

*Congressional Election.*—The public have already been informed that there are two candidates before them for the vacancy in Congress, occasioned by the resignation of the honorable Wilson Lumpkin. These two, it is also known, are Judge Clayton and Judge Schley; the former of the Troup, the latter of the Clark party. Of the comparative merits of each, we shall have little to say—we shall engage in no lengthy delineation of the talents of the one or the other, their fitness or unfitness for the office to which they aspire, or the objections that may be urged against either. They are both well known to the community, who will judge of their merits as they please. Yet it may not be improper, indeed, it is but an act of justice to our readers, to notice one of the arguments advanced against Judge Clayton, and to show as well its fallacy as its inconsistency. It is this: that his decision in the case of Canatoo, "should form an insuperable barrier against his rising to a seat in Congress;" that "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 Confederacy." Now, in order to show the invalidity of this objection, it is only necessary to say that Judge Clayton is a native citizen of Georgia; here has ever been his home, and with the welfare of this people are all his interests identified. No man is more deeply concerned in the prosperity of his native State; none more jealous of her honor, or anxious to preserve her integrity. In his judicial capacity he has decided that we have a full and perfect right to jurisdiction over the Cherokee territory, but that while the Indians possess the right of occupancy, they are entitled to all the products of the earth, whether vegetable or mineral. He draws no distinction here, and hence he believes they have as much right to the gold they dig, as to the corn or cotton which they cultivate. Now let us apply this opinion in his capacity of member of Congress. He believes that the only manner in which we can lawfully acquire the gold of that country, is by the extinguishment of the Indian title to the occupancy of the land, and he will therefore have a double motive for advocating its speedy acquirement. The gold mines compose undoubtedly, the main wealth of the country, and if one of our delegation in Congress believes we can take them without the forms of a treaty or the consent of that body, he will not trouble himself to obtain the balance, while one who regards the aid of the general government as necessary or indispensable to their acquirement, will be induced to call into requisition all his industry, all his talents, and all his eloquence, for the accomplishment of an object so much desired. Here then it is unnecessary to ask whether Judge Clayton's opinions are correct or not—on the main question he agrees with the majority of the people, and on this particular point, even if he is wrong, it is an error that will, as we have already shown, add great inducements to his exertions in our behalf. No one, therefore, can reasonably regard it as an objection.

We could here call the attention of all who read to the fact, that the very men who now oppose Judge Clayton on the ground of his decision, were his warm supporters for re-election as Judge. What will the people say to this strange inconsistency? Will they not at once question the honesty of these men, either in their support of, or opposition to the Judge? We think so. Will they not see that the objection urged is only raised for electioneering purposes; that it is futile in itself, and that it displays a most glaring inconsistency in those who have stated it? Assuredly they will. The pretext is too frail to build a single hope of success upon.

Of Judge Schley, we will say but a few words, and that with no view to his injury, or wish to do him in-

justice; but we cannot forbear to remark, that while Judge Clayton has been accused of thwarting the interest of Georgia by his decision, Judge Schley has gone much further by his vote in the Legislature. If then, an objection can be urged against one on this ground, it will be found to apply with increased force, to the other, and last mentioned. By referring to the Journals of last year, it will be found that when the citation from the Supreme Court of the United States in the case of Tassels, was acted upon in the Legislature, Judge Schley voted against the resolutions then passed, (see Journal of the House, page 449,) thus tacitly admitting the right of that court to make a sovereign State bow to its authority. He voted against enforcing our laws in the execution of Tassels, or in other words to nullify them, and yet when he is brought out as the only competitor of Judge Clayton, we are told that that gentleman opposes our interests, and to avert the calamity of his election, we must send such a man as Judge Schley. We think our opponents would do well to observe the old adage, that they who live in glass houses, should never throw stones, &c.