

BEFORE THE DUEL

The final, fateful disagreement between Alexander Hamilton and Aaron Burr began in June 1804, when Burr was informed that Hamilton had made some disparaging remarks about him. The remarks were referenced in a letter published by Dr. Charles Cooper, who had overheard Hamilton's statements at a dinner party in Albany, New York.

When Burr read Cooper's account of Hamilton's statements, Burr sent a letter to Hamilton demanding an explanation. . . .

Aaron Burr to Alexander Hamilton -- 18 June 1804

I send for your perusal a letter signed Ch. D. Cooper which, though apparently published some time ago, has but very recently come to my knowledge. Mr. Van Ness, who does me the favor to deliver this, will point out to you that clause of the letter to which I particularly request your attention.

You must perceive, Sir, the necessity of a prompt and unqualified acknowledgement or denial of the use of any expressions which could warrant the assertions of Dr. Cooper.

I have the honor to be, Your Obt. Servt. A. BURR

Alexander Hamilton to Aaron Burr -- 20 June 1804

I have maturely reflected on the subject of your letter of the 18th Instant, and the more I have reflected, the more I have become convinced that I could not without manifest impropriety make the avowal or disavowal which you seem to think necessary.

The clause pointed out by Mr. Van Ness is in these terms: "I could detail to you a still more despicable opinion which General Hamilton has expressed of Mr. Burr." To endeavor to discover the meaning of this declaration, I was obliged to seek in the antecedent part of the letter for the opinion to which it referred, as having been already disclosed. I found it in these words: "Genl. Hamilton and Judge Kent have declared in substance that they looked upon Mr. Burr to be a dangerous man, and one who ought not to be trusted with the reins of Government." The language of Dr. Cooper plainly implies that he considered this opinion of you, which he attributes to me, as a despicable one; but he affirms that I have expressed some other still more despicable; without, however, mentioning to whom, when or where. 'Tis evident that the phrase "still more despicable" admits of infinite shades from very light to very dark. How am I to judge of the degree intended. Or how should I annex any precise idea to language so vague?

Between Gentlemen despicable and still more despicable are not worth the pains of a distinction. When, therefore, you do not interrogate me as to the opinion which is specifically ascribed to me, I must conclude that you view it as within the limits to which the animadversions of political opponents, upon each other, may justifiably extend; and consequently as not warranting the idea of it which Dr. Cooper appears to entertain. If so, what precise inference could you draw as a guide for your future conduct, were I to acknowledge that I had expressed an opinion of you, still more despicable than the one which is particularized? How could you be sure that even this opinion had exceeded the bounds which you would yourself deem admissible between political opponents?

But I forbear further comment on the embarrassment to which the requisition you have made naturally leads. The occasion forbids a more ample illustration, though nothing would be more easy than to pursue it.

Repeating that I can not reconcile it with propriety to make the acknowledgment or denial you desire, I will add that I deem it inadmissible on principle, to consent to be interrogated as to the justness of the inferences which may be drawn by others, from whatever I may have said of a political opponent in the course of a fifteen years competition. If there were no other objection to it, this is sufficient, that it would tend to expose my sincerity and delicacy to injurious imputations from every person who may at any time have conceived that import of my expressions differently from what I may then have intended, or may afterwards recollect.

I stand ready to avow or disavow promptly and explicitly any precise or definite opinion which I may be charged with having declared to any gentleman. More than this can not fitly be expected from me; and especially it can not reasonably be expected that I shall enter into an explanation upon a basis so vague as that which you have adopted. I trust upon more reflection you will see the matter in the same light with me. If not, I can only regret the circumstances and must abide the consequences.

The publication of Dr. Cooper was never seen by me 'till after the receipt of your letter.

Sir, I have the honor to be, Your Obt. Servt. A. HAMILTON

Aaron Burr to Alexander Hamilton -- 21 June 1804

Your letter of the 20th inst. has been this day received. Having considered it attentively, I regret to find in it nothing of that sincerity and delicacy which you profess to value.

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 privilege nor indulge it in others.

