AARON BURR AS HIS CONTEMPORARIES SAW HIM

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PREFACE

In the brief period of seven years from 1800 to 1807, Aaron Burr fell from a place of high honor, his near election to the Presidency of the United States, to a place of disrepute and hatred by his own countrymen. The American Republic at this point was still in its infancy struggling for its own survival, not yet certain of the success of the American experiment. In spite of its youth there were men of insight in the United States who saw and recorded their reactions to the events of that post-Confederation period. These men witnessed the life of Aaron Burr, its meteoric ascent and fall, and recorded their reactions for posterity.

It is the author's purpose in this presentation to discuss Aaron Burr as he was seen by his own period of history and his own world. This objective shall be accomplished by examining sources contemporary to Burr and relevant to the three major areas of his life: the man, the politician, and the conspirator. This division of discussion has been chosen because the author feels that almost every part of Aaron Burr's life can be adapted to one of these three areas. The author has also found that any matter which cannot be suited to one of these three areas is but incidental commentary and has little importance for the subject at hand.
a. Active member
b. Defender of the people's rights
   1) Mechanics Bill
   2) Constitutional amendments

2. Partisan politics

B. United States Senator from New York
1. Abilities
   a. Active member
      1) Committee work
      2) Work in State Department files
   b. Conscientious
      1) Frontier Bill
      2) Nomination of Jay
      3) Jay Treaty
      4) Seating of Gallatin

2. Politics
   a. Unwilling partisan
   b. Suggested Vice-Presidential candidate
   c. Opposition from Hamilton

C. Election of 1800
1. Preparation for the Presidential election
   a. Party organization
      1) Manhattan Company Bank
      2) Party unity
   b. Election of the New York State Assembly
      1) Assembly ticket
      2) Assembly election
   c. Split of the Federalists

2. Presidential election
   a. Counting and casting of ballots
   b. Attempts to make Burr President
      1) Federalist support for Burr
         a) Advocates
         b) Reaction
      2) Burr's intrigues for the Presidency

D. "President of the United States"
1. Political administration
   a. Republican administration
   b. Federalist administration

2. Change in governmental institutions and structures
   a. Formation of a third party
   b. Presidential power
      1) Permanent power
      2) Monarchy
      3) Military government
   c. No change

3. Corruption
4. Foreign affairs
   a. Foreign agreements
   b. French alliance
   c. Wars
E. Vice-President of the United States
1. Presiding officer of the Senate
   a. His ability
   b. His conduct in the last days of his term
2. Party standing
   a. At his election as Vice-President
   b. His influence with Jefferson's administration
   c. Treatment by his party
      1) Ruin of his political career
      2) Feared and distrusted
3. Duel with Hamilton
   a. View of Burr's conduct
      1) Murder
      2) Unreasonable
      3) Regret
      4) Justified
   b. Effects on political attitudes toward Burr
      1) Federalist attitudes
      2) Republican attitudes

III. AARON BURR: THE CONSPIRATOR . . . . . . . . . . 32

A. Nature of the conspiracy
1. Aims
   a. Empire
      1) Mexico
      2) Mexico and the Western United States
   b. Separation of the Union
      1) Separation and Mexico
      2) Separation alone
      3) Burr's view on separation
   c. Conquest of Mexico
2. Methods
   a. Deception
   b. Discontent and foreign aid
   c. Seizure of New Orleans

B. Attitudes toward Burr
1. Guilt or innocence of Burr on charge of treason
2. Public reaction in the Western states

C. Conspiracy trial
1. Persecution by the government
2. Burr's fate and destiny
   a. Insufficient punishment
   b. Obscurity
   c. Divine punishment

BIBLIOGRAPHY . . . . . . . . . . . . . . . . . . . . . . . 46
AARON BURR AS HIS CONTEMPORARIES SAW HIM

I. AARON BURR: THE MAN

Aaron Burr, the individual, was viewed in many different ways by his contemporaries. No single individual saw him in the same way as another did. He was a man of many different sides and colors.

Some saw Aaron Burr as a patriot. Matthew Davis in his biography of Burr gave us a picture of Burr answering his nation's call in the American Revolution and outraged by the spilling of American blood.¹ Davis also saw Burr as one who was viewed as a patriot by the youth of the post-Confederation period because he had fought along side their fathers in the American Revolution.² William Van Ness considered Burr a zealous patriot who sought only the best interests of the Republic in his actions.³

In opposition to those who depicted Burr as a patriot, others conceived of his actions as arising out of interests

2. Ibid., II, 56.
other than patriotism. John Quincy was one of this group. When Burr was involved in the Revolutionary War, he was determined to accompany Arnold to Canada in spite of his ill health. Adams questioned Burr's motives and believed his determination did not arise from honest patriotism but from other motives. ⁴

Others saw Burr as fundamentally a liberal. Burr's liberalism expressed itself in three manifestation in addition to his attitude on women and their rights and place. The first was his support of the French Revolution and French System. Davis noted that Burr's support of the French Revolution brought him into conflict with Washington's Administration because of its neutral attitude toward the new French government. ⁵ Hamilton referred to Burr's praise of the French system for "unshackling the mind and leaving it to its natural energies . . . ." ⁶

A second manifestation of Burr's liberalism was his attitude toward slavery. While serving in the New York State Assembly, he proposed an amendment to a bill before the Assembly which called for the gradual abolition of slavery in New York State. His amendment called for immediate

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⁵ Davis, I, 327.

abolition. So Burr was almost considered an abolitionist. But at the same time, Burr held slaves himself. Yet, in spite of this fact, his liberal attitude prevailed in that his slaves were taught to read and write.

A third liberal expression was Burr's support of the opening of Senate sessions to the public. For several years after the commencement of the new government, the Senate had held all sessions behind closed doors. Burr, it was recorded, favored opening the legislative operations of the Senate to the view of the public. 7

There was a third side to the man Burr which his contemporaries also saw. He was a man of mystery. Robert Troup referred to Burr as "an enigma that we cannot decipher." 8 Mrs. Abigail Adams viewed Burr and his life as enveloped in mysteries of many sorts. 9 William Plumer saw the mysterious aspect as a strong, dominant part of Burr's character, and he continued to state that Burr had carried the encompassment of his affairs by mystery to extremes. 10

Burr's contemporaries also saw in him qualities of

7. Davis, I, 249, 403, 407.


both strength and weakness, assets and liabilities, and so on. On the strength or asset side of the ledger, there are five elements: (1) his ancestry and name, (2) his mind, (3) his personal magnetism, (4) his speaking abilities, and (5) his legal ability.

