

What is the just foundation of title to land? Can a small number of persons by rambling over a large continent—never long stationary in one spot—and never applying the soil to those purposes of production for which it is fitted, acquire such right as will exclude all others from settlement? These questions are treated in the following extract by one whose abilities and learning well qualified him for the examination.

"I shall confine myself to consider the sovereignty of man over the inanimate creation or the earth itself. Of this right of dominion there is some evidence, above brute animals, in favour of such as cultivate the earth; because it is ameliorated or made more productive by the skill and labour of such. But as to savages who do not cultivate the soil, or sustain themselves to much extent, by that means they are in the same situation as to this evidence of right with the beasts.

"The right of Great Britain to the soil of North America, founded on the first discovery of the coast; however just in its nature, yet was limited in its extent, by the right of the natives, and the right of other nations. The right of the natives has been generally supposed not to limit but exclude all others: For the law of nature vests the soil in the first occupant, and these from the earliest times had possessed the country. But shall a few tribes thinly scattered over an immense continent retain possession of it, while other parts of the globe are overcharged with inhabitants?

To set this matter in a clear point of view, we shall revert to the origin of that right which all men have, in common with each other, to the earth, the water and the air—and this we shall find in the extensive grant to the first pair, and in them equally to all their descendants. This grant is recorded in the first chapter and the first book of the sacred law: *And God blessed them and God said unto them, be fruitful and multiply and replenish the earth, and subdue it: and have dominion over the fish of the sea, and over the fowl of the air, and over everything that moveth upon the earth.* The words of this grant convey no right of primogeniture, or any other right by which one man may occupy a larger portion of the soil than his neighbor—for rights of this kind are the establishments of civil policy, and can have no place between individuals in a state of nature—or between different nations, who in a state of nature—with relation to each other.

The unequal distribution of the soil, would disappoint the manifest intention of the grant, which was to people and improve the earth—for it is unfavorable to population that societies or individuals should possess a greater quantity of soil than is necessary for their own subsistence.

To apply this to the aborigines or native Indians of America: Shall these tribes, inferior in number to perhaps one twentieth of the inhabitants of Europe, possess ten times the territory? It will be said that their manner of life makes a greater quantity of soil necessary. They live by hunting, and though their tribes are thinly scattered over the continent, yet the whole is no more than sufficient for a hunting ground—nay, with even this extent of country their subsistence is precarious, and they frequently experience the severest rage of famine, when the wild animals that make their food are rendered scarce, or have withdrawn to a different forest of the country. But do the laws of revelation or of nature leave every man at liberty to use what manner of life he pleases? This will deserve some consideration.

Before the fall, the earth spontaneously brought forth every herb and every tree for the use of man, and we may reasonably presume, that without cultivation it would then support a larger number of inhabitants than it can at present with the utmost labour we are able to bestow upon it. In this state of things it was not necessary to exercise the arts of industry—but when the curse attendant on the lapse of Adam glanced aslope upon the ground, and it became sterile, the cultivation of it

was enjoined on man; not only as his punishment, but as now the only means by which he could support himself, and comply with the conditions of the grant, "replenish the earth and subdue it." The Lord God sent him (the first man) forth from the garden of Eden, to till the ground.

I acknowledge in the early times the cultivation of the earth was not so immediately enjoined as necessary; for the few inhabitants might live by pasturage and for some space of time posterior to the general deluge, when the flesh of animals was given to the use of man, they might subsist by hunting—but on the closer settlements of families and nations, this manner of life became impossible to one, without engrossing more territory than could be spared to another, and as all could not subsist in this manner, no one had a right to claim it as an exclusive privilege.

The aborigines of this continent can therefore have but small pretence to a soil which they have never cultivated. The most they can with justice claim, is a right to those spots of ground where their wigwams have been planted, and to so much of the soil around them as may be necessary to produce grain to support them, their families, in towns upon the coast, or in the inland country, where they have inhabited. Perhaps they may have some priority of right to occupy a different country, should it be their choice to change the situation where former circumstances may have placed them.