The common sense of mankind affixes to the epithet adopted by Dr. Cooper the idea of dishonor. It has been publicly applied to me under the sanction of your name. The question is not whether he has understood the meaning of the word or has used it according to syntax and with grammatical accuracy, but whether you have authorized this application either directly or by uttering expression or opinion derogatory to my honor. The time "when" is in your own knowledge but no way material to me, as the calumny has now just been disclosed so as to become the subject of my notice and as the effect is present and palpable.

Your letter has furnished me with new reasons for requiring a definite reply.

I have the honor to be,

Your Obt. Servt.

A. BURR

Aaron Burr to Alexander Hamilton -- 22 June 1804

*From Aaron Burr*¹

Nyork June 22d. 1804

Sir

Mr. V Ness has this evening reported to me Verbally that you refuse to answer my last letter,² that you consider the course I have taken as intemperate and unnecessary and some other conversation which it is improper that I should notice.

My request to you was in the first instance proposed in a form the most simple in order that you might give to the affair that course to which you might be induced by your temper and your knowledge of facts. I relied with unsuspecting faith that from the frankness of a Soldier and the Candor of a gentleman I might expect an ingenuous declaration; that if, as I had reason to believe, you had used expressions derogatory to my honor, you would have had the Spirit to Maintain or the Magnanimity to retract them, and, that if from your language injurious inferences had been improperly drawn, Sincerity and delicacy would have pointed out to you the propriety of correcting errors which might thus have been widely diffused.

With these impressions, I was greatly disappointed in receiving from you a letter³ which I could only consider as evasive and which in manner, is not altogether decorous. In one expectation however, I was not wholly deceived, for at the close of your letter I find an intimation, that if I should dislike your refusal to acknowledge or deny the charge, you were ready to meet the consequences. This I deemed a sort of defiance, and I should have been justified if I had chosen to make it the basis of an immediate message: Yet, as you had also said something (though in my opinion unfounded) of the indefiniteness of my request; as I believed that your communication was the offspring, rather of false pride than of reflection, and, as I felt the utmost reluctance to proceed to extremities while any other hope remained, my request was repeated in terms more definite. To this you refuse all reply, reposing, as I am bound to presume on the tender of an alternative insinuated in your letter.

Thus, Sir, you have invited the course I am about to pursue, and now by your silence impose it upon me. If therefore your determinations are final, of which I am not permitted to doubt, Mr. Van Ness is authorised to communicate my further expectations either to yourself or to such friend as you may be pleased to indicate.

I have the honor to be Your Ob st

A. Burr

Alexander Hamilton to Aaron Burr -- 22 June 1804

Your first letter, in a style too peremptory, made a demand, in my opinion, unprecedented and unwarrantable. My answer, pointing out the embarrassment, gave you an opportunity to take a less exceptionable course. You have not chosen to do it, but by your last letter, received this day, containing expressions indecorous and improper, you have increased the difficulties to explanation, intrinsically incident to the nature of your application.

If by a "definite reply" you mean the direct avowal or disavowal required in your first letter, I have no other answer to give than that which has already been given. If you mean anything different admitting of greater latitude, it is requisite you should explain.

I have the honor to be, Sir Your Obedt. Servt. A. HAMILTON

Alexander Hamilton to Nathaniel Pendleton (friend and second) -- 27 June - 4 July 1804

I was certainly desirous of avoiding this interview [duel], for the most cogent reasons—

1. My religious and moral principles are strongly opposed to the practice of Duelling and it would ever give me pain to be obliged to shed the blood of a fellow creature in a private combat forbidden by the laws.
 2. My wife and Children are extremely dear to me, and my life is of the utmost importance to them, in various views.
 3. I feel a sense of obligation towards my creditors; who in case of accident to me, by the forced sale of my property, may be in some degree sufferers. I did not think myself at liberty as a man of probity, lightly to expose them to this hazard.
 4. I am conscious of no ill-will to Col Burr, distinct from political opposition, which, as I trust, has proceeded from pure and upright motives.
- Lastly, I shall hazard much, and can possibly gain nothing by the issue of the interview.

But it was, as I conceive, impossible for me to avoid it. There were intrinsic difficulties in the thing, and artificial embarrassments from the manner of proceeding on the part of Col. Burr.

