

CHAPTER XXI  
NEVER TO RETURN

I. THE FATAL CIPHER

ON March 24, 1806, Burr was convinced that the earlier war temper of the Administration had passed away. He wrote Andrew Jackson that "you have doubtless before this time been convinced that we are to have no war if it can be avoided with honor, or even without." But Miranda's expedition had aroused his hopes again, and if it caused an embroilment of the United States "a military force on our part would be requisite, and that force might come from your side of the mountains." Wherefore, he advised Jackson to recruit both men and officers, because "I have often said a brigade could be raised in West Tennessee which would drive double the number of Frenchmen off the earth."<sup>1</sup>

Soon even this faint hope died. Miranda was ingloriously defeated, and Jefferson and Madison managed to evade responsibility, though not without some uncomfortable squirmings. Burr was reduced to his impotent manipulations of Merry and Yrujo. But with the coming of summer the situation suddenly changed. Spanish troops were reported on American soil. At least, that was the American contention. Spain claimed the territory involved belonged to Texas. Jefferson insisted that the Sabine River was the boundary-line between Louisiana and Texas — as indeed it is today — and that any attempt by the Spaniards to garrison themselves on the Louisiana side would be met with force. The Spaniards argued — and remained where they were — east of the Sabine.

A new flame of warlike anger swept the nation. General Jackson drilled his State militia and thought of Burr. General John Adair in the neighboring State did likewise. Smith and Brown roused themselves. Here at last was the chance for which they had been waiting so long. Jefferson felt the public pulse and acted for once with decision. He sent peremptory orders to Wilkinson, commander-in-chief of the American forces on the frontier, to drive the Spaniards beyond the Sabine at any cost. Wilkinson, initiator of the scheme of aggrandizement — Burr's confederate!

Everywhere the conspirators perked up. Their enthusiasm was unbounded. In Wilkinson's hands rested the decision of peace or war with Spain. He had been given what practically amounted to *carte blanche* by the President. By a single operation he could embroil the two countries in such wise that war would prove inescapable. And, with a declaration of war, with the West heated to patriotic frenzy, with Jackson forming his militia, all dreams of the conspirators *must* be realized. Texas, Mexico, West Florida, South America even! Visions of grandeur, dreams of empire!

And, in fact, Burr was not deluding himself. Francisco Viana, Inspector General of the Spanish troops in Texas, already was writing in considerable alarm that "the rumor grows that the American forces are gathering in Kentucky, and that our unpeopled lands, neophytes, and vassal Indians are to fall into their hands. And I have neither munitions, arms, provisions, nor soldiers wherewith to uphold our authority."<sup>2</sup>

Only Burr and Dayton, however, did not wax enthusiastic. Something had happened to Wilkinson — just what it was, they were not quite certain. After a blank silence of months, Burr's urgent note of April 16th had galvanized him into a reply. We know nothing of its contents except that it was dated May 13th. Concerning this letter much ado was to be made at the trial, until Wilkinson was goaded into challenging Burr to produce it. But Burr, it seemed, had voluntarily, and in the presence of a witness, put the letter out of his hand, "so it would not be used improperly against any one."<sup>3</sup> Wilkinson was too canny to have committed himself in writing, but evidently, from what happened next, his letter was wholly evasive and unsatisfactory to the conspirators.

Burr and Dayton conferred. Troops were being sent to the Sabine; a clash — if Wilkinson wished — was inevitable. It was necessary therefore to heighten his faltering spirits, to alarm him into swift action. Two letters were sent him by different messengers. One was from Dayton, carried by Peter V. Ogden, his nephew, and dated July 24, 1806. It read, "It is now well ascertained that you are to be displaced in next session. Jefferson will affect to yield reluctantly to the public sentiment, but yield he will. Prepare yourself, therefore, for it. You know the rest. You are not a man to despair, or even despond, especially when such prospects offer in another quarter. Are you ready? Are your numerous associates ready? Wealth and glory! Louisiana and Mexico! I shall have time to receive a letter from you before I set out for Ohio — OHIO."<sup>4</sup>

By such means did they expect to force Wilkinson's hand. On

receipt of such alarming information — entirely false, of course — he would be compelled to precipitate a war in order to save his own skin. The rest would follow. Louisiana meant the Bastrop grant — perhaps even the independence of New Orleans; and Mexico — *that* was the real goal!

