Of Patriots and Traitors

The Complicated Legacy of Aaron Burr

Joshua Gornitsky

"Good name in man and woman, dear my lord,
Is the immediate jewel of their souls:
Who steals my purse steals trash; 'tis something, nothing;
'Twas mine, 'tis his, and has been slave to thousands;
But he that filches from me my good name
Robs me of that which not enriches him
And makes me poor indeed."
-William Shakespeare, Othello 3:5
# Table of Contents

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 1</td>
<td>Pg.3</td>
</tr>
<tr>
<td>Chapter 2</td>
<td>Pg. 23</td>
</tr>
<tr>
<td>Chapter 3</td>
<td>Pg. 42</td>
</tr>
<tr>
<td>Annotated Bibliography</td>
<td>Pg. 73</td>
</tr>
</tbody>
</table>
Chapter 1: The Rise of “Little Burr”

The long and twisted history of Aaron Burr’s reputation begins during his matriculation at Princeton University. The name of Aaron Burr was already quite well-known in the University’s inner circle, as Burr’s father, the Reverend Aaron Burr Sr., had served as the University’s President from 1748 until his death in 1757. Although four years younger than even the most junior of the students at the school, Burr had to work through the same curriculum as everyone else. At Colonial-era Princeton, that involved almost eighteen hours of study time a day, with only a few ten minute breaks permitted.\(^1\) However, despite the seemingly oppressive scholastic regime, the all-male student body still found time to organize student-run clubs. At Princeton, two of these clubs existed. One was called the American Whig Society, while the other was known as the Cliosophic Society.\(^2\) Although initially a member of the Whigs, Burr would eventually switch over to the Clios, where he would become well known among his peers for his oratory and creative thinking.

In his *Memoirs of Aaron Burr*, Matthew Davis paints an interesting picture of Burr’s exploits during his time with the Clios. He tells a story of how, in 1773, Burr, who

\(^1\) Broderick, Frances L, “Pulpit, Physics, and Politics: The Curriculum of the College of New Jersey, 1746-1794,” *William and Mary Quarterly* 6 (January 1949): p. 61

was now club president, was presiding over a meeting when one of the Professors, Dr. Samuel Smith, arrived late. Davis writes that Smith and Burr were often at odds, and there was a mutual dislike between them. After Dr. Smith arrived, Burr proceeded to rebuke the professor for his lateness, citing the fact that such an action set a poor example for the younger members of the club. And Burr did while seated in the president’s customary armchair, which was much too large for him. As Davis writes, “Having finished his lecture, to the great amusement of the society, he requested the professor to resume his seat. The incident, as may well be imagined, long served as a college joke.”

Despite the fact that he was younger in age and smaller in stature than almost all of his classmates, he still managed to become an accepted part of the collegiate society at the time.

During his time at Princeton, he drew the interest of William Paterson, a graduate of Princeton and de facto mentor to many of the students there, especially those involved in the Cliosophic Society. Despite the eleven-year age difference between them, Paterson took Burr under his wing. The man who would become both Governor of New Jersey and a Supreme Court Justice took special interest in Burr’s talents, doing what he could to mold them and foster his innate ability. For example, Paterson advises Burr, “Forbear with me while I say that you cannot speak too slow. Your good judgment generally leads you to lay the emphasis on the most forcible word in the sentence; so far you act very right. But the misfortune is, that you lay too great stress upon the emphatical word. Every word should be distinctly pronounced; one should not be so highly sounded as to drown another. To see you succeed as a speaker would give great pleasure to your friends in

---

3 Davis, Matthew, *Memoirs of Aaron Burr I* (New York, 1836) p. 41
general, and to me in particular...you are certainly capable of making a good speaker. Exert yourself.” It was obvious to Paterson that Burr had the ability to become a great orator, and the young man would go on to fulfill that potential. In a letter to Dr. Samuel Spring, another friend of Burr’s, Paterson writes on the quality of the speakers at Princeton’s Commencement ceremony. “The speakers were all tolerable—none of them very bad nor very good. Our young friend Burr made a graceful appearance; he was excelled by none, except perhaps by Bradford.” It is evident that Burr made a quite an impression on Paterson, who sang the boys praises at very turn.

However, there are differing opinions as to whether “Little Burr,” as he was called in those days, was deserving of such accolades. As stated before, Nancy Isenberg, as well as a number of other Burr biographers, claims that he spent eighteen hours a day in the course of rigorous study, never leaving his room. Alternatively, there is another account which states that Burr spent a great deal of his time at school in “idleness, negligence, and, in some measure, dissipation.” This quote has been used to bring the idea that Burr excelled in school into question, such as in Arnold Rogow’s *A Fatal Friendship*. Using the above mentioned quote to challenge Burr’s collegiate accomplishments is ludicrous, as the next few sentences in *Memoirs* reads, “He applied himself but little to his studies, and was in constant pursuit of pleasure. He graduated, however, when only sixteen years of age, with a reputation for talents, and receiving the highest academic honours the faculty could bestow.” Also, Davis begins by stating that his description of Burr’s laziness in school could only be applied to his last year in

---

5 Letter from William Paterson to Aaron Burr: January 17th, 1772  
6 Letter From William Paterson to Dr. Samuel Spring: October 5, 1772  
7 Davis, *Memoirs Vol. I* p.27  
9 Davis, Memoirs Vol. I p.27
schooling. To make such a general claim based on half a sentence written by Davis without taking the rest of its context into account is irresponsible research, and it is such irresponsible research that is a primary reason for the twisting of all that Aaron Burr stood for.

Granted, it is possible that Davis’ account is not entirely true, given that it was based on papers written by Burr himself. But almost every Burr biographer agrees that Burr’s natural intellect was above average. There is little to no evidence to suggest that Burr did not excel in school, and there are examples of evidence suggesting that he actually did excel. But it was not his scholastic prowess that proved to be the main factor in his rise in the eyes of the people. In fact, it was his prowess on the field of battle that gained him his initial notoriety.

Following his graduation from Princeton, Burr faced the important decision regarding his future career. After an initial flirtation with the clergy, he decided to study law with his brother-in-law, Tapping Reeve. His studies would not last very long though. In August of 1775, only a few short months after the battles of Lexington and Concord, the revolutionary fervor engulfed him. He enlisted in the Continental Army and was placed under the command of Benedict Arnold, who was in the process of gathering forces for a pre-emptive strike into British held Canada. It is easy to say that there was a fair amount of historical foreshadowing in Burr’s assignment under General Arnold. There is a certain symmetry involved with coupling Arnold, arguably the most notorious traitor in American history, with Burr, whose name had almost become synonymous with the word treason.
However, in 1775, Benedict Arnold was still an admirable American Patriot, just like the young Burr. The General’s plan involved an offensive strike into Canada through Maine, which was the most aggressive action that the colonies had attempted up to that point. Arnold’s forces would snake up through Maine and into Quebec, where they would join up with the forces of General Richard Montgomery, who was carving a bloody swatch through the Canadian Province. He had taken two British forts, as well as the city of Montreal. After Montgomery and Arnold’s forces merged, the combined force would go into the heart of Quebec and force its overall surrender.10

General Arnold’s forces, with Burr included, set sail for the Kennebec River in Maine on Sept. 19th, 1775. After sailing up the river for a few days, they set foot on land and began the arduous 350 mile journey through the Maine wilderness. Over one-third of the men who began the journey left, either because of desertion or death.11 Yet Burr was one of the ones who stayed, despite the difficulties that the soldiers encountered. This force of will was recognized by Arnold, whose praises of Burr compelled General Montgomery to give him a promotion to captain and give him a job as one of his aides-de-camp. In a brief letter of introduction, Arnold described Burr as a “young man of much life and activity who has acted with great spirit and resolution on our fatiguing march.”12

With this recommendation in hand, Captain Aaron Burr joined Montgomery’s staff, where arguably his most famous attributed act of the war was to occur.

The forces of Montgomery and Arnold met each other outside of Quebec City in late December, 1775. When they met, things began to get complicated. There was a sense

---

10 Isenberg, Fallen Founder p.22
11 Royster, Charles, A Revolutionary People at War: The Continental Army and American Character (Chapel Hill: North Carolina, 1979) p. 25, 188
12 Letter from Benedict Arnold to Richard Montgomery: November 30th, 1775
of urgency among the officers, because the terms of enlistment for Arnold’s men expired on January 1st, 1776, which meant that action needed to be taken immediately. They needed to take Quebec City as soon as possible. After hearing of the expedited timetable, three whole companies voiced concern over Montgomery’s abilities. Even Burr himself had reservations about Montgomery’s plan of attack, entertaining “strong apprehensions of the result.” But Montgomery would not be deterred. On December 31st, 1775, the attack on Quebec City commenced.

According to historical record, Montgomery and his soldiers approached the city on a narrow path close to a river. They passed through two military stockades, meeting no resistance. Emboldened by the enemies apparent weakness, they pushed forward. Eventually, they found themselves in front of a large, seemingly abandoned blockhouse. Unbeknownst to Montgomery or his men, a squad of Canadian militiamen was hiding in the blockhouse, ready to open fire at a moment’s notice. Montgomery ordered his troops forward, and they were cut down. Montgomery and many of his top aides were killed in the attack. This of course, is the historical account, but the death of General Montgomery has been romanticized in both art and literature, in works such as John Trumbull’s painting, the Death of General Montgomery in the Attack on Quebec and Hugh Henry Brackenridge’s epic poem The Death of General Montgomery at the Siege of Quebec (1777). Also, Matthew Davis’ account of Montgomery’s death contradicts everything in art, literature, and history.

To begin, one must examine Trumbull’s painting, which depicts the general falling into the arms of one of his aides. This aid is not identified as Aaron Burr or

---

13 Davis, Memoirs p. 71
anyone else, in fact. In fact, Trumbull doesn’t paint Burr into the scene at all. This is interesting because he did paint Matthias Ogden, one of Burr’s childhood friends who was not present at Siege of Quebec, into the scene. Although Trumbull never explicitly stated who the aide was who was supporting the general’s body, it appears that Burr himself was fully confident that that aid was him. Matthew Davis writes of the cross fire that killed the General, “it killed General Montgomery, Captain McPherson, of his aids, Captain Cheeseman, and every other person in front except Captain Burr and a French guide. General Montgomery was within a few feet of Captain Burr; and Colonel Trumbull, in a superb painting recently executed by him, descriptive of the assault upon Quebec, has drawn the general falling into the arms of his surviving aid-de-camp.”

Davis, as well as Burr himself for that matter, clearly believed that that aid-de-camp was Captain Burr, based solely on his description that Burr and a French guide were the only survivors physically able to catch the wounded general.

Yet another controversial source for Burr’s actions at the siege of Quebec comes from Hugh Henry Brackenridge, who was a former classmate of Burr at Princeton. In his poem, he describes Burr finding Montgomery’s fallen corpse, kissing it, and then carrying it on his shoulders back to the American camp for burial. As dramatic and emotional as this account may be, it is most certainly incorrect. General Montgomery’s body was discovered by the English half-frozen in the snow, and he was given a burial that befitted his skills as a general. The question that concerns Burr here is whether the young officer had attempted to run back and retrieve the general’s body after the

---

15 Davis, Memoirs I, p.71
16 Brackenridge, Hugh Henry, The Death of General Montgomery, in Storming the City of Quebec. A Tragedy (Norwich, Connecticut: 1777) p.15, 38
Americans had retreated. As stated above, Brackenridge writes that Burr actually
recovered the body and brought it back to American lines, but this is known to be false.
Colonel Donald Campbell, who assumed command of the troops after Montgomery’s
death, wrote an account which clearly stated that no bodies were recovered.\footnote{Donald Campbell to Robert R. Livingston: March 28, 1776}

But Chaplain Samuel Spring, an old acquaintance of Burr’s writes of yet another
account of the events on that fateful night. In a letter to Senator William Plumer, Spring
recollects how “Burr returned back alone and attempted to, amidst a shower of musketry,
to bring on his shoulder, the body of Montgomery—But the general being a large man,
could Spring have known how Burr had supposedly gone back to rescue the wounded
general if he wasn’t even there? Chaplains rarely accompanied troops on raids, as they
mostly stayed behind and worked at medical aid stations. One would have to think that an
account written by someone who had been at the battle, like Colonel Campbell would
have to be more reliable than one written by someone who wasn’t. It’s also very possible
the Spring’s version is based on an account told to him by Burr himself. However, that
doesn’t mean Spring’s version is concretely wrong. Campbell’s account just states that
that no bodies were \textit{recovered}, and Spring states only that Burr \textit{attempted} to recover the
General’s body. Adding in to the fact that, at the time, there was no real reason to lie
about these events, it is not entirely inconceivable that Burr went back and tried to
recover the General’s body, but was unable due to the great difference in size between them.  

Although the force at Quebec City was defeated, Burr’s reputation was a soldier grew immensely. In fact, this was where Burr’s overall legacy began the rapid rise that preceded its fall. Many of Burr’s friends and family were absolutely enthralled by Burr’s adventures in the Great White North. His uncle Timothy Edwards, and friends Joseph Bellamy (son of famous preacher Rev. Joseph Bellamy), future US Attorney General William Bradford, and future Hamilton ally Theodore Sedgwick all expressed their deep and great admiration for Burr’s accomplishments in the military. One can see from their letters that Burr’s reputation, at least among people within his personal circle, was growing.

