flew to arms; the Tories rejoiced, armed themselves and went forth to join the invaders. East Haven was plundered and set on fire, and the scattered militia driven back on the main town. " Near 2 M. Stone," reports the Rev. Ezra Stiles, of Yale, " Dr. Dagget Professor of Divinity was captivated. He discharged his piece and then submitted as Prisoner — they after this pierced and beat him with Bayonets & otherwise abused him, so that his Life was in danger for a month after." [27]

Burr heard the uproar and the sound of guns. Though he was confined to bed, he arose at once and volunteered to take command of the militia. But they were fleeing in a disordered rout. Then he heard that the students of Yale were hurriedly organizing in the College yard. He threw himself on a horse and galloped to the meeting-place, followed by some few of the militia who had rallied after him. The students enthusiastically placed themselves under the command of this veteran, scarcely older than themselves. More of the militia, shamefaced, joined.

The British were trying to force Darby Bridge, in order to gain lodgment in the town itself. Burr threw his force upon their left flank, and harried their march.[28] The enemy was compelled to retreat, but returned with artillery and reinforcements. Burr's little band was greatly outnumbered, and retired gradually, in good order. New Haven was captured, plundered, and burnt.

This, however, was the final act of the Revolutionary drama as far as Burr was concerned. The war went on, with varying fortunes, until the ultimate triumph and independence. The youthful veteran — he was twenty-three now — gradualiy regained his health by a careful regimen and a rigorous diet. On his retirement from the service, he was universally respected and acknowledged to be a brave, gallant, intelligent officer. The men in the ranks worshiped him and his brother officers testified to his worth. There was no dissenting voice, not even from those who had secretly withheld too rapid advancement. His thoughts now turned to civilian affairs — to his future career, and to a certain lady of Paramus.

CHAPTER VI

PRELUDE TO LIFE

1. COURTSHIP AND LAW BOOKS

AS a civilian, it became Burr's first duty to recruit his shattered health. This, however, was not to prove an easy task. It was to be over a year before he was sufficiently recovered to pick up the threads of his interrupted career. To the anguish of body there had been added another torment, no less keen because of its purely psychological character. He had fallen in love.

In 1777, while stationed at Ramapo, he had made the acquaintance of Mrs. Theodosia Prevost, who, with her younger children, her sister and her mother, resided at Paramus, but a short distance away. Her husband, Lieutenant-Colonel Jacques Marc Prevost, of the British Army, was then in the West Indies on duty with his regiment. Technically, therefore, she was an enemy, and to be treated as such.

But the American officers of the immediate vicinity did not consider her in that light. In spite of her marriage, she was herself of American birth and lineage. Her father, Theodosius Bartow, had been a lawyer in Shrewsbury, New Jersey. Her mother, Anne Stillwell, could trace her descent from Nicholas Stillwell, one of the earliest settlers and tobacco planters in the Colony of Virginia.

Theodosius Bartow died in 1746, immediately before the birth of a daughter, Theodosia. The widow, Anne Stillwell Bartow, shortly thereafter married Captain Philip de Visme of the British Army, by whom, at the date of his death in 1762, she had given little Theodosia five half-brothers and sisters.

Theodosia Bartow herself, at the tender age of seventeen, was married to Colonel Prevost, also of His Majesty's Forces. The young wife bore, in fairly rapid succession, five children to him — three daughters, Sally, Anne Louisa and Mary Louisa; and two sons, John Bartow and Augustine James Frederick, who, though but mere lads at the time of the Revolution, followed in their father's footsteps and were serving as ensigns with the British forces.

So that, during the entire course of the war, her position continued to be one of great delicacy and apprehension. In spite of

her own impeccable ancestry, her husband and two sons were even then in arms against the rebellious Colonies; she was related in various ways to a whole swarm of active participants on the British side. Accordingly, there was much grumbling and covetous casting of eyes among the patriotic Whigs of Paramus and the vicinity.

New Jersey had followed the general trend and passed severe laws against Tories and British sympathizers. Many super-patriots demanded that they be executed forthwith against Mrs. Prevost; that her absent husband's estate be forfeited in accordance with law, and that she and her three little girls be forced to withdraw inside the British lines, where she belonged.

