From the New-York Evening Post.

Interesting account of the projects of France respecting Louisiana.

[CONTINUED.]

"The prosperity of the French colony," it is remarked, "will demand the *exclusive possession of the river.*" The possession of a station at the mouth of it, will give the right and the power to assume it, though a short time may be allowed to elapse, that a more sure footing may be gained before the claim is openly asserted.

"Should we bar up this passage immediately, or levy custom on the passengers, what will be the consequence? They will send ambassadors to France to explain their rights, to solicit redress for the wrong. Etiquette will make a thousand delays. The common forms of diplomatic discussion will create a thousand more. New terms may be given to the controversy; new ambassadors and new powers will follow the old, and the distance of the parties will put to as great a distance the appeal to arms—and the worst that can ensue, will be the necessity of warring with an undisciplined and faithless rabble.

"A careless observer may imagine that in a contest between the American states and France, the disadvantage must be wholly on our side, but this is a strange opinion; for in the first place the states are vulnerable in every way and at every point. They have extensive commerce, which is undefended by a navy. They have a long line of sea coast, on which all their great towns are situated, and which hostile armaments will find every where accessible. The greater part of their national revenue flows from their foreign commerce. To molest or despoil *that*, therefore, is to aim at the sources of their whole strength. To pillage or destroy their great towns, is to inflict wounds equally mortal. Their inland frontier is a waste, destitute of all defence against invasion, and unfitted for the maintenance or march of armies into an hostile territory.

"But the great weakness of these states arises from their form of government, and the condition and habits of the people. Their form of government, and the state of the country, is an hot-bed for faction and sedition. The utmost force of all the wisdom they possess, is exerted in keeping the hostile parts together. These parts are unlike each other, and each one has the individualizing prejudices of a separate state; all the puerile jealousies of the greatness of others; all the petty animosities which make neighbors quarrel with each other without cause. How slight an additional infusion is requisite to set this heterogeneous mass into commotion? to make the different parts incline different ways on the great question of war?

"The master of the Mississippi will be placed so as to control in the most effectual manner these internal waves. It is acknowledged that he holds in his hands the *bread* of all the settlements westward of the hills. He may dispense or withhold at his pleasure. See we not the mighty influence that this power will give us over the counsels of the states?

"Nature has divided this nation by the hills that turn the great waters opposite ways. The interests of those who shall occupy the two slopes of the great valley are the same. Mountains separate mankind; rivers draw them together. The maritime and the *fluvial* states are combined by accident. The constant tendency is to part, while the tendency is no less strong in the states divided by the rivers, to coalesce. These different tendencies, is the easy province of France, in her new colony, to manage so as to make their enmity or rivalship harmless to us.

"The peculiar color of their factions is also extremely favorable to the designs of a powerful and artful neighbor. They quarrel about forms of government.—These forms are not subtile threads, and scarcely visible, drawn from the bowels of their own invention, but are the gross and clumsy models taken from European examples. The rivalship between France and England has extended to the speculations of this people, and by natural consequence, a prejudice is thus created, which makes one faction friendly to France and the other to England.

"One party is extremely sensible to all the encroachments of the English. Here their vigilance is all alive. They have great facility at discovering harm when it comes from this quarter. They are prone to every thing which may give offence to the nation they bitterly hate. They rejoice in its distresses. They mourn at its triumphs. On the contrary, they are governed by a bias equally strong in favor of France. Their hearts are ours, even when their heads would disapprove. They conceal or palliate our crimes; they pity our calamities; they connive at injuries and insults from us. Suspicious, vengeful and irrascible to England, their "charity thinks no wrongs, endures much, and is easy of entreaty" to Frenchmen.

"What obvious and convenient tools will these prove in any critical affairs! How easy to enforce this natural bias, by arguments addressed to their selfish passions, and personal interests. We have learned to set its true price on republican virtue and national spirit. The same glaring illusions that brought Holland, Switzerland and Genoa into our snares, will, with as much facility, entrap republics that will lie more at our mercy, and of which the members are more dissonant and motley.

"This party, always formidable in its spirit and numbers, has lately gotten the mastery. The majority of the people, and their present rulers, are pliant clay, fittest for our use. From these we may exact neutrality to all our schemes. They will take pains to shut their eyes against future evils. They will be remarkably quick-sighted to the dagers of a rupture with us. Their scruples against the violations of treaties and against offensive war, will be wonderfull strong. They will eagerly swallow the opiates that we shall provide for them, and thank us for any potion that annihilates their own fears, or enables them to lull those of the people.

