

The "Augusta Chronicle," while it approves of the Emigration to the West of the Mississippi, dissents from the "measures lately adopted by the authorities of the General and State Governments, to prohibit the *Indians*, as well as others, intruders, from digging for Gold, or other metals, on the land in their possession."—The Chronicle induced us to pause in our opinion, until we could obtain better information, than we possessed.—We understand this to be about the state of the case: Some time in the month of June last, information reached the City of Washington, that a contention was likely to arise in the Cherokee country, between the Squatters, and the Indians: the former had been removed from the Mines by the orders of the government; and the Indians and their friends had then taken possession of the disputed mines and commenced operations. The Squatters complained of being denied a privilege which was now permitted to the Indians. They represented that ~~they had~~ a right to look for the precious metals as the Cherokees and such Whites as had been admitted into the nation by intermarriage and adoption—that these Indians had taken advantage of their exclusion—that the lands in question belonged to the State of Georgia, and that they had as much right to dig & carry off, as the Indians and their friends—and in consequence they returned and threatened to drive off the Indians. A scene of hostility and bloodshed seemed to be at hand.

The Commanding officer of the United States troops interfered, and arrested some of the whites, who were delivered over to the authorities of Georgia; but on a writ of Habeas Corpus, were discharged by Judge Clayton.—At the same time, the Governor of Georgia addressed the President, claiming on behalf of the State the metals which it contains, and begging the President's interposition, to prevent their removal—stating also the dangers to be apprehended from the excitement produced by the Cherokees occupying the very lands from which the Georgians had been driven—and representing that, without the timely aid of the U. S., it would be impossible to prevent bloodshed and civil war. With the view of preventing these hostilities and bloodshed on the one hand, and of giving himself time to weigh the pretensions of Georgia and decide upon the best course which the emergency required, instructions were given to the Commanding Officer and to the Agent to prevent, until further orders, all persons whatsoever from working the mines, and removing the metals. The most positive and anxious instructions were at the same time issued, for adopting the most conciliatory and pacific measures possible for obtaining this object. A Proclamation was also issued by the Governor of Georgia, forbidding all persons whatever from intruding upon the Mineral District, and carrying off the precious metals.

For fear however, that the Commanding Officer of the U. States should misunderstand his orders, it is said that instructions have been more recently issued, charging him not to interfere with the mining operations of the Cherokees, in their own inclosures, and on their own farms.

It is said, that the government of the United States has most carefully avoided, throughout the whole of these delicate transactions, committing itself on the question of the Sovereignty of Georgia over the Cherokee Soil. The point is said to be brought before the Supreme Court of the United States—and we cannot doubt from all that we have heard, that Mr. Wirt has undertaken to carry it before the Supreme Court, on behalf of the Cherokees; and that some notification to that effect has been officially made to the Administration by their Counsel.—After the case of Cohens, &c. we should not be surprised at the Courts entertaining the jurisdiction, & of passing upon the right of a State Government to the sovereignty of its own soil.—As Mr. Jefferson says in one of his letters, in re-

lation to the case of Cohens: "They are construing our Constitution from a co-ordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, "*boni judicis est ampliare a jurisdictionem*."