Therefore the construction of marine batteries ought to be guided by the following principles—viz.

First. Cannon ball begin to take effect at the distance of 300 toises, 1800 feet; therefore a ship would only waste her ammunition, if she were to attack a battery at a greater distance.

Second. It is established, in fortification, that musketry cannot take effect at a greater distance than 150 toises, 900 feet.

Third. Batteries on low ground, and near deep water, should not be *en barbette*, or without embrazures; barbette batteries being only proper in situations where large ships cannot approach near to them, or when there can be but few guns mounted, and of very heavy metal, and when it is necessary to point in all directions, by turning the carriages on their pivots; but such batteries are much exposed when heavy ships can approach within musket shot.

Fourth. In all cases where an enemy has an essential object to accomplish and batteries are designed to oppose his progress, it is better to have *none*, unless they are made stronger than the ships they are to repel; and we think this kind should be made wholly of mason work.

Fifth. We would, however, establish certain degrees in this respect; for it must be considered that to defend the entrance of a port of any great importance, more powerful means must be used than to defend any small harbour; since it is certain that the enemy's attack will be in proportion to the magnitude of the enterprise.

Sixth. The embrazures of sea coast batteries should be sufficiently wide to allow the axis of the bore of the gun (which we will call the axis of the embrazure) to form a horizontal angle of twenty-five degrees. Now the tangent of 25 degrees, to a radius of 300 toises in length, is 140 toises, which determines the space commanded by half the embrazure to this distance. In like manner when the ship shall be in a perpendicular line at 150 toises distance (the length of musket shot) the half embrazure will discover a space of 70 toises.

Seventh. Let us suppose a coast that is in a right line, as well as the flats under water which determine the edge of the channel at the distance of 300 toises from the coast. In this case, supposing the bow of the ship to be in the channel, at less than 140 toises from the axis of the first embrazure, it will be seen at that instant along the side of the embrazure at 331 toises distance, that being the secant of this angle, to a radius of 300 toises; then this would be the greatest distance at which the battery should fire.

Eighth. It is clear from the foregoing, that when a ship is sailing along a coast which, as well as its battery, is in a right line, it will be exposed from the first moment it is within 140 toises of the axis of the first embrazure, until it shall be 140 toises from the last, in addition to the length of the ship, in every point of that line; and, supposing the battery to have 24 pieces, and the ship to have 30 toises in length, she will have to pass through 346 toises of constant fire, before she can be out of cannon shot.

Ninth. The width of the merlons leaves no space that cannot be seen at the distance mentioned. The lines of fire from embrazures that are three toises, or eighteen feet distant from each other, and with an opening not 20 degrees, cross about eight toises and three feet from the summit of their angle; deducting therefrom the thickness of the parapet, there will be left five toises from the exterior part, for the distance at which the fire crosses. When the summit of the angles of each embrazure are but nine feet distant from each other, and the opening at the exterior subtends an angle of fifty degrees, the lines of fire will cross at nine feet six inches from the summit of the angle; deducting from this six feet for the thickness of the wall, and the distance from the centre of the cannon's motion, there will remain but two feet eight inches for the distance from the exterior part of the wall to the point of intersection of the crossing fires. From the foregoing it appears impossible that even a boat could escape with impunity.

Tenth. If a ship were to keep out of the fire of such battery, her distance must be more than 330 toises as we have shown. Now at this distance no ship, not even a fleet could injure a battery of this description to any important degree; and in case there were mortars in the battery, the advantage of such a cannonade would probably be on the side of the battery.

Eleventh. But if the channel were at one hundred and fifty toises from the battery, it would be necessary to remedy by its construction the disadvantage to which it is exposed by its position. This is the great object of the art of fortification. In such a case the tangent of the angle of 25 degrees would only be 70, and its secant 165 toises. A ship, then, by getting springs on its cables, in a position between two embrazures, might be out of the sight of either, and, without receiving one shot, might attack the post with its whole broad side. It might advance close to the battery, and by the musketry from its tops, might clear the ramparts of every man. This has been the case in all those instances where forts have been so easily destroyed by ships of war, and it is this which we flatter ourselves we have completely remedied in the manner hereafter explained.