The continent of North America may therefore on the first discovery of the coast, by any civilized European nation, be considered as, the greater part of it, a vacant country and liable to become the property of those who should take the trouble to possess it. Nevertheless do not mean to justify the waging an unnecessary war against the natives, or the extirpation of them altogether; but ye! I would justify encroachment on the territory claimed by them, until they are reduced to smaller bounds, and under the necessity of changing their unpolished and ferocious state of life, for fixed habitations and the arts of agriculture. At the same time I think it still advisable to purchase from them, if it may be done conveniently, because it is a dictate of humanity to decline insisting on the full extent of any claim of property, if it may involve the shedding of the blood of those who though sunk beneath the dignity of human nature, yet bear the name and are seen in the shape of men." (*Law Miscellanies*, 121-5).

Senator Benton, in his recent speech on the Oregon question, speaks of the Indian tribes as follows:—

"The red race has disappeared from the Atlantic coast, the tribes that resisted civilization met extinction. This is a cause of lamentation with many. For my part I cannot murmur at what seems to be the effect of divine law. I cannot regret that this capital has replaced the wigwams—this christian people replaced the savages—white matrons the red squaws—and that such men as Washington, Franklin, and Jefferson, have taken the places of Powhatan, Opechoncough, and other red men, howsoever respectable they may have been as savages. Civilization or extinction has been the fate of all people who have found themselves in the track of the advancing whites, and civilization always the preference of the whites, has been pressed as an object, while extinction has followed as a consequence of its resistance." (*Cong Globe* 1846, p. 918.)

**Amunition Coming to Light.**—During the recent severe storm in this vicinity, a large tree, about two feet in diameter, on the farm of Mr. Brasher, was blown down, and a large pile of musket balls, about 150 pounds in weight, was found among the roots of the tree. A French boat on its way from Fort Duquesne in 1754 or '55, was captured by the Indians near where this tree was blown down, and it is supposed they threw this keg of bullets on the bank of the river, and that this tree sprung up and hid the bullets until the recent storm revealed them. Mr. Brasher intends to saw the tree in two in order to count the rings to make out its age.—*Louisville Cour.*

## DEMOCRAT.

"TRUTH WITHOUT FEAR"

### BLOOMSBURG:

SATURDAY, JULY 11, 1846

DEMOCRATIC CANDIDATE FOR CANAL COMMISSIONER, WILLIAM B. FOSTER, jr.

**Removal.**  
The Office of the 'COLUMBIA DEMOCRAT' has been removed into the new Brick Building, South side of Main-street, a few doors below Market.

**AGENCY.**  
V. B. PALMER, Esq. is authorized to act as Agent for the 'COLUMBIA DEMOCRAT,' and receive all monies for Subscription and Advertising at his Agencies in  
Philadelphia No. 59 Pine-street.  
New York " 160 Nassau-street.  
Boston " 16 State-street.  
Baltimore S. E. cor. Balt. and Calvert-sts.  
Merchants-Mechanics and Tradesmen may find it to their advantage to advertise in this paper, as it is the only one published at the County Seat, and has a greater circulation in the county than any other paper published within its limits.

COLLECTOR'S OFFICE, BERWICK, JULY 1, 1846, Col. H. WERN.

Dear Sir.—The following shows the amount of Tolls taken at this Office for the months of May and June: Also the amount of Coal cleared at this Office for the same time, viz—

May	\$3,497 27
June	9,247 11
Total	\$12,744 38
COAL TONNAGE.	
In the month of May	9,658 tons
do June	25,022
Total	34,680

Yours very Respectfully,  
JOHN McREYNOLDS, Collector.

On our first page we publish an Address delivered by Charles R. Buckalew, Esq., at Orangeville, on the 4th of July. It will be read with interest by all.

**ERRATA.**  
Several small typographical errors have crept into the Address upon our first page, most of which will be detected by the attentive reader. The date '1778' in the lower part of the 5th column should read, 1788, and in the quotation from Montesquieu, in the 6th column, the word 'extended,' should be 'external.'

### Foreign Interference.

Mr. Jefferson wished that a wall of fire divided the new world from the old. Gen. Harrison declared that to preserve their liberties, the people of the United States, must do their own voting and their own fighting. Mr. Monroe twenty five years ago said, that the American continents—the northern and southern—were from that time not to be considered as subject to colonization by any European power; and this sentiment was restated less than a year ago in his annual message, by the President of the United States.

These declarations do not signify that emigration or naturalization should be discouraged. To give them such import would be to attack the principle upon which this country was settled and since swollen in population. The estimated 200,000 emigrants to this country for 1846, with an aggregate capital of over \$2,000,000, will not and ought not to be discouraged from finding upon our surplus lands a home and enjoying those rights of life, liberty, and the pursuit of happiness, which our declaration of independence affirms are inalienable. Free ingress, and easily acquired citizenship, have ever been popular principles of policy with us, as colonies, as states and as an Union.