She had, however, numerous and powerful friends, who continued to exert themselves unweariedly on her behalf. Her home, the Hermitage, a great red sandstone house, was the popular resort of the American officers. There was an air of spaciousness, of culture and hospitality about the place that was exceedingly grateful to polished gentlemen whose nerves had become a bit exacerbated from the crudities and hardships of camp life. James Monroe, later to become a President of the United States, interceded vigorously in her behalf to stay the harsh execution of the laws. So did General Lee.[1]

She was also personally acquainted with General Washington. When her half-brother, Peter de Visme, was captured at sea by the Americans, she pleaded with the General for him to exercise his influence to promote an exchange. Washington declined, in the politest of terms, on the ground that he never interfered in the disposal of marine prisoners.[2]

Burr had become a frequent and welcome visitor at her home during the year 1777, and even when his regiment removed to other spheres of activity, he kept up a cordial communication and correspondence. In 1778 he managed to obtain permission for her and her sister, Miss de Visme, to pass to British-occupied New York and return to the American lines.[3]

It was a rather strange friendship that ripened gradually into something more intimate and substantial. She was ten years his senior, married to a British officer, and the mother of five children. She was not beautiful — contemporary opinion did not consider her so, nor do her portraits belie the rumor. She had indeed a disfiguring scar on her forehead, the result of a burn. She was pious, too, and viewed with a certain abhorrence her youthful admirer's skeptical attitude toward revealed religion. Furthermore, her health was precarious — no doubt the cancer that was ultimately

to prove fatal was already gnawing at her vitals. She was not rich, and she was the wife of another.

Burr, on the other hand, though slight of form, was a striking figure in any company. He impressed men with his lofty demeanor and military erectness, with his proved bravery and wide knowledge. He fascinated all women with his polished and courtly air, his charming manners, his graceful demeanor and flattering attentions. He was young and handsome, of excellent family, and his jet-black eyes pierced all beholders with their almost unbearable brilliance.

Yet Mrs. Prevost held certain qualities that were rare and unusual. Besides a consummate grace and charm, she was exceptionally well read and cultured in an age when women were not considered the proper recipients of an education. She and Burr had many interests in common — they loved books and paintings, they both welcomed the impact of general ideas, and they found exciting possibilities in discussions on the respective merits of Voltaire, Rousseau, Lord Chesterfield, and the French precursors of the enlightenment. The Hermitage was well stocked with the latest volumes from France and England, and Burr delved eagerly into their fascinating contents.

But — she was married to another! It is quite probable that the turmoil aroused in Burr by the anomalous condition of their relations had something to do with the gradual breakdown of his health. He was also justly disturbed over the unremitting efforts of the patriots to dislodge her from their midst and to seize control of her rather slender fortune.

In September, 1779, Burr was in New Haven sighing dolefully for New Jersey — and Mrs. Prevost — yet refusing to return. He wrote his friend Billy Patterson that he saw no company, partook of no amusements, and that he was always grave. His delicacy did him credit. By this time, evidently, he had fathomed the state of his feelings for Mrs. Prevost, and had realized that the matter could be allowed to proceed no further. Yet his interest in her affairs did not flag. Patterson wrote in response to his anxious inquiry that " I cannot tell you what has become of Mrs. Prevost's affairs. About two months ago I received a very polite letter from her. She was apprehensive that the commissioners would proceed. It seems they threatened to go on. I wrote them on the subject, but I have not heard the event." [4]

Then came the news that Colonel Prevost had died in the West Indies. The repercussions of this startling shift in their relations are fairly obvious. Instead of sighing for the unattainable, the be-

loved woman was now within reach. He hurried to Paramus to condole – and console. Up to this time, since his resignation from the army, he had drifted aimlessly. But now he became imbued with new energy. Law, at which he had only begun to nibble at the outbreak of the Revolution, engaged his attention once more. He actually commenced to read under the direction of a Mr. Osmer in Connecticut. He wrote to his friend, Colonel Robert Troup, who was most eager that they study together. But Troup preferred Mr. Stockton of Princeton as a tutor, and urged Burr to join him at Princeton.[5]