Burr did possess a famous ancestry and name which served as a great source of advancement in his life by "opening doors," influencing votes, etc. John Adams considered Burr's ancestry as pious and virtuous and felt that directly because of his lineage Burr had secured an additional 100,000 votes in the Election of 1800. Lodge (ed.), X, 22. Hamilton believed Burr used his illustrious name for his advantage.12

Burr's greatest quality, as seen by this period, was his mind. His mind was said to be very analytical. Matthew Davis remarked that Burr's mind, while not comprehensive, was "acute, analytical, prespicacious, discriminating, ... and quick to conceive things in detail ... ."13 It was also believed that his mind had a great power of concentration. Davis stated that while Burr was at Haverstraw, over sixteen hours of his day were consumed in study. At another point Matthew Davis saw Burr as capable of intense application of

his power.\(^\text{14}\) John Davis commented that Burr "is capable of yielding undivided attention to a single object of pursuit."\(^\text{15}\) This would also indicate concentration of Burr's mental powers. Hamilton noted that Burr's mind was imaginative but that this imagination was not free from whimsies, and he even went so far as to call Burr a visionary.\(^\text{16}\)

A special area of Burr's mind was his love of literature. Jeremy Bentham commented that he met Burr largely through Burr's interest in Bentham's works.\(^\text{17}\) John Davis considered Burr an individual who was well versed in the literary areas and who desired to cultivate literature in others.\(^\text{18}\)

A third area of strength for Burr was his personal magnatism. Matthew Davis believed Burr possessed a tremendous ability for attracting people to him, particularly young people, and that Burr's friends were extremely loyal.\(^\text{19}\)

A fourth asset which Burr possessed was his speaking ability. From all quarters Burr was praised as an excellent speaker. Nathaniel Hazard in 1791 reported that Burr "has an Address not resistable by common Clay; he has Penetration

\(^{\text{14}}\) Ibid., I, 219, 58.


\(^{\text{16}}\) Lodge (ed.), X, 415.


\(^{\text{18}}\) Cheney (ed.), I, 43.

\(^{\text{19}}\) Davis, II, 55-56.
Fire, incessant Perseverance, animately active execution . . . ." Matthew Davis observed the very persuasive ability and power of condensation which Burr possessed in his public speaking. 

An integral part of Burr's speaking achievement was his ability as a conversationalist. Plumer had much to tell us on this matter. Burr's conversation, as Plumer witnessed it, was on the surface quite clear and explicit, but at the same time it was indefinite. Burr was a master of manipulating words to mean what he wanted them to mean. He possessed the talent of apparently making an opinion on a subject but in reality not doing so.

A final ability which Burr possessed was his legal aptitude. Burr's capacity as a lawyer was stressed by both Matthew Davis and John Davis. Matthew Davis presented Burr as one whose qualifications for the legal profession were earned by his own endeavors even to overcoming the prejudice existent against him by the established legal profession. John Davis suggested that Burr was the greatest lawyer of the period. He was unrivaled, brilliant, and while "the most

23. Davis, I, 240.
skilled of any man in the practice, he was also the most eloquent . . . ."24

In spite of Burr's many abilities and assets, there were also many liabilities which were noted. Burr's greatest liability, as Matthew Davis saw it, was his credulousness; he was easily deceived. He thus became the target for anyone who would take advantage of him.25 As if in rebuttal to Davis, Henry Clay viewed Burr himself as deceptive in nature. While Burr was in Kentucky, Clay believed Burr innocent of all charges of treason against him. But upon arrival in Washington, Clay, finding public opinion against Burr, believed Burr had deceived him.26

Closely related with Burr's deceptive nature was his cunning. Plumer suggested that Burr was not only cunning but that he had even constructed a reputation for being cunning.27 Hamilton affirmed this statement of fault and at a much earlier date.28

A third liability, which many believed to be Burr's greatest fault, was his unlimited ambition. John Quincy Adams remarked that "ambition of military fame, ambition of

25. Davis, II, 56.
conquest over female virtue, was the duplicate passion . . " of Burr's life. Adams believed that it was ambition which eventually destroyed Burr. J. Hale considered Burr's opposition to the Federalist Party to have arisen from ambition. Plumer suggested that ambition was the real moving force in Burr's life. Clay narrated that Burr became "the tool and instrument of unprincipled ambition . . . ." Writing to Albert Gallatin, John Badollet regretted that there should exist such ambition as Burr possessed in a nation so young. Hamilton, more than others, discussed Burr's ambitious nature at great length. Burr's only source of action was his ambition. Hamilton felt that Burr's ambition would drive him to go beyond that which either party would allot to him and seek higher honors, namely permanent power and wealth.

Another area of liability was Burr's alleged lack of integrity. Hale believed Burr to be less politically honest

30. Ibid., p. 429.
than Jefferson. Hamilton concurred and held that not even Burr's friends would venture to defend his honesty, and that his integrity was seriously lacking.

Concerning Burr's principles, which could be connected with his lack of integrity, Hamilton stated on several occasions that Burr had no principles to control or limit his ambitions or desires. Others tended to agree with Hamilton in that there was no restraining force or principles to contain Burr and his goals. Plumer related that neither man-made nor divine laws had any restraining affect on Burr. Abigail Adams considered Burr an individual who had offended his religion and faith by his actions. In agreement with Plumer was John Quincy Adams who stated that Burr possessed no "sense of responsibility to a moral Governor of the universe."