Following the defeat in Canada, Burr was transferred to a temporary post on the staff of the Commander-in-Chief himself, George Washington. Although it appears on the outside to be a fantastic opportunity for an ambitious man like Burr, it was quite the opposite. Burr wanted to be closer to the action so he could make a difference in the war. He was unable to accomplish that as an aide on Washington’s staff, as he was relegated to meaningless administrative duties that failed to satiate his substantial intellect. There is no evidence to suggest that his ensuing transfer was because of mutual dislike between Burr and Washington, although Burr would later question Washington’s competency after the war had concluded. After his short stay with Washington, he was assigned the

---

20 I personally agree with this account, as English records state that Montgomery’s body was lying in a position that was not natural to someone who had been shot point blank. Apparently, he was lying in a semi-fetal position with his left arm sticking straight up. I believe that Burr had gone back to try to recover his body, yet he was unable to support the man’s weight. So Burr had to unceremoniously dump Montgomery off his shoulders and seek cover so he himself would not be killed.

21 Isenberg, Fallen Founder p. 29
position of aide-de-camp to General Israel Putnam, who was second-in-command of the Continental Army at the time. He would hold this position during the daring evacuation of Long Island, where his legend would grow even more.

Burr is credited with many significant feats during the evacuation. Nancy Isenberg, in her biographical account, writes, “Burr pointed out a safe route along Bloomingdale Road, salvaging some of the army’s artillery while guiding 5,000 men to safety. During this exodus from Manhattan, Burr rescued Colonel Gold Selleck Silliman’s party at Bayard’s Hill Redoubt at Grand and Mulberry Streets, just as these men were about to be surrounded by the British.” Following the evacuation of New York, Burr continued to serve as General Putnam’s aide, fulfilling many administrative and logistical duties necessary for the day-to-day operation of Putnam’s force. After a little under a year on the job with Putnam, Burr received a promotion to the rank of Lieutenant Colonel, and a command of his own in Col. William Malcolm’s regiment, stationed in the Ramapo Mountains of New York.

Burr had a unique style of command that was quite different from his contemporaries. As someone who had risen through the ranks of the Army the old fashioned way, he knew and understood the value of a disciplined and well-behaved group of soldiers. However, scholars cannot seem to agree on what type of commander Burr was. Some quote that, while preaching discipline and order, he was mercifully lenient. Others, such as Matthew Davis himself, claim he was a strict disciplinarian who single handedly thwarted multiple mutinies against his command. On one such occasion, he allegedly sliced off the hand and forearm of a mutineer with his sword. All logic suggests that such an incident would have surely been recorded in official military

\[22 \text{ Ibid p. 35}\]
logbooks, as well as earning itself a military report or maybe even a court martial. The fact that there is no written evidence of such an event leads one to believe that the event did not actually occur.²³

Nancy Isenberg goes in depth in trying to establish what type of commander Burr actually was. Using his military orderly books as a source, Isenberg paints a picture of how Burr ran his company. When necessary, he would order an offender be put to the lash, which was a common form of discipline in the military at the time. But there are also examples of him showing mercy to offenders who were young of age and had previously spotless records. He also went out of his way to foster honesty among his men, making the crime of lying one of the worst one could possibly commit in his presence.²⁴

Burr’s style of command appeared to be heavily influenced by his upbringing. As the descendant of two extremely prolific ministers, Burr was exposed to a significant amount of new and enlightened ideas about life, religion, and the way people were treated. This shows in the way he treated the soldiers under his command. He expected as much of them as he expected of himself. And he held himself up to the standards that his father and grandfather had set for him. In a way, he tried to mold Malcolm’s regiment into a macrocosm of his own values. Whether he succeeded or not is difficult to say, but he most definitely made the attempt.

Following his posting in the Ramapo Mountains, Burr made a stop at West Point before taking his final assignment in Westchester in 1779. At the time, Westchester was a town in chaos. There were regular raids by Loyalist militants, and the men who rose up to

²³ Ibid p.43
²⁴ Ibid p.44
defend the town against these militants became as corrupt and evil as they made the
loyalists out to be. Plundering and looting was rampant, even among Burr’s own
officers.25 For a man like Burr, who craved discipline and loyalty, such a posting was like
being dropped into the middle of his worst nightmare. He tried admirably to address the
issues running rampant in Westchester, but he found his desire for military life rapidly
fading. He wrote to a friend, Peter Colt, saying, “My life here is very foreign to my
nature. I cannot account for my own conduct.”26 After almost three years, he had grown
tired and frustrated with military life, and was ready to resume his role as a civilian. On
March 25, 1779, Burr sent his letter of resignation to General Washington. This letter
would mark the end of Burr’s career as an officer in the Continental Army. However, the
deeds attributed to him during the war caused Burr’s legend to grow, and that legend
would help him in many ways during his foray into politics. Also, the people he met and
the relationships he fostered during the time he was in the Army would have a profound
effect on his life and legacy.

After being discharged from the Army, Burr was forced to find an honest days
work. Adding to the pressure of his job search was the fact that he had found love in the
person of Theodosia Prevost, who was married to a Lieutenant Colonel in the British
Army. Both Burr and Theodosia had had significant contact with one another while Burr
was serving in the Continental Army, and they had developed a mutual attraction. When
Theodosia’s husband passed away in 1779, Burr didn’t hide his intention to marry the
woman.

25 Aaron Burr to General McDougall: January 12, 1779 in Davis, Memoirs I, p. 141-143
26 Aaron Burr to Peter Colt: January 21, 1779
In the gossip-laden society of 18th century American, it was hard not to hear whispers of the “illicit love” between Aaron Burr and Theodosia Prevost, especially before Colonel Prevost’s death. In fact, most of Burr’s friends were well aware of their liaison, and actually supported its eventual course. William Paterson, after the event of his own marriage, writes to Burr referring to Theodosia openly as the “Mistress of your affections.” He goes on to write, “May I congratulate you both in the course of the next moon for being in my line, I mean, married.” Paterson was urging Burr to marry the woman, even though at the time she was technically still a devoted wife to another.

But after Col. Prevost’s death, Burr knew that a union between Theodosia and himself was on the horizon. Because of this, he had to get himself licensed in the practice of law as soon as possible, so he would be able to support Theodosia and her family as best he could. On July 2nd, 1782, only a few months after Burr obtained the license, he and Theodosia were officially married. One year later, on June 21st, 1783, a daughter was born to them. In honor of his wife, Burr named the young girl Theodosia, and she would end up inheriting much of the enlightened wit and intellect that her mother possessed.

Moving to New York City at the end of the war, Burr would formally establish himself as a top notch lawyer and move himself into a position to enter politics. It is a simple irony, however, that a man, whose name is so infamous in political circles, had very little interest in becoming a politician at all.

To understand Burr’s impact on New York politics early in his career, one must understand the political landscape present in the state at the time. The state was controlled by three influential factions, each holding a varying degree of power within the state government. The largest and most dominant of these factions was the one led by

27 Letter from Willaim Paterson to Aaron Burr: August 31, 1780
George Clinton, governor of the state from 1777 to 1795. Clinton and his followers opposed the adoption of the United States Constitution and held that power must reside with the states and not with the federal government. A second New York faction was that of Robert R. Livingston, whose power stemmed from the fact that held a significant amount of land within the state. The Livingston faction tended to support the centralized power structure of the federal government, but only when it benefited them. Finally, the third and most important faction, at least in the lens of the study of Aaron Burr, is that run by Philip Schuyler and his son in law, Alexander Hamilton. Hamilton almost single-handedly brought the Schuylers to power, through his own unique brand of sheer willpower and partisan bickering. As James Parton described the political scene in New York in the late 18th century, “The Clintons had power, the Livingstons had numbers, and the Schuylers had Hamilton.\footnote{Parton, John, \textit{Life and Times of Aaron Burr I} (Boston and New York: 1892), p.169}” Parton uses a relatively simple description of an increasingly complicated political landscape. Yet it was a landscape that was soon going to have to make a room for a fourth major player, which was none other than Aaron Burr.

The combination of Burr’s reputable name, his military reputation, and his skill in the field of law enabled to attract many clients when he established his law practice. He made his name settling civil suits brought about the slew of anti-Tory legislation that was passed after the war had ended. For example, the Citation Act of 1782 gave loyal Americans the option of either delaying the payment of debts to Loyalists or paying them in worthless continental currency. Also, another act was passed that allowed Americans to sue Tories who seized and damaged their property. New York was a hotbed for these issues, as it had been occupied by the British and had suffered considerable damage.
Thus, aspiring lawyers such as Burr and Hamilton found no end to the cases being offered to them.29

As a lawyer, Burr had a reputation of being extremely well prepared, and was meticulous down to the last detail. He devoted every ounce of his available energy to the case at hand. Not once was it ever recorded that he dropped a case. According to a former client, Burr would spend hours fine-tuning his argument, condensing it as needed so that it would be able to fit on one solitary piece of paper.30

And this process worked wonders for Burr’s reputation. In a letter from the Hon. John Van Ness Yates, Burr’s legal style is, unsurprising to a modern audience, compared with that of Alexander Hamilton. Van Ness writes, “Hamilton’s eloquence was (if I may be allowed the expression) argumentative, and induced no great elevation or depression of mind, consequently could be easily followed by a note-taker. Burr’s was more persuasive and imaginative. He first enslaved the heart and then led captive the head. Hamilton addressed himself to the head only. I do not, therefore, wonder that Burr engrossed all the faculties of the hearer.31” It is clear from this that unlike Hamilton, Burr was not satisfied with just laying out the facts of a case and then resting. He wanted the court to identify with the issue at hand. And after that was accomplished, he would proceed to lay out the facts as he saw them. According to Van Ness, that is what elevated him above Hamilton.

It is at about this time, in the 1790’s, that Burr began his tempestuous relationship with the business of land speculation. In the interest of clarity, land speculation is defined as the purchase of land with the intent to develop it in a certain a way in an effort to sell it

29 Isenberg, Fallen Founder, p.88
30 Letter from Alexander Macomb to William Constable, January 11, 1792 in Davis, Memoirs II p.18-19
31 Letter from Hon. John Van Ness Yates to Thurwood Weed, July 8th 1837 in Davis, Memoirs II p.21
in the future for a considerable profit. Burr would develop a certain affinity for such speculation, and it would cost him an untold fortune in the future. Its specter would haunt him for the rest of his life as well as in death. In modern times, speculation is looked at in a decidedly negative way. However, during the late 18th-early 19th century, it was as commonplace as stock trading is today. In fact, most politicians were involved in land speculation in one way or another. James Monroe, Robert R. Livingston, and Alexander Hamilton are just some of the major early American political figures that were involved in speculation. So the tarnish on Burr’s reputation stemming from his land speculation is unwarranted.

As stated before, Burr had no real interest or desire to enter the political arena. But he was elected to the New York Assembly regardless in 1784. He had been placed on a ticket with one of his old commanders in the Continental Army, Alexander McDougall. McDougall, being a bona fide war hero, had no trouble getting elected, and he carried Burr with him in his wake. He would serve in the Assembly until 1789, when he was offered the position of state attorney general.

The offer of the position to Burr was a gesture of good-will from then-New York Governor George Clinton, who wished to add another ally to his power base. Although Burr had no intentions of joining Clinton’s “family,” he accepted the position in order to increase his visibility and enhance his own reputation. As attorney general, he attempted to bring about a number of reforms, such as adjusting sentences based on the severity of the crime. Enlightened as such a reform was, it didn’t fit the standards set by the New
York Legislature. Yet his attempts at reform had not gone unnoticed. In 1791, Governor
Clinton tapped Burr to become the next United States Senator from New York.³²

Burr’s eventual election to the United States Senate was the impetus for the first
clash between Aaron Burr and Alexander Hamilton. For Burr to be elevated to the
position of Senator, that meant that the incumbent senator had to lose his seat. At the time
of Burr’s ascension, the incumbent was Philip Schuyler, father-in-law of Alexander
Hamilton. This set Burr and Hamilton against each other in the arena of political combat.
However, in fact, Hamilton was instrumental in getting Burr elected.

Apparently, Chancellor Robert Livingston, head of the New York Livingston
faction, was lining up to get a political appointment from the Washington administration.
But, to his dismay, Hamilton went out of his way to block Livingston from receiving any
sort of appointment. Feeling angry and betrayed, Livingston broke with his former
Federalist allies and joined the Clinton faction out of spite. Burr, now having the
combined support of the Clintons and the Livingstons, was unstoppable. Schuyler didn’t
stand a chance. After a series of backroom deals, Burr was officially elected to the United
States Senate.³³ Burr’s victory over Schuyler is significant, as it was one in a series of
events that contributed to Hamilton’s negative view of Aaron Burr.