But something happened to delay Burr's plans. The ferment, the excitement, had been too much for him. On February 16, 1780, he was writing Patterson from Middletown in melancholy accents. " My health, which was till of late very promising, seems to decline a little. This circumstance will oblige me to alter my course of life . . . My health will bear no imposition. I am obliged to eat, drink, sleep and study, as it directs." [6] To Robert Troup he avowed strong objections both to Mr. Stockton and to Princeton, and suggested Patterson, now Attorney General of New Jersey, as a better friend and more efficient tutor.[7]

For a considerable period Burr continued to shift restlessly from one place to another, still unable to come to grips with his chosen profession. There was considerable talk, also, concerning his very manifest interest in Paramus and in the dwellers at the Hermitage. Few, however, were aware of the real situation. As late as June, 1780, Robert Troup was still in the dark. He even wrote his friend, " The Miss Livingstons have inquired in a very friendly manner about you, and expect you will wait upon them when you pass this way. Since I have been here, I have had an opportunity of removing entirely the suspicion they had of your courting Miss De Visme [Mrs. Prevost's young half-sister]. They believe nothing of it now, and attribute your visits at Paramus to motives of friendship for Mrs. Prevost and the family. Wherever I am, and can with propriety, you may be assured I shall represent this matter in its true light." [8]

Indeed, Burr seems to have been present that night in the Hermitage when Peggy Arnold, the wife of the traitorous Benedict Arnold, heavily veiled and under close guard, halted there on her way from West Point to New York. She was that Peggy Shippen who had been a playmate of Burr's for some years during his childhood, and she was likewise intimate with Mrs. Prevost. To the latter, so the story goes, she confessed her complete implication in the conspiracy; though at the time, and for a considerable

period thereafter, she was universally believed to be the innocent victim of her husband's machinations.

Other matters were also worrying young Burr at this time. The state of his finances, for instance. His patrimony had, contrary to report, been rather modest. He had spent it with a careless, albeit warm-hearted, generosity, and a reckless disregard for the future. The pay of an officer in the Continental Army was miserably small, when measured in terms of gold currency, and even that pittance was not always available. Burr dipped into his own pocket for his own expenses, for the general welfare of his soldiers and brother officers. No call upon him for funds was ever refused. His friends, too, were forever borrowing. He tided Troup over some embarrassing financial stringencies with substantial loans, with the proffer of horses and an adequate equipage. He paid for a tutor to Mrs. Prevost's two boys, now out of the King's Service, to the tune of 60 pounds a year, New York currency. This rendered a double service – to the woman he loved, and to the tutor, one Major Alden, an impecunious Revolutionary friend.[9]

And, at about this time, he received unwelcome news. He had, to recoup his fortunes, taken a considerable share in the outfitting of the *Hawk*, an American privateer. Instead of bringing back fat prizes, however, she had been grounded off Long Island by a British warship, and the sea did the rest. It represented a substantial loss to Burr.[10]

He continued ill and distraught right through the autumn of 1780, taking the mineral waters in the " Clove," staying as much as possible at Paramus. Then he buckled down to the study of the law and serious work. Together with Troup, who had managed finally to escape from the clutches of Mr. Stockton, he placed himself in the charge of William Patterson, his old friend and college chum.

But he soon became dissatisfied. Patterson was a methodical, plodding man, whose ideas on the study of the law were along conventional and settled lines. He demanded a thorough grounding in theory, and a careful combing of ancient texts, before any attempt was to be made to learn the practical applications in office and court. An admirable, conscientious procedure, indeed, but – it would take two to three years before the young aspirant could branch out on his own!

This, Burr was not prepared to do. He was impatient, in a hurry now. For one thing, his funds had run out; for another, he had come to a fairly definite understanding with the widowed Theodosia Prevost, and marriage would have to be held off until he

could earn a living. Even more important, it seems, was another consideration. In the high tide of resentment against Tories and lukewarm pettifoggers, the patriots of the still warring State of New York were agitating for a law disqualifying from legal practice all those who refused to take the new oath of loyalty. The law actually was passed in November, 1781. Inasmuch as the legal profession in New York was heavily Tory in its sympathies, the passage and enforcement of the proposed law meant a notable opportunity to young lawyers of the proper patriotic persuasion to step in and reap the harvest in a field from which their established elders had been ruthlessly removed. And it would be a case of first come, first served.

