The Burr–Hamilton duel was a duel between two prominent American politicians, the former Secretary of the Treasury Alexander Hamilton and sitting Vice President Aaron Burr, on July 11, 1804.[1] At Weehawken in New Jersey, Burr shot and mortally wounded Hamilton. Hamilton was carried to the home of William Bayard on the Manhattan shore, where he died at 2:00 p.m. the next day.

One of the most famous personal conflicts in American history, the Burr–Hamilton duel arose from a long-standing political and personal bitterness that had developed between both men over a course of several years. Tensions reached a bursting point with Hamilton's journalistic defamation of Burr's character during the 1804 New York gubernatorial race in which Burr was a candidate. Fought at a time when the practice of dueling was being outlawed in the northern United States, the duel had immense political ramifications. Burr, who survived the duel, was indicted for murder in both New York and New Jersey, though these charges were either later dismissed or resulted in acquittal. The harsh criticism and animosity directed toward him following the duel brought an end to his political career. The Federalist Party, already weakened by the defeat of John Adams in the Presidential Election of 1800, was further weakened by Hamilton's death.

The duel was the final skirmish of a long conflict between Democratic-Republicans and Federalists. The conflict began in 1791 when Burr captured a Senate seat from Philip Schuyler, Hamilton's father-in-law, who would have supported Federalist policies. (Hamilton was Secretary of the Treasury at the time.) When the Electoral College deadlocked in the election of 1800, Hamilton's maneuvering in the House of Representatives caused Thomas Jefferson to be named President and Burr Vice President. In 1800, the Philadelphia Aurora printed extracts from a pamphlet Hamilton had earlier published, "Letter from Alexander Hamilton, Concerning the Public Conduct and Character of John Adams, Esq. President of the United States," a document highly critical of Adams,[2] which had actually been authored by Hamilton but intended only for private circulation. Some have claimed that Burr leaked the document, but there is no clear evidence for this, nor that Hamilton held him responsible.

When it became clear that Jefferson would drop Burr from his ticket in the 1804 election, the Vice President ran for the governorship of New York instead. Hamilton campaigned vigorously against Burr, who was running as an independent, causing him to lose to Morgan Lewis, a Democratic-Republican endorsed by Hamilton.

Both men had been involved in duels in the past. Hamilton had been a principal in 10 shot-less
duels[clarification needed] prior to his fatal encounter with Burr, including duels with William Gordon (1779), Aedanus Burke (1790), John Francis Mercer (1792–1793), James Nicholson (1795), James Monroe (1797), and Ebenezer Purdy/George Clinton (1804). He also served as a second to John Laurens in a 1779 duel with General Charles Lee and legal client John Auldjo in a 1787 duel with William Pierce.[3] In addition, Hamilton claimed to have had one previous honor dispute with Burr;[4] Burr claimed there were two.[5]

Additionally, Hamilton's son, Philip, was killed in a November 23, 1801 duel with George I. Eacker initiated after Philip and his friend Richard Price partook in "hooliganish" behavior in Eacker's box at the Park Theatre. This was in response to a speech, critical of Hamilton, that Eacker had made on July 3, 1801. Philip and his friend both challenged Eacker to duels when he called them "damned rascals."[6] After Price's duel (also at Weehawken) resulted in nothing more than four missed shots, Hamilton advised his son to delope (throw away his fire). However, after both Philip and Eacker stood shotless for a minute after the command "present", Philip leveled his pistol, causing Eacker to fire, mortally wounding Philip and sending his shot awry. This duel is often cited as having a tremendous psychological impact on Hamilton in the context of the Hamilton-Burr duel.[7]

[edit] Election of 1800

Aaron Burr and Alexander Hamilton first came into public opposition during the famed election of 1800. In the election, Aaron Burr ran as Vice-President on the Democratic-Republican Party ticket with Thomas Jefferson against John Adams (the incumbent Federalist). Electoral college rules at the time gave each elector two votes for president, with the candidate receiving the second most votes becoming vice president. The Democratic-Republican Party therefore planned to have 72 of their 73 electors vote for both Jefferson and Burr, with the remaining elector voting only for Jefferson. However, the electors failed to execute this plan, so Burr and Jefferson tied with 73 votes each. As mandated by the United States Constitution in the event of no candidate winning a majority, the election was moved to the United States House of Representatives, which was controlled by the Federalists, many of whom were loath to vote for Jefferson. Hamilton, however, regarded Burr as far more dangerous than Jefferson and used all his influence to ensure Jefferson's election. On the 36th ballot, the House of Representatives gave Jefferson the presidency, with Burr becoming vice president.

