5	.8	789	18.4	72.4	62	12.8	5.7
21 - 25	1,870	32.0	374	38.0	20.0	17	21.8	.9	1,371	32.0	73.3	108	22.3	5.8
26 - 30	929	15.9	200	20.4	21.5	12	15.4	1.3	633	14.7	68.1	84	17.4	9.1
31 - 35	707	12.1	94	9.6	13.3	13	16.6	1.8	513	12.0	72.6	87	18.0	12.3
36 - 40	605	10.4	75	7.6	12.4	25	32.1	4.1	409	9.5	67.6	96	19.3	15.9
41 - 50	353	6.1	10	1.0	2.8	2	2.6	.6	302	7.0	85.6	39	8.0	11.0
Over 50	268	4.6	-	-	-	-	-	-	260	6.1	97.0	8	1.7	3.0
TOTAL	5,835	100.0	983	100.0	16.9	78	100.0	1.3	4,290	100.0	73.5	484	100.0	8.5

B. LOTTERY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	1	.1	-	-	-	-	-	-	1	.1	100.0	-	-	-
16 - 20	495	19.2	105	31.4	21.2	3	6.5	.6	335	18.5	67.7	52	13.4	10.5
21 - 25	785	30.5	155	46.2	19.8	8	17.4	1.0	533	29.5	67.9	89	23.0	11.3
26 - 30	443	17.2	75	22.4	16.9	7	15.2	1.6	299	16.5	67.5	62	16.0	14.0
31 - 35	303	11.7	-	-	-	9	19.6	3.0	225	12.5	74.3	69	17.8	22.7
36 - 40	284	11.0	-	-	-	17	37.0	6.0	192	10.6	67.6	75	19.4	26.4
41 - 50	152	5.9	-	-	-	2	4.3	1.3	118	6.5	77.6	32	8.3	21.1
Over 50	113	4.4	-	-	-	-	-	-	105	5.8	92.9	8	2.1	7.1
TOTAL	2,576	100.0	335	100.0	13.0	46	100.0	1.8	1,808	100.0	70.2	387	100.0	15.0

C. OTHER TYPES OF GAMBLING

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	12	.4	-	-	-	-	-	-	12	.5	100.0	-	-	-
16 - 20	595	18.3	125	19.3	21.0	6	18.7	1.0	454	18.3	76.3	10	10.3	1.7
21 - 25	1,085	33.3	219	33.8	20.2	9	28.2	.8	838	33.7	77.2	19	19.6	1.5
26 - 30	486	14.8	125	19.3	25.7	5	15.6	1.0	334	13.5	68.8	22	22.6	4.5
31 - 35	404	12.4	94	14.5	23.3	4	12.5	1.0	288	11.6	71.3	18	18.6	4.4
36 - 40	321	9.8	75	11.6	23.4	8	25.0	2.5	217	8.7	67.6	21	21.7	6.5
41 - 50	201	6.2	10	1.5	5.0	-	-	-	184	7.5	91.5	7	7.2	3.5
Over 50	155	4.8	-	-	-	-	-	-	155	6.2	100.0	-	-	-
TOTAL	3,259	100.0	648	100.0	19.9	32	100.0	1.0	2,482	100.0	76.1	97	100.0	5.0

TABLE 4 (Cont'd)
PART XIII
VIOLATION MOTOR VEHICLE LAW
A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	27	1.2	21	1.6	77.8	-	-	-	6	.6	22.2	-	-	-
16 - 20	402	17.3	218	16.8	54.2	3	13.6	.8	172	17.7	42.8	-	-	-
21 - 25	835	36.0	467	36.1	55.9	6	27.3	.7	359	36.9	43.0	9	34.6	2.2
26 - 30	370	16.0	203	15.6	54.9	5	22.7	1.3	154	15.8	41.6	3	11.5	.4
31 - 35	319	13.8	188	14.3	58.9	3	13.6	1.0	122	12.5	38.2	8	30.8	2.2
36 - 40	239	10.3	144	11.1	60.3	4	18.3	1.7	91	9.4	38.0	6	23.1	1.9
41 - 50	102	4.4	53	4.1	52.0	1	4.5	.9	48	4.9	47.1	-	-	-
Over 50	25	1.0	5	.4	20.0	-	-	-	20	2.2	80.0	-	-	-
TOTAL	2,319	100.0	1,299	100.0	56.0	22	100.0	.9	972	100.0	41.9	26	100.0	1.2

PART XIV
VIOLATION OF PROHIBITION LAWS
A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	198	.5	152	1.2	76.7	-	-	-	31	.2	15.7	15	.2	7.6
16 - 20	5,629	15.2	2,857	22.1	50.8	153	10.3	2.7	2,271	13.8	40.3	348	5.6	6.2
21 - 25	6,686	18.0	1,442	11.2	21.5	268	18.1	4.0	3,548	21.6	53.1	1,428	22.7	21.4
26 - 30	9,222	24.9	4,492	34.7	48.7	171	11.6	1.9	3,472	21.2	37.6	1,087	17.3	11.8
31 - 35	4,462	12.0	1,268	9.8	28.4	245	16.5	5.5	1,806	11.0	40.5	1,143	18.2	25.6
36 - 40	3,903	10.5	1,171	9.1	30.0	319	21.6	8.2	1,281	7.8	32.8	1,132	18.0	29.0
41 - 50	4,686	12.7	1,358	10.5	29.0	223	15.1	4.8	2,376	14.5	50.7	729	11.6	15.5
Over 50	2,308	6.2	183	1.4	7.9	100	6.8	4.3	1,621	9.9	70.3	404	6.4	17.5
TOTAL	37,094	100.0	12,923	100.0	34.9	1,479	100.0	4.0	16,406	100.0	44.2	6,286	100.0	16.9

B. POSSESSION OF LIQUOR

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	7	.2	-	-	-	-	-	-	7	.4	100.0	-	-	-
16 - 20	624	13.6	265	11.6	42.5	4	2.7	.7	325	18.0	52.1	30	8.3	4.7
21 - 25	1,441	31.3	765	33.6	53.1	38	25.5	2.6	533	29.3	37.0	105	29.2	7.3
26 - 30	834	18.1	440	19.3	52.8	31	20.8	3.7	305	16.9	36.6	58	16.2	6.9
31 - 35	851	18.5	535	23.5	62.9	32	21.5	3.8	221	12.2	26.0	63	17.6	7.3
36 - 40	508	11.0	190	8.3	37.4	38	25.5	7.5	201	11.1	39.6	79	22.0	15.5
41 - 50	220	4.8	75	3.3	34.1	6	4.0	3.7	115	6.4	51.3	24	6.7	10.9
Over 50	113	2.5	10	.4	8.8	-	-	-	103	5.7	91.2	-	-	-
TOTAL	4,598	100.0	2,280	100.0	49.6	149	100.0	3.2	1,810	100.0	39.4	359	100.0	7.8

C. SALE OF LIQUOR

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	30	8.6	23	12.1	76.7	1	10.0	3.3	6	4.5	20.0	-	-	-
21 - 25	105	29.9	68	35.6	64.7	2	20.0	1.9	34	25.6	32.4	1	5.9	1.0
26 - 30	85	24.2	62	32.5	72.9	2	20.0	2.4	20	15.0	23.5	1	5.9	1.2
31 - 35	48	13.7	27	14.1	56.2	1	10.0	2.1	18	13.5	37.5	2	11.8	4.2
36 - 40	29	8.3	5	2.6	17.2	2	20.0	6.9	16	12.0	55.2	6	35.2	20.7
41 - 50	35	10.0	4	2.1	11.4	2	20.0	5.7	22	16.6	62.9	7	41.2	20.0
Over 50	19	5.3	2	1.0	10.5	-	-	-	17	12.8	89.5	-	-	-
TOTAL	351	100.0	191	100.0	54.4	10	100.0	2.9	133	100.0	37.9	17	100.0	4.8

TABLE 4 (Cont'd)
PART XIV - Violation Prohibition Laws (Cont'd)
D. MANUFACTURING LIQUOR

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	2	.3	2	.5	100.0	-	-	-	-	-	-	-	-	-
16 - 20	54	7.7	51	13.3	94.5	1	14.3	1.9	2	.7	3.6	-	-	-
21 - 25	169	24.2	107	27.9	63.3	1	14.3	.6	59	19.7	34.9	2	22.2	1.2
26 - 30	136	19.5	86	22.4	63.2	2	28.6	1.5	46	15.4	33.8	2	22.2	1.5
31 - 35	131	18.7	76	19.8	58.0	1	14.3	.8	51	17.0	38.9	3	33.4	2.3
36 - 40	108	15.5	51	13.3	47.2	2	28.5	1.9	54	18.1	50.0	1	11.1	.9
41 - 50	52	7.4	-	-	-	-	-	-	51	17.1	98.1	1	11.1	1.9
Over 50	47	6.7	11	2.8	23.4	-	-	-	36	12.0	76.6	-	-	-
TOTAL	699	100.0	384	100.0	55.0	7	100.0	1.0	299	100.0	42.8	9	100.0	1.2

E. OTHER VIOLATIONS

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	189	.6	150	1.5	79.4	-	-	-	24	.2	12.6	15	.3	8.0
16 - 20	4,921	15.6	2,518	25.0	51.1	147	11.2	3.0	1,938	13.7	39.4	318	5.4	6.5
21 - 25	4,971	15.8	502	5.0	10.1	227	17.3	4.6	2,922	20.6	58.7	1,320	22.4	26.6
26 - 30	8,167	25.9	3,904	38.8	47.8	136	10.4	1.6	3,101	21.9	38.0	1,026	17.4	12.6
31 - 35	3,432	10.9	630	6.3	18.4	211	16.1	6.1	1,516	10.7	44.2	1,075	18.2	31.3
36 - 40	3,258	10.4	925	9.2	28.4	277	21.1	8.5	1,010	7.1	31.0	1,046	17.7	32.1
41 - 50	4,379	13.9	1,279	12.7	29.2	215	16.4	4.9	2,188	15.4	50.0	697	11.8	15.9
Over 50	2,129	6.9	160	1.5	7.5	100	7.5	4.7	1,465	10.4	68.8	404	6.8	19.0
TOTAL	31,446	100.0	10,068	100.0	32.0	1,313	100.0	4.2	14,164	100.0	45.0	5,901	100.0	18.8

PART XV
MISCELLANEOUS CRIMES

A. TOTAL

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	382	1.5	118	1.1	30.9	4	.4	1.1	248	2.2	64.9	12	.7	3.1
16 - 20	4,685	19.0	2,144	20.0	45.8	82	8.5	1.8	2,370	21.2	50.5	89	4.8	1.9
21 - 25	3,927	15.9	1,132	10.6	28.8	324	33.6	8.3	2,018	18.1	51.4	453	24.7	11.5
26 - 30	4,279	17.3	1,720	16.1	40.2	183	19.0	4.3	2,063	18.5	48.2	313	17.1	7.3
31 - 35	3,638	14.8	1,380	12.9	37.9	170	17.7	4.7	1,644	14.8	45.2	444	24.2	12.2
36 - 40	2,308	9.4	815	7.6	35.3	170	17.7	7.4	958	8.6	41.5	365	19.9	15.8
41 - 50	3,152	12.8	1,626	15.2	51.6	29	3.0	.9	1,354	12.1	43.0	143	7.8	4.5
Over 50	2,291	9.3	1,772	16.5	77.3	1	.1	.1	504	4.5	22.0	14	.8	.6
TOTAL	24,662	100.0	10,707	100.0	43.4	963	100.0	3.9	11,159	100.0	45.3	1,833	100.0	7.4

B. ARSON

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	5	2.8	1	1.2	20.0	-	-	-	4	5.1	80.0	-	-	-
16 - 20	13	7.3	-	-	-	-	-	-	13	16.5	100.0	-	-	-
21 - 25	69	38.8	46	57.5	66.7	1	25.0	1.4	14	17.7	20.3	8	53.3	11.6
26 - 30	39	21.9	23	28.8	59.0	2	50.0	5.1	11	13.9	28.2	3	20.0	7.7
31 - 35	13	7.3	3	3.8	23.0	1	25.0	7.7	9	11.4	69.3	-	-	-
36 - 40	13	7.3	6	7.5	46.2	-	-	-	7	8.9	53.8	-	-	-
41 - 50	8	4.5	-	-	-	-	-	-	8	10.1	100.0	-	-	-
Over 50	18	10.1	1	1.2	5.6	-	-	-	13	16.4	72.2	4	26.7	22.2
TOTAL	178	100.0	80	100.0	44.9	4	100.0	2.2	79	100.0	44.4	15	100.0	8.5

TABLE 4 (Cont'd)
Part XV - Miscellaneous Crimes (Cont'd)
C. BIGAMY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	9	5.8	-	-	-	2	25.0	22.2	7	12.5	77.8	-	-	-
21 - 25	62	40.0	35	43.7	56.5	3	37.5	4.8	20	35.7	32.2	4	36.4	6.5
26 - 30	31	20.0	15	18.8	48.4	2	25.0	6.4	11	19.6	35.5	3	27.3	9.7
31 - 35	29	18.7	16	20.0	55.2	1	12.5	3.4	10	17.9	34.5	2	18.1	6.9
36 - 40	12	7.8	10	12.5	83.4	-	-	-	1	1.8	8.3	1	9.1	8.3
41 - 50	5	3.2	4	5.0	80.0	-	-	-	-	-	-	1	9.1	20.0
Over 50	7	4.5	-	-	-	-	-	-	7	12.5	100.0	-	-	-
TOTAL	155	100.0	80	100.0	51.6	8	100.0	5.2	56	100.0	36.1	11	100.0	7.1

D. BRIBERY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	3	9.3	2	10.5	66.7	-	-	-	1	10.0	33.3	-	-	-
21 - 25	7	21.8	5	26.3	71.4	-	-	-	-	-	-	-	-	-
26 - 30	2	6.3	1	5.3	50.0	-	-	-	-	-	-	2	66.7	28.6
31 - 35	8	25.0	4	21.0	50.0	-	-	-	1	10.0	50.0	-	-	-
36 - 40	2	6.3	1	5.3	50.0	-	-	-	4	40.0	50.0	-	-	-
41 - 50	2	6.3	1	5.3	50.0	-	-	-	-	-	-	1	33.3	50.0
Over 50	8	25.0	5	26.3	62.5	-	-	-	1	10.0	50.0	-	-	-
TOTAL	32	100.0	19	100.0	59.4	-	-	-	3	30.0	37.5	-	-	-
									10	100.0	31.2	3	100.0	9.4

E. PERJURY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	2	.9	1	.9	50.0	-	-	-	1	1.4	50.0	-	-	-
16 - 20	21	10.0	14	12.8	66.7	3	25.0	14.3	4	5.6	19.0	-	-	-
21 - 25	64	30.3	41	37.6	64.1	4	33.3	6.3	11	15.5	17.2	8	42.1	12.4
26 - 30	40	19.0	23	21.1	57.5	2	16.7	5.0	9	12.7	22.5	6	31.5	15.0
31 - 35	38	18.0	24	22.0	63.1	2	16.7	5.3	10	14.1	26.3	2	10.6	5.3
36 - 40	12	5.7	3	2.8	25.0	1	8.3	8.3	7	9.9	58.4	1	5.3	8.3
41 - 50	15	7.1	-	-	-	-	-	-	14	19.7	93.3	1	5.3	6.7
Over 50	19	9.0	3	2.8	15.8	-	-	-	15	21.1	78.9	1	5.3	5.3
TOTAL	211	100.0	109	100.0	51.7	12	100.0	5.7	71	100.0	33.6	19	100.0	9.0

F. RIOTING

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	7	5.5	4	6.2	57.1	-	-	-	3	6.5	42.9	-	-	-
16 - 20	46	35.9	26	40.0	56.5	1	33.3	2.2	13	28.3	28.3	6	42.9	13.0
21 - 25	31	24.2	14	21.5	45.2	1	33.3	3.2	12	26.1	38.7	4	28.6	12.9
26 - 30	16	12.5	5	7.7	31.2	1	33.4	6.3	8	17.4	50.0	2	14.3	12.5
31 - 35	10	7.8	5	7.7	50.0	-	-	-	4	8.7	40.0	1	7.1	10.0
36 - 40	8	6.3	5	7.7	62.5	-	-	-	2	4.3	25.0	1	7.1	12.5
41 - 50	9	7.0	5	7.7	55.6	-	-	-	4	8.7	44.4	-	-	-
Over 50	1	.8	1	1.5	100.0	-	-	-	-	-	-	-	-	-
TOTAL	128	100.0	65	100.0	50.8	3	100.0	2.4	46	100.0	35.9	14	100.0	10.9

TABLE 4 (Cont'd)
PART XV - Miscellaneous Crimes (Cont'd)
O. FELONY

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	77	2.2	8	.5	10.4	-	-	-	60	3.6	77.9	9	4.2	11.7
16 - 20	1,070	30.4	571	36.3	53.4	20	42.6	1.8	461	27.3	43.1	18	8.4	1.7
21 - 25	757	21.5	316	20.1	41.7	9	19.1	1.2	370	21.9	48.9	62	28.8	8.2
26 - 30	767	21.7	282	17.9	36.8	6	12.8	.8	433	25.6	56.4	46	21.4	6.0
31 - 35	335	9.5	113	7.2	33.7	5	10.6	1.5	175	10.3	52.2	42	19.5	12.6
36 - 40	235	6.7	125	8.0	53.2	6	12.8	2.5	85	5.0	36.2	19	8.8	8.1
41 - 50	160	4.5	114	7.3	71.3	-	-	-	34	2.0	21.2	12	5.6	7.5
Over 50	123	3.5	43	2.7	35.0	1	2.1	.8	72	4.3	58.5	7	3.3	5.7
TOTAL	3,524	100.0	1,572	100.0	44.6	47	100.0	1.3	1,690	100.0	48.0	215	100.0	6.1

P. MISCELLANEOUS MISDEMEANORS

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	6	1.0	3	.8	50.0	-	-	-	3	2.1	50.0	-	-	-
16 - 20	30	5.0	12	3.1	40.0	1	5.9	3.3	17	11.6	56.7	-	-	-
21 - 25	170	28.4	116	30.4	68.2	7	41.2	4.1	35	24.0	20.6	12	22.2	7.1
26 - 30	158	26.4	111	29.1	70.3	5	29.4	3.2	29	19.9	18.3	13	24.1	8.2
31 - 35	139	23.2	101	26.4	72.7	1	5.9	.7	25	17.1	18.0	12	22.2	8.6
36 - 40	60	10.0	30	7.9	50.0	3	17.6	5.0	16	11.0	26.7	11	20.4	18.3
41 - 50	27	4.5	9	2.3	33.3	-	-	-	12	8.2	44.5	6	11.1	22.2
Over 50	9	1.5	-	-	-	-	-	-	9	6.1	100.0	-	-	-
TOTAL	599	100.0	382	100.0	63.8	17	100.0	2.8	146	100.0	24.4	54	100.0	9.0

Q. MISDEMEANOR

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	278	1.5	100	1.3	36.0	4	.5	1.4	171	2.0	61.5	3	.2	1.1
16 - 20	3,410	18.2	1,496	19.0	43.9	55	6.6	1.6	1,792	20.8	52.7	61	4.2	1.8
21 - 25	2,354	12.5	295	3.8	12.5	283	34.2	12.0	1,441	16.6	61.2	335	23.2	14.3
26 - 30	3,015	16.0	1,156	14.7	38.3	150	18.1	5.0	1,484	17.1	49.2	225	15.6	7.5
31 - 35	2,912	15.5	1,024	13.0	35.2	150	18.1	5.2	1,362	15.7	46.7	376	26.1	12.9
36 - 40	1,887	10.0	601	7.6	31.8	159	19.2	8.4	803	9.3	42.6	324	22.5	17.2
41 - 50	2,877	15.3	1,475	18.8	51.3	27	3.3	.9	1,257	14.4	43.7	118	8.2	4.1
Over 50	2,064	11.0	1,712	21.8	83.0	-	-	-	352	4.1	17.0	-	-	-
TOTAL	18,797	100.0	7,859	100.0	41.8	828	100.0	4.4	8,668	100.0	46.1	1,442	100.0	7.7

R. OBTAINING GOODS OR MONEY ON FALSE PRETENSE

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	6	5.7	-	-	-	-	-	-	6	11.3	100.0	-	-	-
21 - 25	38	36.2	23	56.1	60.5	1	50.0	2.6	12	22.7	31.6	2	22.2	5.3
26 - 30	25	23.8	9	22.0	36.0	1	50.0	4.0	12	22.6	48.0	3	33.4	12.0
31 - 35	17	16.2	7	17.0	41.2	-	-	-	8	15.1	47.0	2	22.2	11.8
36 - 40	8	7.6	-	-	-	-	-	-	6	11.3	75.0	2	22.2	25.0
41 - 50	2	1.9	-	-	-	-	-	-	2	3.8	100.0	-	-	-
Over 50	9	8.6	2	4.9	22.2	-	-	-	7	13.2	77.8	-	-	-
TOTAL	105	100.0	41	100.0	39.0	2	100.0	1.9	53	100.0	50.5	9	100.0	3.6

TABLE 4 (Cont'd)
PART XV - Miscellaneous Crimes (Cont'd)

K. ESCAPE

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	4	1.1	1	.6	25.0	-	-	-	3	1.9	75.0	-	-	-
16 - 20	40	10.8	5	2.9	12.5	-	-	-	32	19.6	80.0	3	13.7	7.5
21 - 25	176	47.7	117	66.8	66.5	4	44.4	2.3	47	28.8	26.7	8	36.4	4.5
26 - 30	83	22.5	35	20.0	42.2	3	33.4	3.6	38	23.3	45.8	7	31.8	8.4
31 - 35	29	7.9	10	5.7	34.5	2	22.2	6.9	15	9.2	51.7	2	9.1	6.9
36 - 40	20	5.4	5	2.9	25.0	-	-	-	14	8.6	70.0	1	4.5	5.0
41 - 50	7	1.9	-	-	-	-	-	-	6	3.7	85.7	1	4.5	14.3
Over 50	10	2.7	2	1.1	20.0	-	-	-	8	4.9	80.0	-	-	-
TOTAL	369	100.0	175	100.0	47.4	9	100.0	2.4	163	100.0	44.2	22	100.0	6.0

L. FALSE OATH

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	2	2.6	-	-	-	-	-	-	-	-	-	-	-	-
21 - 25	24	30.8	15	30.0	62.5	2	50.0	8.3	2	9.5	100.0	-	-	-
26 - 30	20	25.6	16	32.0	80.0	1	25.0	5.0	4	19.1	16.7	3	100.0	12.5
31 - 35	22	28.2	19	38.0	86.4	1	25.0	4.5	3	14.3	15.0	-	-	-
36 - 40	2	2.6	-	-	-	-	-	-	2	9.5	9.1	-	-	-
41 - 50	5	6.4	-	-	-	-	-	-	2	9.5	100.0	-	-	-
Over 50	3	3.8	-	-	-	-	-	-	5	23.8	100.0	-	-	-
TOTAL	78	100.0	50	100.0	64.1	4	100.0	5.1	21	100.0	26.9	3	100.0	3.9

M. KIDNAPPING

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	12	5.7	7	5.5	58.3	-	-	-	-	-	-	-	-	-
21 - 25	90	42.5	60	47.2	66.7	5	23.8	5.6	5	9.6	41.7	-	-	-
26 - 30	36	17.0	17	13.4	47.2	8	38.1	22.2	24	46.2	26.7	1	8.3	1.0
31 - 35	37	17.5	23	18.1	62.2	5	23.8	13.5	9	17.3	25.0	2	16.7	5.6
36 - 40	15	7.0	10	7.9	66.6	1	4.8	6.7	5	9.6	13.5	4	33.4	10.8
41 - 50	15	7.0	10	7.9	66.7	2	9.5	13.3	3	5.8	20.0	1	8.3	6.7
Over 50	7	3.3	-	-	-	-	-	-	-	-	-	3	25.0	20.0
TOTAL	212	100.0	127	100.0	59.9	21	100.0	9.9	52	100.0	24.5	12	100.0	5.7

N. BLACKMAIL AND EXTORTION

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16 - 20	2	6.3	2	7.4	100.0	-	-	-	-	-	-	-	-	-
21 - 25	15	46.9	14	51.9	93.3	1	25.0	6.7	-	-	-	-	-	-
26 - 30	5	15.6	3	11.1	60.0	2	50.0	40.0	-	-	-	-	-	-
31 - 35	4	12.5	3	11.1	75.0	1	25.0	25.0	-	-	-	-	-	-
36 - 40	2	6.3	2	7.4	100.0	-	-	-	-	-	-	-	-	-
41 - 50	3	9.3	2	7.4	66.7	-	-	-	1	100.0	33.3	-	-	-
Over 50	1	3.1	1	3.7	100.0	-	-	-	-	-	-	-	-	-
TOTAL	32	100.0	27	100.0	84.4	4	100.0	12.5	1	100.0	3.1	-	-	-

TABLE 4 (Cont'd)
PART IV - Miscellaneous Crimes (Cont'd)
O. CRUELTY TO CHILDREN AND ANIMALS

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	1	1.7	-	-	-	-	-	-	1	3.6	100.0	-	-	-
16 - 20	7	12.1	-	-	-	-	-	-	7	24.9	100.0	-	-	-
21 - 25	13	22.4	3	17.6	23.1	2	66.7	15.4	5	17.9	38.4	3	30.0	23.1
26 - 30	8	13.8	5	29.4	62.5	-	-	-	1	3.6	12.5	2	20.0	25.0
31 - 35	12	20.7	5	29.4	41.7	1	33.3	8.3	5	17.9	41.7	1	10.0	8.3
36 - 40	9	15.5	3	17.6	33.3	-	-	-	4	14.3	44.5	2	20.0	22.2
41 - 50	4	6.9	1	6.0	25.0	-	-	-	2	7.1	50.0	1	10.0	25.0
Over 50	4	6.9	-	-	-	-	-	-	3	10.7	75.0	1	10.0	25.0
TOTAL	58	100.0	17	100.0	29.3	3	100.0	5.2	28	100.0	48.3	10	100.0	17.2

P. VIOLATION GAME LAWS

	Total		White						Negro					
			Male			Female			Male			Female		
	Number	Percent	Number	% White Male	% Age Group	Number	% White Female	% Age Group	Number	% Negro Male	% Age Group	Number	% Negro Female	% Age Group
Under 16	2	1.1	-	-	-	-	-	-	2	2.7	100.0	-	-	-
16 - 20	14	7.6	9	8.7	64.3	-	-	-	4	5.3	28.6	1	25.0	7.1
21 - 25	57	31.0	32	30.3	56.1	1	100.0	1.8	23	30.6	40.3	1	25.0	1.8
26 - 30	34	18.5	19	18.3	55.9	-	-	-	14	18.7	41.2	1	25.0	2.9
31 - 35	33	17.9	23	22.1	69.7	-	-	-	10	13.3	30.3	-	-	-
36 - 40	23	12.5	14	13.4	60.9	-	-	-	8	10.7	34.8	1	25.0	4.3
41 - 50	13	7.1	5	4.8	38.5	-	-	-	8	10.7	61.5	-	-	-
Over 50	8	4.3	2	1.9	25.0	-	-	-	6	8.0	75.0	-	-	-
TOTAL	184	100.0	104	100.0	56.5	1	100.0	.5	75	100.0	40.8	4	100.0	2.2

* Source: Jail dockets of the counties.