A final liability, in addition to these others which Burr's contemporaries noted and which many of them also faced, was the poor state of his finances. This problem seemed to haunt Burr's entire life; he was in a perpetual state of

38. Ibid., pp. 20-21, 387, 402, 405, 417.
bankruptcy. His financial state was beyond help, as Hamilton expressed, except through the pillage of his own country.\(^{42}\) A rumor reported that the marriage of Burr's daughter, Theodosia, to Joseph Alston was arranged by Burr for the wealth Alston possessed.\(^{43}\) The truth of this rumor might be questioned, but it must be noted that the problems with finances was a haunting specter for Burr which he tried in many ways to escape.

Turning to more general observations concerning Burr's personality and character as a unit or whole, John Quincy Adams admitted that Burr was an extraordinary individual which only New England could have created. But he also considered Burr a type which the nation would soon like to forget and bury forever.\(^{44}\) Bentham found Burr filled with facts of interest.\(^{45}\) Clay saw himself unable to entertain the same views as those which Burr held\(^{46}\) and further stated that "no man entertains a more despicable opinion of Aaron Burr than I do."\(^{47}\) Burr was considered distinguished and celebrated by John Davis.\(^{48}\) Plumer saw Burr as an

\(^{42}\) Lodge (ed.), X, 392.
\(^{43}\) King (ed.), III, 459.
\(^{44}\) C. F. Adams (ed.), I\(\theta\), 429.
\(^{45}\) Bowring (ed.), X, 1808.
\(^{46}\) Hopkins (ed.), I, 273.
\(^{47}\) Ibid., p. 362.
\(^{48}\) Cheney (ed.), I, 41.
extraordinary individual.\textsuperscript{49}

Hamilton's attitude toward Burr can be described only as one of vehemence. An interesting note is that while the attitude of other individuals toward Burr changed and altered as the years passed, Hamilton's attitude remained basically the same. Hamilton continually viewed Burr as a traitor and a usurper. In 1792 he referred to Burr as an "embryo-Caesar," and in 1800 he saw Burr as "the Catiline of America." He recorded that Burr was unable to display any of the qualities of a true statesman and was actually inferior to Jefferson in ability.\textsuperscript{50}

The man Burr, which has been discussed above, was seen as a man of many different sides and flavors by his contemporaries. He was viewed by a large group as a mystery, a man difficult to understand or comprehend in his own times. He was accepted as a man whose natural endowments were greater than those of most men but whose gifts were subverted by the weaknesses of his character and the flaws of his life. By all rights Burr should have been recorded as one of the great men of the early American period; but due to the faults which his contemporaries saw he was not so recorded. His life was seen by his period of history as not yielding greatest but yielding the fruits of evil and corruption.

\textsuperscript{49} Brown (ed.), p. 213.

\textsuperscript{50} Lodge (ed.), X, 22, 392, 402, 417.
II. AARON BURR: THE POLITICIAN

Of the two great periods in Aaron Burr's life, the political period extending for some twenty years is one which has been largely neglected by contemporary scholars in the examination of Burr. Exceptions to this rule do exist; some have examined the political aspects of Burr's life, but these have been either parts of general biographies or as portions of larger works on American politics.

Burr's entry into the political arena was marked in 1784 by his election to the New York State Assembly. Matthew Davis at this point saw two principal political qualities emerge as Burr served as a legislator. First, he was active in the workings of the legislature. For example, Matthew Davis mentioned that Burr was appointed and served as chairman of a joint committee to revise the laws of New York. Secondly, he was characterized as a defender of the people's rights. This defense was revealed in Burr's opposition to the Mechanics Bill. This legislation would have given the mechanics union sway over the officials of New York City through the union's landholdings in New York.

would have given the mechanics union sway over the officials of New York City through the union's landholdings in New York which they would be allowed to hold in perpetuity. Since land was the source of political power through the franchise property qualifications, the mechanics would have exerted undue influence in New York City with the passage of this proposal. By his resistance to this bill, Burr stood, in Davis' opinion, as a champion of the people's rights. This quality was also suggested in Burr's objection to the new national constitution which he felt would strip the states of sovereignty.

While Matthew Davis recorded these two qualities of Burr's tenure as a state legislator, he did not see Burr as a partisan politician. Burr tried to remain above politics. 53 Davis stated that Burr's "ambition, at this time, was not political; or, if it was, he had determined to smother it 'until a more convenient season.' " 54

After some three years as attorney-general of New York State, the second great milestone of Burr's political career was manifested in his election as United States Senator from New York in 1791. Burr's ability which was demonstrated during his term in the state legislature was also apparent in the six years he served in the Senate. Some

54. Ibid., p. 249.
said that Burr and his senior Senator, Rufus King, offered New York a higher caliber of representation than the representatives of any other state of the Union. 55 It was also apparent, as Matthew Davis noted, that the journals of Congress give sufficient evidence that Burr was very active in service through his work on committees usually as chairman. He was also chairman of the committee of three which drafted the Senate's reply to the President's annual message. An indication of his ability and activity revealed itself in his great interest in the matters of the State Department in whose files, Matthew Davis recorded, he spent much time informing himself of the state of foreign affairs until he was denied access to those files by the administration. 56

Burr as a United States Senator was also seen as a conscientious public servant who stood by what he believed to be right. This quality was shown in several cases, all of which Matthew Davis was careful to make note. First was his opposition to the "Frontier Protection Bill" which he believed had several undesirable features for the people of the Southwest Territory. On the basis of these objectionable traits Burr was instrumental in preventing the bill's passage on the third reading. Second, in spite of his personal

55. Cheney (ed.), I, 43.
56. Davis, I, 359, 331.
involvement with Chief Justice John Jay, Burr strongly opposed the nomination of that individual as minister to the Court of St. James and the treaty which came from Jay's mission. A third example was his stand on the seating of Albert Gallatin in the Senate. Gallatin, born in Switzerland, had not been a citizen of the United States for the nine years required by the Constitution as a prerequisite for the office of United States Senator. Upon Gallatin's appearance in Washington to claim his seat in the Senate, several Senators rose to protest his being seated by appealing to the Constitutional qualification. Though realizing he was in conflict with the Constitution, Burr stood by his beliefs and supported Gallatin. 57