Twelfth. Every battery which is liable to be approached by large ships at the distance of 150 toises should be built *entirely of mason work and casemated*. It should be casemated to be protected from the fire of musketry from the ships tops, and of mason work to resist the force of artillery, also to permit a nearer position of the guns, and a greater angle to the embrazures.

Thirteenth. In general marine batteries should be terminated in circular form, so that there may be no point within the reach of cannon shot, where a ship might ride without being exposed to their fire: this however, is not necessary on the land side.

Fourteenth. Such batteries should have several tier of guns, like the ship against which they are to act, & the guns should be as near to each other as they are in a ship of war; they should be plentifully furnished with covered musketry in points where they can be approached within musket shot, and then the ships and not the battery would have the most to fear from an attack.

Fifteenth. In short, every battery should have a defence peculiar to itself. It should not be susceptible of being, as it were, seized by the throat; its resistance should be in every direction from which an attack is possible, and it should have an imposing artillery on the land as well as on the sea side.

NOTE BY THE TRANSLATOR.

These principles are displayed by an annexed plan, elevation, and section. In the plan, two towers, with regular bases, are connected by a curtain at a distance from centre to centre of 60 toises, with lines of fire from the towers in every direction by sea and land, while on the latter side it is completely defended by all the known rules of the art of fortification, the towers are covered by a circular parapet, which is bomb proof, and while it commands all around, it protects all below.

This plan is upon too small a scale to show the openings for the musketry. In the elevation, the number of cannon in a given space may be counted, and it will be thereby seen that in ordinary batteries of one line, when the distance from each gun is 18 feet, for every shot such a battery could fire, these towers and curtain would fire six, occupying only the same space of ground, and this without counting the cannon that might be mounted on the top of the whole. Behind every aperture for small arms is an apartment for two or more soldiers, so that this work is at once a fort and barracks; the section displays the interior, with the arches in profile, according to the lines of vision in perspective, and the circular apertures above give free passage to the smoke, which has ample room to spread itself among the arches. The representation of a broken partition discovers the soldiers apartment.

A superiour figure describes a detached tower.

The works of the Marquis of Montalembert (10 volumes quarto) it is believed, have not yet appeared in English, and the copy from which the foregoing was translated, is probably the only one in American hands. They were imported for the use of the military academy, and make a valuable portion of its library."

I now come to the grand question. What will be the cost of this plan of fortification? Montalembert calculates the whole at 2500 cubic toises, solid masonry, which reduced to our measure, comes very near 25,000 perches—say, that about 160,000 dollars will be sufficient to build a fortification capable of firing 120 guns at each discharge upon one and the same object. It cannot be denied that marine batteries constructed on these principles must unite the greatest advantages. The four tier of the *coustine* which unite the towers, contain 96 pieces of cannon; so that by including the fire from the towers, a passing ship would receive 120 shot at every discharge throughout the whole space it would have to pass in a right line—the extent of the space, if the ship were at 400 yards, would be 360 yards—if at 600 yards distance the ship would be exposed to such a fire during the time of sailing 512 yards. The passage then between two such batteries, one on each side of the Narrows; that is between the Reef and Signal Hill, is but about 13 or 1400 yards, so that coming with bows in, and sailing through, a ship would be exposed at once to both batteries or 240 shot at each discharge; the men all the while covered. It must also be considered that *no more disciplined troops would be required* than merely to take care of the place and keep it in order, for the militia artillery companies could answer any supply of men wanted, when fighting became necessary. This work will be better than any that has hitherto been executed, and if it should prove to be such as we are assured it will be, the grand desideratum of fortifying our ports with great efficacy combined with great economy will be gained.

It is evident from the plan of such a work which *I* have seen in the original, that from a gun which can be fired from the requisite space in any fortification now existing in this country, without extending that space and of course without additional foundation six guns may be fired. That is, the guns are twice as near to each other, and instead of one there are three tiers, all bomb proof, arched over each embrazure, or rather port hole, and capable of containing a complement of men all under cover. In going over a hasty translation of part of this work, some inaccuracies may have occurred; but the observations are believed to be substantially correct.