On April 24, 1804, a vitriolic letter originally sent from Charles D. Cooper to Philip Schuyler, Hamilton's father-in-law[8] was published in the Albany Register in the context of opposing Burr's candidacy.[9] It claimed to describe "a still more despicable opinion which General Hamilton has expressed of Mr. Burr" at a political dinner. In a letter delivered by William P. Van
Ness, Burr demanded "a prompt and unqualified acknowledgment or denial of the use of any expression which would warrant the assertion of Dr. Cooper". Hamilton's reply on May 20 indicated that he could not be held responsible for Cooper's interpretation of his words. Burr's reply on May 21, also delivered by Van Ness, stated that "political opposition can never absolve gentlemen from the necessity of a rigid adherence to the laws of honor and the rules of decorum". Hamilton replied that he had "no other answer to give than that which has already been given". This letter was delivered to Nathaniel Pendleton on May 22 but did not reach Burr until May 25. The delay was due to negotiation between Pendleton and Van Ness in which Pendleton submitted the following paper:

General Hamilton says he cannot imagine what Dr. Cooper may have alluded, unless it were to a conversation at Mr. Taylor's, in Albany, last winter (at which he and General Hamilton were present). General Hamilton cannot recollect distinctly the particulars of that conversation, so as to undertake to repeat them, without running the risk of varying or omitting what might be deemed important circumstances. The expressions are entirely forgotten, and the specific ideas imperfectly remembered; but to the best of his recollection it consisted of comments on the political principles and views of Colonel Burr, and the results that might be expected from them in the event of his election as Governor, without reference to any particular instance of past conduct or private character.

The delivery of Hamilton's second letter, a second paper submitted by Pendleton further offered "in relation to any other language or conversation or language of General Hamilton which Colonel Burr will specify, a prompt or frank avowal or denial will be given." This offer was not accepted and a challenge was formally offered by Burr and accepted by Hamilton.

Many subsequent historians have considered the causes of the duel to be flimsy and have thus either characterized Hamilton as "suicidal", Burr as "malicious and murderous," or both.

In the early morning hours of July 11, 1804, Burr and Hamilton departed by separate boats from Manhattan and rowed across the Hudson River to a spot known as the Heights of Weehawken in New Jersey, a popular dueling ground below the towering cliffs of the Palisades. Hamilton and Burr agreed to take the duel to Weehawken because although dueling had been prohibited in both states, New York more aggressively prosecuted the crime (the same site was used for 18 known duels between 1700 and 1845). In an attempt to prevent the participants from being prosecuted, procedures were implemented to give all witnesses plausible deniability. For example, the pistols were transported to the island in a portmanteau, enabling the rowers (who also stood with their backs to the duelists) to say under oath that they had not seen any pistols.
Burr, William P. Van Ness (his second), Matthew L. Davis, and another (often identified as Samuel Swartwout) plus their rowers reached the site first at half past six, whereupon Burr and Van Ness started to clear the underbrush from the dueling ground. Hamilton, Judge Nathaniel Pendleton (his second), and Dr. David Hosack arrived a few minutes before seven. Lots were cast for the choice of position and which second should start the duel, both of which were won by Hamilton's second who chose the upper edge of the ledge (which faced the city) for Hamilton.[16] However, according to historian and author Joseph Ellis, since Hamilton had been challenged, he had choice of both weapon and position. Under this account, it was Hamilton himself who chose the upstream or north side position.[17]

