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Burr: An American Conspiracy

Kathleen Brett

HIST 395

Dr. Hyser

Aaron Burr was arguably the most ambitious man in Early National Period. This man, who longed for his name to be etched in history and took any means to do so, defied the law. In the last years of his vice presidency under Thomas Jefferson, 1804-1807, Burr conspired with numerous individuals to create an independent country which included much of the Southwest United States and Northern Mexico. Additionally, Burr attempted to obtain short-term support from the British and Spanish. Once President Jefferson discovered Burr's course of action, he had Burr tracked down, arrested, and brought to Richmond, Virginia to be tried for treason. Burr's trial for high treason revealed his true motivations to create his own independent country, as well as his long standing ambition for power.¹

Aaron Burr was born on February 6, 1756, to a prestigious family full of theologians, pastors, and college presidents. The road of success was laid out for him at a young age. When

¹For scholarly studies of the revolutionary era, see David D. Hall, John M. Murrin, and Thad W. Tate, eds., *Saints and Revolutionaries: Essays on Early American History* (New York: Norton, 1984) and Jack P. Greene, ed. *The American Revolution: Its Character and Limits* (New York: New York University Press, 1987). Both provide information on the impact the American Revolution. David Lewis, *Breach of Allegiance: The History of Treason Charges in the U.S., and its Rebirth in the Age of Terrorism* (Orlando: University of Central Florida, 2013), <https://stars.library.ucf.edu/cgi/viewcontent.cgi?article=2502&context=honorsthesis1990-2015> goes into detail on the origination of treason in early America, beginning with Burr. For studies on the Burr Conspiracy, see G.A. Smith, *The Burr Conspiracy: Uncovering the Story of an Early American Crisis* (PhD. diss., Texas Christian University, 2018). Dorcas K. Helms, *An Uneasy Alliance: The Relationship between Jefferson and Burr: 1791-1807* (PhD. diss., North Texas State University, 1979), <http://web.b.ebscohost.com/ehost/detail/detail?vid=4&sid=0c981646-d282-4a9a-ba79-9ce02599e9b9%40pdc-v-sessmgr03&bdata=JnNpdGU9ZWhvc3QtbG12ZQ%3d%3d#AN=A4440D194A5439BA&db=ddu> addresses the contention between the two men. The character of Burr is explored in Joseph Fichetelberg, *The Devil Designs a Career: Aaron Burr and the Shaping of Enterprise* (Chapel Hill: The University of North Carolina Press, 2006). Good biographies of Burr include Lottie Burr, *The Controversial Life of Aaron Burr, 1783-1804* (Denton: University of North Texas, 1951), <https://digital.library.unt.edu/ark:/67531/metadc96953/>. An interesting non-American perspective is provided in Vicente Ribes Iborra, *Texas en las Postrimerías del Tiempo Hispánico, 1800-1820* (Washington D.C.: Revista de Indias, 1957), <https://hlsopac.loc.gov/vwebv/holdingsInfo?searchId=5307&recCount=25&recPointer=0&bibId=211859> which provides global context to the event. Michael J. Dexter, *The Traumatic Colonel: The Founding Fathers, Slavery, and the Phantasmatic Aaron Burr* (New York: NYU Press, 2014), <https://muse.jhu.edu/chapter/1309017> provides beneficial background into the psychology of Aaron Burr. Within the *Burr Conspiracy Collection, 1806-1808* (Washington, D.C.: Library of Congress—Research and Reference Services) there is a plethora of letters between founding fathers on the trial itself. Jonathan Dayton, *Letters to Aaron Burr, ca. 1806* (Charlottesville: University of Virginia, 1806), <https://researchworks.oclc.org/archivegrid/collection/data/31253967> as well as *Documents Concerning the Burr Conspiracy, 1806-1808* (Charlottesville: University of Virginia Press), <https://researchworks.oclc.org/archivegrid/collection/data/48954417>, <https://researchworks.oclc.org/archivegrid/collection/data/79448904>.