Traveling with Ogden was another messenger — young Samuel Swartwout, handsome, frank of bearing, youngest brother of the Swartwout clan. He carried Burr's message to Wilkinson, dated July 29, 1806, written in cipher. This was the famous message which, when published, roused the whole country to a final, irrevocable conviction of Burr's guilt. Its exact wording will never be known. Wilkinson took months, so he claimed, to decipher it; he erased and made alterations in the original document to suit his convenience and to save himself from implication — as he brazenly admitted on the witness stand — and his published versions varied with the necessities of the occasion. In fact, the first translation which he sent to Jefferson had been framed to justify the arrest of one of Burr's messengers, and, deposed the copyist, he had intentionally omitted "every thing which was calculated to inculcate the General, or which might by exciting suspicion, have a tendency to weaken his testimony." During the course of a relentless cross-examination, Wilkinson changed his testimony repeatedly concerning the decipherment of this famous document. The translation was, he said at one time, hasty and inaccurate and done piece-meal; at another, that it was a careful, tedious and lengthy bit of work. The original translation had been lost, he averred, and only substantially could he point out the differences between the several translations and the original.<sup>5</sup> In short, a pitiful, untrustworthy performance.

Burr and Wilkinson had agreed on three ciphers to be used between them. A hieroglyphic cipher invented by Wilkinson and one Captain Smith; an arbitrary alphabet cipher formed by Burr and Wilkinson in 1799 or 1800; and a dictionary cipher which depended on the use of a certain edition of Entick's pocket dictionary as the key. The cipher letter of July 29th was written in all three ciphers, as well as in English.<sup>6</sup>

In its generally accepted version the letter read as follows: "Your letter, postmarked 13th May, is received. At length I have obtained funds, and have actually commenced. The Eastern detachments, from different points and under different pretences, will rendezvous on the Ohio 1st of November. Everything internal and external favors our views. Naval protection of England is secured. Truxton is going to Jamaica to arrange with the admiral

on that station. It will meet us at the Mississippi. England, a navy of the United States, are ready to join, and final orders are given to my friends and followers. It will be a host of choice spirits. Wilkinson shall be second to Burr only; Wilkinson shall dictate the rank and promotion of his officers. Burr will proceed westward 1st August, never to return. With him goes his daughter; the husband will follow in October, with a corps of worthies. Send forthwith an intelligent and confidential friend with whom Burr may confer; he shall return immediately with further interesting details; this is essential to concert and harmony of movement. Send a list of all persons known to Wilkinson west of the mountains who could be useful, with a note delineating their characters. By your messenger send me four or five commissions of your officers, which you can borrow under any pretence you please; they shall be returned faithfully. Already are orders given to the contractor to forward six months' provisions to points Wilkinson may name; this shall not be used until the last moment, and then under proper injunctions. Our object, my dear friend, is brought to a point so long desired. Burr guarantees the result with his life and honor, with the lives and honor and the fortunes of hundreds, the best blood of our country. Burr's plan of operation is to move down rapidly from the Falls, on the 15th of November, with the first five hundred or a thousand men, in light boats now constructing for that purpose; to be at Natchez between the 5th and 15th of December, there to meet you; there to determine whether it will be expedient to seize on or pass by Baton Rouge. On receipt of this, send Burr an answer. Draw on Burr for all expenses, etc. The people of the country to which we are going are prepared to receive us; their agents, now with Burr, say that if we will protect their religion, and will not subject them to a foreign Power, that in three weeks all will be settled. The gods invite us to glory and fortune; it remains to be seen whether we deserve the boon. The bearer of this goes express to you. He is a man of inviolable honor and perfect discretion, formed to execute rather than project, capable of relating facts with fidelity, and incapable of relating them otherwise; he is thoroughly informed of the plans and intentions of Burr, and will disclose to you as far as you require, and no further. He had imbibed a reverence for your character, and may be embarrassed in your presence; put him at ease, and he will satisfy you."<sup>7</sup>

It was on this letter that Jefferson was to act finally and boldly, and, as if to atone for his long delay, pursue Burr with a venomous persecution unparalleled in the Presidential annals of

the United States. It was on this letter that the country was roused to execration and rage against the traitor, and left it for posterity to follow suit with uncritical zeal. Yet John Marshall, Chief Justice of the United States, was to declare flatly that there was no taint of treason to the United States in this allegedly incriminating document, nor in any of the evidence adduced to support the charge. And an examination of the epistle substantiates his decision in every particular.