APPENDIX C

TABLE 5*

BAIL BONDS REQUIRED IN FELONY AND MISDEMEANOR CASES
By Amount of Bond
In a Rural Georgia County
January 1, 1926 - December 31, 1935

Amount of Bond	Total		Misdemeanors		Felonies	
	Number	Percent	Number	Percent	Number	Percent
Bond \$100 or Less	35	8.1	26	6.8	9	18.4
Bond \$101 - \$200	329	76.1	318	83.0	11	22.4
Bond \$201 - \$300	18	4.2	17	4.4	1	2.0
Bond \$301 - \$500	34	7.9	12	3.2	22	44.9
Bond \$501 - \$1,000	16	3.7	10	2.6	6	12.3
TOTAL	432	100.0	383	100.0	49	100.0

* Source: Bond docket of the County.

TABLE 6*

TYPES OF BAIL BONDS ACCEPTED IN FULTON COUNTY GEORGIA
January 1, 1926 - December 31, 1935

Years		Total	Bond Signed By Defendant With No Other Sureties	Bond Signed By Defendant With No Other Sureties	Bond Signed by Defendant and Professional Bondsman as Sureties	Cash Deposited as with Sheriff in Lieu of Bond	Bond Signed by Defendant and Surety Company as Sureties
			Number Percent	Number Percent	Number Percent	Number Percent	Number Percent
1926	Number	5,557	2,134	275	2,822	317	9
	Percent	100.0	38.4	4.9	50.8	5.7	.2
1927	Number	4,257	1,425	160	2,509	160	3
	Percent	100.0	33.4	3.8	58.9	3.8	.1
1928	Number	4,247	1,446	135	2,538	126	2
	Percent	100.0	34.0	3.2	59.8	2.9	.1
1929	Number	4,278	1,331	204	2,640	99	4
	Percent	100.0	31.1	4.8	61.7	2.3	.1
1930	Number	4,187	1,336	191	2,517	109	34
	Percent	100.0	31.9	4.6	60.1	2.6	.8
1931	Number	4,540	1,392	218	2,839	80	11
	Percent	100.0	30.7	4.8	62.5	1.8	.2
1932	Number	4,355	1,233	233	2,828	46	15
	Percent	100.0	28.3	5.4	64.9	1.1	.3
1933	Number	4,320	1,039	294	2,942	45	-
	Percent	100.0	24.1	6.8	68.1	1.0	-
1934	Number	4,968	1,007	196	3,753	12	-
	Percent	100.0	20.3	3.9	75.6	.2	-
1935	Number	5,034	890	195	3,904	45	-
	Percent	100.0	17.7	3.9	77.5	.9	-
TOTAL	Number	45,743	13,233	2,101	29,292	1,039	78
	Percent	100.0	28.9	4.6	64.0	2.3	.2

* Source: Bond docket of Fulton County.

TABLE 7*
BAIL BOND ASSESSMENTS IN AN URBAN GEORGIA COUNTY
By Crimes
January 1, 1926 - December 31, 1935

MISDEMEANORS

CRIMES	Total	Under \$50	\$50 to 100	\$101 to 200	\$201 to 300	\$301 to 400	\$401 to 500	\$501 to 600	\$601 to 800	\$801 to 1000	\$1001 to 5000	\$5001 to 10000	Over \$10000
Accessory to the Crime	62	-	12	9	11	-	19	-	1	8	2	-	-
Adultery and Fornication	646	5	308	198	69	-	38	1	-	23	4	-	-
Assault	571	-	164	219	126	5	45	1	-	7	4	-	-
Assault and Battery	2,779	-	1,194	730	526	23	250	5	4	42	4	-	1
Blackmail	20	-	1	4	4	-	5	-	-	4	2	-	-
Carrying Concealed Weapons	2,050	1	775	770	365	10	114	4	2	6	1	-	2
Carrying Pistol without License	452	-	253	148	30	3	15	-	1	2	-	-	-
Cheating and Swindling	3,291	1	1,812	658	363	45	259	13	19	79	40	2	-
Escape	31	-	2	7	8	-	3	-	1	8	2	-	-
Defrauding Board Bill	12	-	6	3	1	2	-	-	-	-	-	-	-
Disposing of Mortgaged Property	35	-	14	13	5	2	1	-	-	-	-	-	-
Disturbing Public Worship	41	-	20	15	-	1	5	-	-	-	-	-	-
Drunkenness	1,984	5	1,446	358	91	8	70	-	5	1	-	-	-
Gambling	1,952	31	1,748	34	19	1	41	-	-	9	9	-	-
Larceny, simple	1,088	-	315	327	179	1	180	1	1	70	14	-	-
Maintaining Disorderly House	90	-	40	25	13	2	5	1	1	2	1	-	-
Maintaining Gambling Device	2,687	1	1,146	807	406	8	237	7	3	63	10	-	-
Malicious Mischief	263	-	152	91	28	-	11	-	-	1	-	-	-
Misdemeanor, miscellaneous	4,432	87	2,297	789	389	39	495	6	16	264	69	1	-
Operate Automobile Intoxicated	3,480	1	1,575	1,149	514	30	182	4	-	23	1	1	-
Pass Worthless Checks	19	-	2	5	3	-	6	-	-	3	-	-	-
Public Indecency	124	-	42	33	23	-	16	-	1	5	4	-	-
Receiving Stolen Goods	540	5	160	98	88	5	124	2	5	40	13	-	-
Reckless Driving	504	10	270	128	38	6	47	-	1	4	-	-	-
Soliciting for Prostitution	19	-	4	7	1	-	6	-	-	1	-	-	-
Stabbing	1,011	-	316	379	224	3	78	1	-	6	4	-	-
Trespassing	54	-	38	17	6	1	2	-	-	-	-	-	-
Vagrancy	1,717	-	1,142	349	86	6	119	-	-	12	2	-	1
Violation of Game Law	49	-	45	4	-	-	-	-	-	-	-	-	-
Violation of Motor Vehicle Law	754	20	453	144	73	3	39	2	-	17	3	-	-
Violation of Prohibition Law	24,254	7	11,692	7,319	2,590	181	1,971	47	35	370	41	1	-
Violation of Tax Law	289	-	265	18	1	-	4	-	-	-	-	-	-
Wife Beating	1,010	-	375	319	211	5	87	-	2	8	3	-	-
TOTAL MISDEMEANORS	56,340	155	28,084	15,234	6,490	390	4,474	95	98	1,078	233	5	4

FELONIES

Crimes	Total	Under \$50	\$50 to 100	\$101 to 200	\$201 to 300	\$301 to 400	\$401 to 500	\$501 to 600	\$601 to 800	\$801 to 1000	\$1001 to 5000	\$5001 to 10000	Over \$10000
Arson	32	-	1	1	-	-	2	-	-	21	7	-	-
Assault with Intent to Murder	1,453	-	10	55	118	12	541	3	22	497	178	17	2
Assault with Intent to Rape	159	-	2	5	9	2	27	7	2	57	39	9	-
Attempt Felony	599	-	65	98	102	3	208	3	8	92	19	1	-
Bestiality	34	-	-	-	1	-	2	-	-	6	22	3	-
Bigamy	49	-	3	3	8	-	15	2	-	15	3	-	-
Break and Enter Railroad Car	140	-	4	8	11	2	31	-	-	46	29	9	-
Bribery	26	-	4	4	2	-	2	-	-	9	5	-	-
Burglary	2,588	1	33	124	61	5	369	41	28	1,687	220	17	2
Embezzlement	72	-	2	3	4	-	17	2	-	11	22	4	7
Felony, miscellaneous	499	-	7	11	26	1	88	14	3	201	122	24	2
Forgery	538	-	21	27	54	19	149	-	3	174	71	20	-
Kidnapping	64	-	5	1	6	-	13	1	-	21	17	-	-
Larceny	7,815	13	3,162	2,045	961	58	1,026	44	50	364	86	6	-
Larceny of Automobile	1,978	-	48	52	46	5	178	1	5	1,477	161	5	-
Manslaughter	160	-	4	6	14	2	42	3	2	53	32	2	-
Manufacture Liquor	28	-	-	-	-	1	8	-	-	15	4	-	-
Mayhem	5	-	1	-	1	-	1	-	1	1	-	-	-
Murder	21	-	1	1	1	-	4	-	-	3	10	1	-
Perjury	147	1	7	6	23	3	31	2	1	39	31	3	-
Rape	28	-	1	1	2	-	4	-	-	10	9	1	-
Riot	16	-	3	-	-	-	9	-	-	1	3	-	-
Robbery	1,512	-	15	33	43	1	213	4	6	664	496	37	-
Seduction	89	-	2	1	5	1	28	4	6	26	15	1	-
Shooting at Another	500	-	24	74	136	14	195	2	10	41	4	-	-
TOTAL FELONIES	18,552	15	3,433	2,559	1,634	129	3,203	133	147	5,521	1,605	160	13
GRAND TOTAL	74,892	170	31,517	17,793	8,124	519	7,677	228	245	6,599	1,838	165	17

* Source: Bond docket of the county.

TABLE 8*

BAIL BOND ASSESSMENTS IN GEORGIA COUNTIES
January 1, 1926 - December 31, 1935

Amount of Bond	Total		Urban County		Ru-Urban County		Rural County	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
\$100 or Less	32,702	40.4	31,687	42.3	980	17.6	35	8.1
\$101 - \$200	19,834	24.5	17,793	23.8	1,712	30.7	329	76.1
\$201 - \$300	10,082	12.5	8,124	10.8	1,940	34.7	18	4.2
\$301 - \$500	8,936	11.0	8,196	10.9	706	12.6	34	7.9
\$501 - \$1,000	7,280	9.0	7,072	9.5	192	3.4	16	3.7
\$1,001 - \$5,000	1,887	2.3	1,838	2.4	49	.9	-	-
\$5,001 - \$10,000	169	.2	165	.2	4	.1	-	-
Over \$10,000	17	.1	17	.1	-	-	-	-
TOTAL	80,907	100.0	74,892	100.0	5,583	100.0	432	100.0

*Source: Bond dockets of three counties.

TABLE 9*

BOND FORFEITURES IN AN URBAN GEORGIA COUNTY
January 1, 1926 - December 31, 1935

Year	Bond Forfeitures		Set Aside		Not Set Aside	
	Number	Percent	Number	Percent	Number	Percent
1926	1,143	100.0	991	86.7	152	13.3
1927	887	100.0	679	76.6	208	23.4
1928	784	100.0	624	79.6	160	20.4
1929	739	100.0	538	72.8	201	27.2
1930	663	100.0	456	68.8	207	31.2
1931	735	100.0	498	67.8	237	32.2
1932	592	100.0	427	72.1	165	27.9
1933	564	100.0	397	70.4	167	29.6
1934	607	100.0	524	86.3	83	13.7
1935	707	100.0	327	46.3	380	53.7
TOTAL	7,421	100.0	5,461	73.6	1,960	26.4

*Source: Minute dockets of the City and Superior Courts of the county.

TABLE 10*
COLLECTIONS OF BAIL BOND FORFEITURES
In an Urban County of Georgia
January 1, 1926 - December 31, 1935

Year	Bond Forfeitures Not Set Aside		Number Bond Forfeitures Not Set Aside in which Collection was Made After Judgment Had Been Rendered		Number Bond Forfeitures Not Set Aside in which No Collection was Made After Judgment Had Been Rendered	
	Number	Percent	Number	Percent	Number	Percent
1926	152	100.0	94	61.8	58	38.2
1927	208	100.0	194	93.3	14	.67
1928	160	100.0	157	98.1	3	1.9
1929	201	100.0	170	84.6	31	15.4
1930	207	100.0	118	57.0	89	43.0
1931	237	100.0	171	72.2	66	27.8
1932	165	100.0	130	78.8	35	21.2
1933	167	100.0	112	67.1	55	32.9
1934	83	100.0	10	12.0	73	88.0
1935	380	100.0	358	94.2	22	5.8
TOTAL	1,960	100.0	1,514	77.2	446	22.8

*Source: Minute dockets of the City and Superior Courts of the county.

TABLE 11*
FINAL JUDGMENTS ON BAIL BOND FORFEITURES
In an Urban County of Georgia
January 1, 1926 - December 31, 1935

Year	Bond Forfeitures Not Set Aside		Bond Forfeitures Not Set Aside In Which Final Judgment Was Rendered		Bond Forfeitures Not Set Aside In Which no Final Judgment Was Rendered	
	Number	Percent	Number	Percent	Number	Percent
1926	152	100.0	132	86.8	20	13.2
1927	208	100.0	194	93.3	14	6.7
1928	160	100.0	129	80.6	31	19.4
1929	201	100.0	187	93.0	14	7.0
1930	207	100.0	203	98.1	4	1.9
1931	237	100.0	229	96.6	8	3.4
1932	165	100.0	150	90.9	15	9.1
1933	167	100.0	161	96.4	6	3.6
1934	83	100.0	79	95.2	4	4.8
1935	380	100.0	376	98.9	4	1.1
TOTAL	1,960	100.0	1,840	93.9	120	6.1

*Source: Minute dockets of the City and Superior Courts of the county.

APPENDIX D

TABLE 12

DETAIL OF CLASSIFICATION MISCELLANEOUS MISDEMEANOR
Included in Table 14, Pages 140 - 141

CRIMES	NUMBER OF CASES
Abortion	3
Accessory Before the Fact	3
Barratry	3
Blackmail	3
Burning Fences	1
Concealing Death of Bastard Child	2
Conspiracy	3
Enticing Servants Away	4
Extortion	2
Forging Letters	7
Giving Liquor to Minors	4
Harboring Absconding Child	2
Illegal Certification of Checks	1
Illegal Purchase of Cotton Seed	9
Involuntary Manslaughter	8
Making False Affidavit by Contractor	8
Maintaining Opium Joint	9
Permitting Marriage Certificate Illegally	1
Permitting Minors to Roll Tenpins	3
Possessing, Making, or Mending Burglar's Tools	2
Poisoning Stream	8
Securing Produce from Realty	1
Selling Obscene Pictures	1
Sending or Delivering Threatening Letters	7
Taking Oysters from Bed out of Season	2
Using Illegal Trade Marks	7
Violation of Bulk Sales Act	3
Violation of Insurance Regulations	4
TOTAL	111

TABLE 13*
MISDEMEANOR CASES
By Year in which Docketed
19 City Courts of Georgia
January 1, 1926 - December 31, 1935

CRIMES		Total	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Abandonment	Number	2,674	149	133	229	246	269	407	281	309	348	303
	Percent	100.0	5.6	5.0	8.6	9.2	10.1	15.2	10.5	11.5	13.0	11.3
Adultery and Fornication	Number	2,593	354	255	352	580	264	211	147	162	143	125
	Percent	100.0	13.7	9.8	13.6	22.4	10.2	8.1	5.7	6.2	5.5	4.8
Assault	Number	138	13	14	16	10	9	11	15	30	10	10
	Percent	100.0	9.4	10.1	11.7	7.2	6.5	8.0	10.9	21.8	7.2	7.2
Assault and Battery	Number	6,972	530	575	652	688	716	679	740	823	801	768
	Percent	100.0	7.6	8.2	9.4	9.9	10.3	9.7	10.6	11.8	11.5	11.0
Attempted Bestiality or Sodomy	Number	21	2	1	2	2	-	4	-	7	3	-
	Percent	100.0	9.5	4.8	9.5	9.5	-	19.1	-	33.3	14.3	-
Barbering Without License	Number	141	-	-	-	-	-	-	18	34	31	58
	Percent	100.0	-	-	-	-	-	-	12.8	24.1	22.0	41.1
Bastardy	Number	909	37	49	52	72	80	84	119	139	100	177
	Percent	100.0	4.1	5.4	5.7	7.9	8.8	9.2	13.1	15.3	11.0	19.5
Breaking, Entering, and Stealing	Number	396	12	23	18	14	40	41	72	74	61	41
	Percent	100.0	3.0	5.8	4.5	3.5	10.1	10.4	18.2	18.7	15.4	10.4
Bribery, misdemeanor grade	Number	18	4	-	1	5	3	2	2	-	1	-
	Percent	100.0	22.2	-	5.6	27.7	16.7	11.1	11.1	-	5.6	-
Carrying Deadly Weapons	Number	6,216	716	574	615	656	633	629	600	659	623	511
	Percent	100.0	11.5	9.2	9.9	10.6	10.2	10.1	9.7	10.6	10.0	8.2
Carrying on Lottery	Number	2,549	3	1	2	18	14	11	22	631	954	893
	Percent	100.0	.1	-	.1	.7	.5	.4	.9	24.8	37.4	35.1
Cheating and Swindling	Number	3,719	390	409	375	341	448	463	454	317	255	267
	Percent	100.0	10.5	11.0	10.1	9.2	12.0	12.4	12.2	8.5	6.9	7.2
Cruelty to Children and Animals	Number	202	23	23	15	24	16	24	22	13	26	16
	Percent	100.0	11.4	11.4	7.4	11.9	7.9	11.9	10.9	6.4	12.9	7.9
Defacing Public Property	Number	36	1	6	-	4	1	2	-	4	10	8
	Percent	100.0	2.8	16.7	-	11.1	2.8	5.5	-	11.1	27.8	22.2
Disturbing Divine Worship	Number	442	56	60	41	24	17	50	40	51	47	56
	Percent	100.0	12.7	13.6	9.3	5.4	3.8	11.3	9.1	11.5	10.6	12.7
Escaping	Number	452	36	46	45	53	66	51	33	32	48	42
	Percent	100.0	8.0	10.2	9.9	11.7	14.6	11.3	7.3	7.1	10.6	9.3
Failure to Pay Occupational Tax	Number	239	19	10	36	88	12	27	16	9	13	9
	Percent	100.0	7.9	4.2	15.1	36.8	5.0	11.3	6.7	3.8	5.4	3.8
Firing Woods	Number	24	-	3	3	3	1	2	4	5	2	1
	Percent	100.0	-	12.5	12.5	12.5	4.2	8.3	16.7	20.8	8.3	4.2
Gambling	Number	4,375	1,109	528	463	551	312	255	257	263	315	322
	Percent	100.0	25.3	12.1	10.6	12.6	7.1	5.8	5.9	6.0	7.2	7.4
Hit and Run Driving	Number	76	-	-	-	8	8	6	5	7	15	27
	Percent	100.0	-	-	-	10.5	10.5	7.9	6.6	9.2	19.8	35.5
Illegal Arrests	Number	45	7	9	6	6	5	3	5	1	2	1
	Percent	100.0	15.6	20.1	13.3	13.3	11.1	6.7	11.1	2.2	4.4	2.2
Larceny, simple	Number	20,225	1,479	1,547	1,660	1,638	2,119	2,183	2,558	2,421	2,230	2,390
	Percent	100.0	7.3	7.6	8.2	8.1	10.5	10.8	12.7	12.0	11.0	11.8
Larceny After Trust	Number	955	116	105	119	89	111	88	90	72	88	77
	Percent	100.0	12.2	11.0	12.5	9.3	11.6	9.2	9.4	7.5	9.2	8.1
Libel	Number	10	1	-	5	-	-	-	-	-	3	1
	Percent	100.0	10.0	-	50.0	-	-	-	-	-	30.0	10.0
Maintaining Lewd House	Number	297	41	35	26	35	37	24	38	13	18	30
	Percent	100.0	13.8	11.8	8.7	11.8	12.4	8.1	12.8	4.4	6.1	10.1
Malicious Mischief	Number	774	61	40	50	50	73	81	120	114	96	89
	Percent	100.0	7.9	5.2	6.5	6.5	9.4	10.5	15.5	14.7	12.4	11.4
Mayhem, misdemeanor grade	Number	19	1	3	1	4	1	1	3	2	5	2
	Percent	100.0	5.3	15.8	5.3	20.9	5.3	5.3	15.8	10.5	26.3	10.5
Misdemeanors, blanket charge	Number	1,188	140	112	113	97	78	101	82	59	147	259
	Percent	100.0	11.8	9.4	9.5	8.1	6.6	8.5	6.9	5.0	12.4	21.8
Misdemeanors, miscellaneous	Number	100	7	8	7	9	10	16	16	7	6	14
	Percent	100.0	7.0	8.0	7.0	9.0	10.0	16.0	16.0	7.0	6.0	14.0
Obscene Language	Number	243	11	15	30	18	23	21	36	37	25	27
	Percent	100.0	4.5	6.2	12.3	7.4	9.5	8.7	14.8	15.2	10.3	11.1
Obstructing Legal Process	Number	28	4	2	3	1	7	4	1	1	1	4
	Percent	100.0	14.3	7.1	10.6	3.6	25.0	14.3	3.6	3.6	3.6	14.3
Operating Auto while Drunk	Number	6,952	415	577	538	665	547	809	798	860	751	992
	Percent	100.0	6.0	8.3	7.7	9.6	7.9	11.6	11.5	12.4	10.8	14.2
Operating Slot Machine with Slugs	Number	75	6	2	-	3	9	2	5	9	13	26
	Percent	100.0	7.9	2.7	-	4.0	12.0	2.7	6.7	12.0	17.3	34.7
Peeping Tom	Number	44	2	9	4	4	-	5	3	7	4	6
	Percent	100.0	4.5	20.5	9.1	9.1	-	11.4	6.8	15.9	9.1	13.6

TABLE 13 - Misdemeanor Cases (Cont'd)