But these declarations of Presidents, quoted by us, inculcate a just jealousy of interference in our affairs by foreign Powers. And why? Because, such interference cannot be otherwise than dangerous to the peace, the prosperity, the power, and the freedom, of these States. Poland has been the subject of interference. She is dismembered. The theatre of repeated invasions, wretched in her history and her hopes; her sons fugitives in every clime, her soil soddened with blood, she teaches us that foreign interference is to be feared & therefore repelled. That such interference has been attempted to our detriment on several occasions is undeniable, & it becomes us to guard against either its open or its secret approaches. The intrigues of England & France to prevent the annexation of Texas, were as shameful as they were fruitless. Guizot's impudent admission, that it was desired to keep up a balance of power on this continent, gives us an insight into things of a suspicious character that have occurred. There is little doubt that the Mexicans have been stirred up against us by foreign emissaries—and it is now gravely proposed, that England

come in between us as a mediator! Such a rumor has at least gone out—and federalism, true to its ancient instincts, advocates the proposition! For our part we believe with Gen. Harrison, that the people of the U. S. are competent to do their own voting and their own fighting—and if England has intrigued to get Mexico into a war, she shall not get us to accept her as a mediator to terminate it.

The interfering in our affairs by foreign governments, arises from their great jealousy of our growing power, and their hatred of our Republican system. Their courtiers libel, their politicians fear, and their monarchs hate us. The spectacle of a government over twenty millions of inhabitants carried on without disorder, in which the people are in fact and in practice the fountain of power, is calculated to awaken alarm among the monarchs and nobility of the world. Our system and theirs, are antagonistic ones—and as the inclination of the human mind, unfettered by bigotry or interest, is toward freedom—our system inspires confidence and invites adoption.

The doctrine of non interference in the concerns of foreign countries, upon which our Government has uniformly acted—must be enforced against Powers that begin to talk about a 'balance of power' on this continent, and shew unmistakable signs of malevolence toward our Government, and our people.

### IMPORTANT FROM TAMPICO.

The U. S. sloop of war, St. Marys, on the 8th of June, made an attempt to cut out three Mexican gun boats lying in the river at Tampico. The attack was made in the night, and owing to circumstances beyond the control of the officer in command, the object was not accomplished. The fort however, was silenced by the fire from the sloop of war. Another attempt was intended as soon as arrangements could be completed for it.

### LATE FROM THE ARMY.

**Reported Proposition for Peace.**—By the arrival of the steamer New York at New Orleans, Galveston papers to the 24th of June have been received, containing news from the army, except that it was generally understood the line of march, probably in the direction of Monterey, will be taken upon on the 10th July.

The U. S. Brig Lawrence arrived at Pensacola on Thursday, 25th inst., seven days from Brazos St. Jago, having been employed blockading the Rio Grande and co-operating with the army 103 days. The Democrat reports that the day the Lawrence left her station off the Brazos St. Jago, she was boarded by the pilot, who stated that an express had reached Gen Taylor's Camp at Matamoras, suing for peace. The authenticity of this information depends upon the pilot, as the Lawrence did not communicate afterwards in consequence of bad weather.

There were assembled at Alton, Ill., on the 23d ult., 14 companies of volunteers, all anxious for the fight. Forty two companies more than were required by order, were enrolled, and tendered their services.

**AMERICANS IN RUSSIA.**—Col. Todd informs us that the grading and working on the entire rail road line, from St. Petersburg to Warsaw, (440 miles,) was given to American Contractors. This contract amounts to four and a half millions of dollars, and was given to American contractors, in the face of the competition of all Europe, without security.—*Cin: Chronicle.*

**PARDONS.**—During the year 1845 there were 693 applications to the Governor of New York for pardons, 159 of which were granted: 96 were pardoned from the State prison; 30 from county jails; 9 from the New York penitentiary; 24 were restored to citizenship, and in two cases the sentence of death was commuted to imprisonment for life.

**IMIGRATION.**—The number of immigrants arrived at New York during the past six months is 40,631, increase over the same period of last June of 12,882. 7,005 passengers from foreign ports arrived at Boston during the quarter ending Tuesday last.