his parents died in the early years of his life, Burr had no choice but to attempt to define himself by the legacy set forth by those who had carried the Burr name. After he demonstrated brilliance and graduated from Princeton at a young age, Burr proved to be ready to take up arms and fight the British in 1775. Since he achieved such a high level of education, Burr became an officer in the Continental Army at age nineteen. Burr joined Brigadier General Richard Montgomery in the failed assault on Quebec, where he demonstrated extreme tenacity in fighting against the British.²

Burr's involvement in the Revolutionary War led him into contact with Alexander Hamilton, and the two men clashed almost immediately. Perhaps it was because they were too similar—both were from New York, served as soldiers in the Revolutionary War, became lawyers afterward, and possessed a deep passion for politics. They additionally shared similar ambitions. Both Burr and Hamilton believed one was destined to succeed, while the other would fall short. Hamilton once described Burr as, “A dangerous man, and one not to be trusted with the reins of government.” This was one of the nicer remarks Hamilton made about his arch rival during his lifetime.³

Burr entered politics after the revolution. He served in the United States Senate and represented New York at the age of thirty-five, which showcased his ability and political ambition at a young age.⁴ Burr narrowly lost the presidential election of 1800 to Thomas Jefferson. Burr and Jefferson had initially tied in the electoral vote; however, when the tie-

² Mary-Jo Kline, *Political Correspondence and Public Paper of Aaron Burr, vol. II* (Princeton, NJ: Princeton University Press, 1983), Liii.; Buckner F. Melton, *Aaron Burr Conspiracy to Treason* (New York: John Wiley & Sons, 2002), 26-28.

³ Thomas Perkins Abernethy, *The Burr Conspiracy* (Gloucester, MA: Oxford University Press, 1968), 14; Quoted in Melton, 23-24.

⁴ While in the Senate Burr's vote for the Judiciary Act of 1801 established that he was not on the same agenda as the Democratic-Republicans. Because of this and other factors, Jefferson attempted to push Burr out of the political sphere entirely through deliberate actions while Burr was serving as his vice president.

breaker went to the House of Representatives, Jefferson defeated Burr by a single vote. This was the first tie in the election for president and reflected a crucial error in the early electoral process. Since candidates at the time did not have running mates, the man who came in second place, Burr in this case, became the vice president. Thus, Burr was the vice president to Thomas Jefferson.⁵

Throughout the election of 1800, but especially in the House vote, Alexander Hamilton supported Jefferson, which enraged Burr. Burr's anger towards Hamilton caused him to blame Hamilton for his loss in the elections. Brooding tensions between them came to a head on the morning of July 11, 1804, when the two duelled in Weehawken, New Jersey. The outcome of the duel was Burr's most well-known claims to fame, specifically he became known as the man who killed Alexander Hamilton. Since Hamilton was beloved by so many, those who did not already despise Burr did after this instance. Burr was not even safe in New York after the duel, since supporters of Hamilton were likely to take drastic action, such as to burn down his house or lynch him. Now the vice president of the United States was labeled as a murderer, he was left no choice other than to flee to South Carolina. Burr avoided both New York and New Jersey until he was required to return to serve the rest of his vice presidential term.⁶

Burr's time as Jefferson's vice president was littered with his missteps, which caused him to fall out of favor. Jefferson and Burr were on cordial terms when they started to work together, but the idea of Burr's past issues constantly lingered in the back of Jefferson's mind. It was said that the only time the vice president saw cabinet members was in passing on the street. Jefferson whole heartedly tried to lock Burr out of the political realm by excluding him in political

⁵ Abernethy, 14; George Lee Haskins, *History of the Supreme Court of the United States: Volume II, Foundations of Power: John Marshall, 1801-15* (New York: MacMillan Publishing Company, Inc, 1981), 248; Melton, 36.