So, without any diminution in their continued friendship, Burr removed from Patterson's office in the spring of 1781 to that of Thomas Smith, a prominent New York attorney, who, because of the British occupation, was compelled to practise in Haverstraw. Smith had no such scruples as the steady-going Patterson, and agreed, for a specified consideration, to permit the impatient young man to study according to his own plan. Burr was to read law and propose questions based upon his readings in writing. These Smith was to answer, also in writing, with appropriate legal points and citations; and his answers in turn laid the basis for further questions.[11] It was a novel arrangement, but one evidently suited to Burr's peculiar genius.

He studied hard and diligently, spending from sixteen to twenty hours a day on his law. Yet he found time to keep up a steady correspondence with Theodosia Prevost. He had already proposed marriage, but she, being older and more experienced in the marital state, preferred to wait before yielding her final assent.

"Our being the subject of much inquiry, conjecture, and calumny," she wrote, "is no more than we ought to expect. My attention to you was ever pointed enough to attract the observation of those who visited the house. Your esteem more than compensated for the worst they could say. When I am sensible I can make you and myself happy, I will readily join you to suppress their malice. But, till I am confident of *this,* I cannot think of our union." [12]

They held long, learned conversations, through the mails, on authors and doctrines and systems of education. She was pleased with his enthusiastic admiration for Voltaire, but she delivered severe strictures on his manifest tendency to exalt Chesterfield above Rousseau as an educator. "The indulgence you applaud in Chesterfield," she told him, "is the only part of his writings I think reprehensible. Such lessons from so able a pen are dangerous to a young mind, and ought never to be read till the judgment and heart are established in virtue. If Rousseau's ghost can reach this quarter of the globe, he will certainly haunt you for this scheme — 'tis striking at the root of his design, and destroying the main purport of his admirable production. *Les foiblesses de l'humanité,* is an easy apology; or rather, a license to practice intemperance; and is particularly agreeable and flattering to such practitioners, as it brings the most virtuous on a level with the vicious." These were strong words to address to a young man whose code of ethics and mode of life were to be influenced largely by the easy-going morality, the polished urbanity and intellectual emancipation of the English nobleman, but she hastened to soften the blow by assuring him that "you have, undoubtedly, a mind superior to the contagion." [13]

At the same time she was writing to Burr's sister, Sally Reeve, and her husband, in the most lively and affectionate fashion. She had already visited them at Litchfield. "I lament with you," she wrote Reeve, "the indisposition of our dear Sally. If a tender feeling for her sufferings, a most ardent wish for her recovery, & your mutual happiness, are a recommendation to your esteem, I have an undoubted claim." [14] It is evident that, though she still held her young suitor at arm's-length, she had made up her mind concerning the ultimate outcome.

2. Special Dispensation

By October, 1781, the bill for the disbarment of Tory lawyers was already up for consideration in the New York Legislature, and its passage practically assured. Burr had studied with Smith a scant six months; his entire previous training in the law was, at the most, another six months. Yet, for reasons heretofore suggested, he was desperately anxious to qualify at once for the practice of law. It was an opportunity that, once missed, could never be retrieved.

But the code of rules governing admission to the Bar was clear and unmistakable in its requirements. The candidate, before he could appear for the preliminary examinations, must have studied under competent tutelage for a period of at least three years.

It seemed an insuperable obstacle; yet Burr did not despair. With characteristic energy and adroitness he set about obtaining a suspension of the rules in his particular case. Already he had laid the basis. Theodosia Prevost had seen Judge Hobart, of the

Supreme Court, in his behalf, and had received a favorable response.[15] Burr himself had communicated with Judge Robert Yates, who extended himself warmly for his youthful friend. It was a service that Aaron Burr, who never forgot favors received, was to repay many times over in their later political careers.