CRIMES		Total	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Practicing Profession without License	Number	46	4	5	3	2	2	10	1	4	8	7
	Percent	100.0	8.7	10.9	6.6	4.3	4.3	21.7	2.2	8.7	17.4	15.2
Public Drunkenness	Number	6,731	477	563	664	793	639	583	544	619	831	1018
	Percent	100.0	7.1	8.4	9.8	11.8	9.5	8.7	8.1	9.2	12.3	15.1
Public Indecency	Number	214	12	18	16	25	13	14	36	27	19	34
	Percent	100.0	5.6	8.4	7.5	11.7	6.1	6.5	16.8	12.6	8.9	15.9
Receiving Stolen Goods	Number	293	44	39	40	45	45	1	1	1	44	33
	Percent	100.0	15.0	13.3	13.7	15.4	15.4	.3	.3	.3	15.0	11.3
Receiving Unstamped Tobaccos	Number	840	33	34	238	174	184	95	43	24	12	3
	Percent	100.0	3.9	4.0	28.3	20.7	21.9	11.3	5.2	2.9	1.4	.4
Removal of Mortgaged Property	Number	212	18	28	32	33	29	24	18	20	7	5
	Percent	100.0	8.5	13.2	15.1	15.6	13.7	11.3	7.5	9.4	3.3	2.4
Resisting an Officer	Number	66	6	3	-	6	12	8	6	6	5	14
	Percent	100.0	9.1	4.5	-	9.1	18.2	12.1	9.1	9.1	7.6	21.2
Rioting	Number	160	18	12	30	19	34	5	10	10	8	14
	Percent	100.0	11.3	7.5	18.8	11.9	21.3	3.1	6.2	6.2	5.0	8.7
Selling Mortgaged Property	Number	93	11	9	7	15	18	5	14	6	3	5
	Percent	100.0	11.8	9.7	7.5	16.1	19.4	5.4	15.1	6.4	3.2	5.4
Shooting at Occupied Dwelling	Number	49	2	8	4	4	5	4	3	2	5	12
	Percent	100.0	4.1	16.2	8.2	8.2	10.2	8.2	6.1	4.1	10.2	24.5
Stabbing	Number	2,407	194	160	200	209	221	220	295	345	292	271
	Percent	100.0	8.1	6.7	8.3	8.7	9.2	9.1	12.3	14.3	12.1	11.2
Trespass	Number	334	20	26	20	34	31	33	39	47	30	54
	Percent	100.0	6.0	7.8	6.0	10.1	9.3	9.9	11.6	14.1	9.0	16.2
Using Auto without Owner's Consent	Number	442	36	50	31	38	46	41	47	44	51	58
	Percent	100.0	8.1	11.3	7.0	8.6	10.4	9.3	10.6	10.0	11.5	13.2
Using Horse without Owner's Consent	Number	16	4	3	3	1	2	-	-	1	2	-
	Percent	100.0	25.0	18.7	18.7	6.3	12.5	-	-	6.3	12.5	-
Usury	Number	160	-	47	10	7	36	5	1	2	48	4
	Percent	100.0	-	29.3	6.3	4.4	22.5	3.1	.6	1.3	30.0	2.5
Vagrancy	Number	4,927	513	517	438	379	659	588	563	533	388	350
	Percent	100.0	10.4	10.5	8.9	7.7	13.4	11.9	11.4	10.8	7.9	7.1
Violation of Common School Law	Number	19	5	4	2	5	-	-	1	-	-	2
	Percent	100.0	26.3	21.1	10.5	26.3	-	-	5.3	-	-	10.5
Violation of County Health Regulations	Number	24	5	1	1	1	3	5	2	3	2	1
	Percent	100.0	20.8	4.2	4.2	4.2	12.5	20.8	8.3	12.5	8.3	4.2
Violation of Election Laws	Number	16	-	-	1	1	-	-	-	6	-	8
	Percent	100.0	-	-	6.3	6.3	-	-	-	37.4	-	50.0
Violation of Game Laws	Number	1,079	121	139	106	101	122	119	75	116	82	98
	Percent	100.0	11.2	12.9	9.8	9.4	11.3	11.0	7.0	10.7	7.6	9.1
Violation of Highway Regulations	Number	52	4	13	1	12	7	4	-	3	4	4
	Percent	100.0	7.7	25.0	1.9	23.0	13.5	7.7	-	5.8	7.7	7.7
Violation of Labor Laws	Number	130	8	-	1	2	3	3	-	3	110	-
	Percent	100.0	6.2	-	.8	1.5	2.3	2.3	-	2.3	84.6	-
Violation of Motor Carrier Laws	Number	66	-	-	-	-	11	6	32	16	-	1
	Percent	100.0	-	-	-	-	16.7	9.1	48.5	24.2	-	1.5
Violation of Motor Vehicle Laws	Number	3,929	462	423	395	419	458	390	444	225	268	445
	Percent	100.0	11.8	10.8	10.1	10.7	11.7	9.9	11.2	5.7	6.8	11.3
Violation of Prohibition Law	Number	38,217	4,537	3,995	4,558	4,696	3,912	4,207	3,806	3,163	2,908	2,435
	Percent	100.0	11.9	10.5	11.9	12.3	10.3	11.0	10.0	8.3	7.6	6.3
Violation of the Sabbath	Number	52	10	-	7	5	7	3	1	6	9	4
	Percent	100.0	19.2	-	13.5	9.6	13.5	5.8	1.9	11.5	17.3	7.7
Violation of Timber Laws	Number	22	2	2	2	-	-	1	4	-	10	1
	Percent	100.0	9.1	9.1	9.1	-	-	4.5	18.2	-	45.5	4.5
Wife Beating	Number	1,389	88	107	112	124	123	158	159	158	195	165
	Percent	100.0	6.3	7.7	8.1	8.9	8.9	11.4	11.4	11.4	14.0	11.9
GRAND TOTAL		Number	125,132	12,379	11,380	12,401	13,156	12,550	12,829	12,745	12,562	12,532
		Percent	100.0	9.9	9.1	9.9	10.5	10.0	10.3	10.2	10.0	10.1

*Source: Dockets of 19 city courts.

TABLE 14*

MISDEMEANOR CASES - BY COUNTY IN WHICH DOCKETED
 29 City Courts of Georgia
 January 1, 1926 - December 31, 1935

CRIMES	Total	Fulton	Bacon	Brantley	Burke	Chatham	Clarke
		Fulton	Bacon	Brantley	Burke	Chatham	Clarke
			Appling	Bibb	Bulloch	Carroll	Chattooga
Abandonment	2,854	1,725	7	108	31	2	48
Adultery and Fornication	2,710	666	10	7	105	3	50
Assault	162	29	2	3	2	6	2
Assault and Battery	7,729	2,871	40	40	839	9	222
Attempted Bestiality or Sodomy	21	10	-	-	3	-	-
Barbering without License	141	38	-	-	37	-	-
Bastardy	931	657	2	4	12	-	12
Breaking, Entering and Stealing	448	251	-	1	21	-	1
Bribery, misdemeanor grade	20	13	-	-	-	-	1
Carrying Deadly Weapons	6,930	2,431	22	19	558	10	141
Carrying on Lottery	2,576	2,300	-	-	5	-	-
Cheating and Swindling	4,429	1,494	47	11	164	1	294
Cruelty to Children and Animals	245	37	11	1	26	2	30
Defacing Public Property	49	-	5	-	6	2	1
Disturbing Divine Worship	543	77	14	9	17	6	75
Escaping	549	97	1	-	55	-	1
Failure to pay Occupational Tax	244	61	1	1	75	-	2
Firing Woods	37	1	7	-	-	-	-
Gambling	4,642	1,868	20	10	385	45	125
Hit and Run Driving	76	42	-	-	1	-	-
Illegal Arrests	50	26	2	-	3	-	-
Larceny, simple	22,806	8,159	122	37	2,375	38	420
Larceny After Trust	1,155	431	-	1	133	-	6
Libel	15	3	-	-	1	-	-
Maintaining Lewd House	342	180	1	1	22	-	-
Malicious Mischief	864	377	3	-	116	2	14
Mayhem, misdemeanor grade	19	4	-	-	1	-	-
Misdemeanor, blanket charge	3,405	28	39	18	4	42	300
Misdemeanor, miscellaneous	111	34	2	-	2	-	1
Obscene Language	293	128	9	11	15	1	3
Obstructing Legal Process	30	4	-	2	10	-	1
Operating Auto while Drunk	7,138	3,424	5	8	628	8	73
Operating Slot Machine with Slugs	114	20	-	-	3	-	1
Peeping Tom	47	7	-	1	3	-	1
Practicing Prof. without License	55	21	-	-	-	-	2
Public Drunkenness	7,427	2,132	34	44	154	48	178
Public Indecency	229	118	-	1	18	-	-
Receiving Stolen Goods	452	224	-	-	32	-	16
Receiving Unstamped Tobaccos	937	432	2	-	93	-	7
Removal of Mortgaged Property	274	47	8	-	12	-	20
Resisting an Officer	70	32	1	-	3	-	-
Rioting	250	8	19	8	6	2	58
Selling Mortgaged Property	128	14	1	1	6	-	7
Shooting at Occupied Dwelling	56	20	-	2	7	-	-
Stabbing	2,485	1,000	4	7	385	4	31
Trespass	416	56	10	4	40	2	25
Use Auto without Owner's Consent	475	103	-	1	56	-	5
Use Horse without Owner's Consent	20	-	-	-	1	-	4
Usury	160	126	-	-	31	-	-
Vagrancy	5,477	3,290	5	2	359	-	4
Violation of Common School Laws	23	9	1	-	-	-	7
Violation of County Health Rules	27	9	-	-	2	-	3
Violation of Election Laws	26	9	-	-	2	-	-
Violation of Game Laws	1,407	144	48	45	87	13	56
Violation of Highway Regulations	60	12	-	-	1	-	-
Violation of Labor Laws	131	-	-	-	75	-	4
Violation of Motor Carrier Laws	72	9	-	-	3	-	-
Violation of Motor Vehicle Laws	4,453	1,525	8	4	246	14	86
Violation of Prohibition Law	42,691	22,455	293	85	2,144	70	514
Violation of Sabbath	62	16	1	-	2	-	6
Violation of Timber Laws	24	5	-	3	-	-	2
Wife Beating	1,442	874	4	4	118	5	42
TOTAL	141,056	60,233	811	406	9,618	329	2,871
							1,450
							2,925
							8,458
							420
							1,871

* Source: Minute dockets of 29 city courts.

Clarke
Cooga

	Clay	Coweta	Dodge	Floyd	Jenkins	Lowndes	Madison	Meriwether	Mitchell	McIntosh	Richmond	Troup							
5	2	9	41	154	59	15	74	10	12	4	29	11	7	19	210	1	102	68	
9	-	32	107	1,350	51	7	67	4	8	9	24	4	2	4	81	5	6	19	
14	1	4	16	22	4	7	6	1	5	1	10	9	-	2	2	1	5	4	
5	20	111	245	282	166	134	249	84	128	41	239	47	58	184	332	49	124	162	
3	-	-	2	3	-	-	-	-	-	-	-	2	-	-	-	-	-	-	
3	-	-	-	-	-	12	-	-	-	-	-	-	-	-	34	-	-	-	
10	-	6	63	38	5	-	7	5	1	-	-	-	-	1	32	1	5	14	
7	1	4	8	18	2	5	5	3	-	-	2	3	2	1	9	4	42	6	
52	31	82	241	145	133	261	134	42	103	19	95	44	109	116	505	9	268	100	
2	-	9	1	182	-	1	2	3	-	-	-	-	-	1	2	-	26	-	
133	11	56	141	45	136	161	103	56	119	2	373	44	49	101	126	2	148	66	
1	1	9	3	3	12	5	6	4	8	-	9	2	-	9	9	6	1	5	
1	4	1	-	3	3	1	1	-	-	-	-	-	3	-	-	-	2	1	
3	2	20	41	11	24	5	3	-	66	-	2	7	38	12	7	3	2	32	
4	-	2	1	11	21	5	6	16	19	-	13	4	14	3	-	-	45	11	
2	1	-	4	17	2	1	9	6	1	-	5	1	3	2	12	-	-	1	
19	-	10	-	-	4	2	-	2	4	-	-	-	2	1	-	2	-	-	
42	3	39	180	390	82	78	97	22	59	-	9	86	10	31	605	5	64	68	
-	-	-	6	10	-	-	3	-	1	-	-	-	-	-	10	-	-	1	
1	-	-	4	-	1	-	1	-	-	-	1	-	-	-	-	2	-	2	
18	344	209	527	561	356	660	391	421	273	-	697	131	136	473	1,237	51	1,089	282	
28	-	2	8	20	19	27	21	12	6	-	73	1	1	21	54	-	100	15	
-	-	-	-	-	-	-	3	-	-	-	4	-	-	-	-	1	-	-	
6	-	3	-	4	9	-	3	2	1	-	3	4	2	-	9	2	27	12	
1	4	1	3	36	23	36	19	24	8	11	6	21	16	17	9	16	7	2	8
44	3	-	-	-	-	1	-	1	-	-	21	16	17	9	16	1	-	-	
1	2	5	131	66	3	100	17	10	56	270	1,030	-	-	117	13	15	1,025	37	
9	1	11	5	2	6	-	-	-	1	-	9	4	2	2	4	-	-	4	
-	-	37	12	17	6	-	-	-	-	1	8	-	5	1	-	1	-	8	
1	-	-	-	-	-	1	1	1	-	-	-	-	-	-	-	-	-	-	
14	77	4	16	184	725	97	60	309	154	13	13	18	48	20	44	533	11	22	115
1	3	-	8	5	-	-	-	-	6	-	-	-	-	-	-	5	2	38	6
-	-	-	5	-	-	2	4	-	-	-	-	1	-	-	-	-	-	-	-
73	90	3	3	1	6	-	-	1	4	-	-	1	-	-	-	1	1	3	
2	7	189	411	836	328	100	464	250	56	29	43	178	72	106	823	20	27	246	
10	-	1	8	11	2	2	4	-	-	1	2	1	-	-	1	-	10	16	
2	5	-	18	5	8	9	2	12	5	-	10	1	1	11	9	1	28	9	
1	15	-	2	7	13	-	27	19	19	2	-	49	3	5	1	28	39	18	
-	-	1	10	5	20	5	12	5	6	-	15	4	2	9	8	-	16	7	
27	-	-	15	-	3	5	1	-	1	-	-	-	-	-	-	-	1	7	
3	1	10	-	-	31	-	3	21	5	4	10	3	-	9	5	-	-	9	
1	1	3	7	-	13	3	13	1	3	-	11	3	-	2	7	1	5	5	
16	-	-	6	-	3	-	-	1	2	1	1	1	2	1	1	1	-	-	
5	20	8	79	58	16	33	60	26	16	7	11	8	9	32	48	7	12	14	
2	6	6	9	21	23	23	9	12	10	2	30	5	7	10	3	3	5	9	
-	-	1	23	36	15	5	12	6	4	-	7	1	5	6	24	-	3	8	
3	102	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	
-	-	40	55	40	64	288	366	13	114	-	355	20	7	13	36	-	117	58	
1	-	-	1	-	2	-	-	-	-	-	-	1	1	-	-	-	-	-	
-	-	2	-	4	1	-	1	-	-	-	-	1	1	-	-	-	-	-	
6	16	-	-	-	10	1	1	-	-	-	1	-	-	-	-	-	-	-	
1	1	18	28	45	95	31	33	103	88	59	60	12	12	62	12	40	9	29	
-	-	1	3	3	5	4	5	2	2	-	6	1	2	1	1	1	-	-	
15	153	1	1	-	1	2	-	-	-	-	-	3	-	2	5	-	-	-	
33	496	8	11	135	45	273	72	173	12	16	210	22	98	82	347	109	19	53	
3	-	511	905	1,771	898	590	818	580	316	84	319	324	362	379	3,550	39	2,109	825	
-	-	1	1	4	4	1	-	-	-	-	1	1	1	2	-	1	2	-	
2	-	2	-	-	-	-	-	-	-	-	1	1	1	2	-	-	-	-	
1	7	1	9	23	17	13	38	8	8	-	9	-	-	-	-	4	-	5	
20	1,871	9	23	61	17	13	38	8	8	-	9	-	-	-	-	4	-	5	
236	1,507	3,770	7,538	2,853	3,006	3,479	2,106	1,549	569	3,826	1,065	1,071	1,906	8830	418	5,550	2,385		

TABLE 15*
PERIOD BETWEEN DOCKETING AND TRIAL OF CASES
By Crimes
29 City Courts of Georgia
January 1, 1926 - December 31, 1935

CRIMES	Total	MONTHS										Over 24 Mo.	**
		Less Than 1	1-2	2-3	3-6	6-9	9-12	12-18	18-24	24 Mo.			
Abandonment	100.0	72.0	8.8	8.0	7.4	1.7	.5	.7	.2	.3	.4		
Adultery and Fornication	100.0	23.7	34.4	7.6	29.8	2.0	1.1	.6	.3	.4	.1		
Assault	100.0	44.9	10.2	14.5	20.3	5.8	-	2.9	1.4	-	-		
Assault and Battery	100.0	49.9	12.2	13.8	18.1	3.3	1.2	.4	.3	.3	.5		
Attempted Bestiality or Sodomy	100.0	25.0	18.8	31.3	12.5	-	-	-	6.2	-	6.2		
Barbering without License	100.0	28.1	7.0	22.8	40.4	-	-	-	-	1.7	-		
Bastardy	100.0	63.9	7.4	8.9	14.1	3.5	1.4	.3	.3	-	.2		
Breaking, Entering and Stealing	100.0	71.0	12.4	5.6	9.7	1.0	-	-	-	-	.3		
Bribery, misdemeanor grade	100.0	46.2	15.4	7.7	23.0	7.7	-	-	-	-	-		
Carrying Deadly Weapons	100.0	53.9	10.3	14.4	17.2	2.1	.7	.2	.2	.3	.7		
Carrying on Lottery	100.0	31.6	35.0	15.7	15.7	1.1	.3	.3	.1	.1	.1		
Cheating and Swindling	100.0	56.6	8.6	10.6	17.6	3.3	1.3	.7	.4	.3	.6		
Cruelty to Children and Animals	100.0	52.6	10.1	10.7	22.3	2.9	.7	.7	-	-	-		
Defacing Public Property	100.0	54.5	27.3	6.1	12.1	-	-	-	-	-	-		
Disturbing Divine Worship	100.0	50.6	6.1	15.6	20.5	3.8	2.0	.8	-	.3	.3		
Escaping	100.0	77.0	7.6	5.4	4.8	2.2	.6	.2	1.6	.4	.2		
Failure to pay Occupational Tax	100.0	22.5	36.1	8.1	20.7	5.4	-	2.7	1.8	2.7	-		
Firing Woods	100.0	73.3	6.7	6.7	13.3	-	-	-	-	-	-		
Gambling	100.0	40.7	14.9	18.3	20.4	2.5	1.5	.5	.3	.2	.7		
Hit and Run Driving	100.0	31.0	17.3	24.1	20.7	6.9	-	-	-	-	-		
Illegal Arrests	100.0	62.5	6.3	15.5	9.4	6.3	-	-	-	-	-		
Larceny, simple	100.0	63.7	8.9	10.5	12.0	1.4	.6	.4	.1	1.3	1.1		
Larceny After Trust	100.0	67.0	8.0	8.0	13.3	1.7	.6	.4	.1	.6	.3		
Libel	100.0	60.0	20.0	-	20.0	-	-	-	-	-	-		
Maintaining Lewd House	100.0	44.1	16.5	16.5	18.2	3.5	1.2	-	-	-	-		
Malicious Mischief	100.0	59.0	10.6	12.5	14.1	1.6	.7	.7	-	.4	.4		
Mayhem, misdemeanor grade	100.0	75.0	6.2	18.8	-	-	-	-	-	-	-		
Misdemeanor, blanket charge	100.0	54.3	5.4	6.0	26.1	2.1	.3	.3	.1	-	5.4		
Misdemeanor, miscellaneous	100.0	55.2	4.5	13.4	20.9	3.0	-	-	-	3.0	-		
Obscene Language	100.0	29.7	16.1	14.2	29.7	3.9	1.9	-	-	3.9	.6		
Obstructing Legal Process	100.0	45.6	9.1	27.3	9.0	9.0	-	-	-	-	-		
Operating Auto while Drunk	100.0	38.3	17.4	18.1	20.5	3.4	1.3	.4	.1	.2	.3		
Operating Slot Machine with Slugs	100.0	40.5	10.8	28.4	20.3	-	-	-	-	-	-		
Peeping Tom	100.0	61.8	5.9	11.8	17.6	-	-	-	-	2.9	-		
Practicing Profession without License	100.0	50.0	14.7	8.9	23.5	2.9	-	-	-	-	-		
Public Drunkenness	100.0	38.1	14.4	22.2	19.9	2.7	1.0	.6	.2	.1	.6		
Public Indecency	100.0	60.3	12.6	10.9	14.4	.6	-	-	1.2	-	-		
Receiving Stolen Goods	100.0	52.0	14.4	9.7	16.6	5.4	1.1	.4	-	.4	-		
Receiving Unstamped Tobaccos	100.0	43.2	19.6	14.2	18.4	2.0	1.6	-	.4	-	.6		
Removal of Mortgaged Property	100.0	53.3	8.0	10.2	14.7	8.0	2.9	-	.7	1.5	.7		
Resisting an Officer	100.0	43.7	15.6	25.0	12.5	-	-	-	-	-	3.2		
Rioting	100.0	30.2	12.1	7.8	35.3	7.8	-	6.8	-	-	-		
Selling Mortgaged Property	100.0	50.0	9.7	12.9	14.5	6.5	3.2	-	1.6	1.6	-		
Shooting at Occupied Dwelling	100.0	46.2	7.6	20.5	15.4	5.1	-	2.6	2.6	-	-		
Stabbing	100.0	67.4	9.5	9.3	10.9	1.4	.7	.4	.1	.1	.2		
Trespass	100.0	56.5	11.6	8.5	18.7	2.7	.4	.4	.4	.4	.4		
Using Auto without Owner's Consent	100.0	57.6	12.8	13.1	13.7	1.7	-	.3	-	.3	.5		
Using Horse without Owner's Consent	100.0	75.0	12.4	6.3	6.3	-	-	-	-	-	-		
Usury	100.0	33.3	25.0	25.0	16.7	-	-	-	-	-	-		
Vagrancy	100.0	71.5	4.6	4.1	18.2	.8	.1	.1	.1	.1	.4		
Violation of Common School Laws	100.0	84.6	7.7	7.7	-	-	-	-	-	-	-		
Violation of County Health Rules	100.0	44.5	33.3	22.2	-	-	-	-	-	-	-		
Violation of Election Laws	100.0	50.0	12.5	12.5	25.0	-	-	-	-	-	-		
Violation of Game Laws	100.0	48.0	11.5	9.5	22.3	3.2	.9	1.0	.1	.7	2.8		
Violation of Highway Regulations	100.0	36.1	16.7	13.9	30.6	-	2.7	-	-	-	-		
Violation of Labor Laws	100.0	41.2	11.7	17.7	23.5	-	-	-	-	-	5.8		
Violation of Motor Carrier Laws	100.0	69.0	10.4	3.4	10.4	-	3.4	-	-	3.4	-		
Violation of Motor Vehicle Laws	100.0	30.4	14.9	17.3	32.0	3.1	1.5	.3	-	.3	.7		
Violation of Prohibition Laws	100.0	37.3	15.0	19.1	21.4	4.0	1.6	.6	.4	.3	.7		
Violation of the Sabbath	100.0	36.6	29.3	17.1	12.2	-	-	2.4	-	2.4	-		
Violation of Timber Laws	100.0	66.7	-	-	33.3	-	-	-	-	-	-		
Wife Beating	100.0	61.3	12.0	10.5	9.5	1.8	.5	.2	.1	-	.4		
TOTAL	100.0	47.4	13.4	15.1	18.5	2.8	1.1	.5	.2	.4	.6		

* Source: Minute dockets of 29 city courts.

