

by Congress were constitutional and to reject laws that it considered to be unconstitutional. This power of the Court is called **judicial review**.

The Reactions of Jefferson and Congress Jefferson was displeased with the decision. True, Marshall had ruled against Marbury, the Federalist judge.

But Marshall's decision gave more power to the Supreme Court, where Federalists were still strong. Jefferson also argued that the decision upset the balance of power among the three branches of government:

The opinion which gives to the judges the right to decide what laws are constitutional and what not, not only for themselves . . . but for the Legislature and Executive also . . . would make the Judiciary a [tyrannical] branch.

—Thomas Jefferson, letter to Abigail Adams, 1804

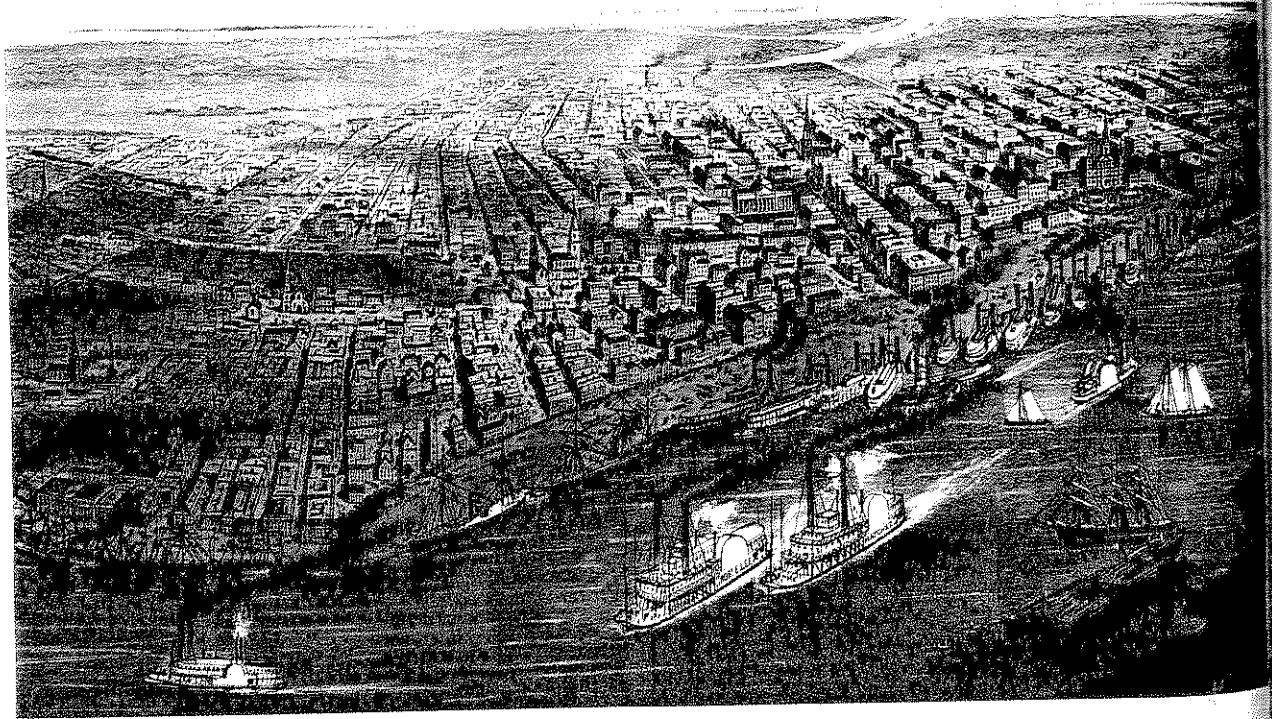
Jefferson did not want the judiciary to gain power over the executive branch. He refused the Court's order to testify at an important trial, saying it would upset the equality of the branches. He also used executive privilege to decide which government papers to show the Court and which to withhold.

In the end, the President and Congress accepted the right of the Court to overturn laws. Today, judicial review remains one of the most important powers of the Supreme Court.

IDENTIFY MAIN IDEAS Why is the Supreme Court case *Marbury v. Madison* significant?

The Louisiana Purchase

The United States overcame a number of challenges in its early years, including creating a stable economic system, setting up the courts, and defining the authority



>> The Louisiana Purchase included the port of New Orleans, which controlled access to the North American West. As shown in this print from the mid-1800s, New Orleans became a busy American port.

of the central government. As the economy continued to grow, Americans needed to protect their economic interests. The Louisiana Territory became a key part of this effort.

Geography Shapes Domestic and Foreign Policy A new development caused President Jefferson to pursue buying New Orleans in order to control this important port. By 1800, almost one million Americans lived between the Appalachian Mountains and the Mississippi River. Most were farmers. With few roads west of the Appalachians, western farmers relied on the Mississippi River to ship their wheat and corn. First, they sent their produce down the river to the city of New Orleans. From there, oceangoing ships carried the produce across the Gulf of Mexico, around Florida, and up to ports along the Atlantic coast.

Spain, which controlled New Orleans, sometimes threatened to close the port to Americans. In 1795, President Washington sent Thomas Pinckney to find a way to keep the vital port open. In the **Pinckney Treaty**, Spain agreed to let Americans ship their goods down the Mississippi and store them in New Orleans.

For a time, Americans shipped their goods through New Orleans peacefully. In 1800, however, Spain signed a new treaty giving Louisiana back to the French. President Jefferson was alarmed. He knew that the French ruler, Napoleon Bonaparte, had already set out to conquer Europe. Would he now try to build an empire in North America?