His defeat of Philip Schuyler in New York was an impressive feather in Burr’s
cap. Following his victory, Burr was met by influential Virginians James Madison and
Thomas Jefferson, for what was described as a botanical expedition.³⁴ Of course, their
political opponents saw it as something else, as a sort of meeting to create new political
alliances. But whatever the real reason for their meeting may be, it symbolized an

³² Isenberg, *Fallen Founder*, p.105
³⁴ Isenberg, *Fallen Founder*, p. 107
elevation in stature for Burr. He was not yet a major player on the political scene, but he was getting there. And Alexander Hamilton was no doubt taking note. Burr had humiliated him and his father-in-law, and there is little doubt that that defeat lingered. When Burr was persuaded, almost against his will, to run for Governor of New York in 1792, Hamilton was there to put a stop to his campaign. In the heated race between Burr, Clinton, and John Jay, Clinton emerged victorious by a paltry 108 votes in an election rife with corruption and deceit. But Burr, far from being angry with the result, was more disappointed with the way the governors office was decided.35

Although Burr lost the gubernatorial election in 1792, influential politicians who were working to remove then-Vice President John Adams took notice of Burr’s deft handling of the difficult situation that he was placed in. Two scheming Virginians, John Beckley and James Monroe, met with Burr privately and attempted to recruit him toward their cause of preventing John Adams from retaining the office of the Vice Presidency. This was Burr’s first foray into national politics. And with it, came the first public salvos from Hamilton’s always loaded pen.

In the national campaign of 1792, Hamilton seemed focused only to prevent Burr from reaching office. Nancy Isenberg writes, “Over the years, Hamilton’s personal attacks against Burr were consistent, and they all began with his three characterizations in the early 1790’s: devoid of principles (‘for or against nothing); privately reckless (financially ‘embarrassed’); yet personally powerful (capable of becoming ‘head of a popular party” because he was ‘bold enterprising and intriguing’). 36 Hamilton’s apparent obsession with destroying Burr appears at the outset to be puzzling, but it actually fits

35 Young, Democratic Republicans, p.86-87
36 Isenberg, Fallen Founder, p.119 as well as a letter from Alexander Hamilton to an unknown recipient: September 21, 1792
Hamilton’s character. Initially, Hamilton was only out to destroy Burr’s political career. Burr represented a major threat to Hamilton’s faction, and Hamilton went about neutralizing that threat the only way he knew how to, which was, extremely aggressively.

Did Hamilton’s three charges have any real basis in fact? His first accusation, that Burr was devoid of principles appears to be a metaphor for the fact that Burr never “towed the party line”, so to speak. He was a free thinker, and thus very often he would take positions on issues that were much closer to a Federalists way of thinking than a Republicans. What would have appeared to Hamilton as being “for or against nothing” was actually Burr taking a stand based on his own unique principles. Hamilton’s second charge was being privately and financially reckless, which may have had a basis in truth. Burr had dipped his hands deep into the land speculation market, and his finances would bear evidence of that. His wealth fluctuated wildly during his lifetime, and like most important politicians, he incurred massive debts. He was also a well known womanizer, with his appreciation for the ladies well documented. The third charge is less of an attack than a gesture of acknowledgment. Hamilton acknowledged the fact that Burr was powerful, and had the ability to become even more powerful. He foresaw that Burr’s skills would serve him well in politics, and he was right to consider him a threat.

There is no denying that the most virulent attacks attributed to Hamilton occurred during the closely contested election years of 1796 and 1800. However, the early attacks launched in 1792 set the foundation of what was to come. Hamilton’s barbs seeped into the public consciousness and it not out of the question that many Hamiltonians actually came to believe what was seeping out of Hamilton’s quill. Putting the attacks on Burr
aside, both Hamilton and Burr would spend the next three years dealing with difficult personal issues which would have major impacts on both of their futures.

But at the end of 1792, Burr’s reputation was arguably at its highest point. His military exploits were already well known, whether they were true or not. His law office on Wall Street was doing quite well, and he was married to the woman of his dreams. He was a United States Senator representing the state of New York, a candidate for Vice President, and he was being courted by two extremely influential Virginia politicians to help start what would eventually be known as the Democratic Republican Party. While Burr was riding this wave of success, he was unable to foresee the events that would precipitate his downfall.
The presidential election of 1792 proved to be a turning point for Burr, as it was his first foray into the national spotlight. Although he only received one electoral vote, he succeeded in presenting his name to the public at large, not just those living in the state of New York. But the political fame that was coming Burr’s way was not without consequence. He was now firmly in opposition with Alexander Hamilton, who, at this time, was firmly out to destroy his political career. In the fall of 1792, Hamilton claimed that he had a “religious duty to oppose [Burr’s] career.” And in the years following 1792, Burr would lose a great deal of what he held dear.

The first, and arguably the most debilitating blow to Burr’s life occurred in 1794. On May 18th of that year, his wife Theodosia passed away due to a prolonged illness, which many scholars believe was stomach cancer. Despite the fact that she had been ill for a number of years, Burr was surprised at the news of his wife’s death, and immediately left Philadelphia and rushed to New York. As Burr wrote to his cousin, Pierpont Edwards, “So sudden and unexpected was her death, that no immediate danger was apprehended until the morning that she was relieved from all earthly cares.” Burr did not write about his wife’s death, so it is difficult to get a full understanding of how it affected him at the time and in fact, there is nothing in Mathew Davis’ memoirs regarding Theodosia’s death. So scholars can only conjecture; knowing the affection that Burr

---

37 Letter from Alexander Hamilton to Unknown Recipient: September 21, 1792
38 Letter from Aaron Burr to Pierpont Edwards: May 24, 1794
showed to Theodosia, and what both of them were willing to go through to be together before the timely passing of Col. Prevost, it is not so difficult to believe that Col. Burr was greatly shaken by the passing of his wife.

But if Burr was shaken, he didn’t show it. In fact, while he was coping with his wife’s death, he would embroil himself in one of the more incendiary controversies of his time. In doing so, he would once again draw the ire of the weakening Federalist Party. This controversy centered on Albert Gallatin, a Swiss-born politician who was elected to the Senate from the state of Pennsylvania. Gallatin was an ardent anti-federalist, and the ruling Federalist party tried everything to keep him from office. On the same day that he was sworn in, a petition was presented stating that he did not have the necessary citizenship requirements to serve in the Senate. At the time, a prospective senator needed to have nine years of citizenship to serve; the Federalists claimed he only had eight. This sparked a trial like atmosphere in the Senate with none other than Aaron Burr handling Gallatin’s defense.

Burr squared off against his fellow New York Senator, Federalist Rufus King. But it is during this trial that one can see in how high a regard Burr was held. John Taylor of Caroline, a Republican politician from Virginia, wrote to Burr, “We shall leave you to reply to King: first, because you desired it; second, all depends on it; no one else can do it; and the audience will expect it.” The key phrase in this is when Taylor, a talented Virginia lawyer himself, states that Burr is the only one that can possibly go toe-to-toe with King.

40 Ibid p. 170
The question at hand involved the definition of citizenship in the United States. Federalists believed that being of Anglo-American background was a vital component of American citizenship, and that was something that Gallatin did not have. But Burr attacked that notion, using the basic principles of the social contract written about by Jean Jacques Rousseau. According to Burr, citizenship was not innate. It was acquired through the participation in civil society, and Gallatin had done more than enough to meet that requirement. He had owned property, fought America’s enemies and voted in the most recent election. Yet despite the eloquence of Burr’s argument, Gallatin lost his seat in the senate by a 14-12 vote, with voting occurring across strict party lines. Following the loss of Gallatin’s Senate seat, he would be selected to serve in the House of Representatives.

After the Gallatin affair, Burr continued to be a thorn in the side of the Federalist Party. When British military vessels were preying on American commercial ships in the late 18th century, President Washington assigned Federalist John Jay as a special envoy to Britain to help cease hostilities. Burr, as well as many other Republicans, led the charge against Jay, who was seen as much too cordial with British interests. And it turned out that the Republican opposition was right to be suspicious. The treaty that Jay came back with was one-sided in favor of the British. With the Federalists holding a slight two-thirds majority in the Senate, they would be able to ratify the treaty if the Republicans were unable to muster any more opposition. And their best efforts proved futile, with the treaty passing through the Senate easily.

42 Ibid p. 212-215
When that occurred, the Republicans, Burr included, went on a crusade to topple the treaty as best they could. They sent copies out to newspapers everywhere, along with letters of opposition and criticism written by Burr and other prominent Republicans. This reaction was extremely important to Burr’s political career, as it established his position as a true leader of his party. He had become a Republican stalwart, and a man of increasing political influence. The Federalists were threatened by him, and it was after this event that they began their personal attacks on him.

In the years of 1795 and 1796, two satirical poems were published that functioned as Federalist backed propaganda tools attacking Burr’s character. One of the poems, entitled *Democratiad*, functioned to mock Burr, belittling his stature, skills, and accomplishments. It asserted that his place in society was nothing more than a byproduct of his privileged upbringing. The second poem, entitled *Aristocracy*, attacks Burr’s political decisions, his religious faith, and even the way that he raised his daughter. It implied that he operated under a base feeling of jealousy directed at Hamilton, and that the only way he could overcome that jealousy was by winning the presidency, by any means necessary. Burr’s feud with Hamilton and political ambition were already well known at this point, but never before had they been painted in such a negative and satirical light. With these satires, the Federalists had fired the first of what would be many volleys against Burr’s character.

Burr’s political course steered him toward the New York governor’s office once again in 1795, as then Governor George Clinton had stated his desire to not seek re-election. He campaigned admirably, but lost in the three way race between himself, Judge

43 *The Democratiad* (Philadelphia, Pennsylvania: 1795)
44 *Aristocracy* (Philadelphia, Pennsylvania: 1795)
Robert Yates, and Jay. In fact, Jay was elected despite having not campaigned in the state at all in the month before the election was to take place. But the loss did not deter Burr from his overall goals. Even though he lost, he continued to lobby in the northeast, gaining momentum for the impending national election in 1796.

The Presidential Election of 1796 was, in essence, the first contested election in United States history. The previous two elections were just masks for what was, in reality, the appointment of George Washington to the post. When he announced that he would not seek a third term only a few short months before the election, the partisan machinery began running in earnest. The Federalists put together a ticket consisting of then Vice-President John Adams and Thomas Pinckney of South Carolina. The Republicans countered with Thomas Jefferson and Aaron Burr. At this point it must be noted that the electoral system did not account of party tickets at this time in history. The rule was that the top vote-getter would become President, while the candidate with the second most electoral votes would become Vice President. So it was entirely conceivable, and in fact probable, that the President and Vice President would be affiliated with different parties.

This occurred in 1796, chiefly because Alexander Hamilton attempted to push Thomas Pinckney into the Presidency ahead of Adams. In the wake of this plot, the Federalist Party essentially split down the middle, one side in favor of the Adams, the traditional candidate, and the other side firmly in Hamilton’s control. Because of this split, the election became a sectional affair, with regional ties meaning more than party loyalty. Because of this Virginia became the all-important state. But the Virginians had become suspicious of Burr’s campaigning activities in the North, fearing that he would

45 Isenberg, *Fallen Founder* p. 148
attempt to supplant Jefferson and win the presidency himself. Believing Burr to be duplicitous, they withdrew their support. In the end, all this regional squabbling served to produce a Federalist President in Adams and Republican Vice President in Jefferson, with Burr coming in a distant fourth.46

After his defeat in 1796, Burr served out his senate term, leaving the governing body in 1797. Many, such as Federalist Robert Troup, figured that Burr would fade into oblivion following his “embarrassing” defeat.47 But that would not be the case. Instead, he focused his political energies on New York, attempting to consolidate Republican power there. He became the political architect of his party in his state, occupying a seat in the assembly himself as well. Yet he could not escape the calling of the national political scene.

Burr’s return to national politics began in response to the XYZ Affair, in which three American envoys were refused a meeting with French leadership unless a bribe was paid. To the United States government, that was an ultimate insult and proof that the French government was corrupt. In preparation for the possibility of war with France, Adams asked that George Washington return to service as Commander in Chief of the Armed Forces, with Hamilton as his second-in-command. The decision was not a popular one among prominent Federalists, but Hamilton’s appointment was affirmed.48

Burr was asked to serve on a three man war committee consisting of himself, Hamilton and Ebenezer Stevens, a man working for the War Department. Burr himself worked as a fact finder, collecting statistics and figures needed to create a proposal for the fortification of harbor defenses. And apparently, he was extremely good at what he

46 Ibid p.152
47 Letter from Robert Troup to Rufus King: January 28th, 1797
48 Isenberg, Fallen Founder p.169
did. Even Hamilton praised his efforts, writing “Col. Burr sets out today for Philadelphia. I have some reasons for wishing that the administration may manifest a cordiality to him. It is not impossible he will be found a useful cooperator. I am aware there are different sides but the case is worth an experiment”49.” It is apparent that Hamilton’s praise of Burr is reluctant, but the fact that he praised him at all is noteworthy. Obviously, at this point in time, as in 1792, Hamilton’s dislike for Burr did not operate on a personal level, only on a political one.

Eventually, the mass hysteria caused by the XYZ affair translated into acts passed by Congress led by the Alien and Sedition Acts. These acts simply stated that the administration could prosecute and/or deport anyone who spoke out against the government or is seen as being influenced by foreign interests. These purely partisan acts enraged Republican leadership. James Madison, Thomas Jefferson and Albert Gallatin all tried in vain to combat the legislation, but their efforts were futile. Burr was on the warpath at the state level. During an assembly debate on whether New York should pass a law barring foreign born citizens from elected office, Burr gave a long and passionate speech railing against the proposed bill. He punctuated the speech with this: “Was Arnold a foreigner, is not Blount an American?50” By invoking the name of two well-known American born traitors, he invoked the idea that one does not need be foreign to be a traitor. According to Burr, there were many foreign born citizens who have held important elected positions. To deny them that right would be to betray the Constitution and everything it stood for. Having used a similar line of argument in his defense of Albert Gallatin’s Senate seat, Burr’s speech carried a significant amount of weight.

