

of this defendant while he was so confined in jail, was in violation of and contrary to the provisions of Art. 1, Sect. 1, Par. 3 of the Constitution of the State of Georgia, providing that "no person shall be deprived of life, liberty or property, except by due process of law", the said reception of said verdict during the involuntary absence of this defendant and while he was confined in jail depriving the proceedings against him of the character of a trial to which he was entitled under the law and depriving him of the hearing and the opportunity to be heard, in his own defence to which he was entitled under the law and to which he was entitled under the said provision of the Constitution of the State of Georgia. (3). Defendant says that the said reception of said verdict in the involuntary absence of this defendant

while he was so confined in jail, was in violation of and contrary to the provisions of Art. 6. Sec. 18, Par. 1 of the Constitution of the State of Georgia, that "The right of trial by jury, except where it is otherwise provided in the Constitution, shall remain inviolate", because the right of trial by jury under the laws of the State of Georgia extended to and covered with its protection the right of this defendant to be present in person at the reception of the verdict against him in said cause, and because the reception of said verdict during the involuntary absence of this defendant and while he was so confined in jail was in violation of the right of trial by jury to which this defendant was entitled, said right including the right of this defendant to be present at the reception of the said verdict and to be then and there heard in his own defense.

(4) Defendant says that the said reception of said verdict in the involuntary absence of this defendant, while he was so confined in jail, tended to deprive him of his life and liberty without due process of law, and that the same denied to him the equal protection of the laws, contrary to and in violation of the provisions of the (14th) Fourteenth Amendment to the Constitution of the United States, to-wit: "Nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws", the said reception of said verdict during the