Jefferson had reason to worry. Napoleon wanted to grow food in Louisiana and ship to French islands in the West Indies. However, events in Haiti, a French colony in the Caribbean, soon ruined Napoleon's



>> Toussaint L'Ouverture led a revolt by enslaved Africans to win independence from France for Haiti.

plan. Inspired by the French Revolution, enslaved Africans in Haiti decided to fight for their liberty. Toussaint L'Ouverture (too SAN loo vehr TYOOR) led the revolt. By 1801, Toussaint and his followers had nearly forced the French out of Haiti.

Napoleon sent troops to retake Haiti. Although the French captured Toussaint, they did not regain control of the island. In 1804, Haitians declared their independence.

Negotiations for Louisiana Jefferson sent Robert Livingston and James Monroe to buy New Orleans and West Florida from Napoleon. Jefferson said they could offer as much as \$10 million. Livingston and Monroe negotiated with Charles Maurice de Talleyrand, the French foreign minister. At first, Talleyrand showed little interest in their offer. However, losing Haiti caused Napoleon to give up his plan for an empire

in the Americas. He also needed money to pay for his costly wars in Europe. Suddenly, Talleyrand asked Livingston if the United States wanted to buy all of Louisiana, not just New Orleans.

The question surprised Livingston. He offered \$4 million. "Too low," replied Talleyrand. "Reflect and see me tomorrow."

Livingston and Monroe carefully debated the matter. They had no authority to buy all of Louisiana. However, they knew that Jefferson wanted control of the Mississippi.

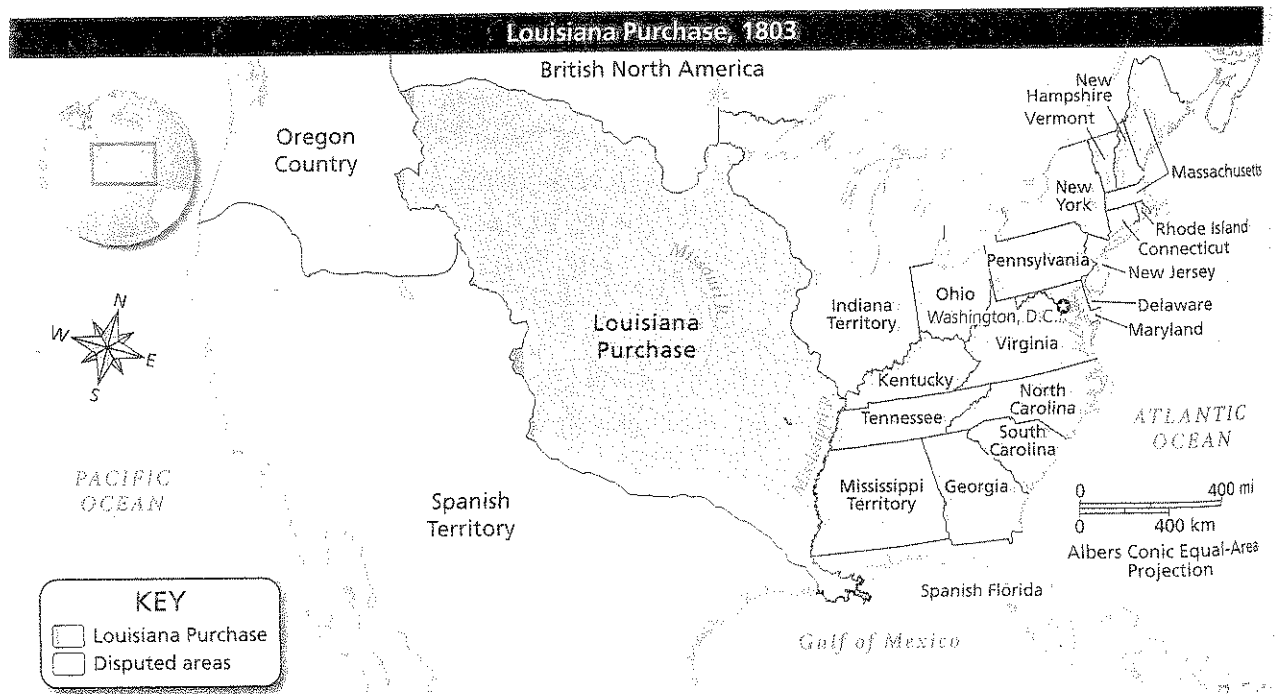
They agreed to pay the French \$15 million for Louisiana. "This is the noblest work of our whole lives," declared Livingston when he signed the treaty. "From this day the United States take their place among the powers of the first rank."

The Louisiana Purchase of 1803 Jefferson hailed the news from France. Still, he was not sure whether the President had the power to purchase Louisiana. He had

always insisted that the federal government had only those powers spelled out in the Constitution. The document said nothing about a President having the power to buy land.

In the end, Jefferson decided that he did have the authority to buy Louisiana. The Constitution, he reasoned, allowed the President to make treaties, and buying the Louisiana territory was part of a treaty. Federalists opposed the purchase as unconstitutional and feared it would weaken the other states. But the Democratic Republicans supported it and the Senate approved the treaty. The **Louisiana Purchase** went into effect. In 1803, the United States took control of the vast lands west of the Mississippi. With one stroke, the size of the nation had almost doubled.

RECALL Why was the port of New Orleans important to many Americans?



>> **Analyze Maps** How did the Louisiana Purchase change the territory of the United States?