

Among the singular circumstances which have been attendant upon the late election, it is not the least remarkable, that the presses in this State, which have supported my successor, because he was in favor of the immediate survey and distribution of the Indian lands, and the Northern presses opposed to General Jackson, under the pretence that he was disposed to aid this State in depriving the Cherokees of their rights, have made my defeat a common cause of triumph.

For the purpose of defeating the re-election of Gen. Jackson, it has been stated, that he has refused to enforce the non-intercourse law, and thereby enabled the authorities of this state to oppress the Cherokees, and take possession of their lands. Although this charge has been made in all the papers opposed to General Jackson, it is utterly false. At no time whatever has the Cherokee territory been so perfectly secured from intrusion from the whites, as under the operation of the present laws.

It may also be proper that I should notice a charge, which has been made directly against myself, by the same papers, together with those in this State which have advocated the election of my successor, in relation to my conduct towards the Missionaries, who were residents among the Cherokees. By the law now in force, no white person, however respectable, has the right to intrude upon the Cherokee territory. Those white persons of good character, who were residing among the Indians, when that law was passed, had the special privilege granted them to continue their residence. In order, however, to prevent the abuse of this privilege, by enabling such persons to thwart the policy of the General Government, and to oppose the execution of the laws of this State, a condition was imposed upon them, that they should take an oath to support its constitution and laws. Whatever punishment the Missionaries have suffered, has been sought by themselves, by the open and direct violation of a law which was intended for their benefit. Not an act has been done for the purpose of oppressing them. They have not been asked to take an oath contrary to their conscientious opinions; nor have those who are now in the Penitentiary been offered a pardon upon condition that they would take any oath whatever, but simply on the promise of their removal from the territory.

There has been one act of my administration which I regret to perceive has been misunderstood by some of my friends. It has been supposed that in directing the Agent of the State to continue to arrest Indians for trespassing upon the gold mines, after the decision of a Judge of the Superior court, that they could not be punished for so doing, it was my intention to oppose the judicial authority. The law imposed upon me a particular duty. That duty terminated when the judicial authority commenced. It was not intended by my orders to the Agent, and not so understood by him, that he should arrest any Indian who had been discharged by the Court, unless for a repeated offence. The Judicial and Legislative departments are in collision, and not the Executive and Judicial.

I regret that I have not been able to com-