49 Letter from Alexander Hamilton to Oliver Wolcott: June 28th, 1798
50 Kline ed. *Burr Papers* p. 371
Burr’s passionate assault on the Alien and Sedition Acts and the state legislation that they spawned revived his political career. His speech in the New York assembly was printed in national newspapers, and his name was being circulated throughout the young country. This would set the stage for what become one of the most important events in Burr’s life: the contentious election of 1800.

The election of 1800 represents a significant turning point in Burr’s career, both personally and politically. In one watershed moment, he managed to alienate Republican and Federalist alike, and take one more step toward becoming a political pariah. Its consequences would have far reaching political effects, making it one of the most important events in our nation’s history.

In the years leading up to the election, Burr kept himself in New York politics. He hatched a series of clever schemes to increase Republican visibility and create a solid base within the state. In doing so, he single handedly created an impressive list of Republican candidates which, in turn, drastically changed the partisan look of the State Assembly. This new-look assembly would be chiefly responsible for pushing Jefferson over Adams in the election. Before that is discussed, it is important that one understands the complexities of the election itself.

As the election season began, it was a foregone conclusion that the Republicans would place Thomas Jefferson at the head of their ticket. But the candidate for Vice-President was less certain. After much debate, the Republican leadership settled on either former New York Governor George Clinton or Aaron Burr. With those two in mind, the leadership dispatched James Nicholson, father-in-law of Albert Gallatin to ascertain
which one of them was most suited to serve as Jefferson’s running mate. Nicholson was extremely impressed with Burr, writing that his “generalship, perseverance, industry, and execution, exceeds all description, so that I think I can say he deserves any thing and every thing of his country.” Alternatively, Nicholson also entertained the idea of having Clinton run with Jefferson, but that was not to be. As he describes it, Clinton’s “age, his infirmities and his habits and attachment to retired life in his opinion has exempted him from an active life. As George Clinton thinks Col. Burr is the most suitable person and perhaps the only man. Such is the opinion of all the Republicans in this quarter that I have conversed with; this confidence in AB is universal and unbounded.” Given Clinton’s weakness and the apparent unanimous support that Burr had within the party, the only option was to have Burr run with Jefferson.

It is interesting to note the apparent support that Burr had within the party. There was no man that gained and lost the support of his political colleagues more often than Burr. This is a testament to the fact that Burr was not a partisan puppet. He thought for himself and weighed each individual issue carefully. He didn’t care if his views conflicted with those of his party. The tendency to follow his own path was a contributing factor to the eventual friction that would grow between him and Republican leadership.

Meanwhile, the Federalists were having their own problems. As in 1796, Hamilton was engaging in intrigue within the party, doing everything in his power to prevent Adams from getting re-elected. That meant that he was once again backing Thomas Pinckney for the Presidency. Adams, far from being ignorant of the situation,

---

51 Letter from James Nicholson to Albert Gallatin: May 6, 1800
52 Letter from James Nicholson to Albert Gallatin: May 7, 1800
fired two Hamiltonians from his cabinet, Secretary of State Timothy Pickering and Secretary of War James McHenry.\footnote{Sharp, James Roger, \textit{American Politics in the Early Republic} (New Haven, Connecticut: 1995) p. 235-236} The Federalists were coming apart at the seams.

Burr worked hard during the election season, doing all the campaigning which Jefferson eschewed, as it was traditional for a presidential candidate to avoid formal campaigning. One must remember that at the time, Republican plans called for Burr to be Vice President. But as time went on, the facts become much more complicated. With 15 of the 16 States casting their votes, there was a three way tie for the Presidency.

Jefferson, Burr and Adams all had 65 votes each; with Hamilton’s dark horse Pinckney trailing by only one vote. The only state which hadn’t cast its votes yet was South Carolina. This seemed to favor Pinckney, who represented that state, but the state’s legislature was comprised of a majority of Republicans. So South Carolina was not a definite win for either party. But that didn’t mean both sides wouldn’t fight to gain the upper hand there. A local Charleston newspaper published a ringing endorsement of Burr, stating “Endowed with a mind vast, liberal and comprehensive, America owes not a citizen more fitted than Col. Burr, to be placed at the head of her government. With an energy and decision of character peculiar to himself, while other men are debating, he resolves; and while they resolve, he acts.”\footnote{“From the City Gazette”, \textit{Aurora}, Dec.5, 1800} This article shows that although Burr was meant to be the Vice Presidential candidate, there were plenty of people in the country who felt that he deserved the top position over Jefferson.

In the middle of December, it was learned that South Carolina’s votes had gone to Jefferson and Burr. But it wasn’t specified who received how many votes. Plainly, both Jefferson and Burr knew that the possibility of a tie existed. Burr expressed as much in a
letter to General S. Smith, a member of the House of Representatives from Maryland.

Burr states that “it is highly improbable that I shall have an equal number of votes with 
Mr. Jefferson; but, if such should be the result, every man who knows me out to know 
that I would utterly disclaim all competition. Be assured that the federal party can 
entertain no wish for such an exchange. As to my friends, they would dishounour my 
views and insult my feelings by a suspicion that I would submit to be instrumental in 
counteracting the wishes and expectations of the United States. And I now constitute you 
my proxy to declare these sentiments if the occasion should require.”

Burr was conveying his wish that if there was a tie, than the body designated to break that tie 
would have to do it legally. He also appears to be dissuading fears of his intention to 
usurp the Presidency, and to convey his intention to step aside if a tie was to occur. This 
letter was speaking almost directly to the Federalists, and Hamilton in particular.

And, of course, there was a tie, with both Jefferson and Hamilton each receiving a 
total of 73 votes. This was an unqualified disaster for the nation, as the system set out by 
the Constitution was inadequate to handle such an outcome. The framers had failed to 
anticipate the two-party system, and thus the electoral system at the time was unable to 
account for the intense partisanship present. What the Constitution did say was that the 
tie would be broken by the House of Representatives, which each state’s delegation 
possessing a single vote. This is where the real intrigue started.

The Federalist Party hatched multiple schemes aimed at manipulating the election 
results, or even attempting to negate them entirely. But as time wore on, they eventually 
concluded that they would throw their support behind Burr. Why? As Nancy Isenberg 
writes, “…a darker plot emerged: that of converting the imposter president into a puppet

55 Davis, Memoirs II, p.76
prince. Federalists could lose the election and yet be the power behind the throne, taking advantage of the fact that Burr would be a weak leader without popular support.” In essence, the Federalists threw their support behind Burr for two reasons. First, they felt he was controllable, and second, because he was not Thomas Jefferson.56

Many Federalists believe that Burr would be easy to control, but it easy to argue that that would not be the case. His entire political career had been predicated on him following his own path. He had never done anything at the whim of others. It is difficult to see why the Federalists believed in his weakness. Perhaps they were beginning to believe their own propaganda, or perhaps they just really didn’t want Jefferson in the Presidency, but either way, when taking Burr’s previous political acts into account, there is reason to believe that he would accept becoming a puppet of the Federalist Party.57

Suffice it to say, the Federalist support of Burr sent Hamilton into a rage. It is here that Burr is first called an “American Cataline.58” For the sake of clarification, Cataline was a Roman Senator living in the 1st century BCE charged with attempting to overthrow the Roman Senate. Whether he did or did not attempt to so is still up for debate, but his situation shares stark parallels with Burr’s. Both Burr and Cataline were immensely talented orators who came from privileged families. They both had vicious enemies who would do anything to slander their good name, in Hamilton and Marcus Tullius Cicero. And both had their legacies sullied and defamed by those opponents and many others.

Cataline’s opponent, Cicero, had charged that the man had committed incest with

56 Isenberg, Fallen Founder, p.210
57 In fact, I believe that if Burr had become President, he would have gone out of his way to destroy the Federalist Party, especially if they attempted to manipulate him to suit their own needs. He always marched to the beat of his own drum, and I see no reason as to why his administration would have been any different.
58 Letter from Alexander Hamilton to Oliver Wolcott, Dec. 16, 1800
members of his immediate family and even drank the blood of a sacrificed child.\textsuperscript{59} For Burr to be grouped with a man who carried such a reputation, whether it was true or not, was a great insult indeed. The fact was that in the eighteenth century, people believed Cataline to be the evil, perverted monster that he was portrayed as, and now Hamilton was putting Burr in the same category.

At the time, Hamilton’s chicanery had little effect on Federalist plans. But the strong wording used in his descriptions of Burr would forever tarnish his image. The portrayal of Burr as an “American Cataline” would seep into the public consciousness, and it would haunt him for the rest of his life. In Burr’s time, Republican thought was replete with classical imagery. American politicians saw themselves as embodiments of a Republican tradition created by the Romans. So it was a common practice for politicians to compare themselves to classical Roman senators. In this case, however, the comparison was an unfavorable one. But while Hamilton was lobbing verbal artillery at Burr, the election was still in the process of being resolved.

In early 1801, Washington DC was in frenzy. Rumors of the Federalists trying to negate the election altogether and raise one of their own as president circulated wildly. Congressman Joseph Nicholson of Virginia proclaimed that if such a rumor were true, “Virginia would instantly proclaim herself out of the union\textsuperscript{60}.” Given that the threads weaving the states together were tenuously thin, such an action was a distinct possibility. There were even threats of civil war breaking out if the dispute failed to be resolved. But it is at about this time where things get even more complicated.


\textsuperscript{60} Sharp, American Politics in Early Republic, p. 269
As the controversy dragged on, rumors were being spread stating that Aaron Burr was secretly promoting himself over Jefferson in an effort to steal the Presidency. Of course, such actions would go directly against Burr’s own statement when stated that he would “disclaim all competition” in the event of a tie with Jefferson. There is no evidence to suggest that he did so. In fact, his most important supporters spoke out in favor of his conduct during the crisis. Former rival George Clinton wrote in a letter to his nephew, “I have reason to believe that from Burr’s explicit declaration to me that he will not countenance a competition for the presidency with Mr. Jefferson.” Jefferson himself also appeared to be convinced of Burr’s honorable intentions, as he writes “The Federalists were confident at first that they could debauch Col. Burr, yet his conduct has been honorable and decisive and greatly embarrasses them.” Despite all the negative rumor flying around, Burr was able to keep his reputation intact among the people that really mattered.

Finally, in February of 1801, Congress resolved the matter. Jefferson secured victory in the election by making a backroom deal, promising to build up the country’s navy if votes were sent his way. After months of uncertainty, there was finally an air of finality with the results. Thomas Jefferson was the President, and Aaron Burr was the Vice-President. Little did Burr know that what appeared to be a blessing in his elevation to the Vice Presidency would actually become a curse.

The demise of Burr began gradually in 1802, beginning when his power in New York was being systematically sapped away. DeWitt Clinton, who was in charge of all patronage appointments at the time, had inexplicably left all of Burr’s men high and dry.

---

61 Letter from George Clinton to DeWitt Clinton: January 13, 1801
62 Letter from Thomas Jefferson to Mary Jefferson Eppes: January 4, 1801
63 Isenberg, Fallen Founder, p.220
Matthew Livingston Davis himself, who authored Burr’s *Memoirs*, was denied an appointment as Naval officer that he and Burr felt he deserved. When he learned of his rejection, Davis had gone to the President’s estate in Monticello to voice his frustration over what was happening in New York. But Jefferson did nothing.64

Why didn’t Jefferson intervene on behalf of his Vice President and his power base? It was certainly not uncommon at the time to give out appointments based on patronage. In fact, it was expected. And Jefferson was secure enough in his Presidency to act in any way he wished. His lack of action is puzzling, if one is to think that Burr was to be groomed as the next Republican President. So logically, it must follow that Burr was in fact not the Republican’s choice to be the next President. In actuality, the Republicans were planning on having James Madison ascend to the nation’s highest office in the event of Jefferson’s retirement. Madison could not run as Jefferson’s Vice-Presidential candidate, because an all-Virginia ticket wouldn’t stand a chance of getting the votes necessary to win the Presidency. So Burr was just a temporary stopgap to ensure Republican power. In actuality, Jefferson cared little for what happened to Burr and disciples, as long as it didn’t affect his overall power.65

In May of 1801, Burr’s reputation was dealt another powerful blow. A pamphlet entitled “Aaron Burr!” was released to the general public. This pamphlet detailed his apparent sexual deviancy, portraying him as a predator who seduced young women for sport. Of course, this was not the way a Vice President would act, and the pamphlet was

---

64 Siry, Steven E., *DeWitt Clinton and the American Political Economy: Sectionalism, Politics, and Republican Ideology* (New York City, New York: 1990) p. 45-47
65 Isenberg, *Fallen Founder*, p. 230
purely a propaganda tool backed by Burr’s Federalist opponents. And Burr didn’t even bother to respond to the pamphlet, thinking that doing so would be “degrading"66.