All first-hand accounts of the duel agree that two shots were fired; however, Hamilton and Burr's seconds disagreed on the intervening time between the shots. It was common for both principals in a duel to fire a shot at the ground to exemplify courage, and then the duel could come to an end. Hamilton apparently fired first, and into the air, though it is not clear whether this was intentional, much less that Burr perceived him to be "throwing away his fire" (as it did not follow the standard protocol). Burr returned fire and hit Hamilton in the lower abdomen above the right hip. The musket ball ricocheted off Hamilton's second or third false rib—fracturing it—and caused considerable damage to his internal organs, particularly his liver and diaphragm before becoming lodged in his first or second lumbar vertebra. According to Pendleton's account, Hamilton collapsed immediately, dropping the pistol involuntarily, and Burr moved toward Hamilton in a speechless manner (which Pendleton deemed to be indicative of regret) before being hustled away behind an umbrella by Van Ness because Hosack and the rowers were already approaching.[18]

It is entirely uncertain which principal fired first, as both seconds' backs were to the duel in accordance with the pre-arranged regulations of the duel (and also so the men could later testify that they "saw no fire"). After much research to determine the actual events of the duel, Pulitzer-prize winning historian Joseph J. Ellis gives his best guess:

Hamilton did fire his weapon intentionally, and he fired first. But he aimed to miss Burr, sending his ball into the tree above and behind Burr's location. In so doing, he did not withhold his shot, but he did waste it, thereby honoring his pre-duel pledge. Meanwhile, Burr, who did not know about the pledge, did know that a projectile from Hamilton's gun had whizzed past him and crashed into the tree to his rear. According to the principles of the code duello, Burr was perfectly justified in taking deadly aim at Hamilton and firing to kill.
But did he?...What is possible, but beyond the reach of the available evidence, is that Burr really missed his target, too, that his own fatal shot, in fact, was accidental. [19]

[edit] Dr. David Hosack's account

Dr. David Hosack, the physician, wrote his account on August 17, about one month after the duel had taken place. Hosack testified that he had only seen Hamilton and the two seconds disappear "into the wood", heard two shots, and rushed to find a wounded Hamilton when his name was called. Hosack also testified that he had not seen Burr, who had been hidden behind an umbrella by Van Ness, his second.[20] In a letter to William Coleman, Dr. Hosack gives a very clear picture of the events:

When called to him upon his receiving the fatal wound, I found him half sitting on the ground, supported in the arms of Mr. Pendleton. His countenance of death I shall never forget. He had at that instant just strength to say, 'This is a mortal wound, doctor;' when he sunk away, and became to all appearance lifeless. I immediately stripped up his clothes, and soon, alas I ascertained that the direction of the ball must have been through some vital part. His pulses were not to be felt, his respiration was entirely suspended, and, upon laying my hand on his heart and perceiving no motion there, I considered him as irrecoverably gone. I, however, observed to Mr. Pendleton, that the only chance for his reviving was immediately to get him upon the water. We therefore lifted him up, and carried him out of the wood to the margin of the bank, where the bargemen aided us in conveying him into the boat, which immediately put off. During all this time I could not discover the least symptom of returning life. I now rubbed his face, lips, and temples with spirits of hartshorn, applied it to his neck and breast, and to the wrists and palms of his hands, and endeavoured to pour some into his mouth.[21]

Dr. Hosack goes on to say that in a few minutes Hamilton had revived, either from the hartshorn or fresh air. Hosack finishes his letter:

Soon after recovering his sight, he happened to cast his eye upon the case of pistols, and observing the one that he had had in his hand lying on the outside, he said, "Take care of that pistol; it is undischarged, and still cocked; it may go off and do harm. Pendleton knows " (attempting to turn his head towards him) 'that I did not intend to fire at him.' 'Yes,' said Mr. Pendleton, understanding his wish, 'I have already made Dr. Hosack acquainted with your determination as to that' He then closed his eyes and remained calm, without any disposition to speak; nor did he say much afterward, except in reply to my questions. He asked me once or
twice how I found his pulse; and he informed me that his lower extremities had lost all feeling, manifesting to me that he entertained no hopes that he should long survive.

http://en.wikipedia.org/wiki/Burr%E2%80%93Hamilton_duel