⁶ Chernow, 202; Melton, 48.

discussions with other members of the cabinet, about even the most trivial matters. During the election of 1804, Jefferson and the Democratic-Republican's selected George Clinton as a running mate instead of Burr, and Jefferson did little to assist Burr to win election as Governor of New York.⁷

While Aaron Burr was vice president, the United States negotiated one of the most influential land acquisitions, the Louisiana Purchase. This hefty \$27,260,000 purchase set the stage for Jefferson's eventual reelection, but revealed Burr's declining influence, as he was excluded from conversations leading up to the purchase. Burr then ambitiously chose to look toward the recently acquired land to create a new republic to defeat the country that had refused to make him president. Although he did not gain the role of power he desired, Burr's ambition and desire to take charge still lingered after his defeat in 1800. After the rejections, both as running mate to Jefferson's reelection campaign and loss of the governorship of New York, Burr was further determined to use his ambition to gain power, even if it meant creating his own country within the country that had countlessly rejected him.⁸

Aaron Burr's ambition and intelligence frightened many Americans. After all, he was a part of the few in early Americans to graduate from college. Additionally, only a keen individual could concoct a plot against his own country. Once Burr was released of his vice presidential duties in 1805, he left on a tour of the western frontier to see it for himself. This tour sparked the earliest rumors of Burr's conniving and suspicious actions. Burr made his way down to Virginia, to visit Blennerhassett Island, home to Irish immigrants Harman and Margaret Blennerhassett. Blennerhassett owned one of the largest islands on the Ohio River, and his wealth was on

⁷ Haskins, 248; Melton, 37-38.

⁸ Donald Barr Chidsey, *The Great Conspiracy: Aaron Burr and His Strange Doings in the West* (Washington D.C.: Library of Congress, 1967), 7; Chidsey, 30.

abundant display. Securing a relationship between the two, as Burr so often used his charm to do, would serve as a crucial stepping stone in the conquests of Burr in the West.⁹

Burr continued his tour of the new frontier and was the guest of many key political and military figures of the time, such as Major-General Andrew Jackson of Tennessee. Burr also connected with one of his fellow conspirators, General James Wilkinson. Wilkinson, who served as the general-in-chief of the United States Army at the time, paralleled Burr as he searched for glory and had more than enough ambition to fuel his search. Burr furthermore discussed canal building plans with key American political figures like Jonathan Dayton and John Smith. During these talks, it was evident that Burr was more focused on the way to gain funding for his endeavors in the West.¹⁰

Whilst consulting these men, who were members of the relatively small political scene of the time, Burr was in discussion with Anthony Merry, a minister plenipotentiary for the British government. Burr figured the only way to gain the money to put his plan into action was through the assistance of foreign powers, and who better to help than the British that were still stinging from the loss of the colonies. Burr portrayed to Merry that those within the newly purchased Louisiana territory wanted their independence and the only way to obtain it was through the help of a country such as Great Britain. It was Merry who would eventually ask the British Crown for the funding of his eventual scheme. The Foreign Office provided no response to Merry after a year of requests. This served as the answer by the British to Merry's appeal.¹¹

Immediately after he consulted these key figures about his initial plan, Burr made his way south to Mississippi and Louisiana. In New Orleans, Burr decided the bustling city would

⁹ Melton, 55-76; James E. Lewis Jr., *The Burr Conspiracy: Uncovering The Story of an Early American Crisis* (Princeton, NJ: Princeton University Press, 2017), 118; Chidsey, 33.

¹⁰ Chidsey, 34; Melton, 56-77.

¹¹ Abernethy, 23; Melton, 53, 91.

become the center of his new empire. The threat of Spanish invasion consistently lingered in New Orleans, since New Spain was located on the other side of the city.¹² However, many believed the Spanish would not take the city because Spain was considered one of the weaker foreign powers that had colonies located in North America and was incapable of a military conquest. Burr was well aware of the possible conflict between the United States and Spain. In fact, Burr hoped for a military conflict between the two countries, as this would further stir up his hopes of conquering the southwestern United States and Northern Mexico. Burr figured this conflict would make it easier for him to swoop in and gain a position of power in a world riddled with military conflict.¹³

Burr was so desperate for money to help concoct his plan he contacted the Spanish government in the hopes of gaining money and support. Burr's ally Dayton contacted Spanish Minister Carlos Martinez de Yrujo. However, when talking to the Spanish, Dayton had to convince them Burr had no plans to invade New Spain, something they were concerned he would do. Yrujo believed Burr's plan was amazing and even contributed some of his own funding to get Burr started. However, once he reported this plan to the Spanish government, it was rejected and deemed too wild to be true by those in Madrid.¹⁴

