

*The Congressional election.*—We are informed of a most unexpected vacancy in Congress. After Judge Clayton had been thrown off by his party, and superseded on the bench by Mr. Dougherty, he voluntarily, openly, repeatedly declared to Judge Schley and his friends, that he would not be a candidate, and that he would support Judge Schley for the vacancy. But regardless of his reputation for truth and consistency, he has already violated his plighted word, and faithlessly become a candidate for the office, for which he had explicitly promised his support to another. On what principle can we expect that man to be faithful to his country, who is faithless to his fellow citizens?

Independent of all other considerations, the decision of Judge Clayton against the attempt by Georgia to protect the gold mines, should form an insuperable barrier against his rising to a seat in Congress. According to that decision, every Indian has a right, unmolested to dig for gold, wherever he may please throughout the Cherokee territory. If he has a right to gather the precious metals, with his own hands, he has an equal right to employ other laborers, white or black, in this profitable business. In defiance of the penal laws of Georgia, designed to prevent trespasses on the mines, this decision invites to the golden harvest, all the world, besides her own citizens. If sustained, it must greatly strengthen the reluctance of the Cherokees to remove to the fertile lands of the West, although they abound in game. If sustained, we apprehend that it will rivet the Indians to the territory, and that the gold region will never become the property of the people of Georgia.

At present we impeach not the motives of Judge Clayton, in this transaction; but a man entertaining doctrines which form the basis of his decision, is opposed to the interest of the State, and should not be entrusted by us with a seat in the councils of the Confederacy. It is ascertained, that the Cherokees are preparing to test, in the Supreme Court of the United States, the validity of the claims of Georgia. When they shall have instituted their case before that Federal Tribunal, their counsel will seize with avidity, and proclaim with triumph, this decision of a Georgia Judge in their favor: operating against his own country, and thus wearing the semblance of singular disinterestedness, it will be received with deferential regard, by the Judges presiding in that court, and will have great weight in leading to a similar decision against us. Let

the people of Georgia now elect Judge Clayton to one of the highest offices in their gift, and this act will affix their seal to his judgment, and will ratify it before the world. The decision of one of our own Judges, thus sustained by the strongest proof of the approbation of our people, will be regarded as conclusive evidence against the validity of our claim. In the halls of Congress it will furnish the strongest argument, and the keenest satire, to those designing politicians, and those misguided fanatics who so often assail the reputation of our State. When they insolently accuse us of robbing and oppressing the poor Indian, they will point to this Judge, as their witness, and will appeal to his decision in proof of

their bitter calumnies against his country. And how shall we meet their argument and their satire, if by our votes at the approaching election, we sustain Judge Clayton, and his decision? If we regard the honor and interest of the State, we will not give countenance and confirmation to his doctrines; but will endeavor to counteract their pernicious influence. Duty to our country imperiously requires, that we shall oppose the election of a man, whose success will be the condemnation of that country.

*Federal Union.*