Here is where Burr makes an almost fatal error in judgment. His refusal to counter the pamphlet only served to perpetuate the accusations. One would think Burr, as a competent lawyer himself, would understand that fact. If an accused person fails to fight a charge, whether because they do not wish to or they do not have the ability to, he is presumed as being guilty of that charge by the public at large. Burr’s refusal to counter the accusations, although not unexpected given his upbringing, was a tremendous political blunder. And because of that refusal, his identity as an “American Cataline” persisted for centuries. But “Aaron Burr!” was only the beginning of Burr’s troubles. Because at the time of the pamphlet’s release, a new enemy would reveal himself to Burr, one who would cause far more damage than any pistol ever could.

His name was James Cheetham, and he was British refugee who found work in the United States as a hatter. But after a few years, he found his way into the tabloid journalism of the time, soon taking over as the editor of the American Citizen, which was the lone Republican newspaper in New York City. It is ironic to note that Cheetham was able to secure his position thanks to the assistance of Burr himself. But despite Burr’s patronage, Cheetham allegedly became suspicious of Burr’s activities and abandoned the man that had orchestrated his success.67

Alternatively, there is another explanation for Cheetham’s defection, which happens to be much less noble than the explanation previously offered. According to Matthew Davis, Cheetham wasn’t interested in politics or morals; he was interested in

66 Letter from Aaron Burr to William Eustis: May 13, 1801
67 Letter from James Cheetham to Thomas Jefferson: December 10, 1801
hiring himself out for the most money. Davis contends that Cheetham had offered to turn
his sights on Jefferson if Burr’s men had paid him 2,000 dollars. 68 Having refused,
Cheetham sided with Burr’s opponents and began a relentless campaign to discredit him.
Jefferson himself had not so secretly financed some of Cheethams endeavors, thereby
declaring that he had sided against his Vice President. 69

No matter the reasons for his defection, the fact remains that Cheetham almost
single-handedly destroyed Burr’s good name. He began by informing President Jefferson
of Burr’s supposed plot to “steal” the election of 1800. According the Cheetham, Burr’s
electioneering in the northern states served only to publicize his own name, at Jefferson’s
expense. He named others, including Matthew Livingston Davis, who acted as Burr’s
agents in other states in order to propagate the man’s alleged schemes. 70

Again, how could it be possible that such accusations were being made about a
member of the Presidential administration without raising the ire of the President
himself? As stated before, it was because Jefferson himself had no desire to exonerate
Burr. He could have easily investigated Cheetham’s claims further, but he felt that it was
not necessary at the time. In fact, Jefferson may have already concluded in his own mind
that Burr did in fact try to steal the Presidency from him. Jefferson’s silence was
devastating, and combined with Burr’s refusal to counter any charges against him, there
was nothing stopping Cheetham from spreading his venomous lies.

Eventually though, Burr realized that he had to do something to slow Cheetham
down. In September of 1802, Burr published a letter that was distributed to a number of

68 Davis, Matthew Livingston, Memorandum Book, Vol. 57, Rufus King Papers, New York Historical
Society, New York
(Chapel Hill, North Carolina: 1963) p.254-255
70 Isenberg, Fallen Founder, p. 244
newspapers in the northeast. He wrote that he never “assented to be held up in opposition to Jefferson or attempted to withdraw from him the vote or support of any man.” He also stated how appalled he was that “calumny, unsupported by proof or even the authority of Name, could so far receive attention from the public as to require answer or even a denial.” Once again, one can see how Burr felt that the attacks on him were so outrageous that they didn’t even deserve a response. But in reality, he held the American people in too high a respect. Without a response to the contrary, people at large will believe almost anything. And they will believe it much more fervently if the sitting President, and Burr’s fellow party member, does nothing to disprove the claims. It appears that, at the time, Burr was unable to fully realize the damage being done to him. And when he finally did understand it, it was far too late.

In the early 19th century, the only ways that news, gossip, and propaganda was circulated involved newspapers and word of mouth. Because of this, they were each powerful tools. Many newspapers tried to stay above the partisan infighting, but many, such as Cheetham’s *American Citizen*, sold their services to the highest bidder. These newspapers fueled the gossip that permeated American society, so much so that many people were unable to determine fact from fiction.

The deterioration of Burr’s reputation can be likened to a bonfire. Cheetham’s attacks were the kindling, harmless pieces of wood unless set ablaze. His eventual treason trial would prove to be the spark, causing the kindling to ignite. And just like kindling, Cheetham’s vicious attacks would keep feeding the “fire” of falsification. And with no one standing up to defend the Vice-President, his political career was all but over, whether he knew it or not. When the Republican Party met to determine their ticket in the

---

71 Letter from Aaron Burr to Joseph Bloomfield: September 21, 1802
1804 Presidential election, not a single party member cast a vote for Burr. In 1804, he was considered an enemy of both major political parties with both Hamilton and Jefferson alike wishing to keep him out of office.
In 1804, things took a turn for the worse for Aaron Burr. Events were set in motion that led to the famous “interview,” where Burr would shoot and kill Hamilton on a grassy field in Weehawken, New Jersey. As significant as this event was in American history, it held less overall importance to Burr’s reputation itself. There a variety of reasons for why this is so, many of which will be touched upon later in this chapter. Most significantly, the events that would occur after the duel, such as his expedition to the American West and his travels through Europe, were things that Burr had been interested in years before that fatal day in Weehawken. Nancy Isenberg asserts that “all evidence points to the fact that Burr had started thinking about going west well before he lost the governor’s race, or faced indictments for murder from his duel with Hamilton.” That, combined with the relative acceptance of dueling as a practice, causes one to think that the Burr-Hamilton duel has been blown out of proportion. But before any of that can be explored, the details must be examined.

After it became evident that he would not be nominated as the Vice-Presidential candidate in 1804, Burr set his sights on a more familiar battleground: The office of Governor of New York. It was a bitter campaign, as Burr was running against his old enemy, DeWitt Clinton. But the most virulent attacks came from Hamilton, who accused Burr of falling in with a coalition of New England senators who wished to secede from

---

72 Isenberg, *Fallen Founder*, p.287
the Union in response to Jefferson’s approval of the Louisiana Purchase, which they saw as being unconstitutional.\footnote{Kline, Burr Papers II, p. 832-833}

Hamilton’s attacks fell on deaf ears, though, as Burr’s supporters went out of their way to portray Burr as a man of character and skill. They emphasized his military service and political accomplishments, touting him as the best man for the job. But James Cheetham was once again there to add his venomous opinions. This time, his attacks bordered on obscene. He compared Burr’s followers to prostitutes, implied Burr’s home was a whorehouse, and explicitly asserted that Burr had granted sexual favors to people who decided to vote for him.\footnote{American Citizen, Jan. 10, Feb.25, March 20, 1804.}

These attacks were beyond absurd, but they certainly affected the minds of voters. Burr lost by a total of over 8,700 votes, which was the greatest margin of defeat in a New York gubernatorial election at the time.\footnote{Isenberg, Fallen Founder, p. 255} Cheetham’s attacks had been devastating, and once again, Burr had failed to mount any serious opposition to them. With this defeat, Burr’s political career was all but over. All that was left was sit out the rest of his term and, in his mind, retire quietly.

A side-effect of the 1804 gubernatorial election was Burr’s growing conflict with Hamilton. The conflict began with a seemingly innocuous political letter sent by Dr. Charles Cooper to a local New York newspaper. The letter was a basic offer of political service in an effort to prevent Burr from winning the election, but in it there were a few dangerous insults toward Burr and his supporters that were allegedly made at a dinner party. When pressed on the issue by Burr supporters, Cooper wrote another letter, stating

\footnote{Kline, Burr Papers II, p. 832-833}
\footnote{American Citizen, Jan. 10, Feb.25, March 20, 1804.}
\footnote{Isenberg, Fallen Founder, p. 255}
that much worse was said at the event. He wrote, “I could detail to you a still more
despicable opinion which Gen. Hamilton has expressed of Mr. Burr.”\textsuperscript{76} Nancy Isenberg
relates how the word “despicable” was “used at this time to describe socially degraded or
sided behavior, which could be considered slander.”\textsuperscript{77} Finally, Burr had been publicly
insulted by comments made by Hamilton directly. No matter that he didn’t know exactly
what those comments were; the fact that he had evidence that Hamilton had actually said
them was enough.

After conferring with friends and colleagues about his course of action, Burr
drafted a note asking Hamilton to apologize. But what made this situation different from
previous incidents where Hamilton had impugned Burr’s character? Simply put, Burr had
had enough of Hamilton’s vicious insults. As he writes, “I have been constantly deceived,
and it became impossible that I could consistently with self-respect forbear.”\textsuperscript{78} Burr had
been satisfied to let Hamilton play his game as long as he got an apology afterward,
before things spiraled out of control. But this time, there was no apology. There was no
going back for either man.

In response to Burr’s note, Hamilton composed a fairly self-serving reply. He
claimed that due to his being in the public spotlight for over fifteen years, he could not be
held accountable for things said about a political opponent. And the end of his letter
failed to help matters. He wrote, “I trust, on more reflection, you will see the matter in the
same light as me. If not, I can only regret the circumstance, and must abide the

\textsuperscript{76} Syrette, Donald C., and Cooke, Jean G, eds. \textit{Interview in Weehawken} (Middleton, Connecticut: 1960) p. 48
\textsuperscript{77} Isenberg, \textit{Fallen Founder}, p.257
\textsuperscript{78} Letter From Aaron Burr to Charles Biddle: July 18, 1804
consequence. Hamilton’s response implies that he should not be responsible for statements he made regarding Burr. In fact, one can argue that he’s placing the blame on Burr for being offended in the first place! By claiming the moral high ground in the affair, Hamilton undoubtedly rankled Burr’s pious sensibilities.

Burr wasted little time in his reply, attacking Hamilton’s logic head on. As Burr bluntly puts it: “Political opposition can never absolve gentlemen from the necessity of a rigid adherence to the laws of honor and the rules of decorum…I neither claim such a privilege nor indulge it in others.” Burr challenged Hamilton’s honor directly, and in no uncertain terms let him know that he expected nothing less than a direct apology for defacement of his character. Yet Hamilton refused to swallow his pride in the matter. It was becoming clear to all involved that this issue would be resolved with a duel. Burr’s men didn’t wish that to happen, as Burr’s courier during the affair, William Van Ness, offered Hamilton a way out. All Hamilton had to do was recall what was said in the conversation, and disavow it. But, as stubborn as ever, Hamilton refused. They would exchange one more series of letters before they reached the point of no return.

There are multiple opinions on why Hamilton had such a dislike for Burr, but most scholars agree that at its core rested a base jealousy. Despite the fact that both men had become incredibly powerful and extremely successful in their own rights, it appears that Hamilton felt inadequate when his own accomplishments were placed next to that of Burr. Firstly, there was the “accident of birth.” Hamilton was born illegitimately on the Island of Nevis in the Caribbean, coming to the United States at the age 16. He had never known the true identity of his father. He worked extremely hard and gained entrance into

---

79 “William P. Van Ness’ Narrative of the Events of June 18, 1804” in Hamilton Papers Vol. XXVI
80 Letter From Aaron Burr to Alexander Hamilton: June 21, 1804 in Hamilton Paper Vol. XXVI
81 “William P. Van Ness’ Narrative of the Events of June 18, 1804” in Hamilton Papers Vol. XXVI
King’s College, which would later become what is now known as Columbia University. After the Revolution broke out, he saw some battlefield action, but spent most of the war behind the front lines serving as General George Washington’s right hand man. After the war, he was appointed Secretary of the Treasury, where he almost single handedly developed the US fiscal system. He never once sought an elected office, which leads historians to believe that he never quite felt that he could achieve victory in a popular vote. Alternatively, Burr was born into what could be as close to an aristocratic family as they come. He was accepted into Princeton almost by default, and he saw front-line battlefield action in the War. He was also elected numerous times to offices based on a popular vote. In short, Burr and Hamilton were essentially photo-negatives of each other. Theoretically, this analysis could be attacked on the basis that it could be reversed, with Burr in the position of a wealthy aristocratic who was jealous of Hamilton’s steady rise to fame. However, it is important to note that Hamilton is the aggressor in almost every conflict between the two, both physically and politically.

As the days faded away and time inch ed ever so much closer to July 11, Hamilton’s activities are shrouded in mystery. It is known that he wrote what he declared to be his “Apologia,” a sort of testament from beyond the grave. In it, Hamilton relates that he was “strongly opposed to the practice of Dueling.” This statement seems a bit disingenuous based on the fact that the very reason that he was writing such a document was to protect his legacy if he were to be killed in a duel! More importantly, in a statement that has puzzled scholars for centuries, he stated his intention to “reserve and

82 Rogow, A Fatal Friendship, p. 4-20
throw away” his first and possibly second shot. Was he so convinced of his own righteousness that he would expose himself to death just so he could claim the moral high ground, whether he lived or died? It would appear so, although accounts of the actual duel are confusing at best.

Because dueling was officially illegal in New York State, Burr and Hamilton settled on Weehawken for their “interview.” Burr arrived first, with his second, William P. Van Ness. Hamilton arrived a bit later with his own second, Nathanial Pendleton. Also on hand was Hamilton’s personal physician, Dr. David Hosack. Before the proceedings were to begin, Hamilton apparently leveled his weapon and tested how the light affected his line of sight. He then put on a pair of spectacles, in order to improve his vision. This does not sound like the acts of a man who wishes to reserve his fire. If he planned on firing in the air, why put on spectacles and test the light? These facts are conveniently left out in many historical articles, especially the ones that paint Burr as the antagonist.