What does it contain? A statement of an expedition, formed of Eastern and Western detachments, to be supported by an English navy and a group of American naval officers, as well as army officers associated with Wilkinson, directed against a country whose people wish to be protected in their religion and not be subjected to a foreign power, a people whose agents were then with Burr. Obviously Mexico, and nowhere else. The people were Catholic, and naturally reluctant to be placed under a Protestant rule of suppression; they did not intend to cast off Spain and receive France, England or the United States in its stead. Secret agents from Mexico were active in Washington and Philadelphia, and Burr had been in close touch with them ever since the Catholic Bishop of New Orleans had sent missionary priests into Mexico to make contacts for him. It was neither New Orleans nor Louisiana, where the majority of Burr's supporters were American Protestants and uninterested in religious protection. In fact, Burr queries whether it would not be advisable to capture Baton Rouge, the important city of Spanish West Florida. Wilkinson himself realized at the treason trial that this communication, as it stood, even with his alterations and erasures, was poor evidence of a scheme to revolutionize any part of the United States. Accordingly, he availed himself of the latter part of the letter which recommended young Swartwout to him, and claimed, without corroboration of any kind, that Swartwout had buzzed the real dark project of secession into his horrified ear.

The letter itself is turgid and bombastic in the highest degree, quite at variance with Burr's usual style and reserve of language. It was written so for a purpose, even as Dayton's accompanying letter had been. Both were in the same vein as Wilkinson's own mannered affectation, and were intended to tickle his vanity and move him to the long-contemplated action. There were falsehoods in it—many of them, though Swartwout was to deny vigorously that the original cipher had made any mention of Truxton and Alston. These, he claimed—and he had helped put the letter into code—were interpolations by the doughty General.

*Received*

your letter post marked at 15<sup>th</sup> July 1797  
 230 12 112 3 an 210 23 and 98 10 114 14 with whom 13 242 20 92  
 100 100 10 of 25 26 336 13 a 233 47 of all 35 10 228 10 2 45 420 16 of  
 265 17 423 30 could be 416 17 in 13 a 261 4 123 40 203 35 32 22  
 7 4 100 3 248 10 250 12 243 14 9 or 6 264 11 274 20 99 48 204 11 147  
 204 10 113 7 427 20 14 67 29 100 10 40 37 298 26 472 29 286 14  
 210 10 224 10 320 7 190 21 43 38 an 267 6 380 28 the 103 3 380 28 172  
 25 1 231 39 300 23 380 26 228 12 427 24 242 26 250 30 277 4 shall  
 not 89 11 416 15 279 14 the 222 30 251 14 44 2 318 11 400 10 290 11  
 213 32  
 270 7 208 25 10 40 27 114 14 222 3 11 10 16 the 88 14 206 9 10 44  
 124 39 200 23 186 27 the 219 25 424 10 104 12 115 15 100 10 10 10 10  
 10 10 10 10 the 174 17 201 11 199 10 the 10 10 10 10 10 10 10 10  
 16 282 37 264 11 265 10 224 3 380 28 200 10 10 10 10 10 10  
 114 14 the 159 263 11 164 11 261 23 10 10 10 10 10 10 10 10 10  
 141 13 in 20 12 36 25 207 20 104 6 10 10 10 10 10 10 10 10 10 10  
 J-CITAU 32 13 the 6 and T 6 of 118 10 176 19 10 244 16 427 39  
 376

Courtesy of Gabriel Wells  
 CIPHER LETTER FROM BURR TO WILKINSON, JULY 20, 1806

*[Faint handwritten text, likely a key or cipher notes, with some legible words like "British", "French", and "Spanish".]*

Courtesy of Gabriel Wells

KEY TO BURR-WILKINSON CIPHER

Truxton, of course, had refused to be a party to the filibuster. Burr had some funds — those already received from Alston and those in prospect from Blennerhassett — sufficient for the building of the boats and the launching of a skeleton expedition, though not nearly as much as he wished Wilkinson to believe. The story of England's cooperation was made of whole cloth. The tone of bombast and high optimism was to give the needed fillip to Wilkinson's waning courage.