In the winter of 1805, Burr returned to New York, after traveling thousands of miles, and completed his tour the new western frontier. Though it was not certain if Burr had a concrete plan of the creation of an empire, it was certain he needed the money in order to accomplish his goal. After the rejection of both the Spanish and British governments, Burr turned to family and

¹² New Spain was made up of Mexico and pieces of the current United States. This included the state of Florida and much of the Western United States, spanning to California. This territory provided issues for many within the early United States, as this kept the country from growing in its early years.

¹³ Melton, 81-83; Chidsey, 30.

¹⁴ Abernethy, 16; Melton, 92.

friends to acquire the proper funds needed. Even though his ally Blennerhassett was no longer wealthy, he still provided Burr with any help and support he could, including letting Burr use Blennerhassett's Island to eventually store his arms and use as the central point for his conquests. Burr ended up obtaining much of his funding, specifically \$50,000, from the family of his son-in-law, the Alston's.¹⁵

Burr proved to be even more dependent on Blennerhassett as his plans evolved into actions. Thanks to his ally, Burr now had a headquarters for his plan. As the fall of 1806 arrived, Burr contacted merchants and recruited individuals to join his rebellion. He additionally urged Blennerhassett to write letters under an alias to newspapers in order to make it appear as though there was much unrest in the newly acquired territory and desire for independence amongst its inhabitants. The increasing actions of Burr further contributed to the rumor mill surrounding his possible drastic measures. No longer were people speaking in hushed tones about his actions; full-fledged rumors were now circulating due to these suspicions. Some even believed he planned to organize an armada of gunboats along the Ohio River. These rumors spread far and wide across the young country and became the most popular news in the new western territory itself.¹⁶

To gain further support of the plan, Burr used his cunning skill to convince Andrew Jackson to support his actions by portraying he planned to attack New Spain. Jackson hated New Spain and desperately wanted it for the United States, and seemingly supported Burr's plan. However, once the rumors of Burr's actual intentions began to spread, Jackson became hesitant and suspicious of Burr's actions. Jackson wrote to President Jefferson about his real fear and his

¹⁵ Melton, 86-92; Kline, 948-949.

¹⁶ Melton, 109-111.

suspicious of Burr's treasonous actions. However, Jefferson did not take Jackson's concerns of these actions seriously.¹⁷

A letter from May 13, 1806, delivered by one of Burr's friends, Samuel Swartwout, to James Wilkinson finally put the Burr conspiracy into words. This letter had to be decoded with a specific cipher that detailed Burr's course of action. Burr mentioned there would be naval protection from England, and Wilkinson was to be second to Burr in this new nation. Burr was to head out west on August 1 with his daughter and grandson, "Never to return." The letter detailed "Burr's plan of operation is to move down rapidly from the falls on fifteenth November, with the first 500 to 1000 men in light boats. . . to be at Natchez between the 5 and 15 of December. . . ." This letter was very crucial since it provided the framework for Burr's treasonous plot, word for word on paper.¹⁸

President,	O	Navy,	06
Vice President,	⊙	Peace,	Γ
Secretary of State,	T	War,	Γ
of War,	Π	Treaty,	—
of Navy,	∩	Convention,	—
of Treasury,	L	Commerce,	—
Senate,	⌊	British Minister,	T
House of Representatives,	⌋	French Minister,	T
Congress,	□	Spanish Minister,	T
Federal,	⊠	Appropriation,	∨88
Anti-federal,	∩	Reduction,	∨88
Administration,	—	Eastern,	⊙
Military establishment,	88	Southern,	⊙
England,	□	Middle,	⊙
France,	⊠	British,	⊙
Minister,	T	Spanish,	⊙
Major General,	∨	French,	⊠
Brigadier,	∨	Canada,	⊠
United States,	□-□-□	Louisiana,	⊠
States,	□-□	Post,	—
Republican,	76	Garrisons,	—
Aristocratic,	80	Western,	⊙
City of Washington,	⊠	Mississippi,	+++++
Election,	—	Ohio,	—
		New Orleans,	+++++
Burr,		13, 14, 15, 16.	
Wilkinson,		45.	