Armed with the approbation of these two justices of a Bench of three, he turned next to the sole remaining justice, Chief Justice Richard Morris. He hurried to Albany with additional letters of introduction, including one from his old General, Alexander McDougall, to General Philip Schuyler.

Arrived in Albany, he wrote Morris a letter in which he stated his case with a flattering mixture of logic and respectful admiration. " Sir, I do myself the honour to enclose you several letters, which were intended, I believe, to introduce me to your acquaintance, perhaps to your friendship." He had unfortunately found, he pursued, " a rule of unexpected rigour, which, if strictly adhered to, must effectually exclude me from this bar. Mr. Judge Yates gives me reason to hope this rule may be enlarged. If it should be deemed unadvisable to make one of such latitude as may include me within a general description, perhaps my particular situation may be thought to claim particular indulgence.

" Before the revolution, and long before the existence of the present rule, I had served some time with an attorney of another state. At that period I could have availed myself of this service; and, surely, no rule could be intended to have such retrospect as to injure one *whose only misfortune is having sacrificed his time, his constitution, and his fortune, to his country.*

" It would give me sensible regret were my admission to establish a precedent which might give umbrage to the bar; but, should your opinion accord with my wishes, with respect to the indulgence due to my particular case, the expression of it, to any gentleman of the profession, would doubtless remove the possibility of discontent." [16]

But, though Burr had armed himself at every point, the matter of breaking through the fixed inertia of rules of law was not to prove easy. He spent some anxious weeks in Albany, seeking interviews with the judges who were to pass on his fate, using every influence and special argument at his command. Yet still his petition dragged.

While waiting for the final decision, his stay complicated by sick headaches and the difficulty of finding rooms, he found himself suddenly catapulted into the midst of Albany society, where,

Courtesy of Estate of Dr. John E. Stillwell

COLONEL BURR'S WATCH

Theodosia Prevost Burr *Theodosia Burr*

Courtesy of Estate of Dr. John E. Stillwell

THEODOSIA BURR

From a portrait by Gilbert Stuart

he wrote Mrs. Prevost, " there is scarce any age or sex that does not, either from information or acquaintance, know something of him "; that information, notably, " the whole history of Burr, and much of Theo, but nothing unfavorable," having been industriously broadcast by " an old, weather-beaten lady, Miss Depeyster." [17]

In fact, society opened wide its doors to the engaging, handsome young soldier. Philip van Rensselaer, one of the wealthiest and most respectable young men of the town, tendered his services, and insisted that Burr transfer his lodgings to the quarters of two maiden aunts of his. Miss Depeyster proved " a warm friend and advocate."

Meanwhile he was reading Rousseau in a vain effort to possess his soul in patience, and writing to Mrs. Prevost. His letters to the woman he loved, ten years his senior, are remarkable compositions. There is but little of love or of tender endearments in them, but much of books and ethics and philosophy; veritable didactic essays with more than a hint of the dictatorial. Already Burr's passion for the improvement and disciplinary education of all and sundry was beginning to show.

Behold the schoolmaster in this surprising address to the beloved!

" I am not certain I shall be regularly punctual in writing you in this manner every day when I get at business," he informs her, " but I shall, if possible, devote one quarter of an hour a day to you. In return, I demand one half of an hour every day from you; more I forbid, unless on special occasions. This half hour is to be *mine*, to be invariably at the same time, and, for that purpose, fixed at an hour least liable to interruption, and as you shall find most convenient. . . . The children will each have their sheet, and, at the given hour, write, if but a single word. Burr, at this half hour, is to be a kind of watchword." [18]

Or consider this abrupt and strange epistle. " You wrote me too much by Dom.," he declared. " I hope it was not from a fear that I should be dissatisfied with less. It is, I confess, rather singular to find fault with the quantity, when matter and manner are so delightful. You must, however, deal less in sentiments and more in ideas. Indeed, in the letter in answer to my last, you will need to be particularly attentive to this injunction. I think constantly of the approaching change in our affairs, and what it demands. Do not let us, like children, be so taken with the prospect as to lose sight of the means. Remember to write me facts and ideas, and

don't torture me with compliments, or yourself with sentiments to which I am already no stranger. Write but little, and very little at once." [19]

One wonders with what mingled emotions this experienced woman of the world read these lines, and many similar ones exhibiting the same meticulous ordering of the lives of others – all for their own benefit and improvement, of course. But in spite of this, in spite of exhortations to make short memoranda (in cipher) of things later to be written, she loved him, and tenderly; and he loved her. They were to be quite happy during the all-too-short period of their marriage.