Ogden and Swartwout started out late in July on their long, overland journey. A second copy of the cipher went by water to New Orleans in the hands of Dr. Justus Erich Bollman, another recruit to Burr's forces. This adventurer's career had been exciting enough. Now thirty-five years old, he had been a graduate of Göttingen, a resident of Paris during the Revolution, a practitioner of medicine in Vienna and London, and famous the world over for his daring rescue of Lafayette from his Austrian prison. Both had been recaptured, however, and Bollman languished in an Austrian dungeon for many months, only to be released on his promise never to return. He came then to the United States, met Burr, was fascinated, and remained to take a prominent part in his activities.

2. THE BASTROP PURCHASE

With the despatch of his code letters, Burr commenced to move on his own account, reasonably satisfied at the turn of events. Wilkinson was a broken reed, but his carefully worded cipher, the sudden warlike disposition of Washington, Spanish aggressions, must stiffen his backbone and carry him along by the very pressure of circumstance. Burr did not know of Wilkinson's secret relations with Spain, could not know that he was about to be betrayed. From his viewpoint, there was no further profit in delay. Enlistments had been carried on with a fair degree of success, some money was at hand, boats were to be ready for him at the Falls of the Ohio. His presence again in the West, he thought, would be the signal for a tumultuous outpouring of volunteers. His reception on the last journey, his private advices since, had left no doubt of that in his mind. By the time his boats were finished, Wilkinson would have already clashed with the Spaniard, and touched off the fuse to a blazing train of events. As for the malignant questions posed in the anonymous *Queries*, the rumors floating through the Western country as to his secret purposes, Burr brushed them aside as beneath contempt. His was essentially

a strange compound of mature subtlety and childlike inability to read aright those signs which conflicted with his wishes and illusions. In spite of all that he had already suffered from calumny and a libelous press, to the end of his life he was to labor under the delusion that they were inconsequential and of no effect.

Early in August, 1806, Burr started on his fatal journey westward, that journey from which he had fondly anticipated there would be no return. With him were Theodosia, excited, ardent, blinded with the glamour of her father, a secretary, Charles Willie, and Colonel Julien De Pestre, a refugee from the French Revolution, whom he had formally named his Chief of Staff. The entourage reached Pittsburgh on August 22nd. Here they stopped for a while, and Burr busied himself obtaining recruits for his expedition. Quite a few young men joined, fired with the prospects of wealth and glory. Among them was the young son of Presley Neville, Chief Justice of Pennsylvania. So far so good. But then he made an error. He visited Colonel George Morgan, near Cannonsburg. Morgan, it may be remembered, had known Burr at Princeton when Burr was in college. In fact, it was concerning his niece that the famous legend of the "Forgotten Grave" had flowered into a fine tale of seduction and suicide. Morgan had gone West, as so many others had done, and settled with his sons at a place which he grandiloquently named Morganza. Morgan of Morganza!

Burr had dinner at his house, stayed overnight. They talked, without question, of Burr's plans. Also without question, Burr tried to induce Morgan's two sons to join his venture. Here, however, the parting of the ways is reached, and the rest is darkness and confusion. After Burr's departure — without the sons — Morgan went excitedly to Presley Neville, whose son was already with Burr, and to Samuel Roberts, with a wild tale of conspiracy and treason. The gentlemen listened in some astonishment, and, after some cogitation, decided that the information was sufficiently important to lay before the Administration. Whereupon, on October 7th, they wrote jointly to Madison, the Secretary of State, restating Morgan's charges against Burr, but acknowledging that it was difficult to detail the exact conversation. "Indeed, according to our Informants, much more was to be collected from the *manner* in which certain things were said, and hints given, than from the words used."<sup>8</sup>

But at the Richmond trial, the Morgans were ready with specific conversations; the treason was no longer merely in the *manner*. John Morgan, one of the sons, testified that at the dinner Burr had

turned to him and said "that the union of the states could not possibly last; and that a separation of the states must ensue as a natural consequence, in four or five years." An expression of opinion — misguided perhaps, and certainly poor prophecy — but containing nothing of treason; in fact, obviating by its very language, any present seditious intent. But, continued young John, Burr then made the remark "that with two hundred men, he could drive the president and congress into the Potowmac; and with four or five hundred he could take possession of the city of New-York." Vainglorious boasting, of the kind that is made when the wine circulates too long, and of a nature which had never before been associated with Burr's wonted reserve. And even Morgan was driven to admit on cross-examination that the remarks had been tossed off "in a lively or careless manner."<sup>9</sup>

