

OUR INDIAN AFFAIRS are rapidly approaching a crisis—The reader will remember the resolutions adopted in consequence of the citation served upon the Governor, as published in our last paper. In obedience to the last of them, an express was dispatched to Hall county, at 12 o'clock on the night of their passage, and reached the sheriff on the day appointed for the execution of Tassels. Eberhart, the Sheriff of Hall county, had been served with a citation from the Supreme Court of the United States, which he had determined to disregard, even if he had received no instructions from the State authority.—Tassels was hung pursuant to his sentence.

During the past week the Governor received the following letter by special messenger :—

*Head of Coosa, Cherokee Nation, }
December 20th, 1830. }*

To his Excellency GEORGE R. GILMER,
Governor of the State of Georgia.

SIR—You will please to take notice, that on Saturday the fifth day of March next, at the City of Washington, in the District of Columbia, the Cherokee Nation will, by their Counsel, move the Supreme Court of the United States, which is expected to be then and there in session, for an injunction to restrain the State of Georgia, the Governor, Attorney General, Judges, Justices of the Peace, Sheriffs, Deputy Sheriffs, Constables, & all the other officers, agent and servants of that State, from executing and enforcing the laws of Georgia, or any of those laws, or serving process, or doing any thing towards the execution and enforcement of those laws within the Cherokee Territory, as designated by treaty between the United States and the Cherokee Nation: The motion will be made on the grounds set forth in the bill, a copy of which will be handed to you with this notice, which bill will be supported by the necessary affidavits and documents. JOHN ROSS,

Principal Chief of the Cherokee Nation.

The bill referred to in the letter, consists of nine closely printed foolscap pages, and is endorsed thus :

SUPREME COURT OF THE UNITED STATES.

THE CHEROKEE NATION

vs.

THE STATE OF GEORGIA.

BILL IN CHANCERY.

It commences thus :—“ *To the Honorable the Chief Justice, and the Associate Justices of the Supreme Court of the United States, sitting in Chancery.*

“ Respectfully complaining shew unto your honors, the Cherokee Nation of Indians, a foreign State, not owing allegiance to the United States nor to any State of this Union, nor to any other Prince, Potentate, or State, other than their own.” &c. &c.

And concludes, after a detailed statement of their grievances, thus :—

“ In tender consideration of all which, and inasmuch as your complainants are wholly remediless in the premises, except by the interference of this honorable court: to the end, therefore, that the said State of Georgia, one of the United States of America, may be made defendant hereto, with apt words to charge her as such, and that she may, by her proper officers, according to the established forms of proceeding in this court, in like cases, true, full, and perfect answer make to all and singular the premises, as fully and particularly as if the same were herein again especially repeated, and they thereto particularly interrogated; that the said State of Georgia, her governor, attorney-general, judges, magistrates, sheriffs, deputy sheriffs, constables, and all other her officers, agents, and servants, civil and military, may be enjoined and prohibited from executing the laws of that State within the boundary of the Cherokee territory, as prescribed by the treaties now subsisting between the United States and the Cherokee Nation, or interfering in any manner with the rights of self-government possessed by the Cherokee Nation within the limits of their territory, as defined by treaty: That the two laws of Georgia before mentioned as having been passed in the years 1828 and 1829, may, by the decree of this honorable court, be declared unconstitutional and void; and that the State of Georgia, and all her officers, agents, and servants, may be forever enjoined from interfering with the lands, mines, and other property, real and personal, of the Cherokee Nation, or with the persons of the Cherokee people, for, or on account of any thing done by them within the limits of the Cherokee territory; that the pretended right of the State of Georgia to the possession, government, or control of the lands, mines, and other property of the Cherokee Nation, within their territory, may, by this honorable court, be declared to be unfounded and void, and that the Cherokees may be left in the undisturbed possession, use, and enjoyment of the same, according to their own sovereign right and pleasure, and their own laws, usages, and customs, free from any hindrance, molestation, or interruption by the State of Georgia, her officers, agents, and servants; that these complainants may be quieted in the possession of all their rights, privileges, and immunities, under their various treaties with the United States; and that they may have such other and farther relief as this honorable court may deem consistent with equity and good conscience, and as the nature of their case may require.”

Since the above was written, we have received the Athenian, of the 28th ult. The information it had received is somewhat different from ours.

“ *George Tassels.*—The execution of this unfortunate Indian took place the 24th inst. A large num

ber of persons were assembled on the occasion, among whom were some eighteen or twenty Indians. We understand that on the day previous to the adjournment of the legislature, the Governor received an order from Chief Justice Marshall to defer the execution till the case could be tried before the U. S. Supreme Court. He immediately laid the order before the legislature, who sent an express to the Sheriff of Hall county, to proceed in the execution. No notice from the U. S. Court was served either on Judge Clayton or the Sheriff. This collision of authorities portends something serious. What its effect will be it is impossible to predict with any degree of certainty—perhaps His Honor, Judge Marshall, may think it incumbent on him to arraign and punish (if perchance he should possess the power.) the State of Georgia for contempt of the Federal Court."