Intrinsic - because it was not to be denied, that my animadversions on the political principles character and views of Col Burr have been extremely severe, and on different occasions I, in common with many others, have made very unfavourable criticisms on particular instances of the private conduct of this Gentleman.

In proportion as these impressions were entertained with sincerity and uttered with motives and for purposes, which might appear to me commendable, would be the difficulty (until they could be removed by evidence of their being erroneous), of explanation or apology. The disavowal required of me by Col Burr, in a general and indefinite form, was out of my power.... Besides that Col Burr appeared to me to assume, in the first instance, a tone unnecessarily preemphatic and menacing, and in the second positively offensive. Yet I wished, as far as might be practicable, to leave a door open to accommodation....

It is not my design, by what I have said to affix any odium on the conduct of Col Burr, in this case. He doubtless has heard of animadversions of mine which bore very hard upon him; and it is probable that as usual they were accompanied with some falsehoods. He may have supposed himself under a necessity of acting as he has done. I hope the grounds of his proceeding have been such as ought to satisfy his own conscience.

I trust at the same time, that the world will do me the Justice to believe, that I have not answered him on light grounds, or from unworthy inducements. I certainly have had strong reasons for what I may have said, though it is possible that in some particulars, I may have been influenced by misinstruction or misinformation. It is also my ardent wish that I may have been more mistaken than I think I have been, and that he by his future conduct may shew himself worthy of all confidence and esteem, and prove an ornament and blessing to his country.

As well because it is possible that I may have injured Col Burr, however convinced myself that my opinions and declarations have been well founded, as from my general principles and temper in relation to similar affairs - I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to reserve and throw away my first fire, and I have thought even of reserving my second fire - and thus giving a double opportunity to Col Burr to pause and reflect.

It is not however my intention to enter into any explanations on the ground. Apology, from principle I hope, rather than Pride, is out of the question.

Alexander Hamilton to Elizabeth Hamilton (wife) -- 4 July 1804

This letter, my dear Eliza, will not be delivered to you, unless I shall first have terminated my earthly career; to begin, as I humbly hope, from redeeming grace and divine mercy, a happy immortality.

If it had been possible for me to have avoided the interview, my love for you and my precious children would have been alone a decisive motive. But it was not possible, without sacrifices which would have rendered me unworthy of your esteem. I need not tell you of the pangs I feel, from the idea of quitting you and exposing you to the anguish which I know you would feel. Nor could I dwell on the topic lest it should unman me.

The consolations of Religion, my beloved, can alone support you; and these you have a right to enjoy. Fly to the bosom of your God and be comforted. With my last idea, I shall cherish the sweet hope of meeting you in a better world.

Adieu best of wives and best of Women. Embrace all my daring Children for me.

Nathaniel Pendleton's rules for the duel

1. The parties will leave town tomorrow morning about five o'clock, and meet at the place agreed on. The party arriving first shall wait for the other.
2. The weapons shall be pistols not exceeding eleven inches in the barrel. The distance ten paces.
3. The choice of positions to be determined by lot.
4. The parties having taken their positions one of the seconds to be determined by lot (after having ascertained that both parties are ready) shall loudly and distinctly give the word "present" - If one of the parties fires and the other hath not fired, the opposite second shall say one, two, three, fire, and he shall then fire or lose his shot. A snap or flash is a fire.

Note: The pistols used were duelling pistols owned by Hamilton. He had never used them, but Burr actually had in a previous duel. Also, they were the guns Hamilton's son had previously used in the duel in which he was killed.

ACCOUNTS OF THE DUEL

Duels were private affairs between gentlemen. They were technically illegal and thus occurred under the cloak of secrecy. Three witnesses provided testimony about the events on July 11, 1804.

1) Nathaniel Pendleton (Hamilton's friend and second) and William Van Ness (Burr's friend and second) wrote a joint statement a few hours after the duel -- 11 July 1804

Shortly after the duel, Pendleton and Van Ness wrote a joint statement of what happened.

