

A rumor has been circulating in this part of the nation that Judge Clayton lately discharged a Cherokee, prisoner, who was confined in jail for digging gold, on the ground that the state has no right to prevent the Indians from the use of the precious minerals found on their lands. It is the opinion of the Judge, we understand, that the right of soil is in the Cherokees—that they have a right to dig gold, and that the law of Georgia enacted at the last Legislature, denying that right, is unconstitutional. Another week will enable us to ascertain whether the rumor is well founded.

After writing the above we find the following in the Milledgeville Recorder.

We understand that at the late sitting of the Superior Court in Walton county, Judge Clayton delivered an opinion, the substance of which, as well as our informant could understand it, was to this effect:—That the Cherokee Indians have the right, notwithstanding the act of the last session, to dig gold on the lands of their occupancy.