Cipher of the letter from Burr to Wilkinson, May 1806.¹⁹

¹⁷ Melton, 117-119.

¹⁸ Quoted in Melton, 119-120; Kline, 968-969.

¹⁹ Newmyer, R. Kent, *The Treason Trial of Aaron Burr: Law, Politics, and the Character Wars of the New Nation* (Cambridge, MA: Cambridge University Press, 2012), 197.

Thanks to this letter, Wilkinson now had proof Burr was attempting to conspire not just against Spain, but the United States as well. Both were grounds for treasonous charges. Wilkinson figured by going against Burr, he could come out as a hero to both the United States and Spain, so Wilkinson passed along the valuable information about Burr's plan. Wilkinson tried his best to get more information from Swartwout about Burr's course of action. He learned the letter detailing Burr's plan was more than two months old, and Burr was likely putting his plan into operation. Although Wilkinson had no idea exactly where Burr was, he wrote to Jefferson and included the warning that, "A numerous and powerful association, extending from New-York through the Western states, to the territory bordering on the Mississippi, has been formed with the design to levy and rendezvous eight of ten thousand men in New Orleans, at a very near period. . . to carry an expedition against Vera Cruz. . ." Wilkinson failed to mention that Burr was the leader of the conspiracy and did not name anyone else involved in this letter. Wilkinson later said he did not want any individual supposedly involved to gain a bad reputation if he was wrong about the treasonous actions afoot. This demonstrated that Wilkinson was pretty sure someone was planning a military expedition, he was not completely certain Burr was involved.²⁰

Initially President Jefferson had not taken the reports of Burr seriously, as there had been many far-fetched stories of Burr conspiring in the West. However, Jefferson became increasingly concerned about Burr's whereabouts, as no one knew exactly where he was. In a letter to Thomas Mann Randolph, Jefferson wrote: "Burr is unquestionably very actively engaged in the westward in preparations to sever that from this part of the union. . .we give him all the attention our situation admits; as yet we have no legal proof of any overt act which the law can lay hold

²⁰ Quoted in Melton, 122-123.

of.” Since Jefferson did not know of a deliberate treasonous act, even though rumors were circulating, he could not act to stop Burr. However, as the amount of information he received relating to Burr’s supposed actions increased, Jefferson began to take an assertive stance. After meeting with his cabinet, all government officials in the western territories were warned to watch Burr’s every move for possible treasonous action. The spreading rumors did not help Burr, but some people started to notice Burr’s actions. Jefferson’s warning to western leaders additionally crippled support for Aaron Burr.²¹

In December 1806, Burr’s plan was about to take shape. Conspirators, ready to follow Burr, gathered at Blennerhassett’s Island under in the cover of nightfall on December 10, ready to venture westward to help Burr attempt to secure a western empire. However, the militia of Ohio had different plans than Burr. Seizing much of Blennerhassett’s land, and the boats Burr planned to use, even Blennerhassett himself, the militia put a stop to this phase of the plan. Aaron Burr, however, was nowhere to be found.²²

As the Ohio Militia captured Blennerhasset and his island, Burr received the brunt of Andrew Jackson’s anger. Jackson, who had suspected Burr of being a traitor, sent a letter to Burr accusing him of treason. However Burr, being a cunning individual, managed to divert Jackson away from this idea portrayed to Jackson that he wanted the U.S. to acquire New Spain, rather than create his own country. Burr was in Nashville when the incident at Blennerhassett’s Island occurred and continued to make his way down the Ohio River, in order to avoid getting caught. Even though Burr appeared to escape those who chased him, the search for Burr was expanding and gaining traction. The majority of those on the voyage with Burr remained loyal to him. Burr

²¹ Quoted in Melton, 123-124.

