

The following Communication was made by the Governor to both branches of the Legislature on the day preceding the final adjournment :

EXECUTIVE DEPARTMENT, }
December 22, 1830. }

I submit to the Legislature for its consideration, the copy of a communication received this day, purporting to be signed by the Chief Justice of the United States, and to be a citation to the State of Georgia, to appear before the Supreme Court on the second Monday in January next, to answer to that tribunal for having caused a person who had committed murder within the limits of the State, to be tried and convicted therefor.

The object of this mandate is to control the State in the exercise of its ordinary jurisdiction, which, in criminal cases has been vested by its constitution exclusively in its Superior Courts.

So far as concerns the exercise of the power which belongs to the Executive Department, orders received from the Supreme Court for the purpose of staying, or in any manner interfering with the decision of the Courts of the State in the exercise of their constitutional jurisdiction, will be disregarded; and any attempt to enforce such orders will be resisted with whatever force the laws have placed at my command.

If the judicial powers thus attempted to be exercised by the Courts of the United States

is submitted to, or sustained, it must eventuate in the utter annihilation of the State Governments, or in other consequences not less fatal to the peace and prosperity of our present highly favored country.

Signed, **GEORGE R. GILMER.**

Which communication being read, was referred to a select committee, consisting on the part of Senate of Messrs. Daniell of Chatham, Blair of Habersham, Branham, Sayre and Cobb, and on the part of the House of Representatives of Messrs. Haynes, Beall of Twiggs, Howard of Baldwin, McDonald and Schley.

The joint committee reported the following preamble and resolutions, which were read and agreed to in the House of Representatives by a large majority :

Whereas it appears by a communication made by his Excellency the Governor to the General Assembly, that the Chief Justice of the Supreme Court of the United States has sanctioned a Writ of Errors, and cited the State of Georgia, through her Chief Magistrate, to appear before the Supreme Court of the United States, to defend said State against said Writ of Error, at the instance of one George Tassels, recently convicted in Hall Superior Court of the crime of murder : And whereas the right to punish crimes against the peace and good order of this State in accordance with the existing laws of the State, is an original and necessary part of sovereignty, which the State of Georgia has never parted with :

Be it therefore resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That they view with feeling of deep regret, the interference by the Chief Justice of the Supreme Court of the United States in the administration of the criminal laws of this State, and that such an interference is a flagrant violation of her right.

Resolved further, That his Excellency the Governor be, and he, and every other officer of this State is hereby requested and enjoined to disregard any and every mandate and process that has been, or shall be served upon him or them, purporting to proceed from the Chief Justice or any Associate Justice, or the Supreme Court of the United States, for the purpose of arresting the execution of any of the criminal laws of this State.

And be it further resolved, That his Excellency the Governor be, and he is hereby authorized and required, with all the force and means placed at his command by the Constitution and laws of this State, to resist and repel any and every invasion, from whatever quarter, upon the administration of the criminal laws of this State.

Resolved, That the State of Georgia will never so far compromise her sovereignty as an independent State, as to become a party to the case sought to be made before the Supreme Court of the United States by the writ in question.

Resolved, That his Excellency the Governor be, and he is hereby authorized to communicate to the Sheriff of Hall county, by express, so much of the foregoing resolutions, and such orders as are necessary to insure the full execution of the laws in the case of George Tassels, convicted of murder in Hall county.

The Senate concurred with the House of Representatives in the passage of the foregoing preamble and resolutions, by a vote of 35 to 7.