

footing of equal representation, would be as follows:

Anson 3, Ashe 1, Beaufort 2, Bertie 2, Buncombe 4, Burke 5, Brunswick 1, Bladen 1, Cabarrus 2, Columbus 1, Currituck 2, Craven 2, Camden 1, Carteret 1, Chatham 3, Cumberland 4, Caswell 3, Chowan 1, Duplin 2, Edgecomb 3, Franklin 2, Guilford 5, Gates 1, Greene 1, Granville 3, Haywood 1, Hertford 1, Hyde 1, Halifax 2, Iredell 4, Johnson 2, Jones 1, Lincoln 6, Lenoir 1, Moore 2, Montgomery 3, Martin 1, Mecklenburg 5, Nash 2, Northampton 2, N. Hanover 2, Onslow 1, Orange 7, Person 2, Pasquotank 2, Perquimons 2, Pitt 2, Robeson 2, Richmond 2, Randolph 4, Rutherford 5, Rockingham 3, Rowan 9, Stokes 5, Sampson 2, Surry 4, Tyrrell 1, Warren 2, Washington 1, Wake 5, Wilkes 3, Wayne 2.

By this calculation, we have returned 162 members, omitting fractional parts, which operates as much against the large counties as the small. Which shews us the number each county would be entitled to individually; and the 27 counties, collectively, would have 100, and the 35 would have 62. But, as we stand at present, the Eastern counties, with a white population of 164,976, have a greater share in enacting laws, than the Western counties have with 254,224. If this, then, is consistent with the genius of republicanism, I confess it is a political phenomenon hitherto unknown to me, and if it is, I sincerely hope that I may never belong to that clan. But it is stated by gentlemen of the opposition, that representation ought to be apportioned upon the mixed principle of population and wealth. In answer to this argument, I say, already have we the wealth of the State sufficiently represented in the House of Senate; and, indeed, it appears to me, that this is another aristocratic feature which lodged itself into our Constitution. In the 7th section of the Constitution it is expressly declared, that no person shall be entitled to vote for a member of the Senate, unless he is possessed at the same time, of 50 acres of land.

[To be continued.]

## CONGRESS.

SEVENTEENTH CONGRESS...FIRST SESSION.

### 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 having, from the year 1810, proceeded in their revolutionary movements without any obstacle from the government of Spain, formally declared their independence of that government, in 1816. After various intestine commotions, and external collisions, those provinces now enjoy domestic tranquility, and good understanding with all their neighbors; and actually exercise, without opposition from within, or the fear of annoyance from without, all the attributes of sovereignty.

The provinces of Venezuela and New Grenada, after having, separately, declared their independence, sustained, for a period of more than ten years, a desolating war against the armies of Spain, and having severally attained, by their triumph over those armies, the object for which they contended, united themselves, on the 19th December, 1819, in one nation, under the title of "the Republic of Colombia."

The Republic of Colombia has now a well organized government, instituted by the free will of its citizens, and exercises all the functions of sovereignty, fearless alike of internal and foreign enemies.—The small remnant of the numerous armies commissioned to preserve the supremacy of the parent state, is now blockaded in two fortresses, where it is innocuous, and where, deprived as it is of hope of succour, it must soon surrender at discretion; when this event shall have occurred, there will not remain a vestige of foreign power in all that immense republic, containing between three and four millions of inhabitants.

The province of Chili, since it declared its independence, in the year 1818, has been in the constant and unmolested enjoyment of the sovereignty which it then assumed.

The province of Peru, situated like Chili, beyond the Andes, and bordering on the Pacific ocean, was, for a long time, deterred from making any effectual effort for independence, by the presence of an imposing military force, which Spain had kept up in that country. It was not, therefore, until the 12th of June, of the

last year, that its capital, the city of Lima, capitulated to an army, chiefly composed of troops from Buenos Ayres and Chili, under the command of General San Martin. The greatest part of the royal troops which escaped, on that occasion, retreated to the mountains, but soon left them to return to the coast, there to join the royal garrison in the fortress of Callao. The surrender of that fortress, soon after, to the Americans, may be regarded as the termination of the war in that quarter.

When the people of Peru found themselves, by this event, free to express their will, they most unequivocally expressed in favor of independence, and with that unanimity and enthusiasm which have nowhere been excelled.