Meanwhile the Court was unaccountably backward in hearing Burr's plea for an exemption. The Bar of the State unanimously and enthusiastically opposed any deviation from the rule. This, indeed, was but natural, for they had vested interests that would be disturbed by the opening of the door to a possible flood of competitors. Not one lawyer in Albany could be found to appear for Burr on the motion. He argued it therefore himself, and ably. The Court listened attentively, and decided that, in view of his services to his country, they would dispense with the requirement as to length of time employed in studies, but that there would be no indulgence granted as to the legal qualifications themselves. This was fair and reasonable. Considerably greater indulgence was to be shown applicants for admission to the Bar of New York long after, at the termination of the World War.

The leading members of the Albany Bar chuckled grimly at that. *They* were the examiners. It would be hard if they could not find the means to reject this young upstart. But, to their vast surprise, Burr answered their most severe and critical questions with ease and assurance, and they were compelled, albeit reluctantly, to certify his qualifications to the Court. On January 19, 1782, he was licensed as an attorney, and on April 17th he was duly admitted to practice.

3. Theodosia Prevost Burr

A few months before, on November 20, 1781, the New York Legislature had finally passed the law disqualifying from practice all " attorneys, solicitors, and counsellors at law " who could not produce satisfactory certificates, showing their attachment to the Whig cause during the War. At one swoop the leading gentlemen of the Bar were dislodged from their lucrative profession. Only a handful of qualifying patriots remained – the *truly* patriot

were still busily engaged in the Revolutionary service – and the whole tempting field was theirs.

Burr looked the situation over and decided to open his office in Albany. The town was small, but comparatively wealthy. It was the resort of the great upstate patroons and landowners; it was the mart of a flourishing fur trade with the Indians, and – during the War – the channel for illicit, but lucrative, bartering with the enemy via Canada.

He decided also that it was time to marry. Though he was practically penniless by now, he had no doubts as to the future – success in the profession of law seemed assured.

Accordingly he hastened back to Paramus, where, on July 2, 1782, " Aaron Burr of the State of N. York Esqr and Theodosia Prevost of Bergen County, State of N. Jersey," were " joined in lawful wedlock." [20]

The wedding, Theodosia declared in lively fashion to her new sister-in-law, Sally Reeve, was " attended with two singular circumstances, the first is that it cost us nothing. Brown and Caty [the latter a half-sister of Theodosia, and the former, Dr. Brown, Caty's husband] provided abundantly and we improved the opportunity. The fates led Burr on in his old coat; it was proper my gown should be of suitable gauze; ribbons, gloves, etc., were favors from Caty. The second circumstance was that the parson's fees took the only half Joe Burr was master of; we partook of the good things as long as they lasted and then set out for Albany, where the want of money is our only grievance." But " the attention of my dear Burr is not to be equalled " and " the air of Albany is healthy, beer in perfection." [21]

The newly married couple – and the bride's two young boys – did not suffer long from want of money. (The three girls seem never to have become a part of the Burr household – evidently they were taken over and reared by the Prevosts.) There was, as has been stated, a sudden paucity of lawyers, and Burr, of good family, attractive, intellectual, and assiduous in his devotion to his profession, had no difficulty in obtaining soon a veritable swarm of clients.

In spite of his immediate success, however, he rightly felt that New York, the metropolis, held greater prospects for a lawyer. As soon, therefore, as the preliminary treaty of peace was signed in 1783, Burr made preparations for the transfer of his family and office down the Hudson. After several abortive negotiations, he finally decided on the Verplanck house as his new home and law office, " in Wall Street, next Door but one to the City Hall." [22]

By November, 1783, just as the English marched out of New York, and the triumphant Americans moved in to take their place, he was safely installed in his new quarters, a bit dubious, it may be, over the adventure and the additional expense, but resolved, nevertheless, to make a go of it.