The bill retroceding Alexandria, in the District of Columbia back to the State of Virginia has passed Congress and become a law. It now only waits to be accepted by the people of Alexandria to be carried into effect.

### THE TARIFF.

#### HOUSE OF REPRESENTATIVES.

The consideration of the tariff bill was again resumed in committee of the whole. A great number of additional amendments having been rejected, at noon the committee rose and reported the bill to the House amidst great uproar.

The Speaker having taken the chair, about 40 members jumped up at once, but Mr. Boyd got the floor. He moved the previous question on concurring in the amendments of the committee of the whole.

A motion was immediately made to lay the motion on the table. The vote was yeas 96, nays 112. So the motion for the previous question was then ordered and the House proceeded to vote on the amendment to the bill made by the committee.

On concurring in the amendment of the committee of the whole by which 'salt' was stricken out of the duty paying articles the vote was yeas 105, nays 95. So the amendment was concurred in.

Amidst a great uproar a motion was made to reconsider the vote just taken. The yeas and nays having been ordered. Mr. Hudson called upon the speaker to have that rule enforced which prohibits any member from standing near the clerk's desk while the vote was taking.

The Speaker requested the members to take their seats and caused the rule in question to be read. It was not however until after repeated efforts that the offenders could be induced to leave the front of the desk.

The vote on the motion to reconsider was then taken, and decided in the negative Yeas 116, nays 105.

The announcement of the vote was received by loud clapping.

The question was again put in another form, viz: 'Shall salt be placed on the free list?'—The vote was yeas 105, nays 104. So it was again decided that salt should be placed on the free list.

A moment afterwards, however, the Speaker was called upon to vote. He did so, and in the negative. This made the vote a tie, which was equal to the rejection of the motion. Loud applause again followed.

It subsequently appeared, however, that owing to the great confusion which prevailed, the Clerk had miscounted the vote, and that it was yeas 105, nays 102, which did not give the Speaker the right to vote, he being permitted to do so only when his vote will change the result on any question.

A motion was then made to reconsider the vote, and it was carried—yeas 104, nays 102.

The effect of this was to bring the house back again to the question, 'Shall salt be placed on the free list?' The vote was yeas 104, nays 105. So it was decided after all that salt shall not be placed on the free list. It therefore remains in the bill subject to 20 per cent duty. The fate of the bill depended upon this one negative vote, as otherwise the New York members would not have voted for the bill.

The question was next taken on concurring in the amendment of the committee repealing the fishing bounties. This was non concurred in—yeas 100, nays 109. This saved the vote of the Maine delegation who otherwise would have gone against the bill.

The bill as amended, was then ordered to be engrossed for a third reading, without a division.

The amendment placing tea and coffee among the free articles was agreed to.

The question then being, 'Shall this bill pass?' it was decided as follows—yeas 114, nays 95. So the bill was passed;

**YEAS.—**Messrs. Adams of Mass., Anderson Atkinson Bayly Bedinger Benton Biggs Black of S. C., Bowlin Boyd Brinkerhoff Brockenbrough Brown of Va., Burt Cahoon Chapman of Va., Chapman of Ala., Chase Chipman Clarke Cobb Culin Cullom Cunningham Daniel Dargan Davis of Miss., De Mot, Dobbin Douglass Dromgoole Dunlap Ellsworth Farin Picklin Fries Giles Goodyear Gordon Hamlin Haralson Harmanston Henly Hilliard Hoge Holmes of S. C., Hopkins Hough Houston of Ala., Hubbard of Va., Hunt of Mich., Hunter Johnson of N. H., Johnson of Va., Johnson of Tenn., Jones of Tenn., Jones of Ga., Kaufman Kennedy King of N. Y., Lawrence Leske La Sere Lumpkin Maclay McClelland McClernand McConnell McCrue McDowell of Ohio McDowell of Va., McKay Martin of Ky., Martin of Tenn., Morris Morse Moulton Niven Norris Parish Payne Phelps Pillsbury Rathbun Reid Relfe Rheu Roberts Sawtelle Sawyer Seaman Seddon Sims of S. C., Sims of Mo., Simpson T. Smith of Ia., Smith III., Stanton Starkweather St. John Strong Thomp-

son of Miss., Thurman Tibbatts Tolson Fredway Wick Williams Wilnot Wood Woodward of S. C., Yancey—114.

