

*W. P. Hoffman*

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## CONGRESS.

### REPORT

*On the recognition of the late Spanish Provinces in America.*

HOUSE OF REPRESENTATIVES, MARCH 19, 1822.

The committee on Foreign Affairs, to which were referred the message of the President, concerning the recognition of the late Spanish provinces in America, and the documents therewith communicated, having examined the same with the most profound attention, unanimously report:

That the Provinces of Buenos Ayres, after

The political right of this nation to acknowledge their independence, without offending others, does not depend on its justice, but on its actual establishment. To justify such a recognition, by us, it is necessary only to shew, as is already sufficiently shewn, that the people of Spanish America are, within their respective limits, exclusively sovereign; and thus, in fact, independent. With them, as with every other government possessing and exercising the power of making war, the United States, in common with all nations, have the right of concerting the terms of mutual peace and intercourse.

*Who is the rightful sovereign* of a country, is not an inquiry permitted to foreign nations, to whom it is competent only to treat with "the powers that be."

There is no difference in opinion, on this point, among the writers on public law; and no diversity, with respect to it, in the practice of civilized nations. It is not necessary, here, to cite authorities.

U. S. may now think proper to adopt in relation to the successful party in that war. It surely cannot be reasonably apprehended, that nations who have thus been the tranquil spectators, the apparent well-wishers, if not the efficient supporters, of this party; and who have not made the faintest attempt to arrest its progress, or to prevent its success, should be displeased with a third power, for merely recognizing the governments which, owing to that success, have thus been virtually permitted, or impliedly approved, in acquiring the undisputed and exclusive control of the countries in which they are established. It is, therefore, on the consistency, as well as on the justice, of these nations of Europe, that we may confidently rely, that the simple recognition, on the part of the United States, of the necessary effect of what has already been done, will not be considered as a just cause of complaint against them; while the interested & immediate agents, who have been directly and actively engaged in

colonies, or threatened with subjugation, but are actually recognized as brothers in the great constitutional and free family of Spain.

A report made to the Cortes, on the 24th of June, 1821, by a committee appointed by that body, not only manifestly corroborates the policy above stated, but sufficiently intimates that the recognition of the independence of Spanish America by Spain herself, had nearly been the measure recommended by that committee.

That report avers, that "*tranquillity is not sufficient*, even if it should extend throughout America, with a prospect of permanency: No! it falls short of the wishes of the friends of humanity."

In speaking of the measure demanded by the crisis, it says, that this measure was not only warmly approved by the committee, but, at first, entirely assented to by the ministers, with whom it had been discussed, and aided only to be proposed to the Cortes.