The relationship of partisan politics to Burr was totally different during his senatorship from his service in the New York Assembly. Matthew Davis saw Burr as an unwilling partisan. Burr, according to Davis, was virtually forced into the partisan jungle by the controversy over the ballot canvass in the New York gubernatorial election of 1792. It had been Burr's desire to remain neutral in the matter, not wishing to become involved in party affairs. Problems arose after the election which forced Burr to align himself along partisan lines with the Republicans. Following the election both Burr and Rufus King were asked

57. Ibid., pp. 360, 407-408, 409, 406.
by New York State to hand down their opinions concerning
the legality of votes in certain counties in New York.
After conferring, Burr and King differed in their opinion,
King supporting the Federalist and Burr supporting the Re-
publican viewpoint in the issue. Burr proposed that neither
should publish their views on the legality of the votes
since they could not agree. King, refusing Burr's propo-
sition, publicized his opinions on the matter. This action
forced Burr to make his own views known and support the
Republican cause. This brought Burr into the Republican
camp where he remained for the balance of his political
career. 58

By the latter part of 1792, Burr had achieved some
recognition as a partisan politician. There was some dis-
cussion that he would be the Republican Vice-Presidential
candidate in the Election of 1792. 59 Rufus King believed
that Burr was seeking and working for that candidacy. 60

Political recognition also gives rise to criticism
and political assault. Leading members of the Republican
Party considered Burr too young and inexperienced to aid
the Republican cause by standing for the office of Vice-
President, as James Monroe related in a letter to James

58. Ibid., pp. 332-33.
59. Stanislaus Murray Hamilton (ed.), The Writings of James
Putnam's Sons, 1903), I, 242.
60. King (ed.), I, 430.
It was at this point that Hamilton's opposition to Burr began, as he stated that he felt "it to be a religious duty to oppose ..." Burr and his career. Hamilton gave the impression that his opposition to Burr began as the result to the latter's support of George Clinton, who was at this time the Republican candidate for the Vice-Presidency in 1792. Others represented Burr as desiring to attack and destroy the institutions and creations which the Federalists and Hamilton had established.

The most tragic event for the Federalist Party in the United States was the Election of 1800 which vaulted Jefferson into the Presidency and threw the Federalists out of the National Executive Office. Matthew Davis viewed Burr as playing a large and almost singularly important role in laying the basis and the preparation for this revolution in American politics. Davis presented a picture that Jefferson could never have achieved the Presidency without New York State and New York State would not have swung into the Republican camp except for the actions and energies of Aaron Burr.

First, Matthew Davis attested that Burr was very

63. Ibid., pp. 19-20.
64. Syrett (ed.), VII, 615.
involved in creating the Republican Party organization in New York State in preparation for the election. Under his guidance in the New York State Assembly, the Republicans finally secured a bank, the Manhattan Company, through which they could counteract the influence of the two great Federalist banks in New York City. It is interesting to note that while Davis exhibited Burr aiding in the creation of the Manhattan Company solely for the party's cause, James Cheetham considered Burr's motives to be entirely for his own interests.

The next problem of party organization which Burr faced, as Davis regarded it, was party unity and harmony. Burr achieved this by appealing to the discordant elements to unite and "rescue the country from [Federalist] misrule." Burr spared no effort to bring unity: meetings were held frequently to discuss the success of the party. Davis contended that "the triumph of the party, as a whole, was the great object" for which Burr strived. Matthew Davis also reported that Burr was instrumental in the forming and election of the Republican slate of candidates for the New York State Assembly which elected the state's

65. Davis, I, 413.
67. Davis, I, 434.
68. Ibid., II, 56.
Presidential electors; therefore, insuring Jefferson's possession of New York's electoral votes. 69

John Adams, writing to Mrs. Mercy Warren, a family friend from the Revolutionary Period, tended to agree with Davis in regard to Burr's role but also placed the responsibility for his defeat squarely at the feet of Hamilton as well. 70 This responsibility for the overthrow of the Federalist regime, attested by Matthew Davis, came largely through the efforts of Hamilton to discredit Adams in South Carolina and thus prevented Adams' election as President but at the same time insure the election of Federalist Charles C. Pinckney. Hamilton hoped to accomplish this coup de grace to Adams through a pamphlet designed to question the conduct of Adams as President. Because Burr had secured a copy of this tract prior to distribution in South Carolina and arranged for its wide dissemination throughout the states before the election, Matthew Davis held Burr responsible for the split of the Federalist Party and the final defeat of Adams. Again the attitude seems to prevail that Burr was solely responsible for the Republican victory.

The Republican victory was evident, but complications arose when the electoral ballots were counted on February 11,

69. Ibid., pp. 56-60, I, 435.

1801. Upon a tally of the votes, it was found that Burr
and Jefferson had tied for the office of President. Consequent­ly, according to Constitutional provisions, the elec­tion was thrown into the House of Representatives where the
lame-duck Federalists still maintained control. The ensuing
contest was bitter and complicated, but after seven days and
thirty-six ballots Jefferson was finally duly elected to the
Presidency.71

The contest in the House was complicated by the de­
sire of some Federalists to support Burr rather than Jeffer­
son for the high office. The fact that Burr possessed ad­
vocates among the Federalists who hoped to see him in the
President's chair was verified by several leading Federal­
ists.72

While it has been accepted that there was some Fed­
eralist support for Burr, the problem which has arisen from
this contest concerned itself with whether or not Burr had
deliberately intrigued and sought Federalist support for
the office of President. Among his contemporaries, the
feelings were mixed. Robert Troup expressed no doubt as
to Burr's guilt in plotting for that office.73 James
Cheetham insisted that Burr "did intend to be President

71. Davis, II, 65, 74.

Historical Society: Fifth Series, IV, 452.

73. King (ed.), IV, 161.
of the United States."\textsuperscript{74} Not only did Burr intrigue for the Presidency; but, as Cheetham viewed it, the intrigue began at the very moment Burr was nominated to run with Jefferson.\textsuperscript{75}

This attitude toward Burr was not shared by all observers. Jefferson, himself, noted that Burr's conduct in the election had been honorable and had embarrassed the Federalists who offered to support him for the President's chair. This comment however was made a month before the counting of the electoral ballots; yet, at this time Jefferson saw no signs of intrigue in Burr's conduct.\textsuperscript{76} Albert Gallatin, writing to Jefferson, reported having in his possession a letter from Burr in which the latter clearly denied any attempted usurpation of Jefferson's rightful office.\textsuperscript{77} Matthew Davis also came to Burr's defense by stating the various charges against Burr and then attempting to present evidence to discredit those charges. Davis not only believed Burr was innocent of intriguing with the Federalists but believed Jefferson, not Burr, was

\textsuperscript{74} Cheetham, \textit{View...}, p. 55.