²² Melton, 134-136.

also had a few key allies left who resided within the government, in case something was to happen.²³

Burr was called to local courts thanks to Jefferson's announcement. Often, he was released on bail. However, when he failed to appear in a Mississippi Court, the new Governor of Mississippi, Robert Williams, placed a \$2000 bounty for the capture of Burr. Burr's downfall and eventual capture came down to his carelessness. This was revealed when Burr sent one of his slaves to deliver a note to Comfort Tyler and Davis Floyd, two of his fellow conspirators, which read, "If you are together, keep together, and I will join you tomorrow night. . .In the meantime, put all your arms in perfect order." The recognizability of his slave and the revealing note tipped off the governor to his whereabouts. Williams accused Burr of the all too serious charge of high treason, which meant his life was on the line. Despite the search efforts, it was not until February that Burr was caught. An Alabama sheriff recognized Burr as he made his way to Florida and arrested him under the penalty of high treason against the federal government.²⁴

Burr was to be tried in Richmond, Virginia for his treason against the country where he once had been a public servant. The presiding judge was Supreme Court Chief Justice, John Marshall. It is crucial to note that President Jefferson and Chief Justice Marshall did not get along in the least. This animosity between the men began with their different political ideologies and went deeply into their Virginia family history. In addition to this animosity, Marshall was a famous follower of Hamiltonian ideals, which did not bode well for Burr the defendant, as he killed the founder of those ideals.²⁵

²³ Melton, 137-139; Abernethy, 242.

²⁴ Melton, 144-164; Haskins, 264.

²⁵ Melton, 166; Haskins, 256-257.

Even though a great many events were unfolding in 1807, Burr's trial would become the most discussed and crucial incident of that time. Beginnings of the eventual War of 1812 were taking shape, as multiple crises were within relations of Great Britain and the United States. The popular focus was on Burr's trial which went on in 1807 in the months of June through September.²⁶

Evidence should have played a key role in this treason trial. However, the accessibility of specific evidence would not be available for the jury, whether it be to support or deny Burr's guilt. A number of key figures did not testify, and they could have demonstrated Burr's guilt. Since specific men, such as Swartwout, were loyal to Burr, they never testified against him. As prosecuting attorney George Hay wrote to Jefferson, these men, "Will never utter a word injurious to Burr." Although many allies were angered with Burr, those who remained loyal to him served to his benefit during the trial.²⁷

The prosecution attempted to prove Burr's guilt. Their main argument was that Burr had taken treasonous action on Blennerhassett's Island in order to deliberately create a rift in the United States. For much of the trial, the prosecution, specifically Hay, asked witnesses, such as General William Eaton, questions regarding the chronology of Burr's actions. The prosecution planned to paint a picture of how Burr's actions were treasonous and specifically focused on what occurred at Blennerhassett's Island on December of 1806. They argued the gathering of men to embark on the journey westward to take over the land was treasonous in itself. The prosecution attempted to make another crucial point: the definition of high treason within the United States Constitution was similar to that of the English doctrine of treason, in which levying

²⁶ Melton, 168; Haskins, 259.

²⁷ Quoted in Newmyer, 193-196; David O. Stewart, *American Emperor: Aaron Burr's Challenge to Jefferson's America* (New York: Simon & Schuster Paperbacks, 2011), 234.

war had a very broad interpretation, an interpretation that they agreed of which Burr could be accused.²⁸

There were some problems in the prosecution's arguments. The most notable concerned the presence of Aaron Burr. He was not *physically* present when the actions of high treason took place at Blennerhasset Island. In order to be convicted of high treason, Burr needed to actually participate in an outright act of treason, not merely conspire against the United States. The lack of Burr's presence at Blennerhasset Island created doubt that he was involved in a direct act of treason. None of the chief witnesses could place Burr at the island, and this further took credibility away from the prosecution's argument. Placing Burr at Blennerhasset Island was crucial to the prosecution's case. At one point, Chief Justice Marshall prevented no further testimony unless a witness came forth with information pertaining to the events at Blennerhasset Island, or with information involving Burr's whereabouts. Thanks to this, many witnesses were not called, as their testimonies were not specifically related to the events of December 1806 on Blennerhasset Island. All evidence indicated Burr was not present when the men assembled.²⁹

In addition to charges of high treason, Burr was also accused of levying war. Burr's defense team, specifically William Wirt, presented definitions and explanations of levying war. Typically, levying war required a traitor to conduct direct, forceful action against the United States. However, the Constitution does not provide exact specifications of treason. This allowed Chief Justice Marshall to interpret treason broadly. Furthermore, high treason was also considered to be enacted when an individual aided the enemy during wartime. Since it was not

²⁸ Melton, 193-203; Newmyer, 199.