**NAYS.—**Messrs. Abbott Adams of Mass., Arnold Ashmun Barringer Bell Blanchard Brown of Tenn., Broadhead Buffington Campbell of N. Y., Campbell of Pa., Carroll Coker Collamer Cranston Crozier Culver Darragh Davis of Ky., Delano Dixon Dockery Edsall Erdman Ewing of Pa., Ewing of Tenn., Foot Foster Garvin Gentry Giddings Graham Grider Grinnel Hampton Holmes of N. Y., Houston of Del., Hubbard of Ct., Hudson Hungerford Hunt C. J. Ingersoll of Pa. J. R. Ingersoll of Pa., Jenkins King of Mass., Leib Lewis Levin Long McClean, McGaughey, McHenry McIvaine, Marsh Moseley Miller Pendleton Perry Pollock Ramsey Ritter Rockwell of Mass. Rockwell of Ct. Root Russell Ronk Schenck Seaman Severance Smith of N. Y. Smith of Ct. Caleb B. Smith of Ia. Stephens Stewart Sirohm Sykes Thibodeaux Thomasson Thompson of Mass. Thompson of Pa. Tilden Toombs Trumbo Vance Vinton Wheaton White Winthrop Woodruff Wright Young Yost—95.

A motion to reconsider the vote was made and rejected. So the bill will be sent to the Senate on Monday.

### THE VOTE ON THE TARIFF.

The following recapitulation of the vote by States on the Tariff may prove interesting to our readers,

States.	Yeas.		Nays.		Absent.	
	Yeas.	W.	Nays.	W.	Yeas.	W.
Maine	6	0	0	1	0	0
New Hampshire	3	0	0	0	0	0
Vermont	0	0	0	3	1	0
Massachusetts	0	0	0	9	0	0
Rhode Island	0	0	0	2	0	0
Connecticut	0	0	0	4	0	0
New York	16	0	4	12	1	0
New Jersey	0	0	2	3	0	0
Pennsylvania	1	0	11	12	0	0
Delaware	0	0	0	1	0	0
Maryland	1	0	1	1	2	1
Virginia	14	0	0	1	0	0
North Carolina	6	0	0	3	0	0
South Carolina	7	0	0	0	0	0
Georgia	5	0	0	2	0	1
Florida	1	0	0	0	0	0
Alabama	6	1	0	0	0	0
Mississippi	4	0	0	0	0	0
Tennessee	6	0	0	5	0	0
Kentucky	3	0	0	7	0	0
Ohio	12	0	0	8	1	0
Michigan	3	0	0	0	0	0
Indiana	5	0	0	2	2	0
Illinois	5	0	0	0	1	1
Missouri	4	0	0	0	1	0
Arkansas	0	0	0	0	1	0
Louisiana	3	0	0	1	0	0
Texas	2	0	0	0	0	0
Total	113	1	18	77	10	3

Three vacancies, one member (the Speaker) no vote.

The steamship Britannia arrived at Boston the 4th inst, bringing fifteen days later news from Europe.

The Corn Bill has passed the committee of the whole in the House of Lords by a majority of thirty-one, consequently all fears of its final passage had ceased.

The wheat and potato crops in England and Ireland had all appearance of being abundant.

The war between the United States and Mexico engrosses public attention. The victories of the Americans on the Rio Grande has changed public feeling both in England and France from sympathy for the Mexicans to contempt. This change of opinion however, is as unjust to the Mexicans as the former feeling was to the Americans. The Mexicans deserve much credit for their gallant stand, and it was only the superior tact and energy of General Taylor and his brave little army that overthrew them.

Mr. Guizot's organ is still pointing out the necessity and policy of France and England interfering by a joint action of some kind to protect Mexico from what it terms the rapacious and tyrannical conduct of the United States in seizing on the territory of a weak and unfortunate nation. The government organ, however, does not touch on the subject, and the probability is that the organ of Mr. Guizot is used as a feeler to ascertain the views of the people in regard to such a movement.

Le Comte, the attempted assassin of Louis Philippe, King of the French, has been executed. This announcement will be received with universal surprise, as this unfortunate man has heretofore been uniformly represented as laboring under a singular delusion, nearly approaching to insanity.

**Death of the Pope of Rome.**—His Holiness, the Pope of Rome is dead, having expired suddenly on the 1st of June. Cardinal Franzoni, it is said, is the person most likely to succeed him.

It has not rained for two days.