The revolution in Mexico has been somewhat different in its character and progress, from the revolutions in the other Spanish American provinces, and its result, in respect to the organization of its internal government, has, also, not been precisely the same. Independence, however, has been as emphatically declared and as practically established, since the 24th of August last, by the "Mexican empire," as ever it has been by the republics of the south; and her geographical situation; her population and her resources, eminently qualify her to maintain the independence which she has thus declared, and now actually enjoys.

Such are the facts which have occupied the attention of your committee, and which, in their opinion, irresistibly prove, that the nations of Mexico, Colombia, Buenos Ayres, Peru and Chili, in Spanish America, are in fact independent.

It now remains for your committee to examine the right and the expediency, on the part of the United States, of recognizing the independence which those nations have thus effectually achieved.

In this examination, it cannot be necessary to inquire into the right of the people of Spanish America, "to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, that separate and equal station to which the laws of nature and nature's God entitle them." The right to change the political institutions of the state has, indeed, been exercised equally by Spain and her colonies; and for us to deny to the people of Spanish America the right to independence, on the principles which alone sanction it here, would be virtually to renounce our own.

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 authority for a doctrine familiar to all who paid the slightest attention to the subject; nor to go back, for its practical illustration, to the civil wars between the houses of York and Lancaster. Long since, the chiefs of those conflicting houses, alternately triumphed and ruled, and were alternately obeyed at home and recognized abroad, according as they, successively, exercised the power, without demonstrating the right—monarchies have become commonwealths or republics, and powerful usurpers have been recognized by foreign nations, in preference to legitimate and powerless pretenders. Modern history is replete with instances in point. Have we not, indeed, within the brief period of our own remembrance, beheld governments vary their forms, and change their rulers, according to the prevailing power of passion of the moment, and doing so in virtue of the principle now in question, without materially and lastingly affecting their relations with other governments? Have we not seen the emperors and kings of yesterday, receive, on the thrones of exiled sovereigns, who claimed the right to reign there, the friendly embassies of other powers, with whom those exiled sovereigns had sought an asylum—and have we not seen to day those emperors and kings, thus courted and recognized yesterday, rest of their sceptres, and, from a mere change of circumstances, not of right, treated as usurpers by their successors, who, in their turn, have been acknowledged and caressed by the same foreign powers?

The peace of the world, and the independence of every member of the great political family, require that each should be the exclusive judge of its own internal proceedings, and that the fact alone should be regarded by foreign nations.—Even when civil war breaks the bonds of society and of government, or, at least, suspends their force and effect, it gives birth in the nation to two independent parties, who regard each other as ene-

mies, and acknowledge no common judge."

It is of necessity, therefore, that these two parties should be considered, by foreign states, as two distinct and independent nations. To consider or treat them otherwise, would be to interfere in their domestic concerns, to deny them the right to manage their own affairs in their own way, and to violate the essential attributes of their respective sovereignty. For a nation to be entitled, in respect to foreign states, to the enjoyment of these attributes, "and to figure directly in the great political society, it is sufficient that it is really sovereign and independent: that is, that it governs itself by its own authority and laws." The people of Spanish America do, notoriously, so govern themselves, and the right of the United States to recognize the governments which they have instituted, is incontestable. A doubt of the expediency of such a recognition can be suggested only by the apprehension that it may injuriously affect our peaceful and friendly relations with the nations of the other hemisphere.

Can such an apprehension be well founded?

Have not all those nations practically sanctioned, within the last thirty years, the very principle on which we now propose to act; or have they ever complained of one another, or us, for acting on that principle?

No nation of Europe, excepting Spain herself, has, hitherto, opposed force to the independence of Spanish America. Some of those nations have not only constantly maintained commercial and friendly intercourse with them, in every stage of the revolution, but indirectly and efficiently, though not avowedly, aided them in the prosecution of their great object. To these the acknowledgment, by the United States, of the attainment of that object, must be satisfactory.

To the other nations of Europe, who have regarded the events occurring in Spanish America, not only without interference, but with apparent indifference, such an acknowledgment ought not to be offensive.

The nations who have thus respectively favored, or never opposed, the Spanish American people, during their active struggle for independence, cannot, it is believed, regard with dissatisfaction the formal recognition of that independence by a nation, which, while that struggle lasted, has religiously observed, towards both the conflicting parties, all the duties of neutrality. Your committee are, therefore, of opinion, that we have a right, on this occasion, confidently to expect, from what these nations have done or forbore to do, during the various fortunes of the civil war which has terminated, that they will frankly approve the course of policy which the 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 and immediate agents, who have been directly and actively engaged in producing that effect, have neither been opposed nor censured.