"And not without strong reason may they deprecate a quarrel with France, whom its new position on their borders will render a useful friend, but a fatal enemy. When *war* becomes the topic of discourse, this people will turn their eyes to the calamities of St. Domingo, and then to their own provinces where the same intestine plague exists in a degree equally formidable, and where their utmost care is requisite to prevent the struggling mischief from bursting its bonds.

"Devoted to the worst miseries is the nation, which harbors in its bosom a foreign race, brought by fraud and rapine from their native land; who are bereaved of all the blessings of humanity; whom a cruel servitude inspires with all the vices of brutes and all the passions of demons; whose injuries have been so great that the law of self-preservation obliges the state to deny to the citizen the power to make his slave free; whose indelible distinctions of form, color, and perhaps of organization, will forever prevent them from blending with their tyrants into one people; who foster an eternal resentment against oppression and whose sweetest hour would be that which buried them and their lords in a common and immeasurable ruin.

"With what prudence can this nation attack a neighbor, who can fan at pleasure the discontents of this intestine enemy? Who can give union, design, and arms to its destructive efforts at revenge? Who can raise at any moment, a Spartacus or L'Ouverture to distract the counsels, and employ the force which might otherwise annoy himself; whose own sad experience has informed him of the power of this weapon against the public peace, whom the maxims of war will justify in turning this weapon against his enemy; and whose local situation enables him to raise this weapon with most facility, and direct it with most force?

"This nation is not insensible to all these dangers. An example is before their eyes of a *servile war*. Their country is full of exiles from the scene of such warfare. Their travellers, their daily papers supply them with the picture, in all its circumstantial horrors. They are shaken by panics on this very account already, and no consideration would have a stronger influence on their conduct than this.

"There is still another rein, however, by which the fury of the states may be held in at pleasure---by an enemy placed on their western frontiers. The only aliens and enemies within their borders, are not the blacks. They indeed are the most inveterate in their enmity; but the Indians are, in many respects, more dangerous inmates. Their savage ignorance, their undisciplined passions, their restless and warlike habits, their notions of ancient right, make them the fittest tools imaginable for disturbing the states. In the territory adjacent to the Ohio, Mississippi and Missouri, there are more than *thirty thousand men*, whose trade is hunting and whose delight is war. These men lie at the mercy of any civilized nation who live near them. Such a neighbor can gain their friendship or provoke their enmity with equal ease. He can make them inactive, or he can rouse them to fury: He can direct their movement in any way he pleases, and make it mischievous or harmless by supplying their fury with arms and with leaders, or by withholding that supply.

"The English colonies have been miserably harrassed, in all the stages of their progress, by these savage tribes. At an early period they suffered terrible disasters from that quarter, and were sometimes nearly driven from the country. As the colonies advanced, the Indians declined, but while the enlargement of the circle of settlements gave safety to the centre, the borders of the circle were infested as before.

"There was some egregious defect in the colonial policy, which exposed them, at all times, to these evils: but in the two American wars, it was no wonder that the sword and fire of the Indians committed such multiplied mischiefs, as they were guided by the French at one time, and by the British at another. Since their revolution, when these powerful agents have been withdrawn, the hostility of these tribes has cost them much treasure and a great many lives, and their neutrality is purchased by large and constant subsidies.

"The pliant and addresful spirit of the French has always given them an absolute control over these savages. The office, which the laziness or the insolence of the British found impractable, was easily performed by us; and will be still easier hereafter, since we shall enter on the scene with more advantages than formerly.

"We shall detatch thither a sufficient force to maintain possession against all the efforts of the states, should they, contrary to all their interests, proceed to war *with* or *without* provocation. We shall find, in the Indian tribes, an army permanently cantoned in the most convenient stations; endowed with skill and temper best adapted to the nature and the scene of war, and armed and impelled with far less trouble and expence than an equal number of our own troops. We shall find a terrible militia, infinitely more destructive, while scattered through the hostile settlements, and along an open frontier, than an equal force of our own. We shall find, in the bowels of the states, a mischief that only wants the touch of a well-directed spark to involve in its explosion, the utter ruin of half their nation. *Such will be the powers we shall derive from a military station and a growing colony on the Mississippi. These* will be certain and immediate effects, whatever distance or doubt there may be in the remoter benefits to France, on which I have so warmly expatiated. As a curb on a nation whose future conduct, in peace and war, will be of great importance to us, this province will be cheaply purchased at ten times the cost to which it will subject us."

