

221 August, 1831.

GENTLEMEN—You will confer a particular favor by publishing the resolutions in the Tassel case, with the vote as recorded in both branches of the General Assembly. Some who had the temerity to vote against those resolutions are willing now to deny it. While others attempt to evade it by saying, they voted for something just like it—but more courtly and decorous in its language, and forsooth when you come to look for this imaginary thing, behold, you cannot find it any where else—but in some Senator's breeche's pocket. Does not, Messrs. Editors, these evasions and imaginings, of things not to be found any where on the earth or above the earth, put you forcibly in mind of Don Quixote and his wind-mills? Those members who voted for the Federal doctrines of usurpation, and consolidation, should be known, and then if the people still repose confidence in them—let the consequences be upon thier own heads.

AN OBSERVER.

In the House of Representatives, 221 Dec. 1830.

Mr. Haynes from the committee to whom was referred the communication of the Governor of this evening, presented a report, which, being read as follows:

Whereas, it appears by a communication made by his Excellency the Governor to this General Assembly that the Chief Justice of the Supreme court of the United States has sanctioned a writ of error, and cited the State of G _____ through her Chief

Magistrate, to appear before the Supreme court of the United States, to defend this State against said writ of Error at the instance of one George Tassels, recently convicted in Hall county 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 existing laws, 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 feelings of the deepest 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 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 cause 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.

Mr. Turner offered the following as a substitute to said report, to wit:

Whereas the circumstances under which the citation to the State, from the Supreme court of the United States in the case of Tassels, an Indian, convicted of murder in the Superior court of Hall county, are unfavorable to calm deliberation; and whereas, the General Assembly have confidence in the intelligence of the Executive and Judicial Departments of the Government of this State into whose cognizance the case of Tassels will more immediately come.

Resolved, That the action of the General Assembly is deemed unnecessary at the present time in the case of George Tassels aforesaid.

On motion to accept said substitute,

The yeas and nays were required to be recorded, and are—Yeas 11—Nays 62.

Those who voted in the affirmative are, Messrs. Day, Easley, Gholson, King, Loyall, Lucas, McDonald, Perdue, Schley, Turner, Welborn.

Those who voted in the negative are Messrs. Aikin, Atkinson, Barr, Beall, of Twiggs, Blackshear, Bowen, Brown, Bryan, Burnes, Calhoun, Carnes, Cleveland, Cone, Curry, of Washington, Drew, Finnie, Flewellen, Graybill, Gross, Hampton, Harrington, Hatcher, Haynes, Hazzard, Hodges, Holland, Holt, Hudson, of Putnam, Jenkins, Jones, of Jones, Jones, of Warren, Kellum, Kelly, Leonard, Lester, Long, Lovett, Mann, McCoy, McCraven, McKrae, Neal, of Newton, Neal, of Wilkinson, Northen, Oliver, Pearman, Price, Reeves, Reid, Robinson, Rutherford, Ryan, Sheats, Simmons, Terrell, Terry, Thompson, Townsend, Weitman, Williams, Winn Young.

So the House refused the substitute.

The question being then put on agreeing to the original report,

The yeas and nays were again required to be recorded, and are—Yeas 73—Nays 10.

Those who voted in the affirmative are Messrs. Aikin, Atkinson, Barr, Beall, of Twiggs, Black, Blackshear, Bowen, Brown, Bryan, Burnes, Calhoun, Carnes, Cleveland, Cone, Curry, of Washington, Dickson, Drew, Fannin, Finnie, Flewellen, Graybill, Gross, Hampton, Hardee, Harrington, Hatcher, Haynes, Hazzard, Hodges, Holland, Holt, Hopkins, Hudson, of Putnam, Irwin, Jenkins, Jones, of Jones, Jones, of Liberty, Jones, of Thomas, Jones, of Warren, Kellum, Kelly, Leonard, Lester, Long, Lovett, Mann, McClendon, McCoy, McCraven, McKrae, Neal, of Newton, Neal, of Wilkinson, Northen, Oliver, Pearman, Price, Reeves, Reid, Robertson, Robson, Rutherford, Ryan, Simmons, Snellings, Taylor, Terrell, Terry, Thompson, Townsend, Tuttle, Weitman, Williams, Winn, Young.

Those who voted in the negative are, Messrs. Day, Easley, Gholson, King, Loyall Lucas, McDonald, Perdue, Schley, Sheats, Turner, Welborn.

And Mr. Speaker Hull also voted in the affirmative.

So the report was agreed to.

IN SENATE, Dec. 22, 1830.

A message was brought from the House of Representatives informing the Senate that the House had agreed to a report and resolution in relation to the injunction served on the State of Georgia, in the case of George Tassels.

And the same being read, it was agreed to.—Whereupon, the yeas and nays were required, and are yeas 35, nays 7.

Those who voted in the affirmative, are Messrs. Allen, Black, Blair of Habersham, Blair of Lowndes, Branham, Bryan of Montgomery, Bryan of Scriven, Cobb, Daniell of Chatham, Everitt, Ezzard, Faris, Ferguson, Green, Hall, Harlow, Hines, McDougald, McKnight, Mitchell, Mueriel, Neel, Prior, Reeves, Robinson, Sayre, Singleton, Sledge, Stapleton, Temples, Thomas of Appling, Waldthour, Warren, Watson, Young.

Those who voted in the negative, are Messrs. Echols, Ector, Parrish, Porter, Reese, Tennille, Wootten.

The President of the Senate recorded his vote in the affirmative.