The Burrs brought with them from Albany an addition to the family. On June 21, 1783, a girl baby, Theodosia Burr, named after the mother, was born. " Providence smiled upon our wishes . . . and blessed us with a lovely daughter," the former Mrs. Prevost wrote joyfully to her brother-in-law, Tapping Reeve. " My suffering was shorter than my most sanguine hopes had dared to flatter, & have ended in my perfect recovery . . . will you believe me Reeve, when I tell you the dear little girl has the eyes of your Sally, and promises to be as handsome. I would also have given her her name; but Burr insisted on calling her Theo — assure my sister from me that I submitted with the greatest regret." [23]

Later, on June 20, 1785, there was to be a second child to their marriage — also a girl baby.[24] This time Theodosia Burr's wishes were to control, and the child was named Sally. But Sally did not survive long. She died sometime in October, 1788. There were no others. Little Theodosia, however, was to grow into brilliant womanhood, the sensation of her day, the living epitome of her father's rules and regulations, his philosophy and system of education, at once the worshiper and the worshiped, and ultimately a fruitful source of legend and myth because of her tragic, untimely end — Theodosia, in whom the blood of Aaron Burr and of his forbears flowed with undiminished vigor.

Burr was not mistaken in his assumptions when he removed to New York. The Tory lawyers hastily evacuated the town with the British, fearing the wrath of the approaching Americans. With them went wealth and respectability and prestige. But a new crop appeared; young, vigorous attorneys fired with enthusiasm and the proper patriotic spirit, and soon to prove themselves more keen, more brilliant, greater in every respect than the stolid, if substantial, men they displaced. Besides Aaron Burr, there were Alexander Hamilton, John Jay, Robert Troup, Rufus King, James Kent, and others; names that soon became inextricably interwoven with the history of the new nation.

Business prospered, his office was filled with clients, and his name moved rapidly to the foreground in the legal profession. He was happy in his marriage; Theodosia Burr proved a tender, understanding and wise wife, a fit mate intellectually and spiritually for him. Their letters, on those occasions when the law called him to Albany or Westchester or New Jersey, were no longer prim, repressed dissertations that foreswore sentiment and dealt only in " general ideas "; they were ardent, personal, loving, filled with domestic incidents, laments over continued absences, accounts of little Theo's illnesses.

She writes him: " My Aaron had scarce quitted the door when I regretted my passiveness. Why did I consent to his departure? Can interest repay the sacrifice? can aught on earth compensate for his presence? . . . My Aaron, dark is the hour that separates my soul from itself . . . Heaven protect my Aaron; preserve him, restore him to his adoring mistress." [25] One would scarcely recognize the rather frigid bluestocking who once had written a set composition on the respective merits of Rousseau, Voltaire and Chesterfield.

But then again, it would be difficult in the following letter to detect that ardent young lover who had exhorted his mistress to eschew sentiment and confine herself to " general ideas." Writes Burr: " I run from court to waft you a memorandum of affection. . . . I cannot leave this till Sunday or Monday. Then to Westchester Court. The return to joy and Theo. cannot be till Thursday or Friday . . . I read your memorandum ten times a day, and observed it as religiously as ever monk did his devotion. Yesterday I burnt it. To me it seemed like sacrilege." [26]

Marriage had mellowed the didactic young man. There was little Theo, also, whom he adored, and the two Prevost youngsters, whom he loved as devotedly as though they were his own.

There were flaws, however, in the unalloyed bliss. In spite of the rapid growth of his law practice, Burr was already suffering from that state of financial destitution that was destined to become chronic with him. His inheritance had been dissipated with careless, generous fingers during the War. Now that he was married and responsible for the needs and welfare of a family, the money that he made so readily, slipped even more readily and easily through his fingers. Never was he to learn the value of those shining bits of tinsel. He loved good food, good wine, stately houses, splendid furnishings, books and paintings and lavish entertainment. He could never resist an appeal to his pocket, whether based on need, alleged acquaintance, or a common service during the Revolution. He was liberal and generous to a fault. As a result, no matter what he earned, he spent much more, and constantly the specter of innumerable borrowings and the dates of approaching payments loomed to torment and engross his ener-

gies with frantic scurryings and borrowings from Peter to pay Paul.