\textsuperscript{75} \textit{Ibid.}, pp. 43, 119.


guilty of such intriguing and negotiations.78

The contest in the House led many contemporaries to conjecture an imaginary picture of Aaron Burr as President. When the election in the House continued for days, many felt that Burr would eventually be elected President. Robert Troup reported from New York City that "the general opinion here is that Burr will ultimately be chosen."79 Because many believed or feared this would occur, there was conceived in their minds the Presidency as it would have existed under Aaron Burr. It is from this speculative conception by his contemporaries that the author draws this portion of the discussion concerning Aaron Burr, President of the United States.

The first issue in the Presidency of Aaron Burr which his contemporaries identified was the partisan affiliation of Burr's administration. Jefferson expressed the belief that Burr's administration would have been truly Republican in nature.80 This statement was not shared by many individuals. Others envisioned the Federalists maintaining control of the national executive under Burr. They felt that Burr could not hope to carry out the business of government without dependence on Federalist support.

Consequently, they depicted Burr preserving "those systems which the Federalists thought necessary for the public prosperity."[81] The institutions which the Federalists had created in twelve years of dominance would not be swept away under Burr's guidance as they would have been under Jefferson's. There would be fewer dismissals of Federalist officer holders under Burr.[82] In other words, the Federalist regime and system would be preserved virtually in tact under Burr's administration. Thomas Paine saw "President" Burr as a mere pawn in the hands of the Federalists. Burr would have been "a mute, a sort of image, . . . the dupe and slave of a party, placed on the theater of the United States and acting the farce of President."[83]

A change under Burr's administration was anticipated by others; a change, not in parties, but in the very structure and system of the United States federal government. The old institutions would be swept away and replaced by new ones which would enlarge the power of the President, Aaron Burr.

The end of the American two-party system under Burr's Presidency was envisioned by some; and in place of the two-party system, a one-party system would emerge from

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82. Ibid., p. 336.
the ruins of the Federalist and Republican parties. Others saw a change in the very nature of Presidential power itself. Hamilton believed, and others concurred, that Burr as President would seek permanent power. Hamilton averred that Burr's "ambition . . . will be content with nothing less than permanent power in his own hands."85

The question which arises out of this issue is one of what form of permanent power the governmental change would take. Bentham saw Burr molding the United States into an absolute monarchy with the latter as absolute monarch. Others prophesied the creation of a military government styled along the lines of Napoleon's consularship in France. It would be, as Hamilton called it, the reformation of the government a' la Bonaparte. Freedom and civil authority would be consumed in the glory of military power.

There were those who felt that there would be no great changes under Burr's Presidency. John Quincy Adams

85. Ibid., pp. 402-403.
86. Bowring (ed.), IX, 100.
89. Cheetham, Nine . . . ., p. 137.
was a member of this group. He saw no end to the Union under the Presidency of either Burr or Jefferson. Burr as President would be unable to make profound changes or disturb the nation with any great harm, as Adams saw it.90

The matter of corruption in the government under Burr was also considered by some in addition to partisan and structural changes. Because of Burr's financial state, Hamilton believed that Burr would resort to any means in order to secure wealth including the possibility of selling out his country to a foreign power or misusing his office for personal gain. It was also suggested that Burr would never rely on honest men for counsel but would seek the worst men of the country with whom to consort.91

Foreign affairs under Burr posed a greater problem than corruption, as seen by Hamilton and others. Hamilton stated "disgrace abroad . . . are [sic] the fruits . . ." of Burr's tenure as President.92 There were three characteristics of Burr's management of foreign affairs as prophesied by contemporary critics. First, no agreement made by Burr in the name of the United States with a foreign power would be honored by him. At any time that would fit his needs, any such agreement would be broken. Second was an

92. Ibid., p. 404.
alliance with France. Hamilton envisioned a final separation of ties with Great Britain and closer relationship with France under Burr's supervision culminating in an alliance with Napoleon.\textsuperscript{93} The final characteristic of Burr's foreign policy was war. Both Hamilton and Cheetham saw war as a necessary device through which Burr could achieve the power and wealth he desired.\textsuperscript{94} Neither mentioned that nation with which Burr would engage in war, but Cheetham does allude to wild expeditions similar to those of Napoleon's Egyptian campaign.\textsuperscript{95}

The election of Jefferson to the Presidency by the House demoted Burr to the office of Vice-President of the United States instead of the Presidency as many had foreseen. As Vice-President Burr was largely concerned with presiding over the Senate.

Burr's ability as President of the Senate was recognized by most of the Senators and others who saw him conduct the business of the upper house of the National Legislature. Aaron Burr presided over the Senate adeptly and with dignity. John Davis stated that "no man knew better the routine of the House\textsuperscript{3} or upper house,\textsuperscript{7} or how to acquit himself with more dignity than . . ." Burr.\textsuperscript{96} He

\begin{itemize}
  \item \textsuperscript{93} Ibid., pp. 397, 403-408.
  \item \textsuperscript{94} Ibid., p. 407; Cheetham, \textit{Nine . . .}, p. 137.
  \item \textsuperscript{95} Cheetham, \textit{Nine . . .}, p. 137.
  \item \textsuperscript{96} Cheney (ed.), II, 109.
\end{itemize}
presided with a sense of superiority and dignity; but this was combined with energy and impartiality. 97 Because of these qualities Burr was reasonably well suited for the office of President of the Senate; and his behavior reflected a good example for both the Senate and the nation. 98

