

*The Missionaries vs. Georgia.*—By the following message from Gov. Lumpkin to the Legislature, it will be seen that the Missionaries, Worcester and Butler, have determined on bringing their case before the Federal Court, for its decision. Like the mandate from the same Court in the Tassels case, these citations will be suffered to pass unheeded, and their consequences, we hope, will not cause a more serious result. The Governor's sentiments, as here expressed, are what we cordially approve—they have heretofore been successful, and enlightened firmness will again render them triumphant.

EXECUTIVE DEPARTMENT,  
Milledgeville, Nov. 25, 1831. }

*To the Senate and House of Representatives:*

I submit to the General Assembly, for its consideration, copies of two communications received yesterday, purporting to be signed by

Henry Baldwin, Esq. one of the Justices of the Supreme Court of the United States, and to be citations to the State of Georgia, to appear in the Supreme Court, on the second Monday in January next, to show cause before that tribunal, why two several judgments should not be set aside, which have been lately rendered in the Superior Court of the county of Gwinnett, against Samuel A. Worcester and Elizur Butler, for a violation of an existing law of the State, committed within its jurisdictional limits. Also a copy of a notice purporting to be signed by William Wirt and John Sergeant, as counsel for Samuel A. Worcester and Elizur Butler, informing me of an intended application to the Supreme Court, for a hearing on writs of error filed by those persons.

The obvious object of the proceedings to which this notice and these citations relate, is to call in question, and attempt to overthrow, that essential jurisdiction of the State, in criminal cases, which has been vested by our constitution, in the Superior Courts of the several counties of the State.

My respect for the Supreme Court of the United States, as a fundamental department of the Federal Government, induces me to indulge the earnest hope, that no mandate will ever proceed from that court, attempting or intending to control one of the sovereign States of this Union, in the free exercise of its constitutional, criminal or civil jurisdiction. "The powers not delegated by the Constitution to the United States, nor prohibited by it to the States, are reserved to the States respectively." Such a control over our criminal jurisdiction, as these proceedings indicate, it is believed, has not been delegated to the United States, and consequently cannot be acquiesced in or submitted to.

Any attempt to infringe the evident right of a State to govern the entire population within its territorial limits, and to punish all offences committed against its laws, within those limits, (due regard being had to the cases expressly excepted by the Constitution of the United States,) would be the usurpation of a power never granted by the States. Such an attempt, whenever made, will challenge the most determined resistance; and if persevered in, will inevitably eventuate in the annihilation of our beloved Union.

In exercising the duties of that department of government, which devolve on me, I will disregard all unconstitutional requisitions, of whatever character or origin they may be; and to the best of my abilities, will protect and defend the rights of the State, and use the means afforded me, to maintain its laws and Constitution.

(Signed) WILSON LUMPKIN.