The American writer having gone thro' the translation of this interesting memorial, which unfolds all the secret plans of the Ruler of France for raising up the maritime and commercial power of that nation, and inflicting a fatal wound on that of her ancient enemy, through the sides of the United States, he thus proceeds to repel, with honest indignation, the insulting reproach cast upon our character by foreigners.

"Our national pride will induce us to deny, perhaps, the truth of the picture; and surely we are not *quite* so fluctuating and distracted in our councils, so irreconcileable in our interests; so inveterate in our factions as he thinks proper to paint us. With all our faults, are we, indeed, incapable of vengeance for unmerited wrong? Is our country, its rights, its honor, its prosperity, no dearer to us than any foreign land? Do the people of the coast regard as aliens and enemies, those beyond the mountains? Those of the northern states, however distant in place and dissimilar in manners, do they regard with no paternal emotions, the happiness or misery of their southern countrymen? Is our government a tottering fabric which the breath of foreign emissaries can blow down at their pleasure? Has corruption made such strides among us, that the purse-holders of France can purchase our forbearance, when our nearest interests, our most manifest honor are assailed?

No. The American war supplies us with an eternal confutation of the slander. It was then evident that the ploughman and mechanic at either end of the continent, could recognize a common interest with each other; could sacrifice their ease, their fortunes, their lives, to secure a remote and general benefit; that the passion for gain could not deter us from repelling encroachments on our *liberty*, at the cost of every personal advantage; that all the biasses in favor of the nation we sprung from; the sense of internal weakness; the want forts, armies and arms, of unity of government and counsels slackened not the zeal of our resistance, against a nation that *abounded* in all we *wanted*. Mutinous slaves in the heart of our country; hostile garrisons and fortresses on one side; numerous and tumultuous savages around us; the ocean scoured by the fleets of our enemy; our sea ports open to their inroads; a revenue to create out of paper; the force of an established government—all these affrighted not the men of that day from the pursuit of an end most abstracted from personal ends; from the vulgar objects of gain; an end which only a generous spirit, a mind that makes the good of posterity and distant neighbors its own, that prefers liberty and all its hardships to servitude, that hugs her chain in pomp; could have loved with ardor, and pursued with perseverance.

And what change has twenty years made, that should make us doubt the display of equal spirit on the same occasion? Has this period added nothing to our numbers and wealth? Has the enjoyment of independence only weakened our affection for it? Is it easier to fetter the full grown man, than to keep the chield from bursting his bonds? Has a national government, and twelve years of its benign influence, done *nothing* towards the union and coherence of the states? Surely the force of the nation; the power of directing it to common ends; the wisdom and foresight of its rulers; the jealously of foreigners are not *lessened* by the progress of time; the increase of wealth, numbers and harmony, and the contemplation of European scenes. The French, in possession of the Mississippi, and encroaching on our rights or our territory, would surely find no irresolute or despicable enemies. Their garrisons could hardly be so strong, or their settlements so rapid, as to repel the whole force of the states. The French cannot occupy the river but to our exclusion. They will not fail to use their own ground, and to exclude others from the use of it. This will drive the parties to a war. This consequence is unavoidable. And what force from Europe can stand in competition with *our* force exerted on our own ground? The ultimate event of such connections is too plain to be missed by the blindest archer. Provocation could not fail to be given by one party; resentment to be manifested by the other; and the contest to terminate in the deliverance of America from every foreign intruder.