11 July 1804

"Col. Burr arrived first on the ground as had been previously agreed. When Gen. Hamilton arrived the parties exchanged salutations and the Seconds proceeded to make their arrangements. They measured the distance, ten full paces, and cast lots for the choice of position as also to determine by whom the word should be given, both of which fell to the second of Gen. Hamilton. They then proceeded to load the pistols in each others presence, after which the parties took their stations. The Gentleman who was to give the word, then explained to the parties the rules which were to govern them in firing which were as follows:

The parties being placed at their stations - The Second who gives the word shall ask them whether they are ready - being answered in the affirmative, he shall say "present" after which the parties shall present and fire when they please. If one fires before the opposite second shall say one, two, three, fire, and he shall fire or lose his fire.

And asked if they were prepared, being answered in the affirmative he gave the word present as had been agreed on, and both of the parties took aim and fired in succession. The intervening time is not expressed as the seconds do not precisely agree on that point. The pistols were discharged within a few seconds of each other and the fire of Col. Burr took effect; Gen. Hamilton almost instantly fell, Col. Burr then advanced toward Gen. Hamilton with a manner and gesture that appeared

to Gen. Hamilton's friend to be expressive of regret, but without speaking turned about and withdrew - Being urged from the field by his friend as has been subsequently stated, with a view to prevent his being recognised by the Surgeon and Bargemen who were then approaching. No farther communication took place between the principals and the Barge that carried Col. Burr immediately returned to the City. We conceive it proper to add that the conduct of the parties in that interview was perfectly proper as suited the occasion."

2) A week later, Nathaniel Pendleton elaborated on his account to demonstrate that Alexander Hamilton had not fired at Aaron Burr -- 19 July 1804

A week later, Nathaniel Pendleton wrote a lengthier follow-up to clarify some of the events as he saw them.

July 19, 1804

"...Mr. P. expressed a confident opinion that General Hamilton did not fire first - and that he did not fire at all at Col. Burr. Mr. V.N. seemed equally confident in the opinion that Gen. H. did fire first - and of course that it must have been at his antagonist.

General Hamilton's friend thinks it to be a sacred duty he owes to the memory of that exalted man, to his country, and his friends, to publish to the world such facts and circumstances as have produced a decisive conviction in his own mind, that he cannot have been mistaken in the belief he has formed on these points -

1st. Besides the testimonies of Bishop Moore, and the paper containing an express declaration, under General Hamilton's own hand, enclosed to his friend in a packet, not to be delivered but in the event of his death, and which have already been published, General Hamilton informed Mr. P. at least ten days previous to the affair, that he had doubts whether he would not receive and not return Mr. Burr's first fire. Mr. P. remonstrated against this determination, and urged many considerations against it, as dangerous to himself and not necessary in the particular case, when every ground of accommodation, not humiliating, had been propose and rejected. He said he would not decide lightly, but take time to deliberate fully. It was incidentally mentioned again at their occasional subsequent conversations, and on the evening preceding the time of the appointed interview, he informed Mr. P. he had made up his mind not to fire at Col. Burr the first time, but to receive his fire, and fire in the air. Mr. P. again urged him upon this subject, and repeated his former arguments. His final answer was in terms that made an impression on Mr. P's mind which can never be effaced. 'My friend, it is the effect of a religious scruple, and does not admit of reasoning, it is useless to say more on the subject, as my purpose is definitely fixed.'

2nd. His last words before he was wounded afford a proof that this purpose had not changed. When he received his pistol, after having taken his position, he was asked if he would have the hair spring set? - His answer was, 'not this time.'

3rd. After he was wounded, and laid in the boat, the first words he uttered after recovering the power of speech, were (addressing himself to a gentleman present, who perfectly well remembers it) 'Pendleton knows I did not mean to fire at Col. Burr the first time.'

4th. This determination had been communicated to Mr. P. to that gentleman that morning, before they left the city.

5th The pistol that had been used by General Hamilton, lying loose over the other apparatus in the case which was open; after having been some time in the boat, one of the boatmen took hold of it to put it into the case. General Hamilton observing this, said 'Take care of that pistol - it is cocked. It may go off and do mischief.' This is also remembered by the gentleman alluded to.