** Not ascertainable.

APPENDIX E

TABLE 16*

MISDEMEANOR AND FELONY CASES
By Year in which Docketed
52 Superior Courts of Georgia
January 1, 1926 - December 31, 1935

MISDEMEANORS

			Total	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Abandonment	Number	1,250	133	155	130	141	164	120	111	89	103	104	
	Percent	100.0	10.6	12.4	10.4	11.3	13.1	9.7	8.9	7.1	8.2	8.3	
Adultery and Fornication	Number	516	90	79	46	50	41	40	46	51	35	38	
	Percent	100.0	17.4	15.4	8.9	9.7	7.9	7.7	8.9	9.9	6.8	7.4	
Assault	Number	106	13	10	8	13	8	5	9	10	16	14	
	Percent	100.0	12.3	9.4	7.5	12.3	7.5	4.7	8.5	9.5	15.1	13.2	
Assault and Battery	Number	1,661	169	218	176	190	169	153	124	139	168	155	
	Percent	100.0	10.2	13.1	10.6	11.4	10.2	9.2	7.5	8.4	10.1	9.3	
Attempted Bestiality or Sodomy	Number	46	7	2	5	8	3	5	3	6	3	4	
	Percent	100.0	15.2	4.3	10.9	17.4	6.5	10.9	6.5	13.1	6.5	8.7	
Bestardy	Number	135	10	11	15	19	17	10	16	20	8	9	
	Percent	100.0	7.4	8.1	11.1	14.1	12.6	7.4	11.9	14.8	5.9	6.7	
Blackmail and Extortion	Number	93	19	35	2	6	19	3	5	1	1	2	
	Percent	100.0	20.5	37.6	2.2	6.2	20.5	3.2	5.4	1.1	1.1	2.2	
Breaking, Entering, and Stealing	Number	242	12	7	30	28	28	30	28	27	36	16	
	Percent	100.0	5.0	2.9	12.4	11.6	11.6	12.4	11.6	11.0	14.9	6.6	
Carrying Deadly Weapons	Number	3,542	357	365	360	354	346	355	294	393	400	318	
	Percent	100.0	10.1	10.3	10.2	9.9	9.8	10.0	8.3	11.1	11.3	9.0	
Carrying on Lottery	Number	980	37	19	7	12	3	1	8	172	363	358	
	Percent	100.0	3.8	1.9	.7	1.2	.3	.1	.8	17.6	37.0	36.6	
Cheating and Swindling	Number	2,734	364	281	313	269	329	383	286	173	143	193	
	Percent	100.0	13.3	10.3	11.4	9.8	12.0	14.0	10.6	6.3	5.2	7.1	
Cock Fighting	Number	1	1	-	-	-	-	-	-	-	-	-	
	Percent	100.0	100.0	-	-	-	-	-	-	-	-	-	
Cruelty to Children and Animals	Number	95	10	12	6	13	13	2	3	7	20	9	
	Percent	100.0	10.5	12.6	6.3	13.7	13.7	2.1	3.2	7.4	21.0	9.5	
Disturbing Divine Worship	Number	517	62	56	64	45	40	47	51	43	71	38	
	Percent	100.0	12.0	10.8	12.4	8.7	7.7	9.1	9.9	8.3	13.7	7.4	
Defamation of Virtuous Female	Number	21	1	2	2	2	4	-	1	9	-	-	
	Percent	100.0	4.8	9.5	9.5	9.5	19.0	-	4.8	42.9	-	-	
Escape	Number	250	32	31	14	30	13	25	10	15	44	36	
	Percent	100.0	12.8	12.4	5.6	12.0	5.2	10.0	4.0	6.0	17.6	14.4	
Failure to Pay Occupational Tax	Number	269	46	40	61	31	19	31	2	4	26	9	
	Percent	100.0	17.1	14.9	22.7	11.5	7.1	11.5	.7	1.5	9.7	3.3	
Firing Woods	Number	23	-	5	4	-	3	1	5	1	2	2	
	Percent	100.0	-	21.7	17.4	-	13.0	4.4	21.7	4.4	8.7	8.7	
Gambling	Number	1,970	711	145	131	130	105	147	334	123	65	79	
	Percent	100.0	36.1	7.4	6.6	6.6	5.3	7.5	17.0	6.2	3.3	4.0	
Hit and Run Driving	Number	32	1	5	1	2	3	5	-	2	8	5	
	Percent	100.0	3.1	15.6	3.1	6.3	9.4	15.6	-	6.3	25.0	15.6	
Interfering with Laborers	Number	20	4	2	3	3	-	-	-	1	5	2	
	Percent	100.0	20.0	10.0	15.0	15.0	-	-	-	5.0	25.0	10.0	
Killing Farm Animals	Number	11	4	4	1	1	-	-	-	-	1	-	
	Percent	100.0	36.4	36.3	9.1	9.1	-	-	-	-	9.1	-	
Mibel	Number	17	-	3	-	1	3	2	5	-	2	1	
	Percent	100.0	-	17.6	-	5.9	17.6	11.8	29.4	-	11.8	5.9	
Larceny, simple	Number	5,758	476	546	535	694	571	650	618	595	541	532	
	Percent	100.0	8.3	9.5	9.3	12.1	9.9	11.3	10.7	10.3	9.4	9.2	
Larceny, attempted	Number	80	9	11	5	5	12	6	5	7	9	11	
	Percent	100.0	11.3	13.8	6.2	6.2	15.0	7.5	6.2	8.7	11.3	13.8	
Larceny After Trust	Number	82	3	12	9	5	3	12	10	15	12	1	
	Percent	100.0	3.7	14.6	11.0	6.1	3.7	14.6	12.2	18.3	14.6	1.2	
Malpractice by Public Officer	Number	8	-	1	-	2	5	-	-	-	-	-	
	Percent	100.0	-	12.5	-	25.0	62.5	-	-	-	-	-	
Malicious Mischief	Number	275	39	35	27	33	19	26	14	11	29	42	
	Percent	100.0	14.2	12.7	9.8	12.0	6.9	9.4	5.2	4.0	10.5	15.3	
Maintaining Lewd House	Number	280	86	25	7	9	2	88	18	12	23	10	
	Percent	100.0	30.7	8.9	2.5	3.2	.7	31.5	6.4	4.3	8.2	3.6	
Maintaining Opium Joint	Number	21	-	-	-	-	-	-	1	-	3	17	
	Percent	100.0	-	-	-	-	-	-	4.8	-	14.2	81.0	
Mayhem, misdemeanor	Number	12	-	6	1	-	2	-	1	-	1	1	
	Percent	100.0	-	50.0	8.3	-	16.8	-	8.3	-	8.3	8.3	
Misdemeanor, blanket charge	Number	2,040	268	215	157	238	174	167	136	140	180	365	
	Percent	100.0	13.1	10.5	7.7	11.7	8.5	8.2	6.7	6.9	8.8	17.9	
Misdemeanor, miscellaneous	Number	92	23	13	8	8	5	6	11	8	6	4	
	Percent	100.0	25.0	14.1	8.7	8.7	5.5	6.5	11.9	8.7	6.5	4.4	
Obstructing Legal Process	Number	11	-	-	3	2	1	-	1	4	-	-	
	Percent	100.0	-	-	27.3	18.2	9.1	-	9.1	36.3	-	-	
Operating Auto while Drunk	Number	1,232	105	135	108	107	136	130	88	115	115	193	
	Percent	100.0	8.5	11.0	8.8	8.7	11.0	10.6	7.1	9.3	9.3	15.7	
Operating Slot Machine with Slugs	Number	264	77	33	17	15	6	3	1	23	50	39	
	Percent	100.0	29.2	12.5	6.4	5.7	2.3	1.1	.4	8.7	18.9	14.8	
Peddling without License	Number	12	3	1	4	-	-	-	-	-	4	-	
	Percent	100.0	25.0	8.3	33.4	-	-	-	-	-	33.3	-	
Peeping Tom	Number	17	1	1	-	2	3	2	2	3	-	3	
	Percent	100.0	5.9	5.9	-	11.8	17.6	11.8	11.8	17.6	-	17.6	

TABLE 16 - Misdemeanor and Felony Cases (Cont'd)

		Total	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Performance Peace Officer's Duty, illegally	Number	38	1	7	3	4	5	1	4	6	6	1
	Percent	100.0	2.6	18.4	7.9	10.6	13.2	2.6	10.5	15.8	15.8	2.6
Pointing Pistol at Another	Number	527	58	60	44	51	53	54	53	57	53	44
	Percent	100.0	11.0	11.4	8.3	9.7	10.1	10.2	10.1	10.8	10.1	8.3
Practicing Profession without License	Number	34	1	1	2	3	19	2	2	3	-	1
	Percent	100.0	2.9	2.9	5.9	8.8	56.0	5.9	5.9	8.8	-	2.9
Public Drunkenness	Number	2,495	283	291	262	253	244	180	156	210	276	340
	Percent	100.0	11.3	11.7	10.6	10.1	9.8	7.2	6.3	8.4	11.1	13.6
Public Indecency	Number	35	1	2	12	6	1	3	1	1	-	8
	Percent	100.0	2.9	5.7	34.3	17.1	2.9	8.5	2.9	2.9	-	22.8
Receiving Stolen Goods	Number	568	55	84	72	46	67	35	42	36	64	67
	Percent	100.0	9.7	14.8	12.7	8.1	11.8	6.2	7.4	6.3	11.2	11.8
Receiving Unstamped Tobaccos	Number	204	1	70	44	58	17	5	2	7	-	-
	Percent	100.0	.5	34.3	21.6	28.4	8.3	2.5	1.0	3.4	-	-
Removal of Mortgaged Property	Number	153	21	14	9	32	19	13	16	11	6	12
	Percent	100.0	13.7	9.2	5.9	20.9	12.4	8.5	10.5	7.2	3.9	7.8
Resisting an Officer	Number	10	1	1	1	1	-	2	1	1	1	1
	Percent	100.0	10.3	10.0	10.0	10.0	-	20.0	10.0	10.0	10.0	10.0
Rioting	Number	354	78	51	19	27	32	29	31	42	24	21
	Percent	100.0	22.0	14.4	5.4	7.6	9.0	8.2	8.8	11.9	6.8	5.9
Selling Mortgaged Property	Number	103	24	14	8	9	8	11	16	2	4	7
	Percent	100.0	23.3	13.6	7.8	8.7	7.8	10.7	15.5	1.9	3.8	6.9
Shooting at Occupied Dwelling	Number	84	5	13	5	9	3	5	5	9	9	21
	Percent	100.0	6.0	15.5	6.0	10.7	3.5	6.0	6.0	10.7	10.7	24.9
Stabbing	Number	334	25	27	27	33	36	35	24	56	44	27
	Percent	100.0	7.5	8.1	8.1	9.8	10.8	10.5	7.2	16.8	13.1	8.1
Trespass	Number	145	18	13	8	22	21	7	11	19	14	12
	Percent	100.0	12.4	9.0	5.5	15.2	14.5	4.8	7.6	13.1	9.7	8.3
Using Auto without Owner's Consent	Number	132	17	17	11	25	28	3	8	11	6	4
	Percent	100.0	12.9	12.9	8.3	19.0	21.2	2.3	6.1	8.3	4.5	3.0
Using Obscene Language	Number	735	66	80	81	93	98	79	68	58	56	56
	Percent	100.0	9.0	10.9	11.0	12.7	13.3	10.7	9.3	7.9	7.6	7.6
Usury	Number	129	-	29	38	1	1	-	-	-	60	-
	Percent	100.0	-	22.5	29.4	.8	.8	-	-	-	46.5	-
Vagrancy	Number	808	224	189	135	47	31	49	34	28	54	17
	Percent	100.0	27.7	23.4	16.7	5.8	3.8	6.1	4.2	3.5	6.7	2.1
Violation of Common School Law	Number	39	3	7	3	7	1	-	3	-	10	5
	Percent	100.0	7.7	17.9	7.7	17.9	2.7	-	7.7	-	25.6	12.8
Violation of Election Laws	Number	71	2	6	-	14	23	1	-	2	15	7
	Percent	100.0	2.8	8.5	-	19.7	32.4	1.4	-	2.8	21.0	9.9
Violation of Professional Bondsmen's Act	Number	15	-	1	2	3	3	-	3	-	2	1
	Percent	100.0	-	6.7	13.3	20.0	20.0	-	20.0	-	13.3	6.7
Violation of Game Law	Number	476	31	110	50	59	57	31	49	24	26	59
	Percent	100.0	6.5	23.1	10.5	12.4	12.0	6.5	10.3	5.0	5.5	12.4
Violation of Highway Regulations	Number	35	9	8	5	1	2	3	2	3	1	1
	Percent	100.0	25.7	22.8	14.2	2.9	5.7	8.6	5.7	8.6	2.9	2.9
Violation of Motor Vehicle Law	Number	759	96	127	65	109	83	80	56	43	41	59
	Percent	100.0	12.6	16.7	8.6	14.4	10.9	10.5	7.4	5.7	5.4	7.8
Violation of Prohibition Law	Number	9,066	1,323	1,119	964	1,060	914	836	676	734	733	707
	Percent	100.0	14.6	12.3	10.6	11.7	10.1	9.2	7.5	8.1	8.1	7.8
Violation of Security License Law	Number	83	11	10	10	12	-	16	2	16	4	2
	Percent	100.0	13.3	12.0	12.0	14.5	-	19.3	2.4	19.3	4.8	2.4
Violation of the Sabbath	Number	42	3	6	4	7	5	2	1	6	-	8
	Percent	100.0	7.1	14.3	9.5	16.7	11.9	4.8	2.4	14.3	-	19.0
Violation of Timber Laws	Number	11	-	-	1	-	2	2	-	-	5	1
	Percent	100.0	-	-	9.1	-	18.2	18.2	-	-	45.4	9.1
Wife Beating	Number	179	25	18	17	20	20	15	20	12	26	6
	Percent	100.0	14.0	10.1	9.5	11.2	11.2	8.4	11.2	6.6	14.5	3.3
Total Misdemeanors	Number	42,379	5,555	4,896	4,162	4,480	4,062	3,954	3,533	3,616	4,054	4,057
	Percent	100.0	13.1	11.6	9.8	10.6	9.6	9.3	8.3	8.5	9.5	9.7
FELONIES												
Assault with Intent to Murder	Number	5,593	476	591	499	547	553	497	579	605	659	597
	Percent	100.0	8.5	10.6	8.9	9.8	9.9	8.9	10.4	10.7	11.8	10.6
Assault with Intent to Rape	Number	403	41	33	55	59	52	36	33	30	35	35
	Percent	100.0	10.2	8.2	13.6	14.6	12.9	8.9	8.2	7.5	8.7	8.7
Assault with Intent to Rob	Number	283	24	21	16	28	30	37	41	27	24	24
	Percent	100.0	8.5	7.4	5.7	9.9	10.6	13.1	14.5	9.5	8.5	8.5
Arson	Number	281	20	23	29	36	41	34	22	26	25	25
	Percent	100.0	7.1	8.2	10.3	12.8	14.6	12.1	7.8	9.3	8.9	8.9
Bigamy	Number	125	19	10	13	9	14	20	19	6	6	6
	Percent	100.0	15.2	8.0	10.4	7.2	11.2	16.0	15.2	4.8	4.8	4.8
Breaking and Entering Vehicle	Number	526	34	28	41	24	32	48	109	53	58	58
	Percent	100.0	6.5	5.3	7.8	4.6	6.1	9.1	20.7	10.1	11.2	11.2

TABLE 16 - Misdemeanor and Felony Cases (Cont'd)

	1933	1934	1935		Total	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Bribery	6	6	1	Number	75	4	3	-	2	58	5	1	-	-	2
Burglary	5.8	15.8	2.6	Percent	100.0	5.3	4.0	-	2.7	77.3	6.7	1.3	-	-	2.7
	57	53	44	Number	10,639	668	749	879	913	1,254	1,145	1,393	1,293	1,194	1,151
	9.8	10.1	8.3	Percent	100.0	6.3	7.0	8.3	8.6	11.8	10.8	13.1	12.2	11.2	10.7
Destroying House with Explosives	3	-	1	Number	12	-	-	-	-	-	1	5	-	-	6
Embezzlement	3.8	-	2.9	Percent	100.0	-	-	-	-	-	8.3	41.7	-	-	50.0
	210	276	340	Number	317	38	47	53	51	39	27	21	12	11	18
	3.4	11.1	13.6	Percent	100.0	12.0	14.8	16.7	16.1	12.3	8.5	6.6	3.8	3.5	5.7
Embracery	1	-	8	Number	15	-	3	-	1	6	2	-	-	-	-
Felony, blanket charge	2.9	-	22.8	Percent	100.0	-	20.0	-	6.7	40.0	13.3	-	-	3	-
	36	64	67	Number	308	9	32	19	46	46	14	-	-	20.0	-
	3.3	11.2	11.3	Percent	100.0	2.9	10.4	6.2	14.9	14.9	4.5	5.8	12.4	9.7	18.3
Forgery	7	-	-	Number	2,035	206	288	214	220	271	219	168	180	113	156
Incest	3.4	-	-	Percent	100.0	10.1	14.1	10.5	10.8	13.3	10.8	8.3	8.8	5.6	7.7
	11	6	12	Number	27	2	3	2	4	-	4	-	2	3	1
	7.2	3.9	7.3	Percent	100.0	7.4	11.1	7.4	14.8	-	14.8	22.0	7.6	11.1	3.8
Involuntary Manslaughter	1	1	1	Number	254	17	18	24	23	20	23	20	17	28	64
Kidnapping	0.0	10.0	10.0	Percent	100.0	6.7	7.1	9.4	9.1	7.9	9.1	7.9	6.7	11.0	25.1
	42	24	21	Number	180	23	20	18	21	20	13	4	28	25	8
	1.9	6.8	5.9	Percent	100.0	12.8	11.1	10.0	11.7	11.1	7.2	2.2	15.6	13.9	4.4
Larceny from Building	2	4	7	Number	2,542	288	296	311	293	215	207	244	220	201	267
Larceny from Person	1.9	3.8	6.9	Percent	100.0	11.3	11.6	12.2	11.5	8.6	8.1	9.6	8.7	7.9	10.5
	9	9	21	Number	111	18	23	15	4	8	14	11	8	4	6
	0.7	10.7	24.9	Percent	100.0	16.2	20.7	13.6	3.6	7.2	12.6	9.9	7.2	3.6	5.4
Larceny of Automobile	56	44	27	Number	4,150	355	357	394	315	522	519	428	468	411	381
Larceny of Farm Animals	5.8	13.1	8.1	Percent	100.0	8.6	8.6	9.4	7.6	12.6	12.5	10.3	11.3	9.9	9.2
	19	14	12	Number	554	15	39	49	67	56	92	78	43	40	75
	5.1	9.7	8.3	Percent	100.0	2.7	7.0	8.9	12.1	10.1	16.6	14.1	7.8	7.2	13.5
Larceny	11	6	6	Number	41	1	7	7	8	3	3	3	2	5	2
Larceny After Trust	3.3	4.5	4.5	Percent	100.0	2.4	17.1	17.1	19.6	7.3	7.3	7.3	4.9	12.2	4.9
	58	56	56	Number	1,283	256	118	156	175	105	77	103	132	67	94
	7.9	7.6	7.6	Percent	100.0	20.0	9.2	12.2	13.6	8.2	6.0	8.0	10.3	5.2	7.3
Mayhem	-	60	-	Number	2	-	-	-	-	-	-	1	1	-	-
Manufacture Liquor	-	46.5	-	Percent	100.0	-	-	-	-	-	-	50.0	50.0	-	-
	28	54	17	Number	2,049	317	319	255	263	208	157	218	147	91	74
	3.5	6.7	2.1	Percent	100.0	15.5	15.6	12.4	12.8	10.2	7.7	10.6	7.2	4.4	3.6
Miscellaneous Felony	-	10	5	Number	68	15	3	10	15	3	4	-	4	6	8
Murder	-	25.6	13.8	Percent	100.0	22.1	4.4	14.7	22.1	4.4	5.9	-	5.9	8.8	11.7
	2	16	7	Number	2,740	244	286	211	274	304	239	241	299	330	312
	2.8	22.5	9.9	Percent	100.0	8.9	10.4	7.7	10.0	11.1	8.7	8.8	10.9	12.0	11.5
Obtaining Money under False Pretense	-	2	1	Number	88	9	24	7	9	7	9	-	5	7	11
Perjury	-	13.3	6.7	Percent	100.0	10.2	27.3	8.0	10.2	8.0	10.1	-	5.7	8.0	12.5
	24	26	39	Number	268	40	30	38	13	22	11	35	15	41	23
	5.0	5.5	8.2	Percent	100.0	14.9	11.2	14.2	4.9	8.2	4.0	13.1	5.6	15.3	8.6
Personating Another	3	1	1	Number	10	4	1	1	3	-	-	-	1	-	-
Poisoning Well	8.6	2.9	2.9	Percent	100.0	40.0	10.0	10.0	30.0	-	-	-	10.0	-	-
	43	41	59	Number	13	-	1	-	2	-	-	-	1	3	2
	5.7	5.4	7.8	Percent	100.0	-	7.7	-	15.4	7.7	15.4	7.7	7.7	23.0	15.4
Possessing Counterfeit Type	734	733	707	Number	4	4	-	-	-	-	-	-	-	-	-
Possessing Burglary Tools	8.1	9.1	7.3	Percent	100.0	100.0	-	-	-	-	-	-	-	-	-
	16	4	2	Number	82	1	3	-	8	15	5	7	8	13	22
	9.3	4.8	2.4	Percent	100.0	1.2	3.7	-	9.8	18.3	6.1	8.5	9.8	15.9	26.7
Rape	6	-	8	Number	487	54	46	41	85	45	34	24	62	49	47
Receiving Stolen Goods	4.3	-	19.0	Percent	100.0	11.1	9.4	8.4	17.5	9.2	7.0	4.9	12.7	10.1	9.7
	-	5	1	Number	27	2	3	2	2	5	1	3	7	1	1
	-	45.4	9.1	Percent	100.0	7.4	11.1	7.4	7.4	18.6	3.7	11.1	25.9	3.7	3.7
Robbery	12	26	6	Number	3,626	147	241	220	305	359	486	378	554	526	410
Seduction	6.6	14.5	3.3	Percent	100.0	4.0	6.6	6.0	8.5	9.9	13.4	10.4	15.4	14.5	11.3
	616	4,054	4,187	Number	277	32	29	30	17	50	22	24	29	41	23
	8.5	9.5	5.7	Percent	100.0	11.6	10.5	10.8	6.1	10.8	7.9	8.7	10.5	14.8	8.3
Shooting at Another	-	-	-	Number	711	44	60	63	84	80	84	65	72	87	72
Sodomy and Bestiality	-	-	-	Percent	100.0	6.2	8.4	8.9	11.8	11.3	11.3	9.2	10.1	12.2	10.1
	-	-	-	Number	131	15	19	21	12	18	14	10	15	5	2
	-	-	-	Percent	100.0	11.5	14.5	16.0	9.2	13.7	10.7	7.6	11.5	3.8	1.5
Violation of Banking Regulations	-	-	-	Number	219	151	50	2	9	4	-	-	-	3	-
Voluntary Manslaughter	-	-	-	Percent	100.0	68.9	22.8	.9	4.1	1.8	-	-	-	1.5	-
	-	-	-	Number	32	2	7	3	-	-	4	3	6	4	3
	-	-	-	Percent	100.0	6.3	21.9	9.3	-	-	12.5	9.3	18.8	12.5	9.4
Wrecking Trains	-	-	-	Number	16	-	6	3	-	-	-	5	-	-	2
	-	-	-	Percent	100.0	-	37.5	18.7	-	-	-	31.3	-	-	12.5
Total Felonies	-	-	-	Number	40,604	3,595	3,837	3,701	3,947	4,446	4,109	4,321	4,416	4,150	4,082
	-	-	-	Percent	100.0	8.9	9.4	9.1	9.7	10.9	10.2	10.6	10.9	10.2	10.1
GRAND TOTAL	-	-	-	Number	82,983	9,150	8,733	7,863	8,427	8,508	8,063	7,854	8,032	8,184	8,169
	-	-	-	Percent	100.0	11.0	10.5	9.5	10.2	10.3	9.7	9.5	9.7	9.8	9.8

* Source: Dockets of the Superior Courts.

Camden	Carroll	Chatham
4	2	1
2	3	
-	1	
9	16	
-	-	
1	-	
-	1	
15	4	
1	-	
12	3	1
-	-	
2	-	
4	7	
-	-	
-	1	2
1	-	
3	3	
-	-	
-	-	
-	-	
56	39	4
-	-	
-	-	
2	-	
-	-	
-	-	
10	-	
-	-	
3	3	
8	-	
-	-	
-	-	
2	-	
1	-	
24	10	
-	1	
1	2	
4	-	
-	1	
-	-	
-	-	
-	-	
6	4	
1	-	
-	3	
3	6	
-	-	
1	-	
-	3	
44	-	
1	-	
6	1	
100	26	
-	-	
2	-	
-	-	
-	1	
327	141	

CASES BROUGHT - BY COUNTY IN WHICH DOCKETED
By Crimes
57 Superior Courts in Georgia
January 1, 1926 - December 31, 1935

[illegible]

TABLE 17 - Cases Brought (Cont'd)

FELONIES	Total	Appling	Bacon	Berrien	Brantley	Burke	Camden	Carroll	Chatham	Clarke	Clinch	Coffey	Crisp	Dawson	DeKalb	Dodge	Dougherty	Echols	Floyd	Gilmer	Glynn	Habersham	Heard	Houston						
	Fulton	Atkinson	Baker	Banks	Ben Hill	Blount	Calhoun	Chatham	Chattahoochee	Oglethorpe	Clay	Cobb	Conley	Dawson	DeKalb	Dodge	Dougherty	Echols	Floyd	Gilmer	Glynn	Habersham	Heard	Houston						
Arson	6,130	45	6	3	2	37	52	1	4	27	13	159	74	26	21	23	179	6	32	13	25	32	68	30	22	7	52	27	36	
Assault with Intent to Murder	4,248	1,837	38	20	37	52	32	59	20	246	25	138	65	60	26	38	364	49	86	15	34	81	56	66	62	47	123	57	176	
Assault with Intent to Rape	520	201	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40	-	3	-	-	-	-	-	-	-	-	-	-	
Assault with Intent to Rob	133	34	1	2	-	-	-	1	1	6	-	3	-	1	1	2	2	2	-	4	2	3	3	10	1	3	-	5	-	
Bigamy	557	202	4	-	6	-	1	3	-	43	-	20	-	-	-	-	3	7	-	1	4	-	5	4	-	-	-	-	-	
Breaking and Entering Vehicle	21	86	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Burglary	11,638	3,896	27	33	53	40	26	119	31	741	21	135	167	50	53	77	1018	121	139	8	18	153	86	100	118	16	412	78	325	
Destroying House with Explosives	12	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	1	8	-	3	-	-	-	-	-	-	-	-	
Embezzlement	365	150	3	3	1	-	1	2	1	22	-	7	-	2	-	5	-	-	-	-	-	-	-	-	-	-	-	-	-	
Embracery	15	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Felony, blanket charge	341	11	4	-	3	1	2	1	2	11	13	1	-	-	-	-	6	29	-	-	22	1	-	1	-	1	27	6	27	
Forgery	2,399	289	12	-	1	1	2	29	20	111	-	59	34	2	-	6	29	-	-	-	22	1	-	1	-	1	27	6	27	
Insult	88	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	2	-	-	42	23	-	4	62	3	27	48	80	
Involuntary Manslaughter	268	148	10	1	2	6	1	1	-	14	7	3	-	-	-	-	8	11	2	3	-	-	-	-	-	-	-	-	-	
Kidnapping	187	80	1	3	-	-	1	3	1	3	-	9	-	-	-	-	13	-	4	-	-	22	1	-	1	1	4	-	-	
Larceny	61	7	-	-	-	-	2	1	-	3	-	3	-	-	-	-	4	-	2	-	1	22	1	-	2	1	1	-	-	
Larceny of Automobile	4,363	3,236	4	-	-	-	-	10	3	44	6	7	-	-	-	-	12	191	12	86	-	2	80	-	10	12	2	139	11	-
Larceny from Building	2,783	782	13	10	2	20	11	110	47	54	13	16	20	25	3	9	58	36	42	-	3	80	20	6	119	15	40	10	111	
Larceny of Farm Animals	574	93	2	14	4	5	-	17	15	7	3	32	-	-	-	-	1	60	3	1	-	20	5	11	3	-	-	10	54	
Larceny from Person	118	54	1	-	-	-	-	-	1	8	-	1	3	4	-	3	-	3	-	1	3	-	-	-	-	2	1	-	-	
Larceny After Trust	1,448	784	3	9	-	2	2	22	16	56	-	18	6	9	4	7	51	1	10	-	5	36	10	6	17	1	12	4	17	
Manufacturing Liquor	2,309	131	17	10	16	20	25	32	22	17	17	46	54	19	14	36	17	47	10	-	2	90	10	67	45	-	35	4	27	
Mayhem, Felony	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	2	-	-	-	-	-	-	-	-	-	-	-	
Miscellaneous Felony	73	35	-	1	-	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Murder	2,901	985	11	11	10	10	8	27	13	159	1	46	74	26	21	23	179	6	32	13	25	32	68	30	22	7	52	27	36	
Obtaining Money under False Pretense	34	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Perjury	286	177	4	2	-	-	1	2	8	-	-	7	-	2	-	3	3	2	2	-	2	6	1	-	-	-	1	9	-	
Personating Another	10	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Poisoning Well	18	2	-	-	-	-	-	1	-	3	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Possessing Burglary Tools	82	59	-	-	-	-	-	-	-	2	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	9	-	-	-	
Possessing Counterfeit Type	511	172	3	1	-	1	4	7	-	22	-	7	8	6	-	7	28	5	-	-	6	5	12	-	-	-	30	5	6	
Rape	29	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Receiving Stolen Goods	29	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Robbery	3,816	2,467	3	2	-	17	-	10	13	160	3	12	7	-	8	16	231	2	26	3	22	14	1	12	12	21	109	4	60	
Seduction	308	74	6	3	8	1	7	4	5	2	15	1	-	2	1	10	5	7	1	2	4	-	7	8	2	6	5	5	2	
Shooting at Another	729	320	1	3	-	3	7	4	5	2	15	1	-	2	1	10	5	7	1	2	4	-	7	8	2	6	5	5	2	
Sodomy and Bestiality	137	78	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Voluntary Manslaughter	34	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Violation of Banking Regulations	219	32	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Wrecking Trains	17	1	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
TOTAL FELONIES	44,093	17,321	176	144	147	185	138	475	230	1,695	115	689	495	221	139	281	2,555	352	541	65	165	627	322	341	521	142	1,167	331	893	
GRAND TOTAL	93,268	26,209	699	499	529	782	405	2,134	1,119	2,917	578	1,464	578	730	466	422	2,782	1,578	933	304	639	6,033	599	408	2,249	597	1,546	534	1,472	

*Source: Dockets of the Superior Courts.

