



## Treason: Aaron Burr, Thomas Jefferson, and the Constitution

Aaron Burr's disaffection with the federal government began six years earlier when he was denied the presidency by the House of Representatives. After equaling Thomas Jefferson in the delegate count in the electoral college (each man received 73 electoral votes), the House of Representatives was called upon to fulfill its constitutional role of tie-breaker. After 36 ballots, Thomas Jefferson was elected President by one vote and Aaron Burr became his Vice President.



In March 1805, after four troubled years filled with partisan in-fighting and blossoming distrust among Burr and many of the leaders of the day — including the famous collaborators Thomas Jefferson and James Madison — Burr left the Jefferson administration and began preparing for an armed expedition in the West that has come to be known as the Burr Conspiracy.

The origins of the conspiracy are found in the increasingly close relationship that developed between Aaron Burr and General James Wilkinson. The two Revolutionary War veterans served together in the Canadian theater, principally at Quebec during the winter of 1804-1805.

Over the years the two devised a secret code, a cipher that was apparently invented by General Wilkinson. Already by 1804 Wilkinson was notorious for being a rabble rouser, having advocated for a separate republic to be established in the west, independent of the new nation built along the Atlantic seaboard.

Upon departing the banks of the Potomac, the former Vice President struck out for a tour of the western territories. His first stop was Philadelphia in March of 1805, where he secured an interview with Anthony Merry, the British Ambassador to the United States.

Merry reported details of his conversation in a letter to London, wherein he wrote that Burr had mentioned to him that "the inhabitants of Louisiana seem determined to render themselves independent of the United States" and that they were hindered only by the necessity to obtain "an assurance of protection and assistance from some foreign power."

After attempting to recruit England into the conspiracy, Burr moved on to Pittsburgh, where on April 29, 1805 he intended to rendezvous with his right-hand man, General Wilkinson. Fortunately for Burr and the nascent scheme to separate the Louisiana Territory from the young American republic, Wilkinson was now the Governor of that same territory.



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However, Wilkinson failed to show up on the appointed day, so Burr set off down the Ohio River, leaving a message for the general behind in Pittsburgh.

Early the next month, Burr arrived at Blennerhassett's Island, a 300-acre tract in the middle of the Ohio River belonging to an Irish immigrant named Harman Blennerhassett. Blennerhassett saluted Burr and asked him to stay for dinner. After the feast provided by his host, Burr began chatting up the wealthy Irishman, regaling him until nearly midnight with the details of his plot.

After taking his leave from Blennerhassett, Burr sailed on down the Ohio, spreading the web of conspiracy among others disposed to participating in the seemingly treasonous scheme. Next stop: Cincinnati.

Here, Burr conversed with one of the most enigmatic of all the players in the drama, former Senator from Ohio and delegate to the Constitutional Convention of 1787, Jonathan Dayton. Tragically, Dayton soon would be dishonored by becoming one of Burr's indicted co-conspirators, but years earlier he had earned the distinction of being the youngest man to sign the Constitution.

Satisfied with the results of his meeting with Dayton, Burr travelled on to Louisville, disembarking there and setting off on foot for Nashville, where he would be an honored guest at the Hermitage — home of Andrew Jackson.

After bidding goodbye to Old Hickory, Burr finally met up with General Wilkinson at an old fort in southern Illinois. Here Burr procured from Wilkinson "an elegant barge, sails, colors, ten oars, with a sergeant and ten able, faithful hands," and perhaps just as useful to the successful completion of the goal, Wilkinson provided Burr with a letter of introduction to a coterie of powerful associates in New Orleans, the city that would serve as the epicenter for the execution of the Burr Conspiracy.

After concluding a four-month recruiting mission throughout the west, Burr returned in August to Blennerhasset Island, where it is believed that he finalized his plans for the military expedition that would be the first step in his treasonous conquest of the western territories. Using the island estate as a headquarters, Burr procured boats, food, and whiskey to be used to transport and feed his private army. He even paid Andrew Jackson \$4,000 for six boats to be used in the enterprise.