This plan is presumed to be solid, durable, and proportionate to the end desired; but it cannot be carried into effect without money, and as I have always understood money was the sinews of war, and as I am not disposed to sit down quietly with folded arms, despise my enemy, and cry peace, peace, when there is no certainty how long it may continue, I am for adopting a broad & liberal policy by extending the arm of national defence throughout the whole union, and inspire our fellow citizens with confidence in their government and in themselves, by knowing when and where their arms are to be found, and being prepared for war will be the sure means of permanently securing your peace. I do therefore hope this House will exercise their own sober judgment, and then I am persuaded they will be convinced that the sum of twenty thousand dollars filled up in this bill for the fortifications of *all* our exposed ports and harbors is totally inadequate to the desired object—I mean all the ports, because some gentlemen seem to carry the idea that the appropriation is for the city of New-York alone. I mention this circumstance supposing it might be the idea of other gentlemen I was advocating for that city exclusively. Sir, I disdain such a narrow policy, I have come here to promote the best interests of this union, by pursuing magnanimous and liberal views, and in defending our sea coast, ports and harbors, do conceive I am carrying that object into effect, together with such other general measures as may appear proper to pursue, and which the exigencies of our common country may require.

Shall it be said, and go abroad in our nation, that the Congress of the U. S. appropriated 20,000 dollars to build a custom house in New-Orleans, and only *twenty thousand dollars* in defence of 1400 miles of sea coast, on which are situated her most populous cities for the reception of the surplus productions of her soil, and that the farmers, the planters, and the cultivators of that soil would not afford protection to their *own property* deposited in those places for safe-keeping and a market; to me it is incomprehensible—unless I should indulge the idea that the enemies of your peace and tranquility have by their slanders and impositions upon the well meaning citizens of the interior of the nation, represented the inhabitants of your cities as actuated by sinister views, and that they only wanted jobs to make money, nothing can be more illiberal, they are friends from choice and from one of the strongest of all motives, the mutual interest they have in the prosperity of each other's agriculture and commerce,—why all this apathy, and why recommend flying to the mountains for protection? Is it in contemplation to abandon the sea coast altogether? What will this finally end in? I am seriously apprehensive of its ultimate consequences. Is it in the power of any man to calculate? Is it not more than human foresight can predict? Is our whole Atlantic coast and its inhabitants to be abandoned to their fate? Do gentlemen think they have got no feelings, nor any rights. You may refuse to hear them, and neglect to protect them, until you alienate their affections from the nation. They are conscious of having performed all their duties as faithful citizens of the union. What can be the cause of this distinction?

I do hope this House will pursue a broad and liberal policy, and exercise their own judgment in promoting what they may think for the best interests of this union, without being fettered and shackled with those things called estimates, sometimes calling for enormous sums, and at others you are left in the dark, and must vote without having the requisite facts before you. We represent freemen, and I do hope we shall exercise our own constitutional rights in adopting such measures as we may think proper. There is nothing I more ardently desire than to see the chain of this union strengthened and brightened more and more, and hope we shall not be charged with having neglected to keep the polish bright. Shall it be said the Ninth Congress suffered it to corrode? I hope not, I am sure they will not suffer any such imputation, and I do trust in the magnanimity of this House that they will agree to fill this blank with such a sum as will give us solid and permanent defence of all the *exposed* ports on our Atlantic coast. Conceiving it the duty of this nation, to weigh well these facts, which have come with irresistible force on my own mind, I hope the House will excuse my taking up so much of their time in discharging those duties. I shall take another opportunity of making further observations. In the mean while I do hope the motion to postpone will not obtain.

(*To be CONTINUED.*)

Valuable Property For Sale.

THE Subscriber offers for sale a number of valuable heights convenient to the city of Washington about 2 1-2 miles from the President's House and near the same distance from the Capitol, and command a handsome view of the City, river Potomac, and Alexandria. Lot No. 1. contains 60 acres, No. 2. contains 42 acres. No. 3 contains 102 acres. No. 4 contains 19 acres; Likewise a lot lying between John Tayloe, and Dr. Worthington, containing from 80 to 100 acres. Those lots will be sold together or apart as may suit purchasers.

