

FOR CONGRESS,  
**WILLIAM SCHLEY.**

Election, on Monday, the 12th December.

**ELECTION FOR CONGRESS.**—Objections as strong, if not stronger, exist against Judge Clayton, as those which existed against the late Governor Gilmer. The Ex-Governor was desirous of depriving the people of the gold mines, and throwing their avails into the Treasury. Judge Clayton decides, that a law of the last session is unconstitutional, and that the Indians have the right to dig for gold. In fact the Judge's opinion goes completely to deprive the State of all the benefits of the gold mines. Can the people of Georgia think of sending a man to Congress who maintains such a doctrine—a doctrine, which Governor Gilmer himself thinks, will form an almost insuperable barrier to the removal of the Cherokees? We will not yet believe it.

Governor Lumpkin, while in Congress, did more for Georgia on the Indian question than any other man. Shall we send his successor, to undo all that he has done? To put into the mouths of our opponents, the strongest argument against us? We hope not—For the honor and the good of Georgia, we hope not.

We are amused at the main argument of the Georgia Journal in favor of Judge Clayton, to wit: That he ought to be elected, because it would afford to the Western people, something like the benefits of the District System—when that paper has always most strenuously opposed that system as a *monstrous evil!!* This is “blowing hot and cold” in the same breath. It is not “*preferring the turtar to the episcac*”—but it is swallowing both; *Atticus* and the *District system*—at *one dose!!*—When that system suits the views of the Journal, it is a *very good* system—when it does not suit its views, it is a *very bad* system. This is the usual logic of our neighbor at the corner.

Why does the Journal call upon the rest of the State to elect a Representative in Congress for the Western Circuit? And why was Judge Clayton put down in his recent attempt at the judgeship? Was it not on account of his late decision and opposition to Mr. Gilmer? Yet the Journal has the hardihood to tell us, that Judge Clayton is eminently qualified to represent that part of the State! So far from this, he is more unpopular there, on account of his decision, than any where else. Yet he must be put into Congress to *misrepresent* them, that they may reap the *benefits* of the *District system!!*

As was to have been expected, the Journal finds Judge Clayton adorned with every public excellence and beauty the people could desire. We do not invade the sanctuary of Judge Clayton's private relations. In these we believe him amiable and praiseworthy. But the Journal has put his political and literary character at issue. He is a wonder in politics—a real Southern politician—that goes for yielding the most valuable of Georgia's treasures to the poor Indians!! A most astonishing writer!—Aye, Judge Clayton has some tact at stringing together other men's opinions—but when he launches into the ocean of originality, his little bark founders instantly. The insulted ghost of the noble Atticus still “walks unrevenged among us.” The “*Mysterious Picture*”—the plan of which is a servile copy of “the Devil on two sticks”—(Le Diable Boiteux of Le Sage) fell still-born from the press—is embalmed in cob webs on some dusty shelf, where the gray old tenant of the nest stands sentinel over its gloomy remains, while the charitable cricket chaunts its nightly requiem. As for his Oration on Eloquence, it was a *total* abortion; it might possibly be admired by some untutored savage, where Canatoo stands on the hills of Etowa—shakes his bags of precious dust at us, & exclaims—“*See the gold Judge Clayton has taken from Georgia, and given to the red man!*”

But that part of the Article in the Journal, which we feel it our special duty to expose, is the summary of objections to Judge Schley, in the concluding paragraph. It is as follows:

“There are, on the other hand many reasons why his opponent should not be elected—notwithstanding his admitted excellence as a man. We have room now to mention only, his views of the constitutionality of the Tariff—his doctrines in reference to the Supreme Court—and his vote on the resolutions, in the case of Tassels, at the last session of the General Assembly.—See Journal of the House—page 449.”

We gather from this paragraph, *three* objections. 1st. That Judge Schley believes the Tariff of 1823 to be *constitutional*.

2d. That he believes the Supreme Court not the monster the Journal has always represented it to be.

3d. That he believes the Supreme Court had a right to arrest the course of the Georgia law in the Tassels' case.

We are always averse to charging any gentleman with intentional misrepresentation. But we know the Journal Editors to be very vigilant in all party matters; and when we see a most palpable departure from facts contained in the records of the State, we cannot but regard it as *wilful*. Then, as to these assumed objections, they are totally unfounded, and perfectly inexcusable. It will be reflected that these Editors printed the Journals

of the House for 1830, when Judge Schley was a member of it. That they had not forgotten their contents (and it was easy to refresh their memory) is evident from the fact, that they referred to the vote on Tassels' case on page 449. The Editors of the Journal are therefore without the show of apology, in falsely charging Judge Schley with believing in the "*constitutionality of the Tariff*;" as we prove by the following extract from the Journal of the House:—

"Yet, this principle has been greatly disregarded, and experience proves it, in the existing Tariff of 1828.—*That law manifestly unjust in its conception, &c.*"

"The words in Italics being read—Mr. Beall of Twigg's moved, to insert after the words, "*That law manifestly*" the word "*unconstitutional*," so as to make it read "*That law manifestly unconstitutional and unjust*" &c.—on which motion the yeas and nays were required to be recorded—and are, yeas 100—nays 26."—see Journal of the House for 1830—page 354, "*printed by C. Mack & Co. London.*"

Judge SCHLEY voted for Mr. Beall's amendment, declaring the Tariff "*unconstitutional.*"

The Journal owes an apology to Judge Schley and the public for such gross injustice. Will it have the magnanimity to make it?

In regard to his "*doctrines in reference to the Supreme Court*"—we do not know what the Journal alludes to. We do not find them on the Journals any where—and we cannot undertake to state precisely what they are. We have no doubt however of their orthodoxy. Perhaps however, the Journal can enlighten us on this subject, as it has in regard to Judge Schley's opinion of the "*constitutionality of the Tariff.*"

Of the 3<sup>d</sup> objection, we can speak more certainly. If the Journal will condescend to look on page 448 of the Journals, it will see the reason of Schley's vote partially stated in a substitute offered by Mr. Turner, a political friend of the Journal—as follows: "*Resolved, That the action of the General Assembly is deemed unnecessary at the present time in the case of George Tassels aforesaid*"—which Judge Schley voted for. In voting against the original resolutions, he assigned his reasons for so voting, and those reasons contained as we learn, a declaration, that the attempt to arrest the execution of Tassels was so flagrant a violation of all law, that he had no doubt, the Supreme Court would at once reject the application. He voted against the Resolutions therefore, because with Mr. Turner and others, he thought them unnecessary. Was the Journal ignorant of this?