But let us not indulge a prejudice as far beyond the truth as that of the Frenchman falls short of it. Let us not overrate our own force or underrate that of France. It cannot be denied that our intestine disputes, though no more than are incident to *human nature*, under popular forms of government, and though less unruly and ferocious than than the popular commotions of other states, have led to national preferences, too favorable to the arts of intriguers. It is plain that our division into numerous states, tends to the production of hostile sentiments, and promotes the success of those who wish to conquer by disarming, to resist by dividing us: The blacks are a bane in our vitals, the most deadly that ever a nation was infested with. They are indeed a train of powder, so situated as to make it not impossible for the French in Louisiana, to set fire to it. The Indians have ever been destructive neighbors whom it has been extremely difficult *for us* to manage, but by some peculiarity in the formation of Frenchmen, always easily controuled by them. A war in these half-peopled wilds, even against savages, has always been vexatious and expensive. Our new neighbors will make a considerable preparation for war, at all times necessary, and an actual war against them, will only be less doubtful in its issue, less tedious in its progress, and less destructive of life and revenue, than the war of the revolution. It would be vain to deny these truths.

No man can look upon these evils with indifference. Yet no wise man will think a renewal of all the devastation of our last war, too great a price to give for the expulsion of foreigners from this land; for securing to our own posterity, the possession of this continent.

We have a *right* to the possession. The interests of the human race demand from us the exertion of this right. These interests demand that the reign of peace and concord should be diffused as widely, and prolonged as much as possible. By unity of manners, laws and government, is concord preserved, and this unity will be maintained, with as little danger of interruption, as the nature of human affairs will permit, by the gradual extension of of our own settlements, by erecting new communities as fast as the increase of these settlements requires it, and by sheltering them all under the pacific wing of a federal government.

To introduce a foreign nation, all on fire to extend their own power; fresh from pernicious conquests; equipped with all the engines of war and violence; measuring their own success by the ruin of their own success by the ruin of their neighbors; eager to divert into channels of their own, the trade and revenue which have hitherto been ours; raising an insuperable mound to our future progress, spreading among us, with fatal diligence, the seeds of faction and rebellion—What more terrible evil can befal us? What more fatal wound to the future population, happiness and concord of this new world? The friend of his country and of mankind, must regard it with the deepest horror.

It will cost some anxiety, some treasure, some lives, to drive this formidable neighbor from his post; but such are the fatal consequences of allowing his possession that the whole force of the states ought to be instantly directed to this quarter. Our whole zeal; all our passions ought to be engaged in its success. For the dullest apprehensions cannot fail to perceive, that every new moment adds strength to the enemy; and multiplies the evils we have to fear."

[*To be continued.*]

From the Washington Federalist.

A paragraph appeared in Smith's National Intelligencer of the 2d instant, respecting certain proceedings in the senate of the United States, upon the petition of William Marbury, R. T. Hooe, and Dennis Ramsay, praying that the secretary of the senate might be allowed to give them a certificate from the executive journal.

This paragraph contained such a singular assemblage of *strange*, and to us, *improbable* things, that we have been induced to obtain a true statement of the facts; and likewise as correct a sketch of the debates in the senate, on the petition, as the nature of the case permits; not having been present ourselves to take notes of the arguments as they were delivered.

We now present them to the public, as a specimen of the anxious solicitude of our good democrats, to preserve inviolate the rights of individuals, *(of a particular sect:)* and shall leave Mr. Smith's extraordinary paragraph, with all its falsehoods, its wisdom and its wit, as a banquet to regale his own sagacious mind; and to meet its merited execration from the *discerning*, the candid and the *good.*

We shall not pretend that Mr. Smith has been guilty of a *contempt* of court; nor that his arrogance may produce a few weeks restraint of his personal liberty; his brother jacobin and fellow slanderer of courts, Billy Duane, having experience upon such subjects, may possibly hint to him something useful upon this occasion.

The supreme court of the United States may take Mr. Smith's advice upon this and other matters respecting their duty, next week, unless per adventure the *shield* of the executive, the use of which, we are told, Mr. Smith boasts of, should prove so broad, and so impenetrable that the little gentleman may, with safety, repose behind it!!!

Senate of the United States.

On the 28th day of January last past was presented to the senate the following petition, viz.