Terms may be known by applying to James White or Rev. John Breckenridge near the property. Jan. 24—wtf.

WASHINGTON CITY.

WEDNESDAY, FEBRUARY 11.

The following message from the President of the United States was yesterday laid before the two Houses of Congress.

To the Senate and House of Representatives of the United States.

I communicate for the information of Congress a letter from Cowles Meade, Secretary of the Mississippi territory, to the Secretary at War, by which it will be seen that Mr. Burr had reached that neighbourhood on the 13th of January.

TH: JEFFERSON.

Extract of a letter from Cowles Mead, Secretary and acting Governor of the Mississippi territory, to the department of War, dated Washington, Mississippi territory, Jan. 13, 1807.

SIR,

I have just time by the mail to inform you that I received this morning a letter from Col. Burr, at Bayou Pierre, avowing the innocence of his views, and the fallacy of certain rumors against his patriotism—his object is agriculture and his boats are the vehicles of emigration. However several military corps were ordered to be on the alert and apprehend him and all suspicious persons, on the day before the reception of his letter—these orders may possibly bring him into my possession. In his letter he hints at resistance to any attempt to coerce him, and deprecates a civil war. These hints will have no influence on my conduct. He will be apprehended, if possible, at the hazard of the lives of our militia and the honor of the executive. We are all bustle and activity. I hope in a day or two to give you a better account of this troublesome man.

A boat passed Natchez last night—was hailed and pursued by the guard—they fired two guns at the pursuers, and made their escape, being better manned.

The citizens of this country are republicans and patriots, and on their exertions I have every reliance.

ON MONDAY *Mr. Lee* delivered a short argument before the Supreme Court of the United States on his motion for a writ of *Habeas Corpus* in the case of Samuel Swartwout.

Mr. Rodney said it was not his wish in this stage of the business, to make any remarks. If it should be the determination of the court to issue a writ of Habeas Corpus he should cheerfully submit to it.

The Chief Justice said the court would give their opinion the next day.

ON TUESDAY, *Mr. Harper* observed that as the court had not yet given an opinion on the motion made by Mr. Lee, it was his wish in connection with Mr. Martin, to be heard as counsel for Dr. Erick Bollman. He said they were induced to make this request, from understanding that the court had some difficulty on certain points, which had not been so fully examined by Mr. Lee as their importance merited.

The Chief Justice said the court would hear Messrs. Harper and Martin to-morrow.

We have received a Nashville paper of the 17th of Jan. containing an account of the dismission of the militia raised by Gen. James Jackson, under the impression that no danger existed for their continuing embodied. These proceedings impressively manifest the patriotism of the state of Tennessee. We shall give them entire in our next.

Extract of a letter from the Governor of Tennessee, to a member of Congress, dated Knoxville, Jan. 21.

"You may rest assured nothing is to be apprehended from any misconduct in the people of Tennessee. No doubt some malcontents are among us; but their party is too insignificant to disturb the public tranquility."

Extract of a letter, dated New Orleans, January 9, 1807.

"We are still in suspence as to Mr. Burr's operations. Should Mr. Burr appear in force, our only hope would in my opinion be on General Wilkinson and his force."

Extract of a letter, dated Nashville, Jan. 19, 1807.

"I can with pleasure and great confidence assure you that there is no section of the U. S. more firmly attached to the government and union of the U. S. than this part of Tennessee. Burr has frequently visited Nashville, has been treated with marked attention by a few indviduals; but I hope and believe that this was induced by the motive of hospitality to strangers. However, I am certain that none here would co-operate in such desperate and wicked undertakings, except there might be a few desperate and embarrassed men. As soon as the public mind became informed by the President's proclamation, you can have no conception how high the public indignation rose against all who were even suspected."

Extract of a letter dated Maryville, Ten. Jan. 19, 1807.

"The intrigues of Burr have had no influence in this part of the state, and have only served to excite contempt. I hope we shall be all wise enough to know that our national felicity depends on our union."

Extract from a letter, dated Nashville, Jan. 22.