Notable exceptions in Burr conduct and ability were recorded by some witnesses who did not view Burr as a skillful presiding officer. These were noted in the impeachment trial of Judge Samuel Chase in which Burr was both rude and reprimanding. 99 It was also apparent during the last months of his tenure of office that certain partialities were shown on Burr's part which were believed to have been caused by personal obligations arising from the circumstances surrounding his duel with Hamilton and the indictment lodged against him for murder. 100 Burr's attitude, as viewed by Plumer, was almost that of a tyrant or that of a schoolmaster lecturing and scolding his class, the Senate of the United States. 101 Plumer stated that Burr "has merited the

99. Ibid., p. 239.
contempt and indignation . . . of many" because of his attitudes. 102

Burr's capabilities as President of the Senate had little or no effect on his standing within his own party's structure. Even at the time of his nomination to the Vice-Presidency, most considered his party standing to be at a low level. He had not been chosen by his party out of high esteem or respect 103 but because of his influence and the efforts he had exerted in New York State. 104 His influence with Jefferson was considered to be minute; 105 yet, Troup believed that three of Burr's friends received federal appointments arising from the influence Burr did possess. 106 As far as his political life and standing were concerned, it was acknowledged that Burr was politically a ruined man 107 and would be dropped by his party at the next election. 108 He was feared and distrusted by the Republicans because they

102. Ibid., p. 329.


105. King (ed.), IV, 103; Padover (comp.), p. 1285.

106. King (ed.), II, 460, 495.


108. King (ed.), IV, 103-104; Cheetham, View . . . . , p. 120.
believed he had betrayed the party during the Election of 1800,\textsuperscript{109} and Jefferson commented that Burr's actions filled him with distrust.\textsuperscript{110} William Dickson went so far as to state that Burr had lost the trust of the people of the United States.\textsuperscript{111}

Burr's encounter with Hamilton on the "Field of Honor" took a place of central importance during his term as Vice-President and his political life. Burr's contemporaries interpreted his conduct in this fatal duel in a number of ways. Bentham considered it little more than murder, and this attitude was shared by Lorenzo Sabine who presented documents of the duel in his publication.\textsuperscript{112} John Quincy Adams felt Burr's conduct had been unreasonable in that he had made demands of Hamilton which Burr knew the latter could not accept.\textsuperscript{113} Others attempted to justify Burr's actions in the duel. Judge Richard Peters believed that "as an old military man Colonel Burr could not have acted otherwise than he did."\textsuperscript{114} Gouverneur Morris, a

\begin{align*}
109. & \quad \text{Brown (ed.), p. 219.} \\
110. & \quad \text{Padover (comp.), p. 1285.} \\
111. & \quad \text{John Spencer Bassett (ed.), Correspondence of Andrew Jackson, 7 vols. (Washington, D. C.: Carnegie Institution of Washington, 1926), III, 429.} \\
112. & \quad \text{Bowring (ed.), X, 1808; Lorenzo Sabine, Notes on Duels and Duelling (Boston: Crosby, Nichols, & Co., 1855), p. 212.} \\
113. & \quad \text{W. C. Ford (ed.), Writings ..., III, 42.} \\
\end{align*}
close associate of Hamilton, saw little difference between Burr and any other man who had killed on the "Field of Honor." 115

The repercussions of Hamilton's death were felt quite strongly in the political arena. Most Federalists despised Burr. Plumer, himself a Federalist, found it repulsive and humiliating that Burr, an indicted murderer, should preside over the Senate's deliberations. Burr's popularity among the Republicans appeared to soar as a result of Hamilton's death due to the strong Republican hatred of Hamilton. Plumer believed that were it not for previous arrangements the Republicans would have again offered Burr the Vice-Presidency at the next election. 116 John Quincy Adams agreed that Burr was treated with a respect which before Hamilton's death was withheld from him. 117

As a politician, in summary, Burr was seen as a paradox by his contemporaries. He was accepted as a politician of outstanding abilities. His role in the Election of 1800 demonstrated quite clearly this ability which was acknowledged by men of both parties. He was considered very influential in shaping the structure and role of American politics. Yet, he was also depicted by many of these


men as one who had intrigued for the office of President and who, had he achieved that office, would have destroyed that political structure and brought the nation to ruin in his quest for power and glory.
III. AARON BURR: THE CONSPIRATOR

The "Burr Conspiracy," which followed the end of Burr's political career, has been surrounded by much controversy and disputation. A large portion of the modern works on Aaron Burr has been devoted to the analysis of this debatable period of his life. The diversity of opinion regarding the nature of the conspiracy is not, however, a characteristic of recent thought alone, but was also very prevalent in the period under discussion.

There were basically three schools of thought in this period regarding Burr's aims or goals in the so-called conspiracy. The attainment of empire was regarded as Burr's ultimate aim by some individuals. There appeared to be two different ideas concerning the extent of this domain which Burr was seeking. Some, as Bentham, believed Burr wished only to place himself on the throne of Mexico and claim Mexico alone as his dominion.118 This was reiterated by the Richmond Enquirer which attempted to outline Burr's plan for establishing himself along the Gulf of Mexico.119


It was also accepted by others that Burr intended to include both Mexico and the Western states of the Union in his imperial designs. A chief advocate of this line of thinking was "General" William Eaton who saw the boundary line of Burr's realm at the Allegheny Mountains and the capital at New Orleans. Jefferson also supported this thesis of a combined empire of Mexico and the Western states and maintained that Burr would use such an instrument to subvert the United States. Eaton's conception of an imperial capital at New Orleans was shared by John Quincy Adams who believed Burr was also trying to destroy the Union.

Some accepted as Burr's ultimate aim the wresting of the Western states from the Union. This school also was divided into two groups. First were those who believed the conquest of Mexico was connected with the movement for disunion but that no attempt had been made to create an empire. Henry Clay was a proponent of this approach making comments to this effect on several occasions but with no mention of empire. Jefferson, in instances,

appeared to lean in this direction. 124 Although it must be admitted that between this group who accepted Mexico and the cleavage of the United States without empire and those who accepted it with empire, there existed a very fine line of division.