Habersham		Houston	Jenkins		Lowndes		McIntosh		Mitchell		Peach	Richmond		Taylor	Tift	Upson	Wheeler							
Greene	Heard	Jeff	Davis	Liberty	Madison	Meriwether	Muscogee	Randolph	Taliaferro	Telfair	Troup	Ware	Wilkes											
2	9	7	1	3	-	1	6	12	2	19	3	1	6	12	2	1	7	3	10					
17	126	70	32	81	31	60	37	55	33	431	39	41	397	12	58	36	12	117	91	57	38	34		
5	8	4	7	5	1	4	2	2	4	14	-	4	17	-	4	3	3	18	8	3	-	2		
-	2	-	2	-	-	-	-	-	6	8	1	7	-	-	-	-	-	-	-	2	5	1		
4	-	1	-	1	-	23	-	1	-	30	-	12	1	24	3	-	6	7	-	-	-	-		
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
58	104	99	20	65	19	219	16	9	72	50	769	108	94	737	11	46	47	44	206	83	85	34	92	
3	1	1	-	1	-	12	3	2	2	5	16	1	2	39	-	4	1	3	8	-	2	1	5	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
8	6	2	-	3	3	9	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	10	4	13	13	3	44	1	-	17	53	12	8	270	1	8	23	21	34	16	13	74	2	7	
-	1	-	-	1	-	3	-	1	-	5	-	-	8	-	-	-	-	1	-	1	-	1	1	
-	4	-	-	3	3	3	1	-	9	-	-	1	6	2	5	-	-	7	4	1	2	2	-	
1	-	6	-	-	2	2	6	4	-	7	2	3	179	4	-	10	14	27	35	-	-	11	-	
29	57	10	-	5	1	16	2	10	11	10	420	3	102	20	23	30	37	25	19	-	21	17	1	
2	-	10	-	7	44	1	14	5	1	-	-	1	11	-	-	34	3	17	-	-	-	-	-	
-	-	-	1	-	-	4	-	1	1	-	5	-	4	-	-	-	-	-	-	-	-	-	-	
5	9	11	3	2	3	35	5	19	3	-	40	17	9	120	1	4	2	9	18	7	1	-	11	
54	152	99	1	21	32	2	4	35	25	73	34	20	128	49	17	27	17	146	58	13	5	72	-	
1	-	-	-	-	2	2	-	-	-	4	2	1	1	5	-	-	-	2	-	-	-	-	-	
12	32	26	8	49	18	63	4	33	42	14	122	39	25	109	6	22	25	3	48	41	50	14	13	
2	3	-	2	2	1	1	3	1	1	-	26	6	-	-	-	-	-	-	-	-	-	-	1	
-	1	-	-	-	-	2	-	-	-	-	1	-	-	10	-	2	-	2	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	5	-	-	-	-	-	-	-	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	
6	6	3	-	15	3	10	5	1	8	1	14	6	2	15	3	-	1	-	-	-	-	-	-	
2	4	11	6	5	-	43	7	-	12	15	129	10	4	157	5	4	-	4	13	16	13	2	8	
-	6	2	1	2	1	2	5	1	3	2	5	1	15	2	2	11	7	4	2	5	6	1	8	
2	1	15	7	15	2	14	-	3	1	3	-	5	16	16	2	2	5	-	10	8	3	-	-	
-	1	-	-	-	-	1	-	-	-	-	-	14	1	5	-	-	-	3	1	-	-	-	-	
-	-	-	-	1	-	-	-	-	-	-	-	1	-	2	-	-	-	-	-	-	-	-	-	
1	-	3	-	-	-	-	-	-	-	140	-	-	-	-	-	-	-	34	2	-	2	-	-	
7	543	214	-	-	-	-	-	-	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	
7	1,853	661	388	135	305	170	581	104	141	264	204	2,208	449	338	2,376	144	205	286	218	736	427	356	151	302
7	1,853	661	1,388	722	654	333	991	153	523	391	622	5,762	1,611	1,437	2,601	466	759	1,269	932	933	1,641	540	965	920

TABLE 18*
PERIOD BETWEEN DOCKETING AND TRIAL OF CASES
By Crimes
57 Superior Courts of Georgia
January 1, 1926 - December 31, 1935

	Total	Less	Months								Over 24
		Than 1	1-2	2-3	3-6	6-9	9-12	12-18	18-24		
Abandonment	100.0	32.2	13.5	12.8	22.4	8.9	4.2	2.8	.9	2.3	
Adultery and Fornication	100.0	37.4	9.8	13.8	26.3	5.1	4.4	.7	1.0	1.5	
Assault	100.0	48.5	5.2	6.2	27.8	7.2	1.1	-	-	4.0	
Assault and Battery	100.0	30.5	8.7	7.1	39.2	6.7	2.3	1.8	.7	3.0	
Attempted Bestiality or Sodomy	100.0	21.9	15.6	34.4	21.9	-	3.1	3.1	-	-	
Bastardy	100.0	25.8	8.1	8.1	38.7	11.3	4.8	-	-	3.2	
Blackmail and Extortion	100.0	31.7	14.6	22.0	14.6	7.3	9.8	-	-	-	
Breaking, Entering and Stealing	100.0	44.6	16.9	10.7	25.0	1.4	.7	.7	-	-	
Carrying Deadly Weapons	100.0	30.9	14.9	12.2	31.8	4.9	1.7	1.5	.4	1.7	
Carrying on Lottery	100.0	50.8	22.3	11.3	12.6	1.4	.3	-	.7	.6	
Cheating and Swindling	100.0	37.7	18.3	9.9	23.1	5.0	2.5	.8	.4	2.3	
Cock Fighting	100.0	66.7	19.0	-	14.3	-	-	-	-	-	
Cruelty to Children and Animals	100.0	37.5	2.5	-	45.0	7.5	-	5.0	-	-	
Disturbing Divine Worship	100.0	26.6	5.6	5.6	42.3	6.0	1.9	4.9	1.1	2.5	
Defamation of Virtuous Female	100.0	33.3	-	-	66.7	-	-	-	-	6.0	
Escape	100.0	36.0	8.9	10.3	38.8	1.4	1.9	1.9	-	.8	
Failure to pay Occupational Tax	100.0	41.7	3.3	6.7	40.0	5.0	-	3.3	-	-	
Firing Woods	100.0	33.3	-	-	33.3	-	-	33.4	-	-	
Gambling	100.0	28.5	11.8	10.8	38.7	6.7	2.2	.3	.4	.6	
Hit and Run Driving	100.0	60.0	20.0	10.0	10.0	-	-	-	-	-	
Interfering with Laborers	100.0	33.3	-	22.2	44.5	-	-	-	-	-	
Killing Farm Animals	100.0	-	-	-	100.0	-	-	-	-	-	
Libel	100.0	33.3	-	-	-	66.7	-	-	-	-	
Larceny, simple	100.0	29.2	7.7	14.3	38.8	5.3	1.6	1.4	.3	1.4	
Larceny, attempted	100.0	51.1	2.0	16.3	28.6	-	2.0	-	-	-	
Larceny After Trust	100.0	20.8	1.9	9.5	58.5	3.7	-	1.9	-	3.7	
Malpractice by Public Officer	100.0	-	-	50.0	50.0	-	-	-	-	-	
Malicious Mischief	100.0	32.2	7.2	13.8	32.3	6.6	-	7.2	-	.7	
Maintaining Lewd House	100.0	75.0	4.4	10.3	5.8	3.2	-	1.3	-	-	
Maintaining Opium Joint	100.0	15.4	23.0	30.8	30.8	-	-	-	-	-	
Mayhem, misdemeanor	100.0	33.3	-	-	66.7	-	-	-	-	-	
Misdemeanor, blanket charge	100.0	27.1	5.3	7.7	44.5	5.8	2.3	2.8	.5	4.0	
Misdemeanor, miscellaneous	100.0	41.6	16.6	4.2	18.8	10.4	-	2.1	-	6.3	
Obstructing Legal Process	100.0	-	-	25.0	75.0	-	-	-	-	-	
Operating Auto while Drunk	100.0	32.2	7.3	14.8	35.4	4.6	1.8	1.7	.6	1.6	
Operating Slot Machine with Slugs	100.0	31.4	31.4	5.2	25.2	2.6	1.7	-	.8	1.7	
Peddling without License	100.0	-	-	50.0	50.0	-	-	-	-	-	
Peeping Tom	100.0	26.6	6.6	6.6	60.2	-	-	-	-	-	
Perform Peace Officer's Duty, illegally	100.0	42.8	14.2	17.9	14.3	3.6	3.6	-	-	3.6	
Pointing Pistol at Another	100.0	29.6	12.5	5.4	38.5	6.6	1.9	1.6	1.6	2.3	
Practicing Profession without License	100.0	36.3	-	9.1	27.3	-	-	9.1	9.1	9.1	
Public Drunkenness	100.0	28.6	6.2	13.6	37.1	6.5	2.5	2.8	.6	2.1	
Public Indecency	100.0	6.3	12.5	12.5	31.2	6.3	-	31.2	-	-	
Receiving Stolen Goods	100.0	40.9	12.5	10.1	26.6	6.3	2.4	.6	.3	.3	
Receiving Unstamped Tobaccos	100.0	27.9	2.3	11.6	39.6	11.7	2.3	-	-	4.6	
Removal of Mortgaged Property	100.0	20.8	16.7	6.3	35.4	8.2	6.3	4.2	-	2.1	
Resisting an Officer	100.0	9.1	-	18.2	54.5	-	-	9.1	-	9.1	
Rioting	100.0	22.1	11.5	15.6	36.1	4.0	.8	5.7	-	4.2	
Selling Mortgaged Property	100.0	16.6	2.8	8.2	52.8	5.6	5.6	2.8	2.8	2.8	
Shooting at Occupied Dwelling	100.0	32.5	17.5	10.0	27.5	5.0	-	5.0	-	2.5	
Stabbing	100.0	32.3	6.8	4.1	42.7	10.0	.9	2.7	-	.5	
Trespass	100.0	24.1	3.4	12.1	50.0	1.7	3.4	-	-	5.3	
Using Auto without Owner's Consent	100.0	54.2	1.7	10.9	26.3	3.4	-	.9	-	2.6	
Using Obscene Language	100.0	30.0	8.4	6.8	38.4	8.4	1.9	1.9	1.5	2.7	
Vagrancy	100.0	39.4	19.9	12.3	26.1	1.3	.2	.3	-	.5	
Violation of Common School Law	100.0	61.8	-	4.8	23.8	4.8	-	4.8	-	-	
Violation of Election Law	100.0	57.0	4.8	4.8	23.8	4.8	-	4.8	-	-	
Violation of Professional Bondsmen's Act	100.0	-	33.3	16.7	16.7	33.3	-	-	-	-	
Violation of Game Law	100.0	24.8	4.7	3.4	50.8	7.7	2.6	2.6	-	3.4	
Violation of Highway Regulations	100.0	66.6	5.6	5.6	11.0	5.6	-	-	5.6	-	

Violation o
Violation o
Violation o
Violation o

Violation o
Wife Beating

Total Misdemeanors

Assault with
Assault with
Assault with
Arson
Bigamy

Breaking and
Bribery
Burglary
Destroying
Embezzlement

Embracery
Felony, bla
Forgery
Incest
Involuntary

Kidnapping
Larceny from
Larceny from
Larceny from
Larceny of P

Larceny
Larceny After
Mayhem
Manufacturin
Miscellaneous

Murder
Obtaining Mo
Perjury
Personating
Poisoning We

Possessing C
Possessing B
Rape
Receiving St
Robbery

Seduction
Shooting at
Sodomy and B
Violation of
Voluntary Ma

Wrecking Tra

Total Felonies

GRAND TOTAL

* Source: Doc

	Total	Months									Over 24
		Less Than 1	1-2	2-3	3-6	6-9	9-12	12-18	18-24		
Violation of Motor Vehicle Law	100.0	30.3	9.5	11.5	37.3	4.2	1.6	.8	.6	4.2	
Violation of Prohibition Law	100.0	27.7	7.4	12.5	38.3	6.9	2.9	1.9	.6	1.8	
Violation of Security License Law	100.0	8.3	25.0	-	16.7	-	33.3	-	-	16.7	
Violation of the Sabbath	100.0	18.8	18.8	6.2	43.8	-	6.2	-	-	6.2	
Violation of Timber Law	100.0	25.0	-	-	75.0	-	-	-	-	-	
Wife Beating	100.0	31.4	10.5	16.3	34.9	2.2	-	1.2	1.2	2.3	
Total Misdemeanors	100.0	30.9	9.5	11.9	35.6	5.7	2.2	1.7	.5	2.0	

FELONIES

Assault with Intent to Murder	100.0	28.0	13.3	15.3	31.4	5.5	2.5	1.8	.5	1.7
Assault with Intent to Rape	100.0	27.5	17.1	15.0	33.6	2.9	2.1	-	.7	1.1
Assault with Intent to Rob	100.0	45.4	20.3	14.6	14.6	2.6	1.5	.5	-	.5
Arson	100.0	31.3	7.6	11.8	27.8	9.0	9.7	.7	-	2.1
Bigamy	100.0	28.0	12.0	13.3	30.7	8.0	4.0	2.6	-	1.4
Breaking and Entering Vehicle	100.0	42.7	10.7	16.7	27.1	.9	.9	1.0	-	-
Bribery	100.0	27.7	16.7	13.9	19.4	11.1	8.3	2.9	-	-
Burglary	100.0	41.4	12.9	16.6	24.7	2.1	.7	.5	.2	.9
Destroying House with Explosives	100.0	-	60.0	20.0	20.0	-	-	-	-	-
Embezzlement	100.0	17.6	9.9	19.8	32.0	10.7	3.1	2.3	.8	3.8
Embracery	100.0	25.0	50.0	25.0	-	-	-	-	-	-
Felony, blanket charge	100.0	22.0	.7	2.7	64.5	5.3	.7	2.7	.7	.7
Forgery	100.0	43.3	13.7	15.9	21.1	3.2	.4	.6	.5	1.3
Incest	100.0	52.9	-	23.5	17.7	-	5.9	-	-	-
Involuntary Manslaughter	100.0	12.8	20.7	22.0	26.8	9.1	3.0	2.5	-	3.1
Kidnapping	100.0	33.3	12.3	14.0	35.1	3.5	1.8	-	-	-
Larceny from Building	100.0	32.6	11.0	20.2	30.6	2.0	1.1	.9	.4	1.2
Larceny from Person	100.0	41.6	15.4	16.8	20.0	3.1	-	-	-	3.1
Larceny from Automobile	100.0	59.4	14.8	10.7	10.2	2.5	1.3	.4	.2	.5
Larceny of Farm Animals	100.0	33.1	5.6	8.7	39.3	5.6	2.8	1.4	-	3.5
Larceny	100.0	52.1	2.1	18.8	22.8	4.2	-	-	-	-
Larceny After Trust	100.0	26.0	16.5	12.4	23.6	8.1	6.1	4.1	1.4	1.8
Mayhem	100.0	-	-	100.0	-	-	-	-	-	-
Manufacturing Liquor	100.0	27.4	3.7	10.8	34.2	8.9	6.3	4.4	1.8	2.5
Miscellaneous Felony	100.0	4.1	25.0	8.4	54.3	4.1	-	4.1	-	-
Murder	100.0	23.3	13.7	13.7	38.9	4.9	2.4	.8	.5	1.8
Obtaining Money under False Pretense	100.0	31.3	-	22.9	41.6	2.1	-	-	-	2.1
Perjury	100.0	27.8	15.6	21.1	25.6	4.4	4.4	-	1.1	-
Personating Another	100.0	12.5	37.5	-	37.5	12.5	-	-	-	-
Poisoning Well	100.0	-	16.7	-	50.0	16.7	-	16.6	-	-
Possessing Counterfeit Type	100.0	50.0	-	-	25.0	-	-	-	-	25.0
Possessing Burglary Tools	100.0	22.2	20.6	33.3	20.6	3.3	-	-	-	-
Rape	100.0	33.4	13.7	17.6	27.5	4.2	.9	.6	1.8	.3
Receiving Stolen Goods	100.0	16.7	8.3	25.0	41.7	-	8.3	-	-	-
Robbery	100.0	42.1	21.2	15.1	18.2	1.2	.9	.6	-	.7
Seduction	100.0	17.5	14.9	4.0	39.2	5.4	5.4	6.8	2.7	4.1
Shooting at Another	100.0	38.2	18.1	12.9	19.4	5.2	2.4	1.3	.5	2.0
Sodomy and Bestiality	100.0	32.1	25.9	20.9	18.5	1.3	1.3	-	-	-
Violation of Banking Regulations	100.0	-	-	50.0	50.0	-	-	-	-	-
Voluntary Manslaughter	100.0	18.2	13.6	22.7	22.7	13.6	9.2	-	-	-
Wrecking Trains	100.0	62.5	25.0	-	12.5	-	-	-	-	-
Total Felonies	100.0	37.9	13.5	15.1	25.6	3.5	1.7	1.1	.4	1.2
GRAND TOTAL	100.0	34.6	11.6	13.6	30.4	4.6	1.9	1.4	.4	1.5

* Source: Dockets of the Superior Courts.

TABLE 19*
CASES NOT TRIED
By Crimes
57 Superior Courts in Georgia
January 1, 1926 - December 31, 1935

CRIMES	Misdemeanors						
	Total	Transferred to Other Courts	Dismissed	Nol Pros	Released On Demand For Trial	Dead Docket	Pending
Abandonment	100.0	35.1	1.8	12.8	.3	10.9	39.1
Adultery and Fornication	100.0	23.4	3.7	38.3	1.1	1.9	31.6
Assault	100.0	8.7	-	34.8	2.2	13.0	41.3
Assault and Battery	100.0	26.3	4.1	35.5	1.3	4.6	28.2
Attempted Bestiality or Sodomy	100.0	18.7	12.5	25.0	-	12.5	31.3
Bastardy	100.0	28.1	7.9	33.7	-	10.1	20.2
Blackmail and Extortion	100.0	-	1.9	35.1	-	-	63.0
Breaking, Entering and Stealing	100.0	34.3	4.1	33.3	-	-	28.3
Carrying Deadly Weapons	100.0	11.1	3.0	35.1	.1	2.5	48.2
Carrying on Lottery	100.0	90.2	1.7	4.3	-	.1	3.7
Cheating and Swindling	100.0	11.5	1.6	26.0	.2	6.8	53.9
Cock Fighting	100.0	51.0	-	-	-	35.8	13.2
Cruelty to Children and Animals	100.0	28.0	1.8	47.4	-	7.0	15.8
Disturbing Divine Worship	100.0	29.1	3.6	34.2	.4	3.6	29.1
Defamation of Virtuous Female	100.0	53.3	6.7	26.7	-	-	13.3
Escape	100.0	6.1	7.3	20.7	-	12.2	53.7
Failure to Pay Occupational Tax	100.0	26.2	3.1	33.8	.6	3.5	32.8
Firing Woods	100.0	10.0	5.0	55.0	5.0	-	25.0
Gambling	100.0	17.0	1.5	34.5	.4	1.8	44.8
Hit and Run Driving	100.0	16.0	-	40.0	-	-	44.0
Interfering with Laborers	100.0	-	-	58.3	-	-	41.7
Killing of Farm Animals	100.0	16.7	-	33.3	-	-	50.0
Libel	100.0	14.3	7.1	14.3	14.3	-	50.0
Larceny, simple	100.0	12.4	3.8	39.6	.7	8.8	34.7
Larceny, attempted	100.0	22.6	9.7	22.6	-	-	45.1
Larceny After Trust	100.0	2.8	8.6	40.0	-	14.3	34.3
Malpractice by Public Officer	100.0	-	-	83.3	-	-	16.7
Malicious Mischief	100.0	7.8	5.6	54.2	-	2.1	30.3
Maintaining Lewd House	100.0	31.5	-	29.1	-	1.6	37.8
Maintaining Opium Joint	100.0	-	-	-	-	-	100.0
Mayhem, misdemeanor	100.0	14.3	14.3	42.8	-	-	28.6
Misdemeanor, blanket charge	100.0	22.2	4.1	28.8	.6	4.1	40.2
Misdemeanor, miscellaneous	100.0	13.2	-	35.9	3.7	1.9	45.3
Obstructing Legal Process	100.0	-	-	50.0	-	-	50.0
Operating Auto while Drunk	100.0	17.4	7.3	41.5	.2	4.5	29.1
Operating Slot Machine with Slugs	100.0	1.2	.6	40.5	.6	.6	56.5
Peddling without License	100.0	-	-	70.0	-	-	30.0
Peeping Tom	100.0	-	33.3	33.4	-	-	33.3
Performance of Peace Officer's Duty, illegally	100.0	-	9.1	9.1	-	27.3	54.5
Pointing Pistol At Another	100.0	21.8	5.1	40.8	.3	3.5	28.5
Practicing Profession without License	100.0	70.4	-	18.5	3.7	3.7	3.7
Public Drunkenness	100.0	18.6	4.5	39.2	.5	5.2	32.0
Public Indecency	100.0	23.8	9.5	9.5	-	14.3	42.9
Receiving Stolen Goods	100.0	3.4	1.0	36.7	.7	10.6	47.6
Receiving Unstamped Tobaccos	100.0	1.2	-	89.4	-	.6	8.8
Removal of Mortgaged Property	100.0	9.0	4.5	47.8	1.8	3.3	30.6
Resisting an Officer	100.0	33.3	-	-	-	-	66.7
Rioting	100.0	15.0	2.0	37.7	.4	-	44.9
Selling Mortgaged Property	100.0	7.5	3.8	36.2	-	5.0	47.5
Shooting at Occupied Dwelling	100.0	31.7	4.6	27.3	-	-	36.4
Stabbing	100.0	29.6	5.3	28.4	1.2	3.0	32.5
Trespass	100.0	10.4	6.6	50.0	.9	4.7	27.4
Using Auto without Owner's Consent	100.0	34.5	13.8	27.6	-	-	24.1
Using Obscene Language	100.0	39.5	6.0	30.4	.2	1.2	22.7
Usury	100.0	96.8	-	.8	-	.8	1.6
Vagrancy	100.0	15.9	5.6	37.3	.3	4.0	36.9
Violation of Common School Law	100.0	5.6	-	33.3	-	-	61.1
Violation of Election Law	100.0	34.0	-	58.0	-	-	8.0
Violation of Professional Bondsman Act	100.0	-	11.1	66.7	-	-	22.2
Violation of Game Law	100.0	11.1	3.6	50.2	.3	5.4	29.4

TABLE 19 - Cases Not Tried (Cont'd)