According to both seconds, after the call to present, both men fired. However, they disagree on who fired first. But what is known is that Burr’s shot struck Hamilton just above the right hip, tore through his liver and embedded itself in his spine. According to Pendleton, Hamilton’s second, Burr fired first and Hamilton discharged his weapon by accident as he fell from his wound. Burr’s second paints a different story though. William Van Ness stated that Hamilton fired the first shot and missed, while Burr stood there in shock. According to Van Ness, several seconds passed and then Burr, who had by then composed himself, raised his pistol and fired. In this account, Hamilton fell

---

84 Ibid. p.280
85 Kline ed., Burr Papers II p.887-889
forward, with Burr immediately taking a step to check on the fallen man. But before he could do anything, he was whisked away from the dueling field. Hamilton would linger for approximately 24 hours before finally succumbing to his injuries. It is fairly clear that Burr’s intent was not to kill Hamilton. In fact, only about twenty percent of duels actually proved fatal. Years after the duel, Burr would remark, “If I had read Sterne more and Voltaire less, I should have known that the world wide enough for Hamilton and me.” In regards to the afore-mentioned quote, Arnold Rogow writes, “It is difficult to believe that Hamilton, had he survived the duel and had Burr been killed, would have been capable of a similar statement.”

The general overreaction to the duel is strange in the fact that dueling was not an uncommon event at that time. Hamilton’s son had been killed in a duel, and Burr had participated in at least one other duel, in 1799. Future president Andrew Jackson, who Burr held in high regard, had supposedly participated in an astonishing thirteen duels, even going so far as killing one of his opponents. His duels don’t appear to have tarnished his legacy much. Actually, they appear to add a significant luster to his legacy. So what was the big issue over something that was apparently fairly common? It seems that the issue wasn’t so much the duel itself, but who the participants were. There hadn’t been a duel with two such high profile combatants, and the fact that Hamilton was killed added to the intrigue. It was a unique, one of a kind situation in American history, and people didn’t really know how to react.

In fact, it could be argued that the duel actually helped Burr’s reputation in certain areas. He was a pariah in both the northern states and the southern states, thanks to the

---

87 Ibid p.344
88 Rogow, A Fatal Friendship, p. 272
89 Remini, Robert Vincent, The Life of Andrew Jackson (New York, New York: 2001) p.52
political machinations of Hamilton and Jefferson. But in the newly created western territories, he was seen as a hero, a man who had met and defeated his opponent on the field of honor. The country was divided on its opinion of the man.90

News of Hamilton’s death spread quickly, and it galvanized his followers into renewing their relentless attacks on Burr. But in the long run, these attacks were not at all different from the ones that they threw towards Burr before the duel. The only aspect that changed was that he was portrayed as an assassin, someone who had killed Hamilton in cold blood over nothing, rather than a sexual deviant. But the fact of the matter remains, Burr’s political career was over before the duel even started. He lost the 1804 New York gubernatorial election, as already noted, by more than any other candidate in the state’s history. The meaning of this is simple. Burr, who once had such an extreme foothold over the politics of his own state, was suddenly unable to muster a competent challenge in the state election. Although his political career was already dead, Burr’s duel with Hamilton made him see what he had previously been unable to see: there was no place for Aaron Burr in the political realm. His time was over.

Meanwhile, Burr was indicted on charges in both New York and New Jersey, which presented a question of who held proper jurisdiction on the matter. The duel was fought in New Jersey, but Hamilton died in New York. Eventually, the murder charges were dropped in both states as that there wasn’t enough evidence to sustain them. But Burr was still facing charges of violating the dueling law in both states. This is especially interesting because, once again, the duel was fought in New Jersey and New Jersey had no law against dueling. So, technically, neither state had the jurisdiction or authority to charge Burr with anything.

90 Isenberg, Fallen Founder, p. 269
Burr, as a lawyer, must have known this. But instead of facing the charges and pointing out how flawed they were, he decided to flee, becoming a fugitive in the process. No one is entirely sure why he decided to run, but there are a few factors that may have contributed to his decision. One factor could have been that he saw through the charges, realizing that they were more political than legal. Knowing that he had no support from either party, he could have felt that his conviction was likely and that fleeing was a better option. Another was the simple fact that he was most likely scared. He had just killed one of the most famous men in the country, and he was already being portrayed as the bad guy. Whatever the reason, the fact was that he was now a fugitive from justice.

Although he was technically running from the law, he still had friends in the South, which is where he went after the duel. He traveled through the Carolinas, visiting his daughter and son-in-law and then went down to Georgia to stay with friends. It was on this trip that Burr began to formulate his plans for the ill-fated expedition that would lead to his being put on trial for treason.

On March 4, 1804, Burr renounced his Vice Presidential duties and turned his eyes westward. What would follow is a tangled web of lies, forgeries and slanders that would spawn what would become known as the Burr Conspiracy. Buckner Melton puts it best, writing, “…despite all of these things, no one has been able to discover what this man really plotted. Too many people hold too many different stories, and too many people had things to hide. The record is vast; but it is full of gaps, and rumors, and lies. All that we know for certain is that whatever Aaron Burr planned, it had something to do
with the land beyond the Appalachian-Allegheny Range, the great Mississippi and Ohio River Valleys. The events that make up the Burr Conspiracy are shrouded in mystery. There is little evidence to support either side. But one thing is for certain, and that is no matter what Burr’s true intentions were, the treason trial that he was forced to endure significantly impacted his legacy.

Because of the fact that the true reasons for Burr’s expedition west are unknown, it will be prudent to begin with background facts. During Burr’s trial, President Jefferson had an intense interest in seeing Burr hanged, because, for all intents and purposes, he felt that Burr was trying to undermine him. Jefferson was intensely threatened by him. There were many reasons for this interest, including the belief that Burr had tried to steal the election of 1800 from him, but the most recent one centered on the impeachment trial of Samuel Chase, a Federalist judge that President Jefferson wanted to remove from the bench. Despite the fact that Burr was wanted on charges in New York and New Jersey at the time, he had still returned to Washington to fulfill his duty as presiding officer of the Senate.

The facts of the Chase case were simple. At the time, Supreme Court Justices occasionally served on the bench of local circuit courts as well. Justice Chase was accused of being hostile to witnesses and making long, irrelevant speeches during trial proceedings. The House immediately impeached him, and he was brought to trial in the Senate. Scholars agree that if Chase had been removed from the Court, Chief Justice John Marshall, of *Marbury V. Madison* fame, would be the next one to go. At the time, there was little that Jefferson would have wanted more than to be rid of his old enemy, John

---

92 Chidsey, Donald Barr, *The Great Conspiracy* (New York City, New York: 1967) p.28
Marshall. So he held a vested interest in the Chase Trial. But to Jefferson’s everlasting chagrin, Burr made sure that the trial was honest and fair, resulting in Chase’s acquittal. This was the last significant act of Burr’s distinguished political career.

Following his term as Vice President, Burr had begun to recruit men for an “expedition” into the western territories of the United States. Burr was never really clear on what he meant by an “expedition”, but it centered on the legal acquisition of western lands in response to the possibility of war with Spain over its holdings in North America. Nancy Isenberg offers a simplified picture of what he was planning. In her words, “In the event of a war with Spain, [Burr] would lead a filibuster into Spanish territory. A filibuster was an invasion by a private army without government sanction. There was a loophole for such would-be adventurers: the laws of neutrality, which made filibustering criminal, did not apply in times of war. He also knew that it was accepted practice for Americans to engage in personal diplomacy, so appeals for foreign assistance were not illegal.” From his vantage point as Vice-President, Burr had become well aware of the simmering tensions between the United States and Spain. With his political career over and his finances in disarray, he saw the prospect of a filibuster to be financially beneficial. Contrary to popular belief, there is no evidence that he wished to cede the Louisiana Territory from the United States and declare himself king of the newly created country of “Burrsylvania”.

Despite the lack of evidence of Burr’s true motivation for the expedition, it is generally accepted that Burr was indeed mustering an armed force to invade Mexico in the event of war with Spain. One of his most important allies at the time was General James Wilkinson, Commander in Chief of the United States Army and military governor.

93 Isenberg, *Fallen Founder*, p.283
of the Louisiana territories. Burr’s alliance with Wilkinson was chiefly an alliance of convenience, as both had similar goals. But Wilkinson was of a questionable character, and as Burr would soon learn, he was adept at devising plans to shield himself in case any of his plans went awry. Ironically, while Burr was being tried for being a traitor, it was actually Wilkinson who was in the employ in the Spanish government.

Seeking to gain additional funds for his venture, Burr petitioned Anthony Merry, who was the British minister to the United States at the time. It is this communiqué that has been used to most often to prove Burr’s treasonous guilt, but after a closer look, it is obvious that there is more to it than what lies on the surface. Merry’s version of the communiqué states that Burr would “lend his assistance to His Majesty’s Government in any manner in which they may think fit to employ him, particularly endeavoring to effect a Separation of the Western Part of the United States from which lies between the Atlantick and the Mountains, in its whole extent.” On the surface, this quote is damning evidence against Burr. But upon closer inspection, the charge loses its credibility. The quote is from a letter written by Merry himself, and it makes no mention of Burr’s plans to ride into Mexico and Florida, which was Burr’s known objective. Also, the man who wrote and delivered Burr’s proposal, Charles Williamson, also sent proposals to other British officials, where there was no mention of a plot to separate the United States. Those communiqués centered on the acquisition of Spain and Florida from the Spanish. Those facts, coupled with Merry’s documented hatred of Jefferson and dislike of Burr, cast a long shadow over whether his letter is a viable piece of evidence against Burr.95

94 Kline ed., *Burr Papers II*, p.891-892
After months of careful planning, Burr left Philadelphia in April of 1805, heading west. He sailed down the Mississippi River, and he was greeted as a celebrity in every town that he visited. It is during the trip that he would first meet Harman Blennerhassett. Staying at Blennerhassett’s island home off the shores of the Ohio River near what is now West Virginia, Burr found a lot to like with the lanky Irishman. He raised his children in the same Rousseau-ian style that Burr had adopted, and he was also an amateur scientist with a well-developed intellect. They would develop a strong friendship and Blennerhassett would eventually become a willing aid in Burr’s march toward Mexico.96

As Burr continued on quest through the West, he found himself gaining some powerful and influential allies. These included childhood friend Johnathon Dayton, Senator John Smith of Ohio, Senator John Brown of Kentucky, Congressman Matthew Lyon of Kentucky, and future Presidents Andrew Jackson of Tennessee and William Henry Harrison of Indiana. All these men had tremendous resources at their disposals, and their support would prove to be a major boon to Burr’s campaign.97

But Burr was unable to keep such an expedition secret for very long. Various newspaper outlets got wind of his travels, and began to squawk about his so called plans to develop a third political party based out of the American West. This party would be built upon the foundation that the current political structure of the United States was obsolete, and a new one had to form with Aaron Burr at its head98. Once again, these reports were completely unsubstantiated. But with Burr having an already sordid

96 Isenberg, Fallen Founder, p. 293
97 Chidsey, The Great Conspiracy, p. 59-60
98 Isenberg, Fallen Founder, p. 298
reputation as an “American Cataline,” the reports of his wish to create a third party in the west were taken seriously.

In 1806, after a short return to the North, Burr again headed out west. Staying at Blennerhassett Island, Burr prepared for his filibuster. But the rampant rumors of what Burr was truly doing began to take hold, and the people leaving around the island began to become suspicious. These suspicions caught the attention of the United States District Attorney for the state of Kentucky, Joseph Hamilton Daveiss. Daveiss had long suspected Burr of conspiracy, and he had repeatedly solicited President Jefferson’s help in bringing the man to justice. He didn’t get the help he wanted from the President, but in November of 1806 Daveiss had Burr brought before a grand jury anyway. He claimed that he had evidence that Burr was trying to contrive a plot that centered on the secession of certain states from the union. As the proceedings wore on, the fact that Daveiss had, in reality, very little evidence became clear. Also, the erstwhile District Attorney also found himself matching wits with nothing short of a legal dynamic duo: Aaron Burr and future House Speaker Henry Clay. With their superior courtroom skills and the scant amount of evidence brought against Burr, there was no feasible way that the former Vice President could be convicted. Daveiss’ two “star” witnesses were forced to admit on the stand that they could not offer any firsthand evidence on Burr’s activities. Following their testimony, the Grand Jury wasted no time in dismissing the charges.  

As Burr was fighting the conspiracy charges in Kentucky, he found his filibuster plans come to a fairly pedestrian end. The border strife that he been the warning signs for an eventual war with Spain had been put down by General Wilkinson. Without an armed conflict, Burr would be unable to “legally” launch his force into Mexico. If he did so, it

99 Melton, Conspiracy to Treason, p.113-117
would be an overt act of treason. With all threat of war with Mexico, Wilkinson now attempted to maneuver himself into Jefferson’s good graces by inventing a Burrite plot to attack New Orleans.

