

Special Meeting of Commissioners Roads & Revenue held March 20th., with following present: Malcolm B. McKinnon, Chairman, R.L. Ratcliffe, V.H. Royal, J.B.D. Paulk, to discuss bills pending in the Legislature affecting Glynn County.

The Following Resolutions were passed and Ordered Spead on Minutes:-

RESOLUTION WITH RESPECT TO HOUSE BILL NO. 249.

WHEREAS, the Commissioners of Roads & Revenue of Glynn County, Georgia, are advised that there has been passed by each House of the General Assembly, a Bill known as House Bill No.249, which is entitled "An Act to amend an Act entitled "An Act to change from the fee to the salary system in certain Counties in Georgia the Clerk of the Superior Court (Whether he be Clerk of the Superior Court only or an ex-officio Clerk of other Courts), the Sheriff, the Ordinary, the Tax Collector and the Tax Receiver; to make provisions regulating the carrying out of said change, to regulate the disposition of cost; and for other purposes," approved August 13,1924, by making the provisions thereof applicable to all counties having a population of not less than 19,300 nor more than 19,500 by the census of 1930."

AND WHEREAS this Body is advised that this Bill has been sent to His Excellency the Governor of Georgia for his consideration; and is now before His Excellency:

NOW THEREFORE this Body feeling that it is its duty to so advise His Excellency the Governor, begs to advise as follows:

After careful investigation from the best information, this body feels that the additional cost to the taxpayers of the County for the operation of the various offices under the terms of the Bill will be not less than the following:

Clerk of the Superior Court	\$2,000.00 per annum
Sheriff of Glynn County.....	4,000.00 per annum
Ordinary of Glynn County.....	1,500.00 per annum

From the foregoing it appears that the annual loss to the County of Glynn, to be paid from taxation, if the Bill is approved would be not less than \$7,500.00.

T H E R E F O R E be it RESOLVED by the Commissioners of Roads and Revenue of Glynn County that we respectfully request His Excellency the Governor of Georgia, in the interest of economy in government to disapprove the Bill.

COMMISSIONERS OF ROADS & REVENUE OF GLYNN COUNTY.

BY: Malcolm B. McKinnon,
Its Chairman,

Attest:
A.O. Townsend,
Its Clerk.

RESOLUTION WITH RESPECT TO HOUSE BILL NO. 244.

WHEREAS, the Commissioners of Roads & Revenue of Glynn County are advised that there has been passed by each House of the General Assembly, a Bill known as House Bill No. 244 (or the Senate substitute therefor), which is entitled an "Act to Consolidate the offices and duties of Tax Receiver and Tax Collector of Glynn County, Georgia; to provide for a Tax Commissioner of said County." etc.

AND WHEREAS this body is advised that this Bill has been sent to His Excellency the Governor of Georgia for his consideration and is now before His Excellency:

AND WHEREAS there was passed in the 1933 Session of the General Assembly (Ga. laws 1933, page 536,) an Act providing for consolidation of these offices subject to a referendum thereon to be held in a special election on the first Tuesday in March, 1936; while under the terms of House Bill No. 244, there is no provision for an expression by the people of our County:

T h e r e f o r e be it RESOLVED by the Commissioners of Roads & Revenue of Glynn County that we respectfully request His Excellency to disapprove the bill in order that consolidation of the offices may take place, if approved by the voters, under the Act of 1933.

COMMISSIONERS OF ROADS & REVENUE OF GLYNN COUNTY,

BY: Malcolm B. McKinnon,
Its Chairman.

ATTEST:
A.O. Townsend,
Its Clerk.

Following Legal Opinion of County Opinion read and Ordered spread on Minutes:-

March 20th. 1936.

To the Honorable the Commissioners of
Roads & Revenue of Glynn County.
Brunswick, Ga.,
Gentlemen:

In accordance with your request we have considered the constitutionality of House Bill No. 249 (the Glynn County Salary Bill).

In our opinion this Bill is violative of Article I, Section 4, Paragraph I, of the Constitution of the State, which provides; "Laws of a general nature shall have uniform operation throughout the State, and no special law shall be enacted in any case for which provision has been made by an existing general law."

The subject matter of this Bill deals with the remuneration of our Clerk of the

of force in this State governing the compensation of such officers. See Sections 24-2727; 24-2823- 24-1716 of the Code of 1933.

Under the terms of the Bill under consideration it might appear at first blush that the legislative authority was merely undertaking a classification of Counties, but we are informed that Glynn County is the only County of the State having a population according to the 1930 Census between 19,300 and 19,500, therefore the Act is as restricted as if its application was restricted to Glynn County by name.

In the case of Stewart vs Anderson, 140 Ga 31, the Supreme Court speaking through Mr. Justice Atkinson states on page 33 of the opinion that "The legislature could not constitutionally classify one county by itself. There must be some reasonable basis of classification, so that all which fall within the class may come within the scope of the provisions of the law. Although the act may purport to make a classification of counties for purposes of legislation, yet if the so-called class is so hedged about and restricted that the act applies to only one county, and that other counties coming within the class provided can not also come within the purview of the law, it is in fact a local or special act and not a general one."

The language quoted above has been cited with approval by the Supreme Court in the more recent cases of Mayor etc., of Danville vs Wilkerson County 166 Ga.460; Medders vs. Stewart, 172 Ga.507; Marbut vs.Hollingshead, 172 Ga 531.

Very truly yours,

(Signed) Conyers & Gowen,
County Attorneys.

Chairman Malcolm B. McKinnon was instructed to transmit Bills to Governor with Legal Opinion of County Attorney.

There being no further business,

Board Adjourned,

J. O. Tamm
Clerk.