

WEEKLY READING # 16  
ARTICLE # 1:  
AMERICA'S GREATEST  
DUEL



**An artist's imagining of the moment Burr shot Hamilton.**

(Library of Congress)

On July 11, 1804, Vice President Aaron Burr fatally shot the brilliant lawyer, politician, and statesman Alexander Hamilton, in Weehawken, New Jersey. Why?

The disagreements that led to the most famous duel in American history began with politics. Burr was a Republican, as was President Thomas Jefferson; their party generally favored the will of the individual states over that of the national government. Alexander Hamilton, the nation's first treasury secretary, was a leader of the Federalists, who desired a powerful, centralized federal government. In less than two decades the debates between the two parties had become heated. The Federalists, in particular, had taken matters to a new level by funding newspapers—the equivalent of today's tabloids—whose primary mission was to tear down Republicans.

Aaron Burr, a Federalist-leaning Republican, had enemies on both sides of the political divide. Jefferson didn't trust Burr to carry out his administration's wishes and his party's policies. Hamilton, meanwhile, feared that Burr might eventually switch parties and challenge his own Federalist leadership. Despite their disagreements, though, Hamilton and Burr "always behaved with courtesy to each other," according to Hamilton. They traveled in the same New York City social circles; they even occasionally worked together as lawyers on court cases. It took a series of unfortunate events for their antagonism to turn deadly.

In 1804 Burr realized he would not be on Jefferson's reelection ticket, and he decided to run for governor of New York. He had previously been the state's attorney general, as well as a U.S. Senator—defeating Hamilton's father-in-law, Philip Schuyler, for the job—and had served in the state legislature as well. But Burr lost the governor's election by a wide margin, and he suddenly found himself at the end of his political career.

At this vulnerable point in his life, somebody showed him an old copy of the *Albany Register*, a Republican newspaper, that contained a letter by a Dr. Charles D. Cooper about how Hamilton had railed against Burr at a dinner. Cooper claimed that Hamilton had called Burr "a dangerous man" who "ought not to be trusted." Already buffeted by events, Burr felt compelled to defend his honor against this attack. He wrote to Hamilton and asked for "a prompt and unqualified acknowledgement or denial of the use of any expressions which could warrant the assertions of Dr. Cooper."

Hamilton initially brushed off the letter, but that just made Burr angrier. Soon Burr demanded that Hamilton not only disavow the remarks but also deny that he had ever questioned Burr's honor in speech or writing in the past 15 years.

But Hamilton *had* said many derogatory things about Burr, at least in private. "As to Burr, there is nothing in his favor," he once wrote to a colleague. "His private character is not defended among his most partial friends." Hamilton saw such talk as part of the political game. Burr, he felt, was overreacting. Apologizing for such remarks would be dishonorable, and Hamilton worried about his own reputation. He had weathered a number of scandalous accusations himself over the years, and he was not one to back down. After a few more irate exchanges of letters, Burr sent Hamilton a challenge to duel.

The European ritual of the duel, in which two men faced off with pistols on open ground, was still considered by many an honorable form of settling disputes in the early 1800s, particularly among military men. (Hamilton had risen to the rank of major general while serving in the U.S. Army, and Burr had been a lieutenant colonel.) Its popularity may have been enhanced by the fact that fatalities in duels occurred relatively rarely—only about 20 percent of the time—partly because of the inaccuracy of the pistols used.

Burr had been in a duel five years earlier, when a New York assemblyman accused him of corruption, but both he and the man he had challenged—who later apologized—emerged unscathed. Hamilton personally disapproved of duels—his son Philip had been killed in one in 1801—but as a former soldier he felt he couldn't ignore Burr's challenge. He told several friends he would fire his shot in the air.

The meeting took place before dawn on July 11, 1804, across the river in Weehawken, New Jersey—the practice of dueling having been outlawed in the state of New York. After all the preliminaries had been disposed of, both men fired almost simultaneously. Hamilton's shot went wild—whether by design or not—but Burr's went into Hamilton's right side above the hip, through his diaphragm and liver, and into his spine. As the code of the duel stipulated, Burr and his second quickly departed; Hamilton was attended to by his second, a physician, and said, "This is a mortal wound, doctor." He was paralyzed from the waist down. After hours of agony, he died the next day, in New York City. He was 47 years old.

