

## GEORGIA & THE SUPREME COURT.

Whatever doubts may have existed, on its first appearance here, as to the genuineness of the extraordinary—though not unprecedented—citation of the State of Georgia to appear before the Supreme Court, these doubts must now give place to certainty. The Richmond Enquirer, of the 7th inst. says that it has ascertained that the paper is unquestionably genuine. This fact we presume, was ascertained by personal application to Judge Marshall himself.

We have been amused at the lights in which the nullifying resolutions of Georgia in the case of Tassels, have been received abroad. The tory newspapers every where denounce both Georgia and the resolutions; while the whig prints applaud both, warmly and loudly. For the amusement of our readers, we have made selections from both classes;—want of room compels us to postpone them till next week.

We have said the proceeding is not unprecedented—In the year 1792, in the case of *Chisholm Ex'or. vs. the State of Georgia*, process was served by *Robert Forsyth*, Marshal for the District of Georgia, on *Edward Telfair*, Governor, and *Thomas P. Carnes*, Attorney General. The authorities of the State, then, as now, refused to obey, and gave to *Ingersoll & Dallas*, positive instructions not to take any part in arguing the question. At February term, 1794, judgment was rendered for the Plaintiff, and a writ of Enquiry awarded—See *Dallas' Reports*, II 419.

These proceedings produced the 11th article of the amendment of the Constitution of the United States.

The following letter shows how the Resolutions in the case of Tassels, were received at Washington City.

HOUSE OF REPRESENTATIVES, Jan. 3.

The Editors of the Georgia Journal.

GENTLEMEN—I received, by yesterday's mail, the Georgia Journal containing an account of the reception of Chief Justice Marshall's edict "extraordinary," by the Executive of Georgia, and the Legislative action had thereon. For the transmission of this information, not being a subscriber to your paper, I have presumed myself indebted to your politeness, and give me leave to say that no subject has excited equal interest in the political circles of Washington, since the commencement of the session; not even the entire change of the British Ministry, and other important news which has been so constantly pouring in upon us from Europe. The message of the Governor together with the report and resolutions of the Committee, are admirable. They are dignified, though decided, and fully correspond with that degree of self respect which is due to every sovereign member, of the confederacy. The Georgians are considered here as the "Parisians," of the South. While others talk of resistance and nullification, they act. The transaction is a turn-up card in favor of State Rights and republican principles. "The Judiciary of the United States," to use the language of that great apostle of human liberty, Mr. Jefferson, "is the subtle corps of sappers and miners, constantly working under ground to undermine the foundations of our confederated fabric." So far, success has sanctioned their usurpations—The great States of Virginia, Pennsylvania, Ohio, Kentucky and Maryland have, each in their turn, been humbled before this irresponsible tribunal. The Chief Justice is, and has been, since the establishment of the Government a consolidationist in principle; and it is not remarkable that through a long judicial life, he should have striven to make the government by implication what the federalists always wished it to be, by the letter of the constitution, viz: a splendid, consolidated government. Hitherto he has been successful in selecting the means to attain this end. In the case of Tassels, he appears to me, however, to have placed himself in a predicament from which it will be difficult to escape. To punish the State or its officers for a contempt, will be too bold a measure to be sustained by even a respectable portion of public opinion, and to satisfy himself with so important an effort of authority as the transaction exhibits, will be to bring derision and contempt upon the powers heretofore claimed for the Court. But so it must be *Quem deus vult perdere prius dementat*. While those in authority have become intoxicated with power, the people not only in this country, but in Europe are rising in their majesty and demanding a restitution of their rights. I trust in God that our northern brethren, who have so long profited by their oppressions on the South, will see in this act of firmness on the part of Georgia, a guaranty, that in the hour of trial, she dares to resist oppression whether it comes in in the shape of a judicial mandate, or in the violation of her chartered rights, by a reckless majority in Congress. The unanimity manifested in the Legislature proves that the most unrelenting party feelings were almost entirely lost sight of in the effort to sustain the honor and dignity of the State. The instinct of liberty was so great, that even those who so recently and publicly avowed their ardent, and, as many believed their overweening attachment to the authority of the General Government, even to the point of unqualified submission, have not hesitated, when a case of usurpation was brought directly to their view, to co-operate warmly and decidedly in the measures best calculated to resist the oppression.