²⁹ Newmyer, 197-201.

wartime, this aspect was counted out entirely. Burr's life was on the line based on the definition of high treason.³⁰

The defense argued Burr made a plan that could be labelled as high treason but did not do so to cause his actions to be labelled as levying war. When he was initially questioned, Burr stated he had no intent of hostility toward the United States, but rather attempted to help the United States gain the territory of New Spain, which appeared to be similar to what he told Andrew Jackson. Burr additionally proved so confident in himself, daresay cocky, that he conducted the cross-examination of key witnesses himself. Although he was this case's defendant, Burr first and foremost was a lawyer.³¹

The defense's argument boiled down to a few crucial points. The first of which was the idea that Burr was facing "political persecution" by the within his accusations and there was no evidence to support said accusations. Based on this argument, as well as the prosecution's definition of levying war, the defense's viewpoint checked out. Additionally, the defense argued that the entire case boiled down to the credibility of General Wilkinson, as his letter to Jefferson was deemed key evidence. According to the defense, Wilkinson's credibility was worthless. The prosecution proved this when they took an unfortunate misstep. The prosecution, specifically George Hay, asked the jury to wait for Wilkinson to show up to testify, which took three weeks. This delay reinforced the defense's stance on Wilkinson's credibility as well as his unreliability. Thanks to Wilkinson's delay, the defense was given additional time to work on perfecting their argument.³²

³⁰ Melton, 204-207; Lewis Jr., 368.

³¹ Stewart, 234

³² Stewart, 236; Abernethy, 272.

Once both sides provided all evidence, the jury began deliberation on *United States v. Burr*. The jury came to their decision on September 1, 1807. The foreman juror, Edward Carrington stated, “We of the jury. . .say that Aaron Burr is not proved guilty under this indictment by any evidence submitted to us. We therefore find him not guilty.” While some pointed to Burr’s actions as treasonous, since he was not proven as guilty, he was not convicted of high treason.³³

Aaron Burr and his defense team won the trial, but he was not completely in the clear when it came to accusations against him. Burr still faced violations of the Neutrality Act, which he was accused of committing within the scope of his actions in the conspiracy. During this trial, Marshall decided Burr had violated the Neutrality Act, but was allowed to post bail. This violation of the Neutrality Act did not garner as much attention as his accusation of high treason, therefore it was not widely discussed in the public sphere.³⁴

Although Burr had a few allies left, he did not expect certain individuals to turn against him. Many of his former allies, including Blennerhassett, sued him after the trial in an attempt to restore their financial situations and reputations. In order to avoid the wrath of those who were upset about the outcome of the trial, Burr fled to Europe order to keep a low profile away from the United States.³⁵

Aaron Burr’s ambition shone through in all actions he took during his life. Whether it be to further himself as a member of the Continental Army, as a lawyer, or even a politician, ambition was the common thread that ran through his attempts to gain power. The visibility of his ambition was found within the drastic measures he took. The incredibly intricate planning of

³³ Newmyer, 201.

³⁴ Melton, 218; Newmyer, 199.

³⁵ Melton, 219.

the entire conspiracy demonstrated ambition and zeal Burr used to achieve ultimate power. Burr's actions were a mark of high treason, and he should have been found guilty for his masterplan against his country. By designing a scheme to turn citizens against the United States, solely to put himself in a place of power, Burr proved himself as a traitor. Additionally, Burr was willing to let outright war occur, whether it be his own army versus the United States or foreign powers, in order to advance his own ambitions. Only a villainous individual would put the lives of others on the line for a selfish motives. His ambition for power obstructed his view of what was right; the jury should have seen Burr's actions as unforgivable and punished him accordingly for treason.

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