More important, at this immediate time, was the constant ill-health of Theodosia Burr. It runs like a dark thread throughout their married life, thickening and overwhelming everything else with its shadow as the cancer spread within her vitals.

" My [constitution]," she told Tapping Reeve despairingly, " is quite worn out, & my spirits entirely exhausted, my mind and memory much impaired. I believe I have been as near a state insanity as possible, indeed there are hours in which I am confidant it still threatens me; how often do I wish the conversation of my friends to releive those horrors that can never be described — how often I feel the want of that tenderness, that kind pity that you have so freely granted me . . . Thus abandoned to nature & my own efforts, I pass many succeeding lingering hours — there are cares, & circumstances that demand my attention, & rouse my feelings, when these pass off my mind relapses to its former melancholy companions who are ever in waiting . . . In the morning I wake with regret — at night I lye down with the hope of never waking to the disappointments of another day." [27]

Poor lady! The shadow of death was already upon her, and it evoked an expression as eloquent in its deep-seated melancholy, as somber and tragic in its rooted despair, as anything in all literature. But this was later, when her invalidism had become confirmed and no longer subject to a facile optimism.

In the meantime she was happy, keeping house for her " adored Aaron," watching her two sons grow to sturdy manhood, the baby Theo an endless source of joy and loving nonsense, maintaining constant communication with Sally and Tapping Reeve, for whom she displayed a surprising affection. " Is it possible," she exclaimed to Sally, " you can suspect your Theo of ingratitude, of a fickle heart. Do you believe I can ever forget your friendship & your tender attention, the consolations you gave me when none but you could console. Your brother was the first friend I ever made, you the second. That place you still hold in my heart & ever will." [28]

4. Entering Wedge

There was a good deal of law business to be handled. Litigation over the confiscation of Tory estates proved immensely fruitful, with young Burr and young Hamilton already on opposite sides of the fence. There was also politics to be considered. Already, in

June, 1783, he had been considered for an appointment under the new government. Judge Hobart, of the New York Supreme Court, had urged his merits in the proper quarters. But Burr, hearing of this, declined to be considered as entering into a scrambling competition for any office. It was a trait — this pride of self — which had already shown itself in the army and which was to be responsible for so much in his future career. Hobart, thus rebuffed, answered a bit sarcastically. " However pure your views may be [in seeking an office], I fear you must be contented with the character of a private gentleman so long as you determine to avoid a competition; for I am told there are long lists of applicants for all the offices in the city and county of New-York." [29]

Nevertheless the rising young lawyer could not avoid the political lists — and competition. The politics of the infant State, and of the Nation too, for that matter, were still inchoate and shifting. The Revolutionary War had only recently ended, and idealism and martial enthusiasm still held their glamour, albeit they were fading a bit at the edges. The terrific struggle over the adoption of the Federal Constitution was still to begin — that struggle in which definite cleavages, ineradicable differences, were to emerge between class and class, between sections, between economic strata of society, between fundamental political philosophies, and harden into definite and violently opposed parties.

At the present, during the years 1783 and 1784, such cleavages, though they necessarily existed, had not shown themselves sharply and distinctly. Those who had favored the Revolution and participated actively therein were Whigs and patriots; those whose sympathies had been with the Empire or who had disclosed a certain lukewarmness were Tories and properly to be anathematized. Politics still were based on these broad and simple divisions, and the personalities of the candidates for office the chief consideration.

Burr early attracted notice. His obvious abilities as a lawyer, his breeding, his talents, his notable family, forced his name on the attention of the electors. He did not wish for office — at this time he had no hankering for the political fleshpots. But in spite of his manifest inertia, he was nominated for the State Assembly from the City of New York, and elected in April, 1784. George Clinton was then Governor, as he was to remain for a good many years, and the State was functioning politically under a Constitution adopted in 1777, in the very first years of the War.