HAMILTON-BURR DUEL

A Tragedy of a Century Ago

By WARWICK JAMES PRICE

A CENTURY ago, on a grassy ledge under the heights of Weehawken, [illegible] Jersey, a Vice-President of the United States and a former Secretary of her Treasury faced each other in mortal combat. Soldiers of long and honorable records, scholars and jurists of marked ability, statesmen who had already held many of the highest offices in the gift of their country, Alexander Hamilton and Aaron Burr played out in the peaceful beauty and freshness of that early morning a tragedy which has made July 11, 1804, historic for all time.

There are few more picturesque or romantic spots in the vicinity of New-York than is that of Kings Rock, where these two men met. Art has not invaded the woodland. Only a little clearing in the midst of a network of underbrush, surrounded by the huge trees through which the dueling parties passed, marks the scene of the encounter. The [illegible] on which Hamilton is said to have rested his head, after receiving at the first fire the ball which was to prove mortal [illegible] taken from its setting of earth and [illegible] upon its face a metal plate telling [illegible] of the man's career and fate; but all [illegible] remains just as it was on that fatal midsummer day a hundred years ago.

The story of the combat is tragic in its [illegible]. The little party of five—the principals, their seconds, and the surgeon—was [illegible] ground not long after sunrise. The preliminaries were soon arranged. As Pendleton, Hamilton's second, gave him his pistol he asked: "Will you have the hair-trigger set?"

"Not this time," was the significant reply, and then the men faced each other.

According to the best authorities upon a disputed subject, Burr fired at the word. At the report, Hamilton started forward with a convulsive movement, reeled, involuntarily discharging his pistol into the foliage above [illegible], and fell headlong. Burr, with an expression of pain upon his face, sprang toward him; but Van Ness, his second, seized him by the arm and hurried him down the bank and into their boat.

Hamilton, being lifted up, revived for a moment, and gasped: "This is a mortal wound, doctor!" Relapsing again into unconsciousness, he was again revived by the fresh air of the river. "Pendleton knows," he said, trying to turn toward his friend, "that I did not intend to fire at him."

At two the afternoon following he had breathed his last.

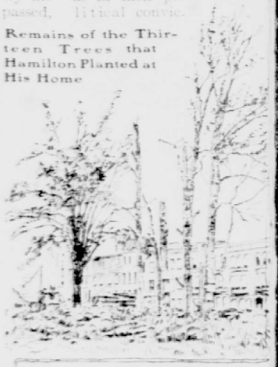
If "the Code" is to be directly blamed for the duel, yet it is to the political situation of the day that one must look for its explanation. In the closing years of the eighteenth century and the opening ones of the nineteenth the foremost and ablest men in the United States were not only in politics, but they were "in" so whole-heartedly that the warmest friendships and most bitter enmities resulted. It was a period of the extremest feeling, of the broadest possible misapprehensions of men's characters and motives, and many duels resulted.

The Constitution was on trial. The leaders of the Federalists, including Hamilton, openly called it "a [illegible]k," and spoke of Thomas Jefferson as a "contemptible hypocrite." They had no faith in the people, no confidence in Republican institutions. A constitutional monarchy was the one and only way which they saw out of the difficulties of the times. At the head of the Whigs, or Republicans, confident in the future and active in their present, stood Jefferson and Burr, and if the former was attacked because of his political principles, the latter was even more bitterly assailed on the ground that he utterly lacked all principle, political and otherwise.

Hamilton and Burr had first crossed swords at the bar. This was early in the 1780's; but even then, and by no means on account of their war records alone, they were regarded as men of the most marked ability, and to all intents and purposes divided between them the most important law business of New-York State. A contemporary and friend, General Erastus Root, has left this record of them as they stood before the world in those earlier days:

"As a lawyer and a scholar Burr was in no way inferior to Hamilton. Their reasoning powers were equal; but their modes of argument were very different. Hamilton was diffuse and wordy, though his words were so well chosen and his sentences so finely formed into a swelling current that the hearer would be captivated, even were he not convinced. Burr's arguments were methodized and compact; he was terse and convincing. I used to say of them, when they were rivals at the bar, that Burr would say as much in half an hour as Hamilton would in two."