Your committee, therefore, instead of seriously apprehending that the recognition, by the U. States, of the independence of Spanish America, will be unacceptable to these nations, are not without hope, that they may practically approve it by severally adopting a similar measure. It is not, indeed, unreasonable to suppose, that those governments have, like this, waited only for the evidence of facts which might not only suffice to justify them, under the laws and usages of nations, but to satisfy Spain herself, that nothing has been prematurely done, or which could justly offend her feelings, or be considered as inconsistent with her rights. As their motives for not having hitherto recognized the independence of Spanish America, may thus be supposed to have been analogous to our own, it is permitted to presume that the facts and reasons which have prevailed on us no longer to hesitate, will, confirmed as they are by our example, have a like influence on them.

No nation can entertain a more sincere deference for the feelings of Spain, or take a more lively interest in her welfare, than the United States. It is to this deference, too evident to be doubted or misunderstood, that ought to be ascribed the hesitation of this government, until now, to yield to the claims of Spanish America, although these claims were in perfect accordance with our own principles, feelings, and interests. Having thus forbore to act, even at the hazard of having those principles and feelings misunderstood on

this side of the Atlantic, we have, as your committee believe, given at once satisfactory proof of our disinterestedness and moderation; and of our scrupulous respect to the principle which leaves the political institutions of every foreign state to be directed by its own view of its own rights and interests.

Your committee has been particularly anxious to show, in a manner satisfactory to Spain herself, that the measure which this government now proposes to adopt, has been considered with the most respectful attention, both in relation to her rights and to her feelings.

It is not on the laws and usages of nations, nor on the practice of Spain herself on like occasions, that your committee have relied for our justification towards her.

The fact that, for the last three years, she has not sent a single company of troops against her transatlantic colonies, has not been used as evidence of their actual independence, or of her want of power to oppose it. This fact, explained as it is, by the public acts of Spain herself, is regarded by your committee as evidence only of her policy.

The last troops collected at Cadiz, in 1819, which were destined to suppress the revolutionary movements in Spanish America, not only rejected that service, but joined in the revolution, which has since proved successful in Spain itself. The declaration of the leaders in that revolution was, that "Spanish America had a right to be free, and that Spain should be free." Although the constitution, which was re-established by that revolution, guaranteed the integrity of the Spanish dominions, yet the principles on which that constitution was founded seem to discountenance the employment of force for the accomplishment of that object, in contempt of the equal rights and declared will of the American portion of the Spanish people. The conduct of the government, organized under that constitution, has uniformly been, in this respect, in conformity to those principles. Since its existence, there has not been even a proposal by that government to employ force for the subjugation of the American provinces, but merely recommendation of conciliatory measures for their pacification.

The answer of the Cortes, on the 10th of July, 1820, to the address of the King, furnishes conclusive proof of this policy.

"The intimate union," says this answer, "of the Cortes with your Majesty; the re-establishment of the constitution; the faithful performance of promises, depriving malevolence of all pretext, will facilitate the pacification of the ultra marine provinces, which are in a state of agitation and dissension. The Cortes, on its part, will omit no opportunity to propose and adopt measures necessary for the observance of the constitution and restoration of tranquility in those countries, to the end that the Spain of both worlds may thus form a single and happy family."

Although the ultra marine provinces are not here encouraged to expect absolute independence, yet they are no longer treated as vassal 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 "tranquility 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 failed only to be proposed to the Cortes "by these ministers having, on account of peculiar occurrences, suspended the judgment." It speaks of this measure as indicative of a new and glorious resolution; that it was demanded by America and the true interests of the Peninsula; that from it Spain might reap advantages which otherwise she could never expect; and that the ties of kindred and the uniformity of religion, with commercial relations, and those emanating from free institutions, would be the surest pledge of mutual harmony and close union.

Your committee do not feel themselves authorized to say, positively, what that measure was, but they do not hesitate to declare their entire conviction that no measure, short of a full recognition of unconditional independence, could have deserved the character, nor been capable of producing the effects ascribed to it.

It is, therefore, sufficiently manifest that Spain, far from wishing to call into action her means of prosecuting hostilities against the people of South America, has renounced even the feelings of an enemy towards them, and, but for "peculiar occurrences," had been prepared, nearly a year ago, to consent to their independence.

