

(iii) Facts Gathered:

Acts and Resolutions of the General Assembly of the State of Georgia 1916; Short Title: Court of Appeals, Judges and Conduct of Business

In 1916 the General Assembly again narrowed the categories of cases which the Supreme Court would have jurisdiction, and added three more judgeships to the court of appeals to aid in handling the increased work load.

Now that there were to be six judges, they would sit in three judge panels. The two panels would hear cases and make decisions independent of one another (Kate: what were the topics that the court was divided into - which judges were on criminal and which civil...)

In an editorial written to the Journal an Atlanta Attorney, O. E. Horton, wrote to the public explaining the overworked appellate Judges and his proposal to alleviate from their docket many cases. His proposal was to remove all cases involving under \$300.00 from the docket of the Appeals Court and to create a body, comprised of the three superior court judges from each judicial circuit, let them met at a central point twice a year to dissolve these lesser disputes.

In 1916 the Atlanta Journal was stating that the Georgia Court of Appeals turns out more opinions each year, per judge, than any other court of review in the US.

The proposal to add 3 more Judges indicated that they would sit together, as a second division.

Fays after the legislature passed the bill to reorganize and expand the Court of Appeals, the also passed a bill that allowed women to be admitted to the practice of law in the state of Georgia. They were one of three states remaining that still had not permitted women to the bar. (August 16, 1916.

The expanded Jurisdiction to the court gave them the right to hear all appeals that are from civil cases originally tried in superior court, including all tort and contracts actions. The supreme court retained jurisdiction in cases that involved constitutional interpretation, equity, divorce, capital felony, land title suits, construction of wills and all extraordinary remedies. It was estimated that this would divert 40% of the supreme courts case load down to the appellate courts.

Characteristically unthoughtful,, the legislature convened without providing pay for the new Judges, so they will have to wait until the January session begin to appropriate the money.

Since no candidate received a majority in the general election a convention was convened to appoint the new members of the court of appeals. On the eve of the convention, Bloodworth, Jenkins, A. W. Stephens, ,George and Hutcheson were all lumped closely together in that order.

At the convention it took three ballots to elect the men - in the first ballot Grogan and Jones withdrew. On the second ballot Walter George was nominated and Gram, Kimsey, Yeoman, and Cozart withdrew. On the third and final ballot Jenkins and Luke won enough of the county votes to secure seats. All this in spite of the fact that Bloodworth lead the first round of votes.

When drawing lots to determine term lengths, Luke got the 6 years term, George the 4 and Jenkins the 2. Nash Broyles held the hat from which they drew and tehy were sworn in Jan 1, 1917.

When Judge Hodges died on December 13, 1916, the natural choice as an appointee for

Governor Harris was the man who finished fourth in the election, Bloodworth.

By 1915 the Georgia Bar Association addressed the problem of the caseload that the court was responsible for deciding. None of the appellate judges had been able to attend either of the 2 previous years bar meeting due to unrelenting workload.

The Bar briefly considered the creation of a third court, with the idea that one court could handle all criminal matters while the other would be responsible for all civil issues.

The election of Judges was set before the electorate in the general election. O.B.H. Bloodworth was a candidate for election to one of the newly created seats, but he was not elected. However, when Robert Hodges died the December following the election, Governor Harris appointed Hodges and he was sworn in about the same time or before the three popularly elected Judges.