CRIMES	Total	Transferred to Other Courts	Dismissed	Nol Pros	Released On Demand For Trial	Dead Docket	Pending
Violation of Highway Regulations	100.0	33.3	5.6	33.3	-	5.6	22.2
Violation of Motor Vehicle Law	100.0	14.6	11.2	36.4	.2	6.8	30.8
Violation of Prohibition Law	100.0	18.8	4.2	44.7	.5	5.7	26.1
Violation of Security License Law	100.0	2.8	-	25.4	-	7.0	64.8
Violation of the Sabbath	100.0	28.6	-	60.7	-	-	10.7
Violation of Timber Law	100.0	57.1	-	42.9	-	-	-
Wife Beating	100.0	30.5	.9	39.9	9	2.8	25.0
Total Misdemeanors	100.0	21.0	3.6	35.2	.5	5.1	34.6
Felonies							
Assault with Intent to Murder	100.0	1.7	1.5	32.7	1.1	12.6	50.4
Assault with Intent to Rape	100.0	2.8	4.7	41.8	1.4	8.8	40.5
Assault with Intent to Rob	100.0	4.1	2.0	28.6	-	16.3	49.0
Arson	100.0	.6	3.0	48.2	4.2	7.8	36.2
Bigamy	100.0	-	5.2	31.0	-	12.1	51.7
Breaking and Entering Vehicle	100.0	1.0	1.4	15.7	1.9	13.8	66.2
Bribery	100.0	2.2	-	40.0	-	-	57.8
Burglary	100.0	4.6	2.7	31.0	.5	16.1	45.1
Destroying House with Explosives	100.0	-	-	-	-	-	100.0
Embezzlement	100.0	1.3	2.6	26.5	.9	17.1	51.6
Embracery	100.0	-	-	34.5	-	-	45.5
Felony, blanket charge	100.0	10.5	.5	40.3	1.6	6.8	40.3
Forgery	100.0	1.1	1.8	31.4	.5	10.7	54.5
Incest	100.0	-	18.2	36.4	9.0	-	36.4
Involuntary Manslaughter	100.0	6.8	3.8	34.6	1.9	1.0	51.9
Kidnapping	100.0	-	3.1	30.0	1.5	14.6	50.8
Larceny from Building	100.0	15.4	4.4	26.6	.4	8.9	44.3
Larceny from Person	100.0	17.0	1.9	37.7	1.9	3.8	37.7
Larceny of Automobile	100.0	3.1	1.7	22.6	.4	7.6	64.6
Larceny of Farm Animals	100.0	1.4	6.0	27.5	.5	16.9	47.7
Larceny	100.0	-	20.0	20.0	13.3	20.0	26.7
Larceny After Trust	100.0	5.0	2.3	30.8	.6	6.9	54.4
Mayhem	100.0	33.3	-	33.3	-	-	33.4
Manufacturing Liquor	100.0	2.5	3.9	43.2	1.0	8.3	41.1
Miscellaneous Felony	100.0	8.2	4.1	36.7	-	8.2	42.8
Murder	100.0	2.1	5.2	19.0	.1	7.6	66.0
Obtaining Money under False Pretense	100.0	-	-	28.2	-	19.6	52.2
Perjury	100.0	3.6	2.6	25.0	3.0	4.6	61.2
Personating Another	100.0	-	-	-	-	-	100.0
Poisoning Well	100.0	-	-	75.0	-	-	25.0
Possessing Counterfeit Type	100.0	-	-	-	-	-	100.0
Possessing Burglary Tools	100.0	5.3	5.3	21.0	3.3	-	63.1
Rape	100.0	4.0	2.8	42.6	-	7.4	43.2
Receiving Stolen Goods	100.0	5.8	-	47.1	-	-	47.1
Robbery	100.0	1.0	1.3	26.6	.6	8.5	62.0
Seduction	100.0	1.3	4.7	39.7	-	11.1	43.2
Shooting at Another	100.0	2.8	1.7	45.7	.7	6.2	42.9
Sodomy and Bestiality	100.0	1.8	-	41.1	-	10.7	46.4
Violation of Banking Regulations	100.0	64.7	7.4	16.7	-	-	11.2
Voluntary Manslaughter	100.0	8.3	-	25.0	-	8.3	58.4
Wrecking Trains	100.0	-	-	33.3	-	-	66.7
Total Felonies	100.0	4.5	2.7	30.5	.7	10.7	50.9
GRAND TOTAL	100.0	14.5	3.2	33.3	.6	7.3	41.1

* Source: Dockets of the Superior Courts.

EXHIBIT 5

CIRCUITS OF THE SUPERIOR COURT IN WHICH JUDGES RECEIVE COMPENSATION
FROM THE COUNTIES IN ADDITION TO THAT PAID BY THE STATE OF GEORGIA.

* CIRCUIT	COUNTY	AMOUNT PAID BY COUNTY	AUTHORIZATION
Atlanta	Fulton	\$4,000	p. 316, Acts of 1935
Augusta	Richmond	\$2,000	p. 24, Acts of 1922
Chattahoochee	Muscogee	\$3,000	p. 70, Acts of 1925
Western	Clarke	\$1,000	p. 20, Acts of 1920
Macon	Bibb	\$1,000	p. 20, Acts of 1920
Rome	Floyd	\$1,000	p. 20, Acts of 1920
Stone Mountain	Fulton	\$1,000	p. 20, Acts of 1920
Eastern	Chatham	\$5,000	p. 111, Acts of 1927
Southwestern	Sumter	\$1,000	p. 20, Acts of 1920

* Circuits as listed in Sec. 24-2501 Ga. Code 1933.

TABLE 17a

DETAIL OF CLASSIFICATION MISCELLANEOUS MISDEMEANORS
Included in Table 17, Pages 146 - 147

CRIME	NUMBER OF CASES
Abortion	9
Accessory After the Fact	25
Barratry	2
Chaining White and Negro Convicts together	1
Concealing Death of Bastard Child	9
Failure to Report Election Expenses	2
Failure to Keep Life Savers at Resort	5
False Imprisonment	11
Filing False Tax Returns	1
Forcible Entry	2
Illegal Disposal of Animal Carcass	1
Illegal Purchase of Cotton Seed	9
Making False Affidavit by Contractor	2
Making False Survey	3
Making Obscene Drawings	3
Operating Billiard Room without License	3
Publishing Name of Assaulted Female	1
Selling Obscene Pictures	3
Violation of Health Regulations	4
Violation of Bulk Sales Act	1
Violation of Motor Common Carrier Act	2
Violation of Regulations Regarding Measures	2
TOTAL	101

TABLE 17b

DETAIL OF CLASSIFICATION MISCELLANEOUS FELONIES
Included in Table 17, Pages 146 - 147

CRIME	NUMBER OF CASES
Accessory Before the Fact	36
Compounding Felony	10
Sending or Delivering Threatening Letters	23
Destroying Railroad Bridge	2
Harboring Convicts	1
Illegal Traffic in Human Bodies	1
TOTAL	73

APPENDIX F

EXHIBIT 6

TYPICAL RECIDIVIST CASES

Case	Date of Charge	Sentenced for	Sentences
A	2-1-20	Carrying Concealed Weapons	\$50.00 fine or 3 months on chain gang
	11-9-20	Assault and Battery	12 months on chain gang
	3-8-24	Shooting at Another	Case dismissed
	7-26-28	Murder	Electrocution
B	11-4-26	Stabbing	12 months on chain gang
	10-4-35	Assault with Intent to Murder	3 years on chain gang
C	4-11-17	Simple Larceny	\$25.00 fine or 3 months on chain gang
	5-31-17	Burglary	2 years in State Penitentiary
	3-9-20	Robbery	7 years in State Penitentiary
	1-14-29	Receiving Stolen Goods	12 months on chain gang
D	3-5-14	Carrying Concealed Weapons	6 months on chain gang and \$75.00 fine
	8-10-14	Assault with Intent to Murder	\$150.00 fine or 6 months on chain gang
	12-3-18	Gambling	6 months on chain gang
	12-12-22	Assault and Battery	6 months on chain gang
	4-24-23	Profane Language	3 months on chain gang
	6-10-29	Carrying Concealed Weapons	12 months on chain gang
	11-7-29	Assault with Intent to Murder	2 to 4 years in State Penitentiary
E	10-9-28	Shooting at Another	1 to 4 years in State Penitentiary
	1-13-32	Assault with Intent to Murder	2 years State Penitentiary
	8-27-34	Vagrancy	Case not prosessed
F	11-14-25	Possessing Liquor	12 months on chain gang
	4-21-28	Possessing Liquor	12 months on chain gang
	7-28-31	Selling Liquor	8 months on chain gang
	1-25-32	Murder	Life imprisonment
G	7-1-01	Larceny	\$150.00 fine or 12 months on chain gang
	2-1-04	Assault with Intent to Murder	12 months on chain gang
	2-1-04	Larceny from the House	10 months on chain gang
	11-5-07	Simple Larceny	\$100.00 fine or 12 months on chain gang
	2-13-12	Larceny of Hog	2 years in State Penitentiary
	11-2-14	Robbery	Acquitted
	6-10-16	Violation Prohibition Law	\$25.00 fine or 3 months on chain gang
	6-2-17	Violation Prohibition Law	Acquitted
	8-4-17	Gambling	\$25.00 fine or 6 months on chain gang
	9-3-17	Gambling	Not prosessed
	3-4-18	Gambling	6 months on chain gang
	12-15-18	Violation Prohibition Law	Not prosessed
	3-10-19	Vagrancy	Not prosessed
	3-10-19	Trespassing	Not prosessed
	9-6-19	Gambling	\$40.00 fine or 2 months on chain gang
	4-6-21	Gambling	\$35.00 fine or 4 months on chain gang
	6-2-22	Violation Prohibition Law	Not prosessed
	4-25-23	Violation Prohibition Law	\$125.00 fine or 12 months on chain gang
	12-10-23	Violation Prohibition Law	12 months on chain gang and 6 months in jail
	12-10-23	Adultery (8 cases)	12 months on chain gang for each case
	4-1-26	Escape	12 months on chain gang
H	6-14-20	Assault with Intent to Murder	5 years in State Penitentiary
	1-16-32	Violation Prohibition Law	8 months on chain gang
I	9-17-20	Assault with Intent to Murder	\$150.00 fine or 6 months on chain gang
	11-16-30	Murder	Life imprisonment
J	3-15-07	Gambling	\$35.00 fine or 6 months on chain gang
	9-18-12	Violation Prohibition Law	12 months on chain gang
	12-2-16	Gambling	\$35.00 fine or 6 months on chain gang
	9-10-18	Violation Prohibition Law	12 months on chain gang
	12-1-22	Simple Larceny	\$50.00 fine or 5 months on chain gang
	10-24-23	Violation Prohibition Law	\$35.00 fine or 3 months on chain gang
	8-5-25	Violation Prohibition Law	\$200.00 fine or 12 months on chain gang
	6-20-30	Larceny	\$65.00 fine or 6 months on chain gang
K	9-23-29	Violation Prohibition Law	\$65.00 fine or 4 months on chain gang
	3-12-30	Rape	2 years in State Penitentiary
	12-9-33	Violation Prohibition Law	\$150.00 fine or 12 months on chain gang
	9-1-34	Assault and Battery	Case not prosessed
	12-2-35	Pointing Pistol at Another	\$75.00 fine and 4 months on chain gang
L	12-2-35	Violation Prohibition Law	12 months on chain gang
M	3-16-20	Murder	10 years in State Penitentiary
	6-14-30	Gambling	\$25.00 fine or 6 months on chain gang
N	5-6-21	Simple Larceny	\$40.00 fine or 4 months on chain gang
	8-10-28	Violation Prohibition Law	\$200.00 fine or 12 months chain gang
	9-9-34	Larceny	\$40.00 fine or 6 months on chain gang
	11-13-34	Assault with Intent to Murder	2 years in State Penitentiary
O	12-9-25	Simple Larceny	\$25.00 fine or 6 months on chain gang
	1-13-34	Rape	10 years in State Penitentiary
P	2-27-23	Assault with Intent to Murder	2 years in State Penitentiary
	1-2-33	Larceny	4 months on chain gang
Q	4-1-20	Simple Larceny	\$60.00 fine or 4 months on chain gang
	1-25-27	Operating Automobile Intoxicated	\$100.00 fine or 4 months on chain gang
	1-25-27	Violation Prohibition Law	\$200.00 fine or 8 months on chain gang
	6-11-28	Violation Prohibition Law	12 months on chain gang
	5-9-33	Assault with Intent to Murder	\$100.00 fine and 12 months on chain gang

* Source: Minute dockets, Superior and City Courts.

	TOTAL		Abandonment		Adultery & Fornication		Bastardy		Break, Enter Building		Carry Dead-ly Weapons		Carrying on Lottery		Cheat and Swindle	
	City	Superior	C	S	C	S	C	S	C	S	C	S	C	S	C	S
GRAND TOTAL	88,018	21,814	1,703	383	1,924	252	586	45	329	127	4,677	1,863	1,959	287	1,981	1,050
Fine or Detention																
\$10 or 15 days	450	-	1	-	3	-	-	-	-	-	18	-	-	-	6	-
\$10 or 1 month	1,279	35	-	-	73	-	-	-	-	-	18	-	3	-	9	-
\$10 or 2 months	185	45	-	-	1	-	-	-	-	-	2	1	-	-	8	-
\$10 or 3 months	389	321	-	1	8	1	-	-	2	-	8	-	-	-	9	-
\$10 or 4 months	147	56	-	-	2	-	1	-	-	-	1	4	1	-	3	-
\$10 or 5 months	3	2	-	-	-	1	-	-	-	-	-	-	-	-	-	-
\$10 or 6 months	263	37	-	-	4	-	-	-	-	-	11	-	3	-	1	2
\$10 or 8 months	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
\$10 or 9 months	16	5	-	-	1	-	-	-	-	-	-	-	-	-	1	-
\$10 or 10 months	6	6	-	-	-	-	-	-	-	6	1	-	-	-	-	-
\$10 or 12 months	96	10	-	-	6	-	-	-	-	-	4	3	-	-	1	1
\$10 or 18 months	2	6	-	-	-	-	-	-	-	-	1	-	-	-	-	-
\$25 or 15 days	120	-	-	-	1	-	-	-	-	-	8	-	-	-	6	-
\$25 or 1 month	4,642	86	1	-	556	4	1	-	-	-	225	2	2	-	34	-
\$25 or 2 months	1,381	124	-	-	30	3	-	-	1	-	56	14	12	-	20	4
\$25 or 3 months	9,983	651	1	2	256	7	-	-	18	-	290	31	36	19	196	28
\$25 or 4 months	1,166	188	1	-	11	2	1	-	1	-	53	11	4	3	44	2
\$25 or 5 months	86	19	-	-	2	-	1	-	-	-	6	1	-	-	-	-
\$25 or 6 months	1,815	668	-	-	42	1	3	-	1	-	149	30	1	19	41	20
\$25 or 7 months	18	1	-	-	1	-	-	-	1	-	1	-	-	-	-	-
\$25 or 8 months	91	12	-	-	1	-	-	-	2	-	11	1	-	-	2	-
\$25 or 9 months	56	3	-	-	-	-	-	-	-	-	2	-	-	-	3	-
\$25 or 10 months	34	24	-	-	-	-	-	-	-	-	3	-	2	-	-	-
\$25 or 12 months	442	233	4	2	12	3	1	1	-	12	33	10	-	-	11	2
\$25 or 18 months	-	30	-	1	-	2	-	-	-	-	-	-	-	-	-	-
\$50 or 1 month	938	24	-	-	247	-	-	-	-	-	79	2	1	-	25	1
\$50 or 2 months	1,086	139	1	-	36	2	-	-	1	-	93	2	1	-	21	2
\$50 or 3 months	2,967	1,640	2	-	70	12	-	-	-	-	169	83	22	5	60	28
\$50 or 4 months	4,563	891	-	-	34	12	-	-	3	-	230	72	839	-	81	17
\$50 or 5 months	417	244	1	1	3	1	-	-	-	-	33	20	1	-	17	1
\$50 or 6 months	4,817	1,944	4	2	39	15	2	3	14	-	608	205	36	31	75	56
\$50 or 7 months	41	29	-	-	1	-	-	-	-	-	1	1	-	-	-	-
\$50 or 8 months	165	121	-	-	-	-	-	-	1	-	18	22	-	-	3	2
\$50 or 9 months	104	34	1	-	-	1	-	-	-	-	6	3	-	-	1	1
\$50 or 10 months	64	21	-	-	-	-	-	-	-	-	10	3	-	-	-	-
\$50 or 11 months	11	-	-	-	-	-	-	-	-	-	7	-	-	-	-	-
\$50 or 12 months	558	627	1	4	4	14	-	1	3	18	83	52	1	11	13	9
\$50 or 18 months	12	65	-	-	-	3	-	-	-	-	-	8	-	-	-	-
\$75 or 1 month	73	-	-	-	1	-	-	-	-	-	6	-	-	-	2	-
\$75 or 2 months	75	1	-	-	6	-	-	-	-	-	3	-	-	-	-	-
\$75 or 3 months	201	27	1	-	4	-	1	-	1	-	16	3	26	-	13	5
\$75 or 4 months	373	62	-	-	3	-	-	-	1	-	18	3	-	-	9	1
\$75 or 5 months	32	22	-	-	1	-	-	-	-	-	6	3	-	-	-	-
\$75 or 6 months	1,383	456	1	-	6	3	-	-	-	-	148	62	78	-	21	16
\$75 or 7 months	40	32	-	-	-	-	-	-	-	-	1	9	-	-	-	-
\$75 or 8 months	346	75	-	-	2	2	-	-	1	-	88	9	-	-	5	1
\$75 or 9 months	154	40	1	-	-	-	1	-	1	-	20	7	2	-	3	-
\$75 or 10 months	76	39	-	-	-	-	10	-	1	-	6	7	-	-	-	5
\$75 or 12 months	299	305	1	2	1	1	3	-	-	6	42	22	1	-	10	11
\$75 or 18 months	3	7	-	1	-	-	-	-	-	-	-	-	-	-	-	-
\$100 or 1 month	114	2	-	-	-	-	-	-	-	-	11	-	-	-	19	-
\$100 or 2 months	138	-	-	-	-	-	-	-	-	-	15	-	-	-	11	-
\$100 or 3 months	468	24	-	-	6	1	-	-	3	-	48	-	42	1	12	1
\$100 or 4 months	242	7	-	-	2	-	-	-	-	-	23	1	-	1	4	-
\$100 or 5 months	75	6	-	-	-	-	1	-	-	-	2	1	-	-	2	-
\$100 or 6 months	1,006	221	2	-	7	-	6	-	-	-	52	26	21	6	37	10
\$100 or 7 months	8	13	-	-	-	-	-	-	1	-	4	3	-	-	-	-
\$100 or 8 months	553	36	-	-	1	-	-	-	-	-	87	5	-	-	12	-
\$100 or 9 months	73	18	-	-	-	2	1	-	-	-	6	6	1	-	1	-
\$100 or 10 months	104	33	-	-	-	-	-	-	2	-	10	2	-	-	5	1
\$100 or 11 months	42	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
\$100 or 12 months	705	523	6	2	5	2	3	3	1	12	101	23	14	3	14	16
\$100 or 18 months	11	27	-	1	-	-	-	1	-	-	-	1	-	-	-	-
\$200 or 1 month	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
\$200 or 2 months	12	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-
\$200 or 3 months	83	4	-	-	1	-	-	-	1	-	-	1	-	-	1	-
\$200 or 4 months	48	2	1	-	-	-	1	-	-	-	2	1	-	-	3	-
\$200 or 5 months	15	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-
\$200 or 6 months	303	63	1	-	-	-	2	-	-	-	11	4	4	-	11	5
\$200 or 7 months	11	3	-	-	-	-	1	-	-	-	-	-	-	-	1	-
\$200 or 8 months	177	32	1	-	-	-	-	-	-	-	5	6	-	-	4	2
\$200 or 9 months	8	26	-	-	-	-	-	-	-	-	-	6	-	-	1	4
\$200 or 10 months	160	8	-	-	-	1	-	-	-	-	-	-	-	-	3	-
\$200 or 11 months	21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
\$200 or 12 months	359	489	7	4	7	4	6	1	1	-	6	12	3	1	3	16
\$200 or 18 months	1	36	-	1	-	-	-	-	-	-	-	-	-	-	-	-

TABLE 20

SENTENCES FOR MISDEMEANOR CASES
By Crimes

57 Superior and 29 City Courts of Georgia
January 1, 1926 - December 31, 1935

[illegible]

Rec. Stolen Re	
Goods	
C	8
209	273

- 158 -

Rec. Stolen Rec. Unstamp Goods	Tobacco	Stabbing	Trespass	Use Auto w/o Owners Cons.	Use Obsc. Language	Vagrancy	Vio. Game Laws	Vio. Motor Veh. Laws	Vio. Proh. Law	Wife Beating											
209	273	639	39	1,450	172	165	46	291	100	112	206	3,850	733	684	198	2,831	661	30,795	6,344	694	73

[illegible][illegible]

	TOTAL	Abandonment	Adultery & Fornication	Bastardy	Breach of Building	Enter by Weapons	Carry Dead-Carrying on Chest and Lottery	Swindle
GRAND TOTAL	66,038	2,214	1,703	283	1,924	552	586	329
Fine and Detention (cont'd)								
\$75 and 3 months	3	-	-	-	-	-	-	-
\$75 and 6 months	168	88	1	-	-	-	10	7
\$75 and 7 months	3	-	-	-	-	-	-	-
\$75 and 8 months	158	33	-	-	-	-	3	6
\$75 and 9 months	3	-	-	-	-	-	-	-
\$75 and 10 months	8	5	-	-	-	-	7	2
\$75 and 12 months	256	270	1	2	1	-	1	8
\$75 and 16 months	2	16	-	-	-	-	-	-
\$100 and 1 month	-	2	-	-	-	-	-	-
\$100 and 2 months	19	-	-	-	-	-	-	-
\$100 and 3 months	8	-	-	-	-	-	-	-
\$100 and 4 months	164	76	-	-	1	2	11	7
\$100 and 6 months	1	4	-	-	-	-	-	-
\$100 and 7 months	673	3	-	-	-	-	15	1
\$100 and 8 months	261	4	-	-	-	-	2	31
\$100 and 9 months	4	-	-	-	-	-	1	-
\$100 and 10 months	1,337	308	1	1	2	-	56	7
\$100 and 12 months	9	78	-	-	-	-	1	105
\$100 and 16 months	-	-	-	-	-	-	-	-
\$200 and 2 months	19	1	-	-	-	-	-	-
\$200 and 3 months	1	1	-	-	-	-	-	-
\$200 and 4 months	1	2	-	-	1	-	-	-
\$200 and 5 months	155	10	-	-	-	-	1	-
\$200 and 6 months	6	8	-	-	-	-	2	1
\$200 and 8 months	177	134	-	-	-	-	2	2
\$200 and 9 months	936	94	-	-	-	-	1	3
\$200 and 10 months	113	1	-	-	-	-	2	26
\$200 and 12 months	936	138	1	1	1	-	1	3
\$200 and 16 months	4	34	-	-	-	-	-	-
\$300 and 2 months	2	2	-	-	-	-	-	-
\$300 and 3 months	4	1	-	-	-	-	-	-
\$300 and 4 months	11	2	-	-	-	-	1	-
\$300 and 5 months	-	-	-	-	-	-	-	-
\$300 and 6 months	-	-	-	-	-	-	-	-
\$300 and 8 months	350	46	-	-	-	-	-	8
\$300 and 12 months	3	18	-	-	-	-	1	-
\$300 and 16 months	-	-	-	-	-	-	-	-
\$400 and 6 months	5	3	-	-	-	-	1	-
\$400 and 12 months	1	13	-	-	1	-	-	2
\$400 and 16 months	-	-	-	-	-	-	-	-
\$500 and 3 months	1	1	-	-	-	-	-	-
\$500 and 6 months	1	1	-	-	-	-	-	-
\$500 and 9 months	122	23	1	-	-	1	-	4
\$500 and 12 months	-	-	-	-	-	-	-	-
\$500 and 16 months	-	-	-	-	-	-	-	-
\$600 and 12 months	40	5	-	-	-	-	-	-
\$800 and 12 months	32	3	1	-	-	1	2	-
\$1000 and 12 months	1	7	-	-	-	-	-	-
Fine Only								
\$10 Fine	76	24	-	-	4	-	9	-
\$25 Fine	96	69	-	-	-	-	-	-
\$50 Fine	351	1	-	-	14	-	-	-
\$75 Fine	21	60	-	-	15	1	-	-
\$100 Fine	21	36	-	-	-	-	-	-
\$200 Fine	10	12	-	-	-	-	-	-
\$300 Fine	3	1	-	-	-	-	-	-
Detention Only								
Jail or Chaining Sentence	199	-	1	-	2	-	15	-
15 days	2,397	98	-	-	-	-	65	1
1 month	731	122	1	1	13	-	92	6
2 months	4,251	498	1	-	61	5	120	31
3 months	2,506	238	-	-	30	-	70	17
4 months	-	-	-	-	-	-	-	-
5 months	190	41	-	1	2	2	1	6
6 months	7,457	1,131	34	6	87	12	5	1
7 months	83	36	-	-	7	-	-	-
8 months	1,522	195	3	2	2	-	-	-
9 months	299	98	4	2	4	-	-	-
10 months	768	86	7	2	8	-	-	-
12 months	9,598	4,000	1,547	254	98	65	500	11
16 months	111	528	22	61	1	6	-	-

Table 20 - Sentences for Misdemeanor Cases (Cont'd)

[illegible]

TABLE 21*
 SENTENCES FOR FELONY CASES
 By Crimes
 57 Superior Courts of Georgia
 January 1, 1926 - December 31, 1935