A second group of this school believed separation, and separation alone, had been the end for which Burr had strived. Lafayette appeared to accept this idea. 125 Jefferson, again, appeared to also embrace this conception. 126 As noted above, Jefferson's conception of Burr's goals can fit neatly into several schools or sub-schools of thought. Jefferson, then, did not possess a uniform attitude toward Burr's ends in the so-called conspiracy. His thoughts can be placed in both the empire school and the separation school. These attitudes were either constantly changing or were not fully stated by Jefferson himself.

There were several individuals at this time who believed Burr had advocated a partition of the Union not only


by actions but also by words. Plumer recorded that Burr had openly stated in conversation that a severance of the Western states from the Union would occur and that it was essential that it should occur. Eaton described a conversation in which Burr said that a revolution of the Western states was eventual. Others, such as Lemuel Henry and James Wilkinson, referred to statements which he made stressing the inherent rights of the people of the Western states to separate from the Union if they so desired.

Finally, there was a group who believed Burr's final goal in the conspiracy had been merely the conquest of Mexico with no connection to separation or empire. Chief Justice John Marshall stressed this point as he handed down his decision in the conspiracy trial and stated that "the real and direct object of the expedition was Mexico . . . ." Plumer appeared ultimately to have accepted this contention, as he denied Burr had any intention of separating the Union.

Burr employed several methods in an effort to achieve his aims as recorded by his contemporaries. Each viewed Burr's methods as consisting of one or more of the following four points: (1) deception, (2) taking advantage of discontent

129. Ibid., p. 645.
and foreign aid, (3) the seizure of New Orleans, and (4) the reduction of Mexico. With regard to the fourth point, the reduction of Mexico, enough has been said about the relationship of Mexico to the empire and separation schools of thoughts that it may suffice to state that many did consider Mexico a means to the end of empire or separation.

Deception, as noted in the discussion of Burr's personal attributes, was already accepted by some as a part of Burr's character. It was natural, then, that duplicity was regarded as a method which Burr employed to achieve his ends. Burr used deceit to secure the men who accompanied him on his expedition. Jefferson stated that Burr had been able to procure a large number of his following by telling them that the government secretly approved of his schemes.131 John Badollet shared Jefferson's opinion on this point and believed Burr had deceived individuals by persuading them that the national government supported his projects.132

In preying upon the discontented elements of society and accepting aid from foreign powers, contemporaries saw a second method utilized by Burr. A few believed that Burr had sought out the unhappy, disgruntled elements of society to accompany him on the expedition. These malcontented companions were individuals who were failures in life or else

had lost confidence in the Union. The Richmond Enquirer noted that Burr had searched "the receptacles of desperation and disappointment in every part of the Union . . ." to secure men to forge out his empire.\textsuperscript{133} It was assumed by some that Burr had accepted aid from foreign powers to achieve his grandiose schemes. Wilkinson conceived of Burr as merely a pawn in the hands of the foreign powers who were supposedly supporting Burr's actions.\textsuperscript{134} Spanish ambassador Yrujo was believed by Jefferson to have aided Burr in his plans to separate the Union.\textsuperscript{135} Bentham recorded that when Burr reached England after leaving America in self-imposed exile, he approached the royal government concerning its support for his plans in Mexico.\textsuperscript{136}

The expected seizure of New Orleans served as a final means which Burr used to accomplish his desires. Jefferson saw the seizure of New Orleans as the key to the success or failure of Burr's plans. Control of that city would have given Burr an entrance into Mexico and a strangle hold over the upper Western states.\textsuperscript{137}

\textsuperscript{133} The Richmond Enquirer, December 11, 1806, quoting the Philadelphia Aurora, cited in Reed and Williams (eds.), p. 46.

\textsuperscript{134} American State Papers: Miscellaneous, I, 549.

\textsuperscript{135} P. L. Ford (ed.), X, 382.

\textsuperscript{136} Bowring (ed.), X, 1803.

\textsuperscript{137} P. L. Ford (ed.), X, 465.
anticipated capture of that city would have provided Burr with plunder, wealth, and military supplies which he could have utilized to launch his expedition against Mexico and Vera Cruz.138

The attitudes which were expressed about Burr during and after the conspiracy manifested themselves in two forms—opinions as to the guilt or innocence of Burr with regard to the charge of treason, and the public reaction in the Western states to Burr and the conspiracy. The guilt or innocence of a man charged with a crime is legally decided in a court of law, but contemporary opinion also evinced itself quite strongly on this matter even though it had no legal standing. Clay averred a firm belief in the guilt of Burr and hoped to see him receive his proper punishment.139 Whether Lewis stated a similar opinion of guilt as he referred to Burr's "treasonable practices."140 Lewis reaffirmed this belief when he stated that the United States could "never make 'A Burr' of . . ." him, that his attachment to the nation was inseparable.141 Lewis at this time was in a financial situation similar to the one Burr

141. Ibid., p. 460.
had experienced, namely, near bankruptcy. Lewis spoke in order to reaffirm his patriotism to the Republic regardless of his monetary state. He would not betray his country for his own financial gain, as he believed Burr had done.\textsuperscript{142} Also Plumer, whose opinion constantly changed, believed at one point that Burr was very much guilty of treason.\textsuperscript{143}

There were those who entertained definite doubts about Burr's guilt but were not ready to proclaim his innocence. Jefferson believed that the conspiracy was so wild a scheme that those who knew Burr would not have believed his guilt so long as there was room for doubt.\textsuperscript{144} Plumer, himself, admitted that many of the things charged against Burr was too ridiculous for him to be guilty of having committed.\textsuperscript{145}

A small group of men defended Burr against the charges of treason. Among them was Charles Biddle who believed Burr was innocent at the time of the trial in 1807. He reaffirmed this position six years later when he, again, declared his faith in Burr's innocence.\textsuperscript{146}

\begin{itemize}
\item \textsuperscript{142} Ibid.
\item \textsuperscript{143} Brown (ed.), p. 591.
\item \textsuperscript{144} P. L. Ford (ed.), \textit{K}, 339.
\item \textsuperscript{145} Brown (ed.), p. 516.
\end{itemize}
Luther Martin, who served as Burr's attorney, expressed his firm belief in Burr's innocence, as he wrote to Joseph Alston.147 And Joseph Alston, Burr's son-in-law, could not reconcile Burr's great talents with any attempt to sever the Union.148