Opposed one to the other in their professional practice as well as in their political convic-



Remains of the Thirteen Trees that Hamilton Planted at His Home

Monument Over Hamilton's Grave, Trinity Churchyard, New-York

Statue of Hamilton, by William Ordway Partridge, Standing in Front of Hamilton Club, Brooklyn, N.-Y.

The Old Hamilton Home, Washington Heights, N.-Y.

tions, in 1792, distrust of Burr's methods and motives by the then Secretary of the Treasury began to take more active and outspoken form. In that year, the National Aaron Burr, then a member of the Senate, was spoken of in some quarters as a candidate for the Governorship of New-York, and it became known that he would accept the nomination.

That he was so decisively defeated in the convention is ascribed directly to Hamilton. Later in the same year Burr's name began to figure in the talk as to who should be the Vice-Presidential candidate; but again Hamilton's influence was set to work against him, and he received only one vote. That Burr was not appointed to succeed Gouverneur Morris at the French court in 1794 though his name was strongly urged upon President Washington by such men as Monroe and Madison, has always been ascribed to Hamilton's opposition, to which again has been attributed Burr's defeat for re-election to the Senate in 1797.

The most marked instance, however, in this strikingly personal contest, occurred in the presidential campaign of 1800-1801. The candidates, Adams and Pinckney for the Federalists and Jefferson and Burr for the Whigs, were at that time voted for separately, as if all were nominees for the office of President. The electoral vote resulted as follows: Jefferson, 73; Burr, 73; Adams, 65; Pinckney, 64; and Jay, 1, and with a tie between Jefferson and Burr the election was thrown into the House of Representatives. As was to have been expected, Hamilton's influence was all against Burr—he considered Jefferson "as the lesser to be feared of two evils"—and after a deadlock of two days Jefferson was named President, with Burr Vice-President.

So, for nearly twenty years, first and last, Burr and Hamilton had been engaged in a political duel, and the latter through a large part of that period had been unsparing in his condemnation of his opponent's character and actions, in at least five instances preventing his advancement. Time and again Burr had been taunted with his "tame submission" under the Hamilton invectives; but none of them had done more than widen the breach between the two men until toward the close of Burr's term as Vice-President. Then there came tardily into his hands a letter which had been written by a Dr. Charles D. Cooper, in the heat of the campaign of 1804, which, though in itself no adequate ground for a duel, furnished, many think, the cause which led directly up to the fatal meeting of July 11. It read in part:

"General Hamilton and Judge Kent have declared, in substance, that they look upon Mr. Burr to be a dangerous man, and one who ought not to be trusted with the reins of government. . . . I could detail to you a still more despicable opinion which General Hamilton has expressed of Mr. Burr."

A copy of this letter Burr sent to Hamilton by Van Ness, asking for a "prompt and unqualified acknowledgment or denial of the use of any expression which would warrant the assertion of Mr. Cooper." This Hamilton declined to grant, in a reply which was dignified, though rather long and argumentative under the circumstances. Burr took it to be an attempt at evasion, and in a second note made a more peremptory demand that "Mr. Hamilton confine his attention to the remark under dispute." To this Hamilton's only reply was that the second note from Burr must be withdrawn before he could consider the matter further, and that failing this "Mr. Burr must pursue such course as he deems proper." The steps that followed, Van Ness and Pendleton acting for their principals, are details of history.

Among the writings left by Hamilton is one in which he declares that he was opposed in principle to dueling, but that he would, nevertheless, meet Burr, because, should he decline to do so, his future political usefulness would be destroyed; or, as one of his biographers has put it: "He was willing to do what he held to be a certain evil, that a possible good might follow." Not a shade of misgiving crossed Burr's mind, either before or after the duel, that his conduct was in any sense deserving of blame.