Wilkinson’s plot began with a confidential letter to President Jefferson, forged by the General himself, asserting that an army of 10,000 men was planning to attack New Orleans and then launch an illegal attack into Mexico. At that point, Wilkinson claimed that he didn’t know who led the army. Obviously, Wilkinson was getting ready to betray Burr, because he had been privy to a cacophony of rumors rightly naming him as being in league with the ex-Vice President. In order to divert the negative attention from himself, he turned on Burr. In doing that, he produced an extraordinary letter would have implicated Burr in the scheme and vindicated all who set out to ruin home. That is, it would have, had Wilkinson not doctored the letter to suit his own purposes.

The letter, claimed by Wilkinson to be written by Burr, was a cipher, which needed to be decoded before it could be read. Wilkinson was the only one that had the cipher key needed to read the document. According to Nancy Isenberg, “It said, in fine, that Burr was en route to New Orleans with a considerable body of men, and that he planned to make use of the British navy in an effort to carry out ‘our project,’ by which the letter writer clearly inferred Mexico as the target of an invasion. Wilkinson, however, would twist the facts and claim that [John] Swartwout told him Burr was planning to attack New Orleans itself and ‘revolutionize’ the Louisiana Territory. Wilkinson also doctored the letter, carefully omitting any incriminating references to himself—thus, ‘our project’ became neutral, as ‘the project’ Wilkinson used this letter to ingratiate himself to Jefferson and convince the President to grant him almost absolute authority

\[\text{100 Isenberg, } \textit{Fallen Founder}, \text{p.313}\]
over the Louisiana Territories. With that, he declared Martial Law and began arresting Burr’s known accomplices. The President, after receiving Wilkinson’s letters, publicly accused Burr of conspiring to destroy the country. After the President’s public declaration, he set into motion the events which would lead to Burr’s eventual capture and arrest. Wilkinson, with full presidential backing, set out to dismantle Burr’s resources. His troops seized Harman Blennerhassetts home, destroying and looting much of the Irishman’s property.

Upon learning of Wilkinson’s betrayal, Burr knew he had limited options. He couldn’t allow himself to be taken by government authorities, for if he did, he felt that he would have no chance of defending himself. He knew his only chance lay in surrendering himself to civilian authorities in Mississippi, where public opinion would be decidedly with him. Aaron Burr, former Vice President of the United States, was now the country’s most wanted fugitive.

He negotiated the terms of his surrender with acting Mississippi governor Cowles Mead. After four days of negotiations, Burr agreed to surrender himself. Meade’s soldiers reached Burr’s camp and searched everything, yet they were suprised to find that there was no sign of anything that would be needed to mount a revolution. Instead of guns and ammunition, they found books and papers. On February 2nd, 1807, Burr presented himself in front of a Mississippi grand jury, which promptly dismissed all the charges against him. But unfortunately for Burr, he was not free. He was ordered to stay in Mississippi until given further instructions. This action forced Burr into a corner. Wilkinson’s men
were hot on his heels, and the last thing he wanted to do was face his betrayer in New Orleans. So, in the middle of the night, he disappeared.\textsuperscript{101}

One week after he fled from custody, Burr was seen in a small settlement in Alabama. The man who spotted him followed him to the farm where he was staying, and then returned to the settlement to get help. The authorities arrive soon after and demanded to see the man who was visiting the farm. The man that greeted them was certainly not the Aaron Burr that had been described to them. He wore a “slouching white had with a broad brim, sported a long beard and a checkered handkerchief around his neck, and a great, baggy coat tied with a belt. Hanging from the belt was a tin cup and a butcher’s knife.\textsuperscript{102}” When asked to identify himself, Burr saw no reason to lie. With his identity confirmed, Burr was arrested and escorted to Richmond, Virginia to await trial.

His trial commenced on March 30, 1807, with John Marshall, Chief Justice of the Supreme Court, presiding over the case. The prosecutions goal was simple: they needed to prove that Burr had committed an “overt act” of war, which was necessary to prove him guilty of treason. To make their case, the government focused on the gathering of men at Blennerhassett Island. They wished to prove that this gathering of men was in fact a marshalling of Burr’s forces, and with these forces he would try to break up the Union. Rumors were already flying that the men at Blennerhassett Island were heavily armed. But the prosecution failed to see one gaping hole in their logic: Burr was not present at the time this “gathering” occurred. He was, in fact, still in Kentucky finishing up his legal business there.

\textsuperscript{101} Ibid p. 320
\textsuperscript{102} Ibid p. 321
As the trail continued, it became abundantly clear that the state’s case relied on three key pieces of evidence. They were the doctored cipher letter, a statement attesting to Burr’s guilt signed by Wilkinson, and a narrative of events by General William Eaton, who claimed that Burr tried to seduce him into joining his cause. They opened their case with Eaton’s testimony. He claimed that Burr wished to separate the Western territories from the Union, with visions of “establishing a monarcy there, of which he was to be the sovereign, New Orleans to be his capital.” Eaton then went on to relate how he tried to dissuade Burr from launching his scheme, and then tried to get the President to send Burr out of the country. When the President refused, Eaton divulged Burr’s plan, and then later gave a public toast decrying it. One of Burr’s lawyers, John Wickham, commented that Eaton’s story was “strange.” Newspapers that were covering the trial also found Eaton’s story to be far from believable, citing his vanity and thirst for fame as their chief concerns.

One of the men prosecuting the case, George Hay, took Eaton’s story and ran with it. He used it to paint Burr as the very epitome of evil, borrowing many phrases from earlier newspaper attacks. According to Hay, Burr was a deviant, a revolutionary, a monarchist and a traitor all rolled into one neat package. With Eaton’s testimony corroborating the Wilkinson statement, the prosecution felt that they had a strong case, and that Burr would hang for his treachery.

---

103 The Examination of Aaron Burr before the Chief Justice of the United States: upon the charges of high misdemeanor, and of treason against the United States; together with arguments of counsel and opinion of the judge (Richmond, Virginia: 1807) p.4
104 “The Deposition of William Easton, esq. (Concluded),” Washington Federalist, February 4, 1807
105 Examination of Aaron Burr, p.15
106 Ibid p. 6-8
When it was the defense’s turn, Wickham wasted no time attacking the prosecution’s case. First and foremost, he focused on the fact that the prosecution could not produce even one eyewitness attesting to Burr’s so-called “treasonous” activities. Burr’s second co-counsel, Edmund Randolph, chose to argue that the newspapers had poisoned Burr’s reputation, and that it was important that the court see beyond the petty venom that they spewed. It is ironic that Burr, with his tumultuous history with Virginians well documented, was represented by Randolph, one of the most well known Virginians of the period. But Randolph had been out of government for over ten years, and he was not in league with the Virginia group headed by Jefferson and Madison. Then, finally, Burr spoke in his own defense. He brought up how the general public had been alarmed by Wilkinson for no reason. He reminded the court that when his assets were searched they found no weapons. How could Burr have made war with books and agricultural equipment? This argument seemed to sway Justice Marshall. After all the arguments had concluded, Marshall sided with the defense, stating that there was not enough evidence to sustain a charge of treason. However, Marshall ruled that in the event sufficient evidence could be found, Burr could be charged again with treason.107

Jefferson was irate with the ruling, and he spent an inordinate amount of time and money trying to convict Burr. He reportedly sent George Hay a stack of blank pardons, ordering him to use them in an attempt to turn any of Burr’s “accomplices.” The prosecution called 140 witnesses, including Wilkinson, who was arguably the most important to their case. Burr would stand trial before the grand jury again on May 22nd.

The second set of proceedings went about much like the first, with Eaton giving his testimony and the opposing lawyers flinging sarcastic barbs at each other. General

107 *Ibid* p. 9-38
Wilkinson, although under federal subpoena, still had yet to appear. Then, on June 9th, Burr made a startling demand. He wished to subpoena the records of the President himself. After vehement opposition by the prosecution, Justice Marshall ordered the President to surrender the records. Jefferson complied, but claimed the right to withhold any information he deemed confidential. But these records would soon prove to be irrelevant, as a much better source of information would soon present itself. On June 16th, General James Wilkinson finally presented himself. Wilkinson was a proud and pompous man who overestimated his true importance. He entered the courtroom like a conquering hero, but after four grueling days of questioning, he admitted that he had doctored the allegedly damning cipher letter. Despite this admission, however, Burr was still indicted on charges of High Treason.108

Burr’s criminal trial began on August 3rd, 1807 in the Richmond House of Delegates. The testimony proved to be more of the same type as encountered in Burr’s previous examinations. Burr and his legal team hacked into the prosecution’s case, stating that Burr could not have committed an over act of war on Blennerhassett Island if he had not been present there. Luther Martin, another one of Burr’s co-counsels, attacked the very core of the prosecution’s case. He stated, “If I were to name this, I would call it the will o’wisp treason. For though is said to be here and there and everywhere, yet it is nowhere. It only exists in the newspapers and in the mouths of the enemies of the gentlemen for whom I appear; who get it put in the newspapers.109” Martin knew that the state was chasing a ghost, and it was a ghost that was created by the newspapers. He chided the government for getting so caught up in such a scheme, and vilifying a man

when there is little evidence to suggest his guilt. This brings a major point into focus regarding Burr’s reputation. The government was just as guilty in the destruction of Aaron Burr’s reputation as the newspapers and Hamilton were. With a single proclamation, the Jefferson administration could have saved Burr in the eyes of the people. But they did nothing.

On August 31st, Chief Justice Marshall decided that the original indictment was inherently flawed, as the prosecution had not presented enough evidence to sustain the assertion that Burr had committed an overt act of war. The next day, a jury found Aaron Burr innocent of the charge of High Treason. Burr would be examined three more times, winning three more verdicts of “not guilty.”

The trials and tribulations of Aaron Burr in the early 19th century are, for lack of a better word, astonishing. He was dragged through a series of legal battles based primarily on the fact that the Republican administration at the time had a vendetta out against him. Whether this was supported by Jefferson alone is unknown, but Jefferson’s feelings toward Burr remain clear. Before Burr’s arrest, Jefferson had declared to Congress that Burr’s guilt was “beyond question.” The newspapers carried the President’s sentiment throughout the country. With both the Commander of the Army and the President of the United States assured of his guilt, Burr was placed in an impossible corner. Public opinion was decidedly against him.

But Burr’s trials finally provided an adequate forum to defend himself. His talented legal team spent days poking holes through the flimsy case the prosecution had presented. Along with an extreme lack of evidence, the prosecution’s key witnesses were

---

110 Isenberg, *Fallen Founder*, p. 363
111 *Aurora*, January 22nd, 1807
a grandstanding drunk and a conniving double-agent interested only in saving his own reputation. The prosecution never stood a chance. The damage to Burr’s reputation, however, was done. If Cheetham’s attacks were the kindling, than Burr’s trials served as the match. They were the most talked about events of 1807, with much of the proceedings being open to the public. Even with the jury clearing him of all charges in the end, he would never escape the stigma of being a traitor. That, combined with being the man who killed Alexander Hamilton, meant that Aaron Burr would forever be marked as ‘evil’ in American history.

That is why, in his later years, Burr dropped off the map. He spent many years in different European countries, meeting people such as the renowned philosopher Jeremy Bentham. But in each case, he would wear out his welcome and leave, culminating in his desire to return to the United States. Once there, he returned to his law practice and even got married again. But he was still seen as a traitor, and he would never escape the clutches of the American propaganda machine.

In 1808, Burr was a free man, having been cleared of all treason charges against him. But that didn’t mean that he was cleared in the eyes of the public. Most of the country still viewed him as a traitor who got off the hook on a technicality. Many Republicans, in fact, were convinced that the presiding judge his first and most famous trial, Chief Justice John Marshall, was in league with Burr the whole time. Of course, none of such nonsense could be proven, so Burr was free to do as he pleased with the rest of his life.
The first thing that he needed to do was simple: he needed to avoid his creditors. He was in tremendous debt at the time, and he would soon be facing $36,000 in lawsuits. Despite the legal issues that he was facing, he took a trip to Europe, ostensibly to find new allies for his filibuster scheme.\cite{Isenberg2001} Now, the obvious question here is this: why would Burr even consider another filibuster after all he had been through in the last few years? To put it simply, if his filibuster plan was successful, he would be able to pay off his creditors and still earn himself a comfortable living. In Burr’s eyes, such a venture was well worth the risk.

He set off from New York in 1808, with letters of introduction provided by Sir George Prevost, (a relative of Burr’s late wife) who was living in Halifax, Canada. Traveling under the assumed name of “H.G. Edwards”, Burr landed in England on July 13\textsuperscript{th}. A few days later, he was in London, trying to recruit influential members of the English government to his cause. Despite his best efforts, he failed to gain the support that he was looking for, yet he found solace by forging a relationship with Jeremy Bentham, one of the most well-known English philosophers of his time. Bentham and Burr shared a unique view of the world, and because of their mutual understandings, they became fast friends. But Burr would soon wear out his welcome. After about eight months in England, he was arrested and then forced to leave the country, due to his “suspicious” activities.