In the Western frontier states attitudes toward Burr were not as mixed as in the East. Here he was thoroughly detested as public reaction was decidedly against him. The Richmond Enquirer, reprinting a letter to the editor, stated that Burr was hated throughout the entire Western country. It continued to state that if Burr had returned to Louisiana, he would probably have been tarred-and-feathered.149 A communication from The Western World stated that on the night of January 21, 1807, Burr was burned in effigy in Frankfort, Kentucky.150 This was a good reflection on the sentiment of the Western frontier concerning Burr and his alleged project of separation. The West was hostile toward Burr largely because it believed that he had advocated


149. The Richmond Enquirer, March 17, 1807, cited in Reed and Williams (eds.), p. 84.

150. The Western World (Frankfort, Kentucky), January 22, 1807, cited in Reed and Williams (eds.), p. 72.
splitting the Union. In earlier phases of the conspiracy, the Western states had supported Burr because they assumed his goal was the invasion of Mexico. After coming to realize Burr's object had been disunion, the Western frontier displayed only indignation and contempt for him.

The treason trial at Richmond, Virginia, afforded Burr's supporters an opportunity to declare his innocence again. Luther Martin felt that Burr was not being prosecuted by the government but persecuted. Martin not only presumed Burr innocent but thought that, in reality, the government also believed him to be guiltless. The government was not seeking justice at Richmond but vengeance and Burr's blood.151 Martin stated, in relation to Burr, that the government "would feel no more compunction in taking his life than that which a philosopher views a rat expiring . . . ."152

Because of insufficient evidence, Burr was acquitted. Yet Burr's fate or destiny was viewed by this period in basically two ways--escape from punishment and obscurity. There were those who believed he had received insufficient punishment considering the nature of his crimes. Henry Clay expressed regret that Burr had not received the punishment he deserved.153 This premise was also accepted by

Bentham, who stated that in England a man in Burr's place would have been disemboweled and had his entrails burned before his eyes.154 Jefferson also felt that Burr had received inadequate punishment and that he would become the center of future plots and conspiracies.155

There was a second group who saw Burr's fate not as escape from punishment but as obscurity. While traveling through the western United States in 1819, William Faux recorded seeing Burr whom he described as "a little lean, pale, withered, shabby looking, decayed, greyed-headed [sic] old gentleman," the picture of obscurity.156 John Quincy Adams noted that in 1817 Burr was residing in New York in obscurity.157

Adams added an unusual twist to his conception of Burr's fate. He saw the demolition of Burr's character in the eyes of America as the result of divine justice and retribution for Burr's part in the defeat of Adams' father in the Election of 1800.158 So in a sense Adams believed

158. Ibid., IX, 442.
that Burr did receive punishment but for another "crime."

The author realizes that the witnesses to Burr's life and actions which are cited above did not view his actions without an element of prejudice, bias, or personal involvement which would tend to make their analysis of Burr less than objective. But it also must be accepted that Burr's contemporaries possessed a greater insight into the details of matters with which they were directly concerned than an "objective" historian removed from the period in question.

The type of man Aaron Burr was in reality we cannot know and perhaps will never know since the eye-witnesses did not have the objectivity necessary to give us a true, accurate picture of Burr. Yet, each man is seen by society as society wishes to see him. To early American society, Aaron Burr was seen as that society wished to see him, regardless of the type of man he was in truth. Thus, society, in general, saw Burr as a man whose weaknesses dominated his strengths and brought about his ruin; a man of great political ability, yet a man distrusted by his own party; a man responsible for the death of Hamilton; a man whose lust for glory and power led him to forsake his own country to achieve those ends. Perhaps Aaron Burr as seen by his own period of history was best summarized by John Quincy Adams when he stated that Burr had "lived and died as a man of the world--brave, generous, hospitable and courteous, but ambitious, rapacious, faithless and intriguing."\(^{159}\)

\(^{159}\) Ibid., p. 429.
The author does not see Aaron Burr in the same light as early American society saw him. Aaron Burr was greatly misunderstood by both his generation and the present one. His own period of history overemphasized his weaknesses. While there is, no doubt, some element of truth in his alleged weaknesses of character, these have been magnified beyond reasonable proportion. This exaggeration was due to bias and prejudice on the part of the leading figures of his period. Hamilton saw in Burr ambition, lack of principles, and lack of integrity. But Hamilton hated Burr and could not conceive of any praiseworthy features in Burr's character. Clay considered Burr deceptive, but Clay also despised him. The greatest fault Burr possessed, the author believes, was his ability to kindle hatred and prejudice against him by the leaders of this period. These individuals not only shaped contemporary public opinion then but also formed historical opinion. They molded the conception of Burr which has been handed down to the present generation, and which modern society appears to be accepting at face value: the portrait of Burr as a traitor and scoundrel.

Modern historians, such as Thomas Abernethy, have accepted the notion that Burr was a traitor and did attempt to sever the Union. The author disagrees with this position. Burr's ultimate aim in the ostensible conspiracy was the conquest of Mexico and/or, possibly, the creation of an empire there. But he never attempted to split the Union,
at least not according to the available evidence, then or now. He was, after all, acquitted of the charge of treason. As Burr's contemporaries recorded, he did advocate the right of a state to leave the Federal Union. The author does not dispute this position, but must point to the fact that many prominent individuals at this time, such as Daniel Webster, adhered to the same position, as did John C. Calhoun and other Southerners in later years. A sincere belief in the right of a state to sever its relationship with the Republic does not make an individual a traitor.

Burr was also misunderstood in relation to the Election of 1800. Burr, as the author sees him, never attempted a premeditated seizure of the Presidency from Jefferson. When the tie occurred in the Electoral College, Burr, as history records, did make a bid for the high office of President; yet, the author wonders if any politician in a similar position would do otherwise. The principal fault in this situation belongs not with Burr but with the Electoral College whose weaknesses allowed such a condition to exist. In other words, Burr was a man whose ambitions were combined with opportunity. An individual cannot be condemned for allowing his ambition to shape to the mold of opportunity.
BIBLIOGRAPHY