This shews that he was not sensible of having fired at all. If he had fired previous to receiving the wound, he would have remembered it, and therefore have known that the pistol could not go off; but if afterwards it must have been the effect of an involuntary exertion of the muscles produced by a mortal wound, in which case, he could not have been conscious of having fired.

6th. Mr. P. having so strong a conviction that if General Hamilton had fired first, it could not have escaped his attention (all his anxiety being alive for the effect of the first fire, and having no reason to believe the friend of Col. Burr was not sincere in the contrary opinion) he determined to go to the spot where the affair took place, to see if he could not discover some traces of the course of the ball from Gen. Hamilton's pistol. He took a friend with him the day after General Hamilton died, and after some examination they fortunately found what they were in search of. They ascertained that the ball passed through the limb of a cedar tree, at an elevation of about twelve feet and a half, perpendicularly from the ground, between

thirteen and fourteen feet from the mark on which Col. Hamilton stood, and about four feet wide of the direct line between him and Col. Burr, on the right side; he having fallen on the left. The part of the limb through which the ball passed was cut off and brought to this city, and is now in Mr. Church's possession.

No inferences are pointed out as resulting from these facts, nor will any comments be made. They are left to the candid judgement and feelings of the public.

3) William Vann Ness responded to Nathaniel Pendleton's revised account

As a response to Pendleton's new account, William Van Ness published the following account of his own.

"The second of GH having considered it proper to subjoin an explanatory note to the statement mutually furnished, it becomes proper for the gentleman who attended Col. Burr to state also his impressions with respect to those points on which there exists a variance of opinion. In doing this he pointedly disclaims any idea disrespectful to the memory of GH, or any intention to ascribe any conduct to him that is not in his opinion perfectly honorable and correct.

The parties met as has been above related and took their respective stations as directed: the pistols were then handed to them by the seconds. Gen. Hamilton elevated his, as if to try the light, and lowering it said I beg pardon for delaying you but the direction of the line renders it necessary, at the same time feeling his pockets with his left hand, and drawing forth his spectacles put them on. The second then asked if they were prepared which was replied to in the affirmative. The word present was then given, on which both parties took aim, the pistol of General Hamilton was first discharged and Col. Burr fired immediately after, only five or six seconds of time intervening. On this point the second of Col. Burr has full and perfect recollection, he noticed particularly the discharge of GH's pistol, and looked to his principal to ascertain whether he was hurt, he then clearly saw Col. B's pistol discharged. At the moment of looking at Col. B on the discharge of GH's pistol he perceived a slight motion in his person, which induced the idea of his being struck, on this point he conversed with his principal on their return, who ascribed that circumstance to a small stone under his foot, and observed that the smoke of GH's pistol obscured him for a moment previous to his firing.

When GH fell Col. B advanced toward him as stated and was checked by his second who urged him the importance of his immediately repairing to the barge, conceiving that GH was mortally wounded, and being desirous to secure his principal from the sight of the surgeon and bargemen who might be called in evidence. Col. B complied with this request.

He shortly followed him to the boat, and Col. B again expressed a wish to return, saying with an expression of much concern, I must go and speak to him. I again urged the obvious impropriety stating that the G was surrounded by the Surgeon and Bargemen by whom he must not be seen and insisted on immediate departure."

4) Five weeks after the duel, Dr. David Hosack -- a physician who cared for Hamilton (but did not see the duel itself) -- wrote to a friend confirming the statements of Pendleton -- 17 August 1804

David Hosack, August 17, 1804

"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.

When we had got, as I should judge, about fifty yards from the shore, some imperfect efforts to breathe were for the first time manifest; in a few minutes he sighed, and became sensible to the impression of the hartshorn or the fresh air of the water. He breathed; his eyes, hardly opened, wandered, without fixing upon any object; to our great joy, he at length spoke. 'My vision is indistinct,' were his first words. His pulse became more perceptible, his respiration more regular, his sight

returned. I then examined the wound to know if there was any dangerous discharge of blood; upon slightly pressing his side it gave him pain, on which I desisted.

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."

Carried to his Manhattan home, Hamilton lingered in agony - the pistol's ball lodged next to his spine. He died the following day.