There was uproar nationwide over the murder. Hamilton's popularity, already considerable, soared after his death. Ordinarily, law enforcement turned a blind eye to duels; this time warrants for Burr's arrest were issued in New York and New Jersey. He fled to Philadelphia, then to the South. Eventually he wound up in Washington, D.C., where he would be immune to state charges. He was never prosecuted for Hamilton's murder.

A few years later Burr was involved in a bizarre plot to create an empire of western states in North America. He stood trial for treason for that crime but was acquitted because of lack of evidence. In later years he expressed little regret for killing Hamilton; in fact, he would often offhandedly refer to the Founding Father as "my friend, Hamilton, whom I shot." He died in 1836 at the age of 80.

Hamilton's reputation, however, has only grown, as Burr's has not. Hamilton is seen by many as a visionary American thinker and economic genius. He is one of only two non-Presidents whose images appear on American paper money (the other is Benjamin Franklin). Burr is not remembered for his achievements as a U.S. senator or Vice President. He is known first to history as the man who murdered Alexander Hamilton.

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ARTICLE # 2:

## How the President of the United States is Elected

**Start with the Constitution.** The basic process of selecting the President of the United States is spelled out in the U.S. Constitution, and it has been modified by the 12th, 22nd, and 23rd amendments. Many additional steps have been added over the years, by custom and by state law -- the process has changed quite a bit over time.

**Who Can Run?** The President and Vice-President are elected every four years. They must be at least 35 years of age, they must be native-born citizens of the United States, and they must have been residents of the U.S. for at least 14 years. (Also, a person cannot be elected to a third term as President.)



### How Do the Political Parties Choose Their Candidates?

That's up to the political parties. Most political parties hold conventions, which are large meetings attended by "delegates." Some delegates are selected by state "primary" elections, some are selected by state caucuses (very much like primaries, except with public voting instead of secret ballots), and some are chosen for their prominence in the party. A majority of delegate votes is needed to win the party's nomination. In most cases, the delegates let their chosen presidential candidate select a vice-presidential candidate.



**Candidates for President and Vice-President Run Together.** In the general election, each candidate for President runs together with a candidate for Vice-President on a "ticket." Voters select one ticket to vote for; they can't choose a presidential candidate from one ticket and a vice-presidential candidate from another ticket.



**The Electoral College.** The national presidential election actually consists of a separate election in each of the 50 states and the District of Columbia; in these 51 elections, the voters are really voting for "electors" pledged to one of the tickets. These electors make up the "Electoral College." (In most cases, the names of the electors aren't written on the ballot; instead the ballot lets voters choose among "Electors for" each of the tickets, naming the presidential and vice-

presidential candidates each slate of electors is pledged to.)

Each state has the same number of electors as it has senators and representatives (there are two senators from each state, but the number of representatives depends on the state population in the most recent census). The District of Columbia, although it isn't a state, also participates in presidential elections -- it currently has three electors.

**The People in Each State Vote for Electors in the Electoral College.** In most of the states, and also in the District of Columbia, the election is winner-take-all; whichever ticket receives the most votes in that state (or in D.C.) gets all the electors. (The only exceptions are Maine and Nebraska. In these states, just two of the electors are chosen in a winner-take-all fashion from the entire state. The remaining electors are determined by the winner in each congressional district, with each district voting for one elector.)

**The Electoral College Votes for the President.** The Electoral College then votes for President and for Vice-President, with each elector casting one vote; these votes are called electoral votes. Each elector is pledged to vote for particular candidates for President and Vice-President. In most elections, all the electors vote in accordance with the pledge they made; it is not clear what would happen in the unlikely event that a large number of electors violated their pledge and voted differently.



Normally, one of the candidates for President receives a majority (more than half) of the electoral votes; that person is elected President. That candidate's vice-presidential running mate will then also receive a majority of electoral votes (for Vice-President), and that person is elected Vice-President.



**If There's No Electoral College Winner, the House of Representatives Chooses the President.** In the rare event that no presidential candidate receives a majority of the electoral votes, then the President is chosen instead by the House of Representatives, from the top three presidential vote-getters in the Electoral College; each state delegation in Congress casts one vote. (The Vice-President would be chosen from the top two vice-presidential vote-getters by the Senate.)

**This is bizarre! Does it really work this way?** Yes. There are many arguments pro and con the Electoral College, but this system does guarantee that the person elected President has substantial support distributed throughout the U.S. The Electoral College has also been a major factor in the United States' long-term political stability.