"On the subject of our united interests, your ideas are altogether correct, and will bear the test of everlasting ages. The dismemberment of the western from the Atlantic states would bring down upon us difficulties that would hardly be repaired in ages. The very idea of such a thing under existing circumstances is one of the most foolish and preposterous that ever entered the brain of any man. It is out of all calculation and reason to suppose that a measure of this kind could be effected, or would be attempted, when there is not one single advocate for such a scheme in all the western country."

Extract of a letter dated Meadville, January 17th 1806, to a member of Congress.

I observe in the National Intelligencer an extract of a letter from Meadville, which I worte you dated Nov. 17th 1806. It is there stated that James Gibson, Samuel Lord, Ralph Marlin and Jabez Colt had departed from Meadville for Beaver, and that Mr. Colt and Mr. Marlin expected commissions in the expedition under Col. Burr. It is true that these gentlemen went to Beaver at that time, but they did not go on that expedition, having since returned to Meadville. I am therefore happy at having it in my power to oppose this fact to the report that had been circulated here, and to the information given respecting the intentions of these gentlemen by some of those who have actually gone on that expedition from this place. It has been since stated by respectable persons that Mr. Gibson's business to Beaver was of a private, personal nature, and that Mr. Marlin had expressed in strong terms his disapprobation of any undertaking against the peace or interest of United States.

The following is the opinion delivered by Judge FITZHUGH on the commitment of Messrs. BOLLMAN and SWARTWOUT, on a charge of Treason.

My extreme indisposition has prevented me from preparing any remarks in support of the opinion which I am called on to give; but since it has been thought proper by the members of the court to assign our reasons for the course which has been pursued, I shall express those sentiments which at present occur to me.

This question has been argued, as it it were now before a jury who were called on to convict, or acquit the prisoners, without recollecting that we are at that stage where, in the language of the constitution probable cause supported by oath or affidavit, is sufficient. This remark is necessary to shew that many of the conclusions of counsel are incorrect. In this incipient state, the evidence is always *ex parte*, and such as would be inadmissable at the final trial. A warrant goes forth to apprehend and afterwards to commit, on the suggestion of an individual, supported by oath, that a crime has been committed. The affidavit is made in the absence of the supposed offender, and no mere certainty is required than probable cause. By a law U. S. vol. 1. p. 100, there must be the confession in open court, on the testimony of two witnesses to the same overt act, to convict one of treason--Whereas probable cause, supported by oath or affirmation, will authorize issuing a warrant. In no case, whether criminal or civil, is an affidavit evidence at the trial; because taken in the absence of the party against whom it is intended to operate; and yet it has always been considered as sufficient to justify issuing a warrant to arrest.

These enquiries obviously occur: 1st: Is there probable cause to believe that any treason has been committed against the U. S. and this supported by oath, &c.? 2d. Are the prisoners implicated in the treason? And 3d. How, whether as principals, or only guilty of misprision of treason?

That there is probable cause to believe that treason has been committed by Col. Burr, the public rumor and universal alarm which seems to have convulsed our country from the extremity to the centre—the President's communications to Congress and to the court, afford at least ground of suspicion, and this is supported by the positive oaths of General Eaton, General Wilkinson, Mr. Donaldson, Mr. Meade, and Mr. Wilson, all going to shew the origin, existence and progress of Burr's treasonable projects and acts. But here the counsel for the prisoners have insisted that none of this mass of evidence criminates B. and have contended that the President's communications are inadmissable. It is not generally by detached parts of evidence, but by a well connected chain of circumstances that we arrive at proof; nor can a crime be made out by the proof of any solitary fact. In a charge of murder it would not be sufficient to shew that a blow was given from which death ensued; but it is necessary to prove and disclose a particular state of mind. There must be deliberate resentment, or ill will: there must be malice prepense. So in treason (the case now under consideration) no degree of violence, however atrocious, no enlisting or marching men; no injury, if limited in its object to personal rivalship, or even extensive enough in point of locality to contemplate and threaten the opposition and destruction of the laws or government of any one of the U. S. will amount to treason against the U. S. 'Tis the intention alone which fixes the grade of the offence. This intention is only to be collected from circumstances—and though the communications of the President do not of themselves furnish full evidence of B's. treason against the U.