	Total	Assault with Intent to Murder	Assault with Intent to Kill	Assault with Intent to Rob	Arson	Hijack	Breaking and Entering Vehicles	Bribery	Burglary	Embezzlement	Felony	Forgery	Insult
Grand Total	24,504	2,887	202	151	76	65	323	80	7,783	96	126	1,430	15
Fine or Detention													
\$10 or 1 month	5	1							1				
\$10 or 3 months	3												
\$10 or 4 months	2												
\$10 or 6 months	1	1											
\$10 or 12 months	14												
\$10 or 18 months	1												
\$25 or 1 month	12											1	
\$25 or 2 months	2												
\$25 or 3 months	40	11										1	
\$25 or 4 months	11	5											
\$25 or 5 months	1												
\$25 or 6 months	44	6											
\$25 or 9 months	3												
\$25 or 10 months	46	7		2		1							
\$25 or 12 months	2												
\$50 or 1 month	3	1											
\$50 or 2 months	70	11											
\$50 or 3 months	94	37	2		1				10	1		4	
\$50 or 4 months	22	9							13			10	
\$50 or 5 months	215	60	2						4				
\$50 or 6 months	4	1							41			12	
\$50 or 8 months	24	4							4		1		
\$50 or 9 months	13	5							2				
\$50 or 10 months	14	1							4		2		
\$50 or 12 months	241	64				2	7	1	37		1	10	
\$75 or 1 month	7	3							2			1	
\$75 or 4 months	11	8							1				
\$75 or 5 months	3	2							1				
\$75 or 6 months	156	26				1	1	2	21			5	
\$75 or 7 months	6	2											
\$75 or 8 months	22	7										1	
\$75 or 9 months	14	3							4				
\$75 or 10 months	10	1							1				
\$75 or 12 months	213	33							41			8	
\$75 or 18 months	2	1											
\$100 or 1 month	9	1							1				
\$100 or 3 months	5	4											
\$100 or 4 months	123	35	3										
\$100 or 5 months	14	5	1						16			1	
\$100 or 6 months	34	11							1			1	
\$100 or 10 months	345	89	1						6		1		
\$100 or 12 months					3	1	1	50	1	4	13	1	
\$100 or 18 months	11	3							2				
\$200 or 4 months	6	6										1	
\$200 or 6 months	16	4	1										
\$200 or 8 months	15	3							2			1	
\$200 or 10 months	27	9							8			3	
\$200 or 12 months	304	82	2	1		4	1		38	3	3	11	
\$200 or 18 months	8								2	1		2	
\$300 or 3 months	17	8							1				
\$300 or 5 months	9	6									1	1	
\$300 or 12 months	121	41	2		3				12				
\$300 or 18 months	6								2		3		

Involuntary Manslaughter	Kidnapping	Larceny	Larceny After Trust	Larceny from Building	Larceny from Person	Larceny of Automobile	Larceny of Farm Animals	Manufacturing Liquor	Miscellaneous Felony	Murder	Obt. Money under False Pretense	Perjury	Possessing Burglary Tools	Rape	Robbery	Seduction	Shooting at Another	Sodomy and Bestiality
123	35	41	373	1,691	45	2,974	278	1,265	19	1,569	44	74	55	224	2,052	56	327	75
-	-	-	-	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	6	-	3	-	-	-	-	1	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	8	-	-	2	4	1	-	-	-	6	1	-	-	-	-
-	-	1	2	3	-	-	-	-	-	-	-	-	-	1	-	-	-	-
-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	14	-	2	-	13	-	-	1	-	-	1	-	-	2	-
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-
-	-	-	3	11	-	-	-	8	1	-	-	-	-	4	-	-	-	2
-	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	2	-
-	-	-	1	3	-	-	-	2	-	-	-	-	-	-	-	-	2	-
-	-	-	1	11	-	2	1	20	-	-	-	-	-	2	-	2	3	2
-	-	-	-	6	1	-	9	8	-	-	-	1	-	1	1	-	3	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	4	-	-	-	5	-	-	-	-	-	-	-	-	-	-
-	-	1	6	25	-	4	-	32	1	8	1	-	-	4	3	2	10	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-
-	-	-	-	11	1	-	1	-	-	-	-	-	-	2	-	-	1	-
-	-	-	1	5	-	-	-	2	-	-	-	-	-	-	-	-	-	-
5	-	-	-	1	-	-	-	-	-	-	-	-	-	1	-	-	3	-
-	2	1	6	29	-	9	5	60	1	2	2	-	-	-	-	-	1	-
-	-	-	1	2	-	-	2	8	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	1	4	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	4	20	1	2	2	37	-	1	-	-	-	-	4	-	3	-
-	-	-	-	1	-	-	-	2	-	1	-	-	-	-	-	-	1	-
-	-	-	1	5	-	-	-	1	-	-	-	-	-	-	-	-	1	-
-	-	-	-	4	-	-	-	3	-	-	-	-	-	-	-	-	1	-
2	-	-	1	35	-	4	2	73	-	-	1	-	-	4	2	1	4	-
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	4	-	-	-	-	-	-	-	-	1	1
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	2	6
-	-	-	2	1	-	6	1	27	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-	-	1	-
-	-	-	1	-	1	-	-	4	-	-	-	-	-	1	8	3	16	2
1	3	-	5	46	1	11	8	80	1	2	-	-	-	1	-	-	-	-
-	-	-	-	1	-	-	-	4	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-
2	-	-	-	1	-	-	3	3	-	-	-	-	-	-	1	1	-	-
1	-	-	-	1	-	2	-	2	-	-	-	-	-	-	-	-	-	-
4	-	1	5	26	1	7	3	86	-	4	-	-	-	3	10	1	8	-
-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	4	-	-	-	-	-	-	-	-	1	1
-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1	1	-	2	4	1	6	1	31	1	-	-	-	-	-	4	2	-	1
-	-	1	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-

Table 21 - Sentences for Felony Cases (Cont'd)

	Total	Assault with Intent to Murder	Assault with Intent to Rape	Assault with Intent to Rob	Arson	Bigamy	Breaking and En- tering Vehicle	Bribery	Burglary	Embezzlement	Felony	Forgery	Incest
Grand Total	24,504	2,887	202	151	76	65	323	30	7,783	96	126	1,430	15
<u>Fine or Detention (Cont'd)</u>													
\$400 or 12 months	15	3	-	-	-	-	-	-	1	1	1	-	-
\$400 or 18 months	5	1	-	-	-	-	-	-	-	-	-	-	-
\$500 or 4 months	4	1	-	-	-	-	-	-	-	-	-	-	-
\$500 or 10 months	1	1	-	-	-	-	-	-	-	-	-	-	-
\$500 or 12 months	44	16	-	-	-	-	-	1	2	2	2	3	-
\$600 or 6 months	1	-	-	-	-	-	-	-	-	-	-	-	-
\$800 or 6 months	1	1	-	-	-	-	-	-	-	-	-	-	-
\$800 or 12 months	1	-	-	-	-	-	-	-	-	-	-	-	-
\$1000 or 12 months	8	1	3	-	-	-	-	-	-	2	-	-	-
<u>Fine and Detention</u>													
\$10 and 3 months	1	-	-	-	-	-	-	-	-	-	-	-	-
\$10 and 6 months	2	-	-	-	-	-	-	-	-	-	-	-	-
\$10 and 12 months	11	3	-	-	-	-	-	-	1	-	-	-	-
\$10 and 18 months	1	-	-	-	-	-	-	-	-	-	-	-	-
\$25 and 1 month	1	1	-	-	-	-	-	-	-	-	-	-	-
\$25 and 3 months	4	3	-	-	-	-	-	-	-	-	-	-	-
\$25 and 4 months	3	3	-	-	-	-	-	-	-	-	-	-	-
\$25 and 6 months	17	6	-	-	-	-	-	-	1	-	-	2	-
\$25 and 8 months	4	1	-	-	-	-	-	-	-	-	1	-	-
\$25 and 12 months	34	7	-	-	-	-	-	-	6	-	-	-	-
\$25 and 18 months	12	-	-	-	-	-	-	-	4	-	-	1	-
\$50 and 2 months	1	-	-	-	-	-	-	-	-	-	-	-	-
\$50 and 3 months	10	4	-	-	-	-	-	-	1	-	-	-	-
\$50 and 4 months	10	2	-	-	-	-	-	-	1	-	-	-	-
\$50 and 5 months	1	-	-	-	-	-	-	-	-	-	-	-	-
\$50 and 6 months	55	25	1	-	-	-	-	-	8	-	-	-	-
\$50 and 7 months	1	-	-	-	-	-	-	-	-	-	-	1	-
\$50 and 8 months	11	2	-	-	-	-	-	-	1	-	-	-	-
\$50 and 10 months	10	5	-	-	-	-	1	-	2	-	-	-	-
\$50 and 12 months	274	42	3	3	-	2	2	-	52	2	5	25	-
\$50 and 18 months	48	2	2	-	-	1	-	-	8	-	-	4	-
\$75 and 1 month	1	-	-	-	-	-	-	-	-	-	-	-	-
\$75 and 2 months	1	-	-	-	-	-	-	-	1	-	-	-	-
\$75 and 3 months	2	1	-	-	-	-	-	-	-	-	-	-	-
\$75 and 4 months	2	1	-	-	-	-	-	-	1	-	-	-	-
\$75 and 5 months	2	-	-	-	-	-	-	-	-	-	-	-	-
\$75 and 6 months	14	9	-	-	-	-	-	-	-	-	-	-	-
\$75 and 7 months	2	-	-	-	-	-	-	-	-	-	-	-	-
\$75 and 8 months	13	1	-	-	-	-	-	-	-	-	-	-	-
\$75 and 9 months	3	-	-	-	-	-	-	-	1	-	-	-	-
\$75 and 10 months	2	1	-	-	-	-	-	-	1	-	-	-	-
\$75 and 12 months	94	26	1	2	-	-	-	-	4	1	-	5	-
\$75 and 18 months	15	1	-	-	-	-	1	1	3	-	-	2	-
\$100 and 3 months	2	1	-	-	-	-	-	-	-	-	-	-	-
\$100 and 4 months	1	-	-	-	-	-	-	-	-	-	-	-	-
\$100 and 6 months	39	8	-	-	1	1	-	-	4	-	-	3	-
\$100 and 8 months	7	2	-	-	-	-	-	-	2	-	-	-	-
\$100 and 10 months	4	3	-	-	-	-	-	-	-	-	-	-	-
\$100 and 12 months	191	46	3	1	-	2	1	-	26	-	-	12	1
\$100 and 18 months	9	-	-	1	-	-	2	-	-	-	-	1	-
\$200 and 2 months	1	1	-	-	-	-	-	-	-	-	-	-	-
\$200 and 6 months	6	3	-	-	-	-	-	-	1	-	-	-	-
\$200 and 8 months	2	-	-	-	-	-	-	-	-	-	-	-	-
\$200 and 12 months	120	31	1	3	-	-	1	-	8	5	-	7	-
\$200 and 18 months	23	6	-	-	-	1	2	-	-	-	-	4	-
\$300 and 6 months	3	-	1	-	-	-	-	1	-	-	-	-	-
\$300 and 8 months	5	2	-	-	-	-	-	1	-	-	-	-	-
\$300 and 12 months	50	12	1	-	-	-	2	-	9	-	-	1	-
\$300 and 18 months	4	-	1	-	-	-	-	-	-	-	-	-	-

Involuntary Manslaughter	Kidnapping	Larceny	Larceny After Trust	Larceny from Building	Larceny from Person	Larceny of Automobile	Larceny of Farm Animals	Manufacturing Liquor	Miscellaneous Felony	Murder	Obt. Money under False Pretense	Perjury	Possessing Burglary Tools	Rape	Robbery	Seduction	Shooting at Another	Sodomy and Bestiality
123	35	41	373	1,691	45	2,974	278	1,265	19	1,569	44	74	55	224	2,052	56	327	75
-	-	-	-	1	-	1	1	5	-	1	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	4	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-
-	-	-	1	1	-	-	2	13	-	-	-	-	-	1	-	-	-	-
-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-
-	-	-	1	-	-	-	-	1	-	-	-	-	-	-	-	1	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	2	-	-	-	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	4	-	-	-	2	-	-	-	-	-	-	1	-	-	-
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	2	-	-	2	1	1	-	-	-	-	-	-	-	-	1	-
-	-	1	3	5	-	2	2	5	-	-	1	-	-	-	-	-	-	-
-	-	-	-	6	-	-	-	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	4	-	-	-	1	-	-	-	-	-	-	-	-	1	-
-	-	-	-	6	-	-	1	1	-	-	-	-	-	-	-	-	-	-
-	-	-	2	9	-	-	-	8	-	-	-	-	-	-	-	1	1	-
-	-	-	1	3	-	1	-	1	-	-	-	-	-	-	1	-	1	-
8	-	1	20	34	-	21	4	25	-	-	1	-	-	3	6	10	3	2
-	-	-	-	9	-	15	-	3	-	-	-	-	-	1	3	-	-	-
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	1	-	-	2	-	-	-	-	-	-	1	-	1	-
-	-	-	-	4	-	-	-	6	-	-	-	-	-	-	2	-	-	-
-	-	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-	-
-	-	-	2	2	1	1	1	36	-	-	1	-	-	-	4	-	5	-
-	-	-	-	-	-	5	-	3	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
-	-	-	-	7	-	1	-	13	-	-	-	-	-	-	-	-	1	-
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	1	-	1	-
3	-	-	4	7	1	6	2	58	1	-	-	-	-	1	7	1	5	3
-	-	-	1	-	1	1	-	2	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	1	-	-	-	2	-	-	-	-	-	-	-	-	-	-
1	-	-	2	4	-	9	1	32	-	1	-	-	-	1	8	-	1	2
-	-	-	-	1	-	4	-	2	-	-	-	-	-	-	3	-	3	-
-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-
1	-	-	1	2	-	2	-	16	-	-	-	-	-	-	1	-	-	-
-	-	-	-	-	-	1	-	1	-	-	-	-	-	1	-	-	-	-

Table 21 - Sentences for Felony Cases (Cont'd)

	Total	Assault with Intent to Murder	Assault with Intent to Rape	Assault with Intent to Rob	Arson	Burglary	Breaking and Entering Vehicle	Bribery	Burglary	Embezzlement	Felony	Forgery	Incest	Involuntary Manslaughter
<u>Fine and Detention (Cont'd)</u>														
\$500 and 12 months	33	6	-	-	-	-	-	6	2	-	-	-	-	2
\$600 and 12 months	1	1	-	-	-	-	-	-	-	-	-	-	-	-
\$800 and 7 months	1	-	-	-	-	-	-	-	-	-	-	-	-	-
\$800 and 12 months	4	2	-	-	-	-	-	-	-	-	-	-	-	-
\$1000 and 12 months	4	-	-	-	-	-	-	2	-	-	-	-	-	-
\$1000 and 18 months	3	-	-	-	-	-	-	3	-	-	-	-	-	-
<u>Fine Only</u>														
\$10 Fine	7	1	-	-	-	-	-	-	1	-	-	-	-	-
\$25 Fine	11	-	-	-	-	-	-	-	4	-	-	2	-	-
\$50 Fine	21	5	1	-	1	-	-	-	1	-	-	1	-	-
\$75 Fine	11	1	-	-	-	-	-	-	-	-	-	-	-	-
\$100 Fine	8	-	-	-	-	-	-	-	2	-	-	-	-	-
\$200 Fine	10	-	-	-	-	-	-	-	1	-	-	-	-	2
\$300 Fine	1	-	-	-	-	-	-	-	-	-	-	-	-	-
<u>Detention Only</u>														
<u>Jail or Chaingang Sentences</u>														
1 month	157	3	1	-	1	-	-	-	23	-	-	47	-	1
2 months	124	3	1	-	3	1	-	-	14	8	-	2	-	2
3 months	171	7	1	1	4	-	1	-	36	1	-	10	-	-
4 months	95	3	-	2	1	-	-	-	11	-	-	23	-	-
5 months	25	1	-	-	1	-	-	-	6	-	-	-	-	-
6 months	701	94	6	4	4	1	4	1	174	1	8	45	-	1
7 months	49	1	-	-	-	-	1	-	22	1	-	4	-	-
8 months	196	22	-	2	1	1	2	-	71	-	1	16	2	-
9 months	159	23	2	-	-	-	6	-	36	-	1	4	-	-
10 months	169	16	-	-	-	-	7	-	59	-	1	6	-	23
12 months	5,744	609	60	34	5	19	84	4	1,956	13	48	469	2	1
18 months	691	45	2	-	-	3	9	-	205	7	1	54	-	2
<u>Penitentiary Sentences</u>														
1 year	2,428	154	27	4	10	1	57	-	1,028	8	2	19	2	40
2 years	2,839	374	10	47	18	15	55	1	1,192	23	19	149	2	6
3 years	1,613	127	5	8	3	2	36	-	747	2	7	159	1	6
4 years	942	46	4	18	5	2	11	-	204	8	1	142	-	2
5 years	1,187	129	10	1	6	-	14	-	553	1	4	13	2	-
6 years	219	25	1	-	-	-	-	-	90	-	-	6	-	-
7 years	193	28	1	1	1	-	1	-	68	1	1	8	-	-
8 years	136	23	-	1	1	-	-	-	44	-	-	-	-	-
9 years	47	7	-	-	-	-	-	-	30	1	-	-	-	-
10 years	454	52	7	4	-	-	-	-	175	-	1	3	-	-
11 years	13	-	-	-	-	-	-	-	4	-	-	-	-	-
12 years	359	84	1	5	2	-	-	-	88	-	-	40	1	-
13 years	10	-	1	-	-	-	-	-	1	-	-	-	-	-
14 years	21	-	-	-	-	-	-	-	3	-	-	-	-	-
15 years	123	-	5	-	1	-	-	-	49	-	-	-	1	-
16 years	4	-	-	-	-	-	-	-	2	-	-	1	-	-
17 years	6	-	-	-	-	-	-	-	-	-	-	-	-	-
18 years	92	2	4	-	-	-	-	-	57	-	-	3	-	-
19 years	39	-	2	-	-	-	-	-	19	-	-	-	-	-
20 years	293	12	9	2	-	-	-	-	87	-	1	6	-	-
<u>Electrocution</u>														
Life	83	-	-	-	-	-	-	-	-	-	-	-	-	-
	715	2	2	-	-	-	-	-	3	-	-	-	-	-
<u>Other Dispositions</u>														
Industrial School	147	3	-	2	1	-	7	-	77	-	-	3	-	1
Training School	173	5	-	-	-	-	-	-	81	-	-	2	-	-
Insane Asylum	6	1	-	-	-	-	-	-	1	-	-	-	-	-
N.A.	340	57	7	1	2	1	-	-	59	1	2	16	-	2
TOTAL	24,504	2,887	202	151	76	65	323	30	7,783	96	126	1,450	15	123

* Source: Minute dockets of the courts.

Incest	Involuntary Manslaughter	Kidnapping	Larceny	Larceny after Trust	Larceny from Building	Larceny from Person	Larceny of Automobile	Larceny of Farm Animals	Manufacturing Liquor	Miscellaneous Felony	Murder	Obt. Money under False Pretense	Perjury	Possessing Burglary Tools	Rape	Robbery	Seduction	Shooting at Another	Sodomy and Bestiality
15	123	35	41	373	1,691	45	2,974	278	1,265	19	1,569	44	74	55	224	2,052	56	327	75
	1	-	-	-	10	-	23	-	-	1	5	1	-	-	1	12	-	-	-
	-	-	-	2	24	-	24	-	-	-	35	-	-	-	-	-	-	-	-
	2	-	-	9	23	3	46	17	24	-	29	1	-	-	7	27	3	3	-
	40	-	-	25	100	2	642	10	53	2	132	1	3	-	26	27	-	51	2
	6	-	3	29	79	5	360	47	20	3	68	8	6	-	21	236	15	28	-
	6	2	2	28	34	2	184	19	4	-	71	3	19	13	9	118	-	4	-
	2	12	6	8	8	-	43	5	2	-	28	1	18	-	4	358	-	10	-
	-	-	-	7	28	1	93	7	-	-	96	-	1	-	17	196	1	1	-
	-	-	-	1	4	-	1	1	-	-	11	-	-	-	2	76	-	1	-
	-	-	-	-	1	-	3	1	-	-	22	-	-	-	1	55	-	-	-
	-	-	1	-	-	-	-	1	-	-	18	-	-	-	1	46	-	-	-
	-	-	-	-	1	-	-	-	-	-	3	-	-	-	-	5	-	-	-
	-	-	-	1	2	-	-	2	1	-	111	-	-	-	20	74	1	-	-
	-	-	-	-	1	-	1	-	-	-	1	-	-	-	-	6	-	-	-
	-	-	-	3	-	-	4	2	2	-	13	-	-	-	2	112	-	-	-
	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	6	-	-	-
	-	3	-	-	-	-	1	-	-	-	3	-	-	-	1	14	-	-	-
	-	-	-	-	-	-	-	-	-	-	30	-	-	-	10	23	-	-	-
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-
	-	-	-	-	-	-	-	-	-	-	4	-	-	-	-	2	-	-	-
	-	-	-	-	1	-	4	-	-	-	9	-	-	-	4	8	-	-	-
	-	-	-	1	-	-	3	-	-	-	5	-	-	-	1	12	-	-	-
	-	-	-	-	-	-	-	-	-	-	32	-	-	-	9	131	-	-	-
	-	-	-	-	-	-	-	-	-	-	76	-	-	-	7	-	-	-	-
	-	-	-	-	-	-	-	-	-	-	698	-	-	-	6	-	-	-	4

CRIMINAL
Murder
Involun
Volunt

CRIMINAL
Assault
Assault
Assault
Pointin

Shootin
Stabbin
Wife B

CARRYING I

OPERATING

DISTURBIN
Drunk
Malicio
Vagranc
Other I

ROBBERY

BURGLARY

LARCENIES
Attempt
Cheatin
Embezz

Larceny
Larceny
Larceny
Larceny

Larceny
Larceny
Larceny
Other

FORGERY

NON-SUPPOR
Abandon
Bastard

SEX CRIMES
Adulter
Assault
Incest
Mainta

Public
Rape
Seduct
Sodomy

CAMELING
Lottery
Other

VIOLATION
Manufac
Possess
Selling
Other V

VIOLATION

MISCELLAN
Arson
Bigamy
Bribery
Blackma
Cruelty

Escapin
False C
Felony
Felony
Kidnap

Misdeme
Misdeme
Perjury
Rioting
Violat

TOTAL

* Source

APPENDIX G

TABLE 22*
CRIMINAL CASES BEFORE THE COURT OF APPEALS OF GEORGIA
By Crimes
January 1, 1926 - December 31, 1935

	Total	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
CRIMINAL HOMICIDES											
Murder	248	23	28	22	24	26	27	24	24	22	28
Involuntary Manslaughter	25	1	4	2	3	3	4	1	2	3	2
Voluntary Manslaughter	5	1	-	-	2	-	-	-	1	-	1
	218	21	24	20	19	23	23	23	21	19	25
CRIMINAL ASSAULTS											
Assault	225	27	28	31	22	22	22	10	16	20	27
Assault and Battery	8	2	2	2	-	-	-	-	-	-	2
Assault with Intent to Murder	49	7	6	2	7	7	5	1	3	8	3
Pointing Pistol at Another	116	13	15	17	11	11	8	8	9	8	16
Shooting at Another	7	-	2	-	-	2	2	-	1	-	-
Stabbing	32	3	3	7	2	2	5	1	2	3	4
Wife Beating	10	1	-	3	2	-	1	-	1	1	1
	3	1	-	-	-	-	1	-	-	-	1
CARRYING DEADLY WEAPONS											
	39	4	6	-	4	6	9	2	-	2	6
OPERATING AUTO WHILE DRUNK											
	23	-	2	-	1	2	2	2	6	2	6
DISTURBING PUBLIC PEACE											
Drunkenness	50	10	9	2	6	5	3	3	3	4	5
Malicious Mischief	23	5	4	1	2	4	2	1	1	1	2
Vagrancy	8	-	1	-	-	-	1	1	-	2	3
Other Disturbances	9	3	1	-	3	-	-	1	-	1	-
	10	2	3	1	1	1	-	-	2	-	-
ROBBERY											
	80	1	6	2	5	3	11	13	12	8	19
BURGLARY											
	130	13	8	9	13	8	14	18	15	11	21
LARCENIES											
Attempted Larceny	351	36	29	23	46	50	46	29	33	29	30
Cheating and Swindling	2	1	-	-	-	-	-	-	-	-	1
Embezzlement	63	5	5	6	13	9	11	4	2	4	4
	20	1	5	-	3	2	1	3	4	-	1
Larceny After Trust	28	4	4	1	2	2	1	2	3	8	1
Larceny from House	28	4	2	2	8	3	4	3	2	-	-
Larceny from Person	3	1	-	2	-	-	-	-	-	-	-
Larceny of Auto	50	5	2	3	3	6	9	4	10	2	6
Larceny of Cotton	3	3	-	-	-	2	-	-	1	2	-
Larceny of Livestock	63	4	5	3	6	17	10	5	5	5	3
Larceny, simple	72	8	4	5	9	7	9	6	6	7	11
Other Larcenies	14	-	2	1	2	2	1	2	-	1	3
FORGERY											
	19	3	2	1	1	3	6	1	-	-	2
NON-SUPPORT											
Abandonment	40	3	2	2	4	6	5	3	5	4	6
Bastardy	24	1	1	1	3	5	3	1	3	1	5
	16	2	1	1	1	1	2	2	2	3	1
SEX CRIMES											
Adultery and Fornication	96	9	12	7	5	17	8	8	16	8	6
Assault with Intent to Rape	15	2	3	1	2	3	-	-	4	-	-
Incest	28	2	2	4	-	6	2	3	6	2	1
Maintaining Lewd House	1	1	-	-	-	-	-	-	-	-	-
	8	3	-	-	-	1	3	-	-	1	-
Public Indecency	3	-	1	1	-	-	-	-	1	-	-
Rape	8	1	1	-	1	3	-	2	-	-	-
Seduction	28	-	5	1	1	4	2	3	3	4	5
Sodomy	5	-	-	-	1	-	1	-	2	1	-
GAMBLING											
Lottery	22	-	2	2	1	2	3	-	3	4	5
Other Types of Gambling	12	-	-	-	-	1	1	-	3	4	3
	10	-	2	2	1	1	2	-	-	-	2
VIOLATION PROHIBITION LAW											
Manufacturing Liquor	734	126	105	92	83	69	74	50	42	52	41
Possessing Liquor	174	29	26	24	25	13	22	12	12	9	2
Selling Liquor	471	76	66	57	47	45	46	28	27	42	37
Other Violations	48	9	7	4	6	5	5	8	2	1	1
	41	12	6	7	5	6	1	2	1	-	1
VIOLATION OF MOTOR VEHICLE LAW											
	27	4	2	5	1	1	3	4	2	5	-
MISCELLANEOUS CRIMES											
Arson	390	32	36	34	53	30	37	38	31	33	66
Bigamy	33	1	6	2	4	2	4	4	-	8	2
Bribery	5	-	-	-	1	2	-	1	1	-	-
Blackmail and Extortion	10	-	-	1	-	5	4	-	-	-	-
Cruelty to Children and Animals	6	-	-	1	-	-	2	1	2	1	-
	6	1	3	-	-	-	-	-	1	1	-
Escaping	13	1	1	1	-	1	1	4	-	2	2
False Oath	2	-	-	1	-	1	-	-	-	-	-
Felony, miscellaneous	20	1	1	-	6	1	-	2	2	2	4
Felony	12	-	3	-	1	-	2	2	1	1	2
Kidnapping	11	1	3	1	1	1	-	-	2	-	2
Misdemeanor, miscellaneous	68	7	4	5	13	5	12	10	5	3	4
Misdemeanor	178	17	12	20	22	9	7	14	15	13	49
Perjury	11	2	1	1	2	2	-	-	2	-	1
Rioting	4	1	2	-	1	-	-	-	-	-	-
Violation of Game Law	11	-	-	1	2	1	4	-	-	3	-
TOTAL	2,474	291	277	232	269	250	270	205	208	204	268