Just when it seemed as if Burr was on the precipice of achieving his goal of separating much of the west from the United States and establishing himself as some sort of governor acting under the direction of the Spanish crown, the conspiracy began to unravel.

For reasons unknown to history, General Wilkinson began to extricate himself from Burr's web of treachery. Upon receipt of a coded message from Burr, Wilkinson ordered the militia to march into the Mississippi River valley and placed troops in New Orleans on alert, fearing an attack by Burr and his army.

Wilkinson then packaged this apparently condemning ciphered letter (propitiously decoded by Wilkinson himself), along with a similar missive penned by alleged co-conspirator Jonathan Dayton, and mailed them to President Thomas Jefferson. The [Burr letter](#) became the central incriminating brick of evidence in what would become the wall of proof of the existence of the Burr Conspiracy.

The text of the letter indicated that Burr had "commenced the enterprise" and that the assistance of England had been secured. He also laid out (if the decoded version is to be believed) a detailed schedule of the war that was to be waged against the United States (with the aid of Great Britain) and that he and Wilkinson would be enthroned as first and second in command, respectively. Importantly,



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the letter suggested that the men would betray their European confederates and eventually wrest control of the west for themselves, independent of any foreign power.

President Jefferson responded to Wilkinson's letter by issuing an order urging the armed forces and other associated government officials to devote themselves to "searching out and bringing to condign punishment all persons engaged or concerned in such enterprise."

In order to uncover the details of the conspiracy supposedly concocted by his erstwhile rival and Vice President, Jefferson sent an agent of the State Department to investigate the matter. After visits to Blennerhassett Island — where he tricked the owner into divulging the details known to him — the agent (surnamed Graham) travelled to the capital of Ohio and compelled the Governor to deploy a detachment of the militia to seize boats scheduled to be delivered to Burr.

On December 9, 1806, two days after four of the 15 boats purchased by Burr arrived along with two members of the clique of conspirators and 30 men recruited to serve in Burr's conquering army, the Ohio militia seized the rest of the boats where they were being stored in Marietta, Ohio. Then the militia, upon arriving at Blennerhassett Island, found it deserted.

It was while schmoozing the wealthy denizens of Nashville that Burr heard of the order issued by Jefferson.

Feeling frightened and betrayed, Burr embarked on a boat sailing down the Cumberland River on November 22 heading for the Falls of the Ohio, where he was to meet up with the men who had signed up to serve in his army.

Addressing his troops, Burr told them that circumstances now dictated that they would sail immediately down the Mississippi, where Burr expected to find military reinforcement and a warm embrace from General Wilkinson. At this late hour, Burr was yet unaware of Wilkinson's betrayal of the scheme.

His blissful ignorance wouldn't last long, however. About 30 miles above Natchez, Burr learned of Wilkinson's change of heart and that the man who was to have been his second in command was now his pursuer.

As Burr and his battalion were encamped across the river from Natchez, a contingent of about 30 militia men arrested Burr and took him to Mississippi, where he was to be interrogated by the territorial Governor.

After the meeting, Burr surrendered himself and he was escorted by a guard to the town of Washington, where a grand jury would consider evidence of his perfidy. After listening to the evidence presented against the accused, the grand jury failed to indict Burr. The jury even suggested that Burr's arrest was an unconstitutional usurpation of police power by the federal government and was nothing more than a cause for "the enemies of our glorious Constitution to rejoice." Burr was released on his own recognizance, and he disguised himself as a riverboat worker and disappeared across the Mississippi River.

After receiving the report from Graham, Jefferson issued a new warrant and Burr was arrested in what is today the state of Alabama and thence was conducted by a military guard a thousand miles by horseback to Richmond, where he would be tried for treason — a trial that would be attract the attention and participation of a veritable who's who of the Founding Generation.

*Image: Aaron Burr*



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