After leaving England, he bounced around Europe, going from Sweden to Germany to Denmark before finally finding himself in France. Once in Paris, he started to solicit Napoleon Bonaparte’s favor for his filibuster scheme. In letters written to Bonaparte by his advisors, Burr’s scheme is referenced directly, “Mr. Burr proposes to

\cite{Isenberg2001} Isenberg, \textit{Fallen Founder}, p.369
make the Spanish American colonies independent and to have them put into a state of hostility against Great Britain. His plan is to being with Mexico and New Granada.\textsuperscript{113} It is extremely important to understand that this is a French diplomat’s understanding of what Burr was trying to offer. Because of this, its exact specifics are hard to know. But his attempts at getting French support ultimately fell on deaf ears. Without even a modicum of support, his filibuster plans were dead. Once Burr realized this, he set out to apply for a passport to return home to the United States.

Yet even that turned out to be much more difficult than he thought it would be. He still had his reputation to deal with, and because of that, he was initially denied a passport by United States authorities in Europe. However, after wooing a few French officials, he managed to wade through the standard bureaucratic mess and secure passage back to the United States in the year 1812.

In the days leading up to his return, Burr was fearful of how the people of his home country would react to him. It had been almost four years since he left, and he could not possibly know how the public would see him. Because of his absence, he could never fully defend himself from the accusations of treason that were being hurled at him. He was undoubtedly still out of favor with the government, as seen during his travails in trying to get a legal passport. But because of the fact that European governments were beginning to tire of his presence as well, he felt that he had no choice but to return to the nation of his birth.

In the spring of 1812, he came ashore in Boston and went about rebuilding his life. He re-opened his law practice in Boston and began to reestablish the old connections that had served him so well in the past. All his outstanding legal issues were resolved.

\textsuperscript{113} Burr, Samuel Engle, \textit{Napoleon’s Dossier on Aaron Burr} (San Antonio: Texas, 1969) p. 14
when he was overseas, so he was able to create a niche for himself without fear of being prosecuted for events that occurred long ago. However, the modest foundation that he had built would soon come crashing down.

A few weeks after Burr opened his law office, his only grandson, Aaron Burr Alston, died at the age of eleven. Burr’s son-in-law, Joseph Alston, asked Burr to receive a grief stricken Theodosia in New York. He wrote, “My present wish is that Theodosia should join you…as soon as possible.”\textsuperscript{114} It was plainly apparent to Alston that Theodosia was not handling the death of her son very well, and thought that it would be therapeutic for her to join her father for a few weeks. Burr agreed, but was still extremely worried about her. As he wrote in a letter to his good friend, Jeremy Bentham, “I have reason to apprehend that she will not long survive.”\textsuperscript{115} Burr’s reservations would turn out to be justified.

Theodosia left Charleston Harbor on a small ship called the \textit{Patriot}, which was scheduled to reach New York in about six days, on December 31\textsuperscript{st}. She never reached her destination. No one really knows exactly what happened to the \textit{Patriot}, but the most accepted story is that she encountered a violent storm and was sunk of the coast of North Carolina. At the time, both Burr and Joseph Alston thought that it was possible that the \textit{Patriot} was seized by the British Navy in response to the conflict between England and the United States. But after months of silence, it had become plainly evident that Theodosia was dead. Burr had lost both his beloved daughter and his grandson within weeks of each other.\textsuperscript{116}

\textsuperscript{114} Letter from Joseph Alston to Aaron Burr, July 26\textsuperscript{th}, 1812  
\textsuperscript{115} Letter from Aaron Burr to Jeremy Bentham, August 27, 1812  
\textsuperscript{116} Isenberg, \textit{Fallen Founder}, p.389
In the years that followed, Burr threw himself into his law practice. He slowly built himself up, re-establishing his reputation as an extremely talented litigator. Even he was surprised at the favorable reaction that he received from longtime judges sitting on the New York Supreme Court. He also, once again, immersed himself in state politics, striking a particularly noteworthy friendship with future President Martin Van Buren. Both men shared similar political motives, but Van Buren enjoyed much more success than Burr did. Nancy Isenberg explains, “The reason Van Buren succeeded where Burr failes is that by the 1810s there were more men like him—like them—men who appealed to those outside the elite families who so long dominated state politics: not a disruptive third wheel, as their enemies charges, but the first truly democratic political organization in New York, offering a sensible alternative to the ruling family factions.” Van Buren and Burr were so politically similar that, combined with the fact that they shared a similar appearance, many believed they were related. In fact, there was rumor circulating at the time that Van Buren was Burr’s illegitimate son.

Burr spent the next decade dabbling in local politics and continuing his practice of law. He made one last ditch attempt to make his mark in South America, supporting a proposed plan to establish Latin America as an independent country in the fall of 1816. Although he was fervent in his support for the cause, the plan eventually fell apart. This would end up being Burr’s last real foray into Latin America’s political realm. From then on, he would focus almost solely on his law practice with some politicking on the side.

In his later years, he would create his very own artificial family. He adopted two sons, both whom may have been his illegitimate children. One of them, Aaron Columbus Burr, would carry on his father’s legacy as a land speculator. Though not as intellectually

117 Ibid p. 392
astute as the elder Burr, Aaron Columbus Burr nevertheless would become a fairly important figure in the latter days of land speculation. Burr’s second adopted son, Charles Burdett, was much more in tune with the elder’s intellectual philosophies. He graduated from Princeton and served in the Navy. In fact, he would be a chief contributor to the legend of Aaron Burr after writing a semi-biographical account of Burr entitled *Margaret Moncrieffe: The First Love of Aaron Burr*. This account highlighted Burr’s love of the fairer sex and certainly contributed to his ever growing reputation as a ladies man.

In the years leading up to 1833, Burr found himself involved in various projects, such as working to secure his military pension, oversight of a literary work seeking to clear his name in the Election of 1800, and his law practice. To Burr, these were all projects worthy of his attention, but in the summer of 1833, he found something else that attracted his attention. At the age of 77, Burr married Eliza Jumel, a wealthy widow with a checkered past. Jumel, who was 58 at the time of her marriage to Burr, had been born into poverty and took to prostitution to support herself. She caught the eye of a wealthy wine merchant, Stephen Jumel, and eventually married him. After the marriage, she began to gain fame as an aristocrat and an entrepenuer. She met Burr in 1832, and married him shortly thereafter.

Six months after the marriage, Jumel filed for divorce. The real reasons on why she did so are still unclear, but divorce proceedings turned into a circus. Jumel charged Burr with having multiple affairs. To support such a charge, she bribed one of Burr’s servants, whose testimony proved to be both ridiculous and conflicting. Despite the

---

118 Ibid p. 397
119 Ibid p.401
contradicting evidence, the divorce was granted. Burr, however, would not live to see its finality.

Aaron Burr, a man who had at times been called a hero, a villain, a traitor, and a savior, died on September 14, 1836. A few months earlier, he had suffered a severe stroke which limited the use of his legs. During his divorce proceedings, he was confined to a chair at all times. It was an ignominious end to a man who, had history been shaped in a different manner, could have been called a genuine founding father. Yet immediately after his death, many institutions honored him with praise. In an account of his funeral, the New York Courier and Enquirer wrote that “He has shed a halo of literary glory around Nassau Hall. Through a long pilgrimage he loved her as the disciplinarian of his youthful mind. He vaunted that he was one of her earliest and most attached sons. He joyed in her success and sorrowed in her misfortunes. In this her last act of respect to his memory, she has repaid those kind feelings in which he indulged during a long life; and heartless must be the friend of the deceased who remembers now with gratitude this testimony of regard for the giant mind of him who must fill a large space in the history of our country.” In an excerpt from the minutes of the Cliosophic Society, of which Burr was a member, a resolution was passed stating, “The Cliosophic Society, having this morning received the mournful intelligence of the decease of Colonel Aaron Burr, formerly Vice President of the United States, an eminent member, and one of the founders of our institution, would, in consideration of his eminence and talents, as the zeal in which he has promoted the interests of our association, pay to his memory a tribute of respect expressive of our admiration of his greatness and regret at his

120 Ibid p. 404
121 New York Courier-Enquirer, September 16th, 1836 in Davis Memoirs II p. 448
Although Burr had been demonized in certain circles, there was still a significant amount of people who revered him as a great man. But in the years following his death, Burr’s legacy was molded and shaped in several ways by several people, both positively and negatively. In Mathew Davis’ version of Burr’s memoirs, the man’s innermost thoughts are laid to bear. In many instances, Davis does not excuse the actions of his longtime friend. In fact, he condemns some of them. But the most important fact of the matter is that Davis specifically attacks the events that affect Burr’s reputation the most. During the election of 1800, Davis kept a running diary of the proceedings. Nancy Isenberg writes, “To Davis, Jefferson claimed to disdain parties, yet he diligently enforced party lines; he declared that he never wrote for the newspapers, and the used Madison to do his dirty work.” In short, Davis believed that Jefferson was nothing more than a pompous hypocrite. He would go on to edit Burr’s memoirs and would become one of the former Vice President’s most important colleagues.

Davis’ views on Jefferson are particularly important, because the legacies of Burr and Jefferson were intrinsically tied. While most scholars believe that Hamilton had the most impact on Burr’s reputation, it is in fact Jefferson who exercised the most influence. During the time that both men lived, as well as the immediate years after their respective deaths, Burr was being demonized in an effort to maintain the gradual glorification of Thomas Jefferson.

Jefferson has been described as an intelligent man with an enlightened mind. The fact that he made a tremendous impact on our country is not in dispute. However, his

---

122 Ibid p. 448
123 Isenberg, *Fallen Founder* p. 398
flaws were never more evident than they were in his conduct towards Burr. This conduct during his presidency shows a man who could be, at his worst, as virulent and vindictive as a common peasant. His plot to skip over Burr in favor a “Virginia Succession” combined with his overtly biased conduct during Burr’s treason trial paints a very different picture of the glorified Jefferson that is presented in grade school history books.

Jefferson gave silent consent to the vicious attacks made by James Cheetham. With a single sentence, he could have absolved Burr in the eyes of the public on many occasions. A President’s defense would have gone far in redeeming Burr’s good name. But instead, he chose to remain silent and feed his former Vice President to the wolves. Such conduct is not befitting to a man of Jefferson’s alleged character. So, instead of presenting Jefferson’s flaws in a manner consistent with the truth, the former President’s biographers re-imagined Burr into the womanizing, conniving deviant that he would be known as for centuries. By portraying Burr in a negative light, Jefferson’s early biographers were able to create a justification for his conduct.

This is not to say that the death of Hamilton was meaningless, for that is not the case. Hamilton’s death had a more immediate impact for Burr, but that impact lessened as the years went on. The attacks used against Burr focused more on his alleged sexual immorality and duplicitous nature. Rarely, if ever, are they focused on his “murder” of Hamilton. That is most likely because Burr and Hamilton waged war on the field of honor. At the time, only Hamilton’s cronies were calling Burr a murderer. The majority of the country shrugged it off as an unfortunate accident.

The story of the life of Aaron Burr is a tragic one. He was a man of eminent talent and intellect. He was one of the greatest orators of his generation. He was, in many ways,
a progressive thinker as well. His views on the general education of women are evidence of that. But, in the end, he became a victim of his own ambition. First, his ambition for the Presidency set into motion his ouster from the political realm. And second, his ambition to insert himself into the political sphere of South America set into motion his ouster from general society. The main fact of the matter is simple. Aaron Burr was not a traitor, or a murderer, or a sexual deviant. He was man, complete with all the flaws that come with such a condition. To think anything otherwise is an irresponsible reinterpretation of the facts at hand.
Annotated Bibliography

Isenberg, Nancy, *Aaron Burr: Fallen Founder* (Penguin Group: New York, NY, 2007). Isenberg presents an extremely well-researched and informative history of Aaron Burr. She doesn’t hide the fact that her goal in writing such a book is to explain the issues that have plagued Burr’s reputation through the years, and she does a fairly good job of doing so. With that said, she is not a complete Burr apologist. She criticizes his womanizing and his penchant for losing money in the land speculators market. This source was especially helpful in my research as Isenberg’s footnotes pointed me in the right direction during those painful hours when I would feel lost. She also presented Burr’s life in an easy to understand, linear fashion.

Davis, Matthew, *Memoirs of Aaron Burr I and II* (New York, 1836). Matthew Livingston Davis’ double volume work was the foundation on which my research stood. The letters that he collected and published in this volume were invaluable in trying to understand how Burr was seen in the eyes of his friends, family, and the general public. Strangely, there is an approximately ten year gap in correspondence in the volume, as it has nothing attributed to the period of 1800-1810. I found this disappointing, as that ten year period of extremely significant in Burr’s life. That aside, Davis’ work was integral to my gathering information on Burr’s time in the Continental Army and his service under General Richard Montgomery.

Freeman, Joanne, *Affairs of Honor: National Politics in the New Republic* (Yale University Press: New Haven, CT, 2001). Although I never explicitly cited this book in the paper, it was vitally important in my understanding of national politics during the period in which Burr lived. In fact, it was the first book that I read for my research. Freeman is extremely well versed in the political climate at the time and added great insight into the larger world in which Burr occupied.

Burr, Samuel Engle, *Napoleon’s Dossier on Aaron Burr* (San Antonio: Texas, 1969). Samuel Engle Burr’s collection of translated dispatches that were originally sent to Napoleon Bonaparte proved to be an invaluable source of information on how Aaron Burr was viewed from a lens located outside of American Politics. It serves as an interesting case study to see exactly how far American preconceptions regarding Burr stretched. Most of the dispatches in this collection relate to Burr’s solicitation of French aid for his dying filibuster scheme late in his life.