* Source: Dockets of the Court of Appeals

TABLE 23*
CRIMINAL CASES BEFORE THE SUPREME COURT OF GEORGIA
By Crimes
January 1, 1926 - December 31, 1935

CRIMES	Total	Years									
		1926	1927	1928	1929	1930	1931	1932	1933	1934	1935
Arson	1	-	-	-	-	1	-	-	-	-	-
Attempt to Incite Insurrection	5	-	-	-	-	-	-	2	2	1	-
Bribery	1	-	-	-	-	-	1	-	-	-	-
Burglary	1	-	-	-	-	-	-	1	-	-	-
Embezzlement	1	-	-	-	-	-	1	-	-	-	-
Escaping from Penitentiary	1	-	-	-	-	-	1	-	-	-	-
Felony, blanket charge	1	-	-	1	-	-	-	-	-	-	-
Larceny of Automobile	2	-	-	-	2	-	-	-	-	-	-
Larceny from House	1	-	-	1	-	-	-	-	-	-	-
Malpractice in Public Office	2	-	-	-	-	-	2	-	-	-	-
Misdemeanor, blanket charge	3	-	-	-	-	-	1	-	1	-	1
Murder	341	40	27	40	30	31	24	38	38	34	39
Participating in Illegal Futures	1	-	1	-	-	-	-	-	-	-	-
Possessing Liquor	2	-	-	1	-	1	-	-	-	-	-
Practicing Profession without License	3	-	-	1	-	1	1	-	-	-	-
Rape	57	4	5	3	4	4	7	7	8	9	6
Violation of Security License Law	2	-	-	-	-	-	1	-	-	1	-
Violation of Banking Regulations	4	-	2	-	1	-	1	-	-	-	-
Violation of Game Law	2	-	-	-	1	-	-	-	1	-	-
Violation of Motor Vehicle Law	1	-	-	1	-	-	-	-	-	-	-
Voluntary Manslaughter	4	-	1	-	-	2	-	-	1	-	-
TOTAL	436	44	36	48	38	40	40	48	51	45	46

* Source: Dockets of the Supreme Court.

TABLE 24*
COUNTIES FROM WHICH CASES WERE CARRIED TO THE APPELLATE COURTS
January 1, 1926 - December 31, 1935

County	Total	Court of Appeals	Supreme Court	County	Total	Court of Appeals	Supreme Court	County	Total	Court of Appeals	Supreme Court
Appling	35	32	3	Fannin	4	4	-	Oconee	9	7	2
Bacon	22	21	1	Fayette	8	5	3	Oglethorpe	8	6	2
Baker	7	7	-	Floyd	100	94	6	Paulding	19	18	1
Baldwin	4	4	-	Forsyth	6	6	-	Peach	5	3	2
Banks	7	2	5	Franklin	8	8	-	Pickens	4	1	3
Barrow	8	7	1	Fulton	470	384	86	Pierce	27	21	6
Bartow	18	13	5	Gilmer	5	4	1	Pike	8	5	3
Ben Hill	34	31	3	Glascok	10	7	3	Polk	26	23	3
Berrien	30	28	2	Glynn	10	7	3	Pulaski	15	12	3
Bibb	107	90	17	Gordon	29	27	2	Putnam	24	21	3
Bleckley	3	2	1	Grady	11	9	2	Rabun	1	1	-
Brantley	8	8	-	Greene	4	4	-	Randolph	17	14	3
Brooks	3	2	1	Gwinnett	30	25	5	Richmond	32	21	11
Bryan	2	2	-	Habersham	5	5	-	Rockdale	5	5	-
Bulloch	16	14	2	Hall	24	21	3	Schley	4	4	-
Burke	9	7	2	Hancock	4	4	-	Screven	16	13	3
Butts	12	6	6	Haralson	32	30	2	Seminole	7	7	-
Calhoun	3	2	1	Harris	4	1	3	Spalding	15	12	3
Camden	6	4	2	Hart	1	1	-	Stewart	8	6	2
Candler	14	11	3	Heard	9	7	2	Stephens	19	16	3
Carroll	43	42	1	Henry	8	6	2	Sumter	-	-	-
Catoosa	16	16	-	Houston	11	8	3	Talbot	1	1	-
Charlton	5	3	2	Irwin	3	1	2	Taliaferro	19	18	1
Chatham	63	50	13	Jackson	17	15	2	Tattall	37	36	1
Chattahoochee	1	1	-	Jasper	4	4	-	Taylor	2	2	-
Chattooga	45	36	9	Jeff Davis	10	10	-	Telfair	9	8	1
Cherokee	9	8	1	Jefferson	7	5	2	Terrell	11	8	3
Clarke	22	19	3	Jenkins	17	15	2	Thomas	11	9	2
Clay	6	4	2	Johnson	18	15	3	Tift	1	1	-
Clayton	14	11	3	Jones	13	11	2	Toombs	16	15	1
Clinch	6	5	1	Lanier	1	1	-	Towns	2	-	2
Cobb	23	20	3	Laurens	130	120	10	Treutlen	9	8	1
Coffee	14	12	2	Lee	4	4	-	Troup	36	32	4
Colquitt	30	24	6	Liberty	11	9	2	Turner	1	-	1
Columbia	5	4	1	Lincoln	5	5	-	Twiggs	2	2	-
Cook	13	13	-	Long	19	16	3	Union	3	2	1
Coweta	12	10	2	Lowndes	17	12	5	Upson	5	5	4
Crawford	8	7	1	Lumpkin	1	1	-	Walker	57	53	4
Crisp	16	15	1	McDuffie	11	11	-	Walton	9	5	4
Dade	3	3	-	McIntosh	14	11	3	Ware	15	12	3
Dawson	3	3	-	Macon	14	14	-	Warren	13	10	3
Decatur	32	27	5	Madison	16	16	-	Washington	13	14	4
DeKalb	27	23	4	Marion	2	2	-	Wayne	19	15	4
Dodge	15	14	1	Meriwether	16	12	4	Webster	4	4	-
Dooley	11	10	1	Miller	52	48	4	Wheeler	2	1	1
Dougherty	7	6	1	Mitchell	3	2	1	White	4	3	1
Douglas	25	19	6	Monroe	8	7	1	Whitfield	70	63	7
Early	15	11	4	Montgomery	7	5	2	Wilcox	11	9	2
Effingham	12	8	4	Morgan	12	9	3	Wilkes	76	73	3
Elbert	6	6	-	Murray	20	17	3	Wilkinson	4	3	1
Emanuel	20	17	3	Muscogee	18	13	5	Worth	16	12	4
Evans	9	9	-	Newton	11	7	4	TOTAL	2,910	2,474	436

* Source: Dockets of the Supreme Court and Court of Appeals.

TABLE 25*

DISPOSITION OF CASES BEFORE THE COURT OF APPEALS OF GEORGIA
By Crime Type
January 1, 1926 - December 31, 1935

CRIMES	Total	Affirmed		Dismissed		Pending	Reversed and	
			Reversed		Withdrawn		Transferred to Supreme Court	Remanded
Criminal Homicides	248	179	7	15	11	6	12	18
Criminal Assaults	225	160	12	21	3	4	-	25
Carrying Deadly Weapons	39	27	3	3	-	2	-	4
Operating Auto while Drunk	23	19	1	1	-	1	-	1
Disturbing Public Peace	50	31	4	3	-	-	-	12
Robbery	80	61	1	5	-	5	-	8
Burglary	130	74	9	13	1	10	-	23
Larcencies	351	221	34	19	3	6	-	68
Forgery	19	16	1	1	1	-	-	-
Non-Support	40	31	1	3	1	1	-	3
Sex Crimes	96	67	5	8	-	2	6	8
Gambling	22	15	1	1	-	3	-	2
Violation Prohibition Law	734	543	35	39	7	9	-	101
Violation Motor Law	27	15	4	1	-	-	-	7
Miscellaneous Crimes	200	126	12	6	1	24	-	31
Misdemeanor, blanket charge	178	73	12	84	3	4	-	2
Felony, blanket charge	12	1	3	5	1	-	-	2
TOTAL	2,474	1,659	145	228	32	77	18	315

* Source: Dockets of the Court of Appeals.

TABLE 26*

DISPOSITION OF CRIMINAL CASES BEFORE THE SUPREME COURT OF GEORGIA
By Crimes
January 1, 1926 - December 31, 1935

CRIMES	Total	Affirmed	Reversed	Dismissed	Withdrawn	Pending
Arson	1	1	-	-	-	-
Attempt to Incite Insurrection	5	5	-	-	-	-
Bribery	1	1	-	-	-	-
Burglary	1	1	-	-	-	-
Embezzlement	1	1	-	-	-	-
Escape from Penitentiary	1	1	-	-	-	-
Felony, blanket charge	1	1	-	-	-	-
Larceny of Automobile	2	2	-	-	-	-
Larceny from House	1	-	1	-	-	-
Malpractice in Public Office	2	1	-	1	-	-
Misdemeanor, blanket charge	3	2	-	-	1	-
Murder	341	254	73	2	-	12
Participating in Illegal Futures	1	-	1	-	-	-
Possessing Liquor	2	2	-	-	-	-
Practicing Profession without License	3	3	-	-	-	-
Rape	57	39	13	3	-	2
Violation of Security License Law	2	2	-	-	-	-
Violation of Banking Regulations	4	3	1	-	-	-
Violation of Game Law	2	2	-	-	-	-
Violation of Motor Vehicle Law	1	1	-	-	-	-
Voluntary Manslaughter	4	3	1	-	-	-
TOTAL	436	325	90	6	1	14

* Source: Dockets of the Supreme Court.

TABLE 27*

PERIOD BETWEEN FILING OF CASES AND THEIR DISPOSAL
The Court of Appeals of Georgia
January 1, 1926 - December 31, 1935

Crimes	Total	Under												Over	
		1 mo.	1	2	3	4	5	6	7	8	9	10	11	12	12
Criminal Homicides	248	32	8	72	62	36	11	4	9	8	4	-	1	1	-
Criminal Assaults	225	17	11	73	63	32	8	9	4	1	2	3	1	1	-
Carrying Deadly Weapons	39	1	-	15	14	6	-	3	-	-	-	-	-	-	-
Operating Auto while Drunk	23	-	1	11	6	1	-	2	1	1	-	-	-	-	-
Disturbing Public Peace	50	1	1	19	14	8	3	1	1	-	1	1	-	-	-
Robbery	80	4	11	22	14	10	8	6	1	2	-	-	-	2	-
Burglary	130	6	4	42	41	17	8	5	2	1	3	1	-	-	-
Larcenies	351	11	11	132	92	45	24	8	8	11	3	2	3	-	1
Forgery	19	2	1	7	4	2	1	-	-	-	2	-	-	-	-
Non-Support	40	1	2	16	7	7	3	1	-	1	1	1	-	-	-
Sex Crimes	96	7	10	37	23	8	2	3	1	-	3	1	1	-	-
Gambling	22	1	4	10	5	2	-	-	-	-	-	-	-	-	-
Violation of Prohibition Law	734	24	17	278	240	102	33	9	7	10	7	5	1	-	1
Violation of Motor Law	27	3	1	2	10	4	3	3	-	1	-	-	-	-	-
Miscellaneous Crimes	390	87	21	91	87	51	19	12	2	6	7	4	1	2	-
TOTAL	2,474	197	103	827	682	331	123	66	36	42	33	18	8	6	2

* Source: Dockets of the Court of Appeals.

TABLE 28*

PERIOD BETWEEN FILING OF CASES AND THEIR DISPOSAL
The Supreme Court of Georgia
January 1, 1926 - December 31, 1935

Crimes	Total	Months												Over 12
		Under 1 mo.	1	2	3	4	5	6	7	8	9	10	11	
Arson	1	-	-	-	-	-	-	-	-	1	-	-	-	-
Attempt to Incite Insurrection	5	-	-	-	-	-	3	-	-	2	-	-	-	-
Bribery	1	-	-	-	-	-	-	-	-	-	-	1	-	-
Burglary	1	-	-	-	1	-	-	-	-	-	-	-	-	-
Embezzlement	1	-	-	-	-	-	-	-	-	-	-	1	-	-
Escape from Penitentiary	1	-	-	-	-	-	-	-	-	-	-	1	-	-
Felony, blanket charge	1	-	-	-	-	-	-	-	-	1	-	-	-	-
Larceny of Automobile	2	-	-	1	-	-	1	-	-	-	-	-	-	-
Larceny from House	1	-	-	-	-	-	-	-	-	1	-	-	-	-
Malpractice in Public Office	2	-	-	1	-	1	-	-	-	-	-	-	-	-
Misdemeanor, blanket charge	3	-	1	-	-	1	-	-	-	-	1	-	-	-
Murder	341	-	13	47	42	29	30	32	27	30	26	30	14	12
Participating in Illegal Futures	1	-	-	-	-	-	-	1	-	-	-	-	-	-
Possessing Liquor	2	-	-	-	-	-	-	-	-	-	-	-	1	1
Practicing Profession without License	3	-	-	-	-	1	-	-	-	1	-	-	1	-
Rape	57	1	2	8	7	7	4	3	5	7	2	3	3	5
Violation of Security License Law	2	-	-	-	-	1	-	-	1	-	-	-	-	-
Violation of Banking Regulations	4	-	-	-	-	-	-	1	-	1	1	1	-	-
Violation of Game Law	2	-	1	-	-	-	-	1	-	-	-	-	-	-
Violation of Motor Vehicle Law	1	-	-	1	-	-	-	-	-	-	-	-	-	-
Voluntary Manslaughter	4	-	-	-	-	-	3	-	-	1	-	-	-	-
TOTAL	436	1	17	58	50	40	41	38	33	45	30	37	19	10

* Source: Dockets of the Supreme Court.

TABLE 29*
REQUESTS TO THE SUPREME COURT FOR WRITS OF CERTIORARI
By Years
January 1, 1926 - December 31, 1935

YEARS	Total	Granted	Denied	Abandoned
1926	24	-	13	11
1927	37	3	15	19
1928	22	-	7	15
1929	26	-	17	9
1930	20	-	9	11
1931	44	2	17	25
1932	20	1	6	13
1933	22	1	8	13
1934	20	-	5	15
1935	12	-	1	11
TOTAL	247	7	98	142

* Source: Dockets of the Court of Appeals.

TABLE 30**
RELATION OF CASES REVERSED TO CASES APPEALED
By Judicial Districts of the Superior Court
Court of Appeals and Supreme Court of Georgia
January 1, 1926 - December 31, 1935

District	Cases Appealed	Cases Reversed	
		Number	Percent
Alapaha	50	15	30.0
Albany	63	13	20.6
Atlanta	470	36	7.7
Atlantic	92	16	17.4
Augusta	57	6	10.5
Blue Ridge	51	9	17.6
Brunswick	80	14	17.5
Chattahoochee	28	6	21.4
Cherokee	156	41	26.3
Cordele	72	14	19.4
Coweta	116	12	10.3
Dublin	150	32	21.3
Eastern	63	12	19.0
Flint	28	8	28.6
Griffin	36	7	19.4
Macon	131	31	23.7
Middle	75	16	21.3
Northeastern	62	8	12.9
Northern	39	6	15.4
Ocmulgee	69	20	29.0
Oconee	60	5	8.3
Ogeechee	61	19	31.1
Pataula	108	17	15.7
Piedmont	62	17	27.4
Rome	202	55	27.2
Southern	61	12	19.7
Southwestern	34	8	23.5
Stone Mountain	57	13	22.8
Tallapoosa	102	20	19.6
Tifton	21	2	9.5
Toombs	123	33	26.8
Waycross	91	21	23.1
Western	40	6	15.0
TOTAL	2,910	550	18.9

*Source:Dockets of the Supreme Court and Court of Appeals.

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APPENDIX H

TABLE 31*

RELEASES GRANTED
By Minimum Sentence Imposed
Felony Cases Admitted to the Georgia Penitentiary
January 1, 1926 - December 31, 1935

Minimum Sentence in Years	Total Admitted	Not Released	Completion of Sentence	Pardon	Communi- cation	Parole	Death
1	4,251	1,192	796	70	263	1,879	51
2	4,621	1,654	753	83	242	1,803	86
3	2,303	1,021	232	38	95	860	57
4	1,090	599	96	15	67	287	26
5	1,717	1,033	148	22	39	427	48
6	183	111	5	5	8	49	5
7	250	161	4	3	9	67	6
8	215	150	4	1	3	53	4
9	26	17	2	1	2	4	-
10	781	585	11	7	16	116	46
11	12	8	2	-	-	2	-
12	96	72	1	1	4	16	2
13	10	8	-	-	-	1	1
14	16	12	-	-	2	1	1
15	217	156	1	4	6	34	16
16	7	6	-	-	-	1	-
17	6	4	-	-	-	2	-
18	49	38	-	-	-	8	3
19	35	27	-	1	-	5	2
20	314	261	-	6	2	34	11
Life	1,137	908	-	29	19	131	50
TOTAL	17,336	8,023	2,055	286	777	5,780	415

* Source: Records of the Prison Commission.

TABLE 32*

PARDONS, COMMUTATIONS, PAROLES
Percent of Minimum Sentence Served
Felony Cases Admitted to the Georgia Penitentiary
January 1, 1926 - December 31, 1935

Minimum Sentence in Years	Total Cases	0-10	11-20	21-30	31-40	41-50	51-60	61-70	71-80	81-90	** 91-100	** Over 100
1	100.0	4.6	.7	.7	1.0	3.0	2.1	1.4	1.8	1.2	73.5	10.0
2	100.0	5.3	1.0	2.2	1.9	3.5	4.4	3.5	4.4	2.4	66.2	5.2
3	100.0	2.9	2.3	2.5	4.0	6.0	4.6	4.0	2.6	56.7	6.9	7.5
4	100.0	7.3	1.6	6.5	8.7	6.8	6.5	3.6	4.9	41.9	7.3	4.9
5	100.0	7.6	1.8	5.9	6.3	10.9	5.7	5.7	41.8	3.1	7.8	3.4
6	100.0	3.2	4.8	9.7	6.5	12.9	11.3	1.6	38.7	8.1	3.2	-
7	100.0	10.1	3.8	10.1	13.9	12.7	7.6	3.8	29.2	1.2	7.6	-
8	100.0	3.5	3.5	8.8	8.8	12.3	10.6	3.5	42.0	3.5	3.5	-
9	100.0	14.3	-	14.3	14.3	14.3	14.3	14.3	14.2	-	-	-
10	100.0	7.2	10.7	14.3	18.6	15.7	7.2	7.2	17.1	2.0	-	-
11	100.0	-	-	-	50.0	-	50.0	-	-	-	-	-
12	100.0	4.8	19.0	23.8	4.8	14.3	9.5	19.0	4.8	-	-	-
13	-	-	-	-	-	-	-	-	-	-	-	-
14	100.0	66.7	-	33.3	-	-	-	-	-	-	-	-
15	100.0	9.1	15.9	32.4	18.2	18.2	6.2	-	-	-	-	-
16	100.0	-	100.0	-	-	-	-	-	-	-	-	-
17	100.0	-	-	50.0	-	-	50.0	-	-	-	-	-
18	100.0	-	62.5	37.5	-	-	-	-	-	-	-	-
19	100.0	-	50.0	16.7	33.3	-	-	-	-	-	-	-
20	100.0	45.2	16.7	30.9	7.2	-	-	-	-	-	-	-
TOTAL	100.0	5.4	1.9	3.3	3.4	5.1	4.1	3.1	7.2	12.3	47.7	6.5

* Source: Records of the Prison Commission.

** In this column the maximum sentence was evoked.

TABLE 33*

RELEASES GRANTED - PRISONERS UNDER LIFE IMPRISONMENT SENTENCES
in the Georgia Penitentiary
January 1, 1926 - December 31, 1935

Time Served	Total	Pardon	Commutations	Parole	Died
0-3 Mo.	6	-	3	-	3
4-6	8	-	1	2	5
7-9	4	1	-	-	3
10-12	3	-	1	1	1
13-15	6	1	1	-	4
16-18	7	3	1	1	2
19-24	8	3	2	-	3
25-30	9	1	4	-	4
31-36	8	1	2	2	3
37-48	37	5	2	24	6
49-60	30	3	-	17	10
61-72	32	5	1	25	1
73-84	31	2	-	26	3
85-96	27	4	-	22	1
Over 96	13	-	1	11	1
TOTAL	229	29	19	131	50

* Source: Records of the Prison Commission.

TABLE 34*

NUMBER OF ESCAPES - BY MINIMUM SENTENCE IMPOSED
Felony Cases in the Georgia Penitentiary
January 1, 1926 - December 31, 1935

Minimum Sentence in Years	Total Cases Effecting Escape	Number of Escapes Effectuated by Each Case							
		1	2	3	4	5	6	7	8
1	684	469	147	49	11	6	2	-	-
2	975	694	192	48	21	8	12	-	-
3	588	396	132	40	8	8	4	-	-
4	323	226	53	23	16	3	-	2	-
5	551	387	108	32	16	7	1	-	-
6	60	45	11	2	1	1	-	-	-
7	76	51	19	6	-	-	-	-	-
8	64	42	13	5	1	2	-	1	-
9	11	8	1	2	-	-	-	-	-
10	258	172	66	15	3	1	1	-	-
11	5	5	-	-	-	-	-	-	-
12	34	17	6	7	3	1	-	-	-
13	4	3	1	-	-	-	-	-	-
14	4	4	-	-	-	-	-	-	-
15	61	34	21	4	1	-	1	-	-
16	1	1	-	-	-	-	-	-	-
17	1	-	1	-	-	-	-	-	-
18	16	11	3	-	1	1	-	-	-
19	10	8	1	1	-	-	-	-	-
20	102	56	23	4	3	13	-	-	3
Life Sentence	250	176	51	16	4	1	2	-	-
TOTAL	4,078	2,805	849	254	89	52	23	3	3

* Source: Records of the Prison Commission.

EXHIBIT 7

When the Survey of Criminal Court Procedure was first planned it was contemplated that only data concerning felony prisoners convicted in the trial courts of the counties studied would be gathered. To accomplish this it was found that many hours would have to be spent in searching out the records of the individual convicts. Since only one worker could be placed at this task it appeared to be an almost interminable assignment. On the other hand by making a copy of the personnel record as kept by the Prison Commission it would be possible to get the complete record of all felony convicts sent from every county in Georgia. This could be accomplished with one worker in the desired time limit, and was therefore chosen in preference to the other. By this method some data was secured on all felony convicts sent to the Georgia Penitentiary during the period January 1, 1926 to December 31, 1935, rather than a greater amount of data on each case sent from a smaller area. The schedule used was a replica of the docket on which personnel data was recorded and the survey worker made an exact copy of these dockets.

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