On July 21, 1804, "Aaron Burr, Esquire, Vice-President of the United States," was indicted for murder, and from that moment till his death at Port Richmond, Staten-Island, thirty-two years later, the life of Burr was one succession of visionary schemes, always romantic and sometimes treasonable, all of them alternating with disappointments and rebuffs that would have killed a man less sanguine and self-confident. Tried on the charge of murder, he was acquitted largely through the brilliancy of his own defense. Twice brought to trial later on charges of treason, he both times fought his own way to triumphant acquittals.

But he had lost the confidence of his friends, and was no longer feared by his enemies. He was not welcome in this country, and was ignored or insulted

abroad. When, at the age of fifty-six, he hung out a modest tin sign in the city of New-York, and started life anew, he was already near its close. The old house where his law office then was is still pointed out to the curious; but even when at work within its walls Aaron Burr had passed from the public stage, and his downfall may be traced directly back to that fatal duel of July 11, 1804.

In a shagreen-lined, wooden case, in the home of Major Richard Church, of Rochester, New-York, lie to-day the pistols which Burr and Hamilton used, grim witnesses of a past school of manners and of a great national tragedy. Major Church received them from his grandfather, John B. Church, who was the brother-in-law of Hamilton, as well as the friend of Lafayette and Adams and Washington. It was he who offered them to Hamilton, when told that the duel was inevitable, with the remark: "They ought to bring you luck, for they've clipped Burr once already."

And thereby hangs a tale of curious coincidence.

Five years before, in September, 1799, Burr had challenged Church for having repeated certain gossip concerning Burr's relation and dealings with the Holland Land Company. The two had met on the spot at Weehawken where was to be fought the more historic conflict, and the two pistols used were these, which Church had bought a year or so before at the shop of the famous London gunsmith, Wogdon. Burr missed Church; Church's bullet neatly clipped a button from his opponent's coat.

Scene of the Burr-Hamilton Duel

Monument Erected Where Hamilton Fell

And yet another time, strangely enough, were these same duelling weapons used in an encounter in which a Hamilton took part before they figured in the Hamilton-Burr meeting. In 1802 Philip Hamilton, a son of Alexander, fought at Weehawken with J. G. Ecken, and was killed. His second was Philip Church, the son of John and the father of the present Major, and through him the pistols were again used.

They are smooth-bore weapons, of fifty caliber, fitted with flint-locks and hair-triggers. Their octagonal-shaped barrels carry brass sights, and are set into black-walnut stocks, quadrilled to give the hand a better grip; and it is noteworthy that the one which bore death to Alexander Hamilton, and made a murderer of a Vice-President of the United States, should be to-day in noticeably better condition than its fellow, which was discharged accidentally and harmlessly into the trees that set the little stage of the tragedy.

The Propitious Moment

"IT'S all in the way you go about it," said the wife of a New-York business man. "Most men are close-fisted after the age of forty, at least the married men are, and the wife has to use a certain amount of tact to make her husband 'dig up,' as they say. It is folly to ask for money when he is not in the right mood.

"As for myself, I never have any trouble in getting all the spending money I need; but then I always have been careful to ask for it at just the right moment."

"But how can you tell when it is the right time?" asked the listener.

"Easily, in my case; for my husband has a hobby—always sympathize with your husband's hobbies, unless, of course, his hobby is to spend his evenings at his club or something of the sort. My husband's hobby is whittling.

"He comes home in the evening tired, and seldom cares to read. He smokes a cigar, and if he does not fall asleep in his chair, he is likely to whittle.

"As a boy his favorite pastime was whittling, and of late years he has taken to it again. He spreads a newspaper on the floor; takes a stick of pine wood which he always has handy; opens his jack-knife, and for an hour or more doesn't say a word, but just whittles, letting the shavings fall on the newspaper.

"Whenever he whittles, he seems to forget all his business troubles, and his mind goes back to his youth; the lines in his face soften; his eyes brighten, and I have only to hint at something that happened long ago during our courting days to make him look up and smile at me in a peculiar, dear, old way of his.

"The rest is easy. He often gives me what I want without my having to ask for it."

"I wish my husband whittled!" sighed the other woman.

SUMMER IN THE CITY---"The Picnic in the Park"