To the honorable the senate of the United States of America, the petition of William Marbury, Robert Townsend Hooe, and Dennis Ramsay, most respectfully sheweth:

That your petitioners have been informed and verily believe that John Adams, while president of the United States, nominated to the senate of the U. States, for their advice & consent, your petitioner, William Marbury, to be a justice of the peace in the county of Washington, in the district of Columbia, and your petitioners Robert Townsend Hooe and Dennis Ramsay, to be justices of the peace in the county of Alexandria, in the same district; that the said nominations were duly taken into consideration by the senate, who, on or about the first day of March, in the year one thousand eight hundred and one, were pleased to give their advice and consent that your petitioners should be severally appointed to the offices aforesaid; that commissions were accordingly in due form signed by the said president, and directed to be sent to your petitioners by the secretary of state, but that your petitioners, from some cause, have been deprived of their commissions and are reduced to the necessity of asserting their rights to the same in a judicial course of proceeding, in which, as they are advised, it will be requisite to produce satisfactory evidence of the advice and consent of the senate to the appointment of your petitioners to be justices of the peace as aforesaid in the district of Columbia. Application has been made to the secretary of the senate for his certificate that the advice and consent of the senate was given in consequence of the nominations aforesaid, that your petitioners should be appointed to be justices of the peace in the district of Columbia aforesaid, which your secretary has declined giving without the leave of the senate. Your petitioners pray the premises may be taken into consideration, and that your secretary may be permitted to give to your petitioners a certificate in usual form, setting forth that your petitioners having been nominated by the president of the United States to the aforesaid offices severally and respectively of justices of the peace in the district of Columbia, the senate advised and consented to their appointment. And, as in duty bound, &c.

William Marbury,
R. T. Hooe,
Dennis Ramsay.

The petition was laid on the table, and on Monday the 31st Jan. was called up by Mr. Howard, and the following resolution was presented by him, for the purpose of granting, in form, the prayer of the petition.

"*Resolved*, That the secretary of the senate be directed to give an attested copy of the proceedings of the senate of the second and third of March, 1801, so far as they relate to the nomination and appointment of William Marbury, Robert T. Hooe and Dennis Ramsay, as justices of the peace for the counties of Washington and Alexandria, in the territory of Columbia, on the application of them or either of them."

Upon this resolution was had in substance, the following debate:

Mr. Howard said he should not trouble the senate with any observations upon the question; the request was so reasonable, that he concluded it would pass without objection.

Mr. Jackson wished to have some explanation of this business. It must, he said, be recollected that an attempt was made the last session to effect the same thing, with this only difference that the application was then made by counsel, which now came from the men themselves—The motion on that occasion was introduced by a member from Massachusetts, who, after hearing the objections offered against it, thought proper to withdraw it. He considered it now, as he then did, an attack upon the executive department of government, and as such should be prepared to oppose it, as often, and in whatever shape it might present itself.

Mr. Mason observed—It was true as the honorable gentleman from Georgia had stated, a motion similar to the present resolution he had himself made the last session, and for the same purpose. It was in consequence of a verbal application at the door of the senate chamber from one of the parties or their counsel—to whom he was a stranger. He gave to them his opinion at the time, the application was proper and would be granted as a thing of course—He was afterwards surprised to hear objections offered—the principal ones however were that the record was a secret record and by a standing rule, no copy was allowed but by special order. It was time now to consider the propriety of granting it when the parties themselves applied in writing, stating the purposes for which they wanted it, and upon this ground the motion was either withdrawn or rejected—In the present case they had applied in a respectful manner in form of memorial and had stated the reasons of their application and the use they wished to make of the copy—to establish an existing right. They were citizens and parties to the government and to its privileges—the principles upon which this government was founded, were freedom and equality of rights—and a protection to these rights—The petitioners now claim that protection, by a request that we would grant to them our knowledge of the existence of a fact necessary to establish one of their rights.—Publicity of record was a constitutional provision and a check in favor of the people. It was a right belonging to the meanest citizen to inspect the records of the government, unless the divulging of these records would be inconsistent with the public safety and interest. And when that was not the case it was our duty to grant the request; they had a right to demand it. It was upon the same ground that every citizen had a right to demand and compel the testimony of his fellow-citizens, upon peril of damages equal to the loss of his testimony—it is an implied promise founded upon mutual protection and aid to each other in the support of their individual rights. It is one of the great reasons for which men associate; the same justice is due from public bodies as from individuals, though compulsory process is not in both cases to be had.

This request is so accordant with a common sense of justice, that he had no doubt the mere exemplification of a record, or a certified copy, in itself not improper to be made public would be granted by one enemy to another in an enemy's country. Mr. Mason was at a loss to know what possible injury could arise by giving a copy of a fact so notorious, and he hoped therefore the parties would be indulged.

Mr. Breckenridge thought it improper