She has not only practically discontinu-

ed, and even emphatically deprecated, the employment of force to restore tranquility to Spanish America, but she has declared that even universal and permanent tranquility there "falls short of the wishes of the friends of humanity."

While she appeals to "the ties of kindred," she undoubtedly feels them; and if she has not abandoned her desire, so often avowed, of mere constitutional union, and equal commercial intercourse, with her former colonies, as between provinces of the same empire, a union and an intercourse which intervening Andes and oceans seem to render highly inconvenient, if not utterly impracticable, she evidently refers the accomplishment of this desire to the unawed deliberation, and to the congenial and kindred feelings of the people of those colonies, and thus substantially acknowledges their independence.

Whatever may be the policy of Spain, however, in respect to her former American colonies, our recognition of their independence can neither affect her rights, nor impair her means, in the accomplishment of that policy. We cannot, for this, be justly accused of aiding in the attainment of an independence which has already been established without our assistance. Besides, our recognition must necessarily be co-existent only with the fact on which it is founded, and cannot survive it. While the nations of Spanish America are actually independent, it is simply to speak the truth, to acknowledge them to be so.

Should Spain, contrary to her avowed principles and acknowledged interest, renew the war for the conquest of South America, we shall indeed regret it, but we shall observe, as we have done, between the independent parties, an honest and impartial neutrality; but, on the other hand, should Spain, faithful to her own glory and prosperity, consent that her offspring in the new world should enjoy the right of self government, equally with their brethren in the old, we shall sincerely rejoice; and we shall cherish, with equal satisfaction, and cultivate with equal assiduity, the friendship of regenerated Spain, and of emancipated America.

Your committee, in justice to their own feelings and to the feelings of their fellow-citizens, have made this declaration without disguise, and they trust that the uniform character and conduct of this people will save it from all liability to misrepresentation.

Happy in our own institutions, we claim no privilege; we indulge no ambition to extend them to other nations; we admit the equal rights of all nations to form their own governments, and to administer their own internal affairs as they may judge proper; and, however they may, in these respects, differ from us, we do not, on that account, regard with the less satisfaction their tranquility and happiness.

Your committee having thus considered the subject referred to them, in all its aspects, are unanimously of opinion, that it is just and expedient to acknowledge the independence of the several nations of Spanish America, without any reference to the diversity in the forms of their governments; and, in accordance with this opinion, they respectfully submit the following resolutions:

Resolved, That the House of Representatives concur, in the opinion expressed by the President, in his message of the 8th of March, 1822, that the American provinces of Spain, which have declared their independence, and are in the enjoyment of it, ought to be recognized by the United States, as independent nations.

Resolved, That the Committee of Ways and Means be instructed to report a bill appropriating a sum, not exceeding one hundred thousand dollars, to enable the President of the United States to give due effect to such recognition.

## Santee Land for Sale.

WILL sell low for cash, or on a long credit, by securing the payment of the interest annually, my lands on Santee River, in the parish of St. James; or I will exchange them for land in Alabama. The tract containing 850 5/6 acres, designated by a late survey thus: 530 1/2 acres of high land, and 330 1/3 acres of river swamp, on Wadbacon island, adjoining lands of Mr. Chovines and others. This land is part of a large tract belonging to the late Capt. Du Bose, and was allotted to his daughter, M. L. McClelland, by the commissioners who divided the estate, as will more fully appear by reference to plots marked No. 1. It is deemed unnecessary to go into a minute description of this land, as whoever may wish to purchase, will, of course, examine it. I would only observe, that the fertility of Wadbacon Island, its situation within 30 miles of Charleston, and the excellence of the navigation from thence to the city, will always make it a desirable possession.

JNO. McCLELLAND.

Salisbury, March 16, 1822. 197  
The editors of the Charleston Courier and the Columbia Telescope, will please to insert the above once a week for four weeks, and forward their accounts to this office for payment.

## Valuable Merchant Mills

TO LEASE.

THE subscriber will lease for the term of five years, her valuable MILLS on the South Yadkin. These mills are situated on a never failing stream, are in good order, and in the neighborhood of the best wheat farms in the county. Persons wishing to lease, are requested to apply for terms to Gen. J. A. Pearson, or to the subscriber on the premises, 12 miles west of Salisbury. E. PEARSON, Sen.

Richmond Hill, Rowan Co.

March 20th, 1822.—196  
N. B. If the above property is not let by private contract before the 16th day of April next, it will on that day be put up to the highest bidder, at the Mills.