Then the old man, Colonel George Morgan, swore that Burr had tried to feel him out that night, after the others had retired to bed; had asked him if he knew a Mr. Vigo, of Fort Vincent, a Spaniard. Morgan said yes, he knew him as a man who had been deeply involved in the conspiracy of 1788; and went on to say emphatically that it was "a nefarious thing to aim at the division of the states." Whereupon Burr stopped short, bid him a curt good-night, and rode off early the next morning with De Pestre before breakfast.<sup>10</sup>

A story, which, even if true, left a good deal to be desired in the way of evidencing premeditated treason. But the story is not ended. It seems that the "Morgans of Morganza" had been engaged since 1784 in pressing certain doubtful claims to lands in Indiana before an indifferent Congress.<sup>11</sup> It is a strange coincidence that so many of the witnesses against Burr were involved in pending matters before Congress, and hopeful of governmental favors. (*Vide* "General" William Eaton.) So warm, in fact, were the Morgans on Burr's trail, that the father wrote to Jefferson direct on January 19, 1807, in which communication he repeated the old charges, questioned Neville's patriotism, and bragged how his sons "have imbibed the principles of their father and of Thomas Jefferson from the commencement of our revolutionary war to the present day."<sup>12</sup> Yet even his son was compelled to admit that his "father was old and infirm; and like other old men, told long stories and was apt to forget his repetitions."<sup>13</sup>

From Pittsburgh, Burr went on to his chief rendezvous, Blennerhassett's Island. This time Harman Blennerhassett was at home. The transplanted Irish gentleman farmer met him with eagerness and abounding hospitality. His already slightly addled

head was still further addled by the visions of grandeur which Burr painted for his delectation. Every pithy sentence of the great man became a volume; every slight remark a conspiratorial ecstasy. He was eager for anything; he flew beyond his guest on the viewless wings of fantasy. Never was Burr to have such an enthusiastic convert — too enthusiastic, much too imprudent, as time was to disclose. Playful remarks, such as are in abundant evidence in Burr's correspondence with his daughter, were taken at full face value, and builded on *ad infinitum*. Burr was to become Emperor of Mexico and Theodosia the Heir-Apparent? Immediately Blennerhassett grew anxious over his own particular titles. When Burr gravely pronounced him Ambassador to England, he was in the seventh heaven of delight. Burr spoke of the likelihood of the West — in the dim future — breaking off peacefully to become a great nation on its own. Blennerhassett, without Burr's knowledge, promptly sat down and wrote a series of lengthy dissertations preaching Western secession, to be published in the *Ohio Gazette* under the pseudonym of *Querist*, and which silly productions were to plague both Blennerhassett and Burr himself in the not distant future.<sup>14</sup> As for Theodosia, lovely, cultured, charming, woman of the world, she completed the conquest her father had made. Mrs. Blennerhassett fell wholly in love with her. Even when husband and wife were bitter against Burr for the troubles into which they had been led, they continued to worship Theo.

Blennerhassett turned over all his free funds to the enterprise, endorsed bills against Philadelphia with a reckless profusion, mortgaged his Island as security. In October, Theo's husband, Joseph Alston, appeared at the Blennerhassetts'. Alston guaranteed to his host the loans and advancements which were being made, and offered his own vast estates as collateral security. A succession of rice crop failures had left Alston destitute of ready funds.<sup>15</sup>

By the last of August, Burr and Blennerhassett were at Marietta purchasing a hundred barrels of pork, and contracting for fifteen boats to be delivered on December 9th. These were ordered from the firm of Woodbridge and Company, of which Blennerhassett was a former partner. The Island became the center of Burr's organizing activities. Everything was bustle and confusion; a kiln was erected to dry corn, which was then ground into meal, supplies were purchased, the household effects on the Island were packed for removal. For the Blennerhassetts were going along *en masse* — Mrs. Blennerhassett and their two small sons — pulling up stakes

to seek their fortune in a new country. Strong evidence that by this time even the military invasion of Mexico was doubtful; that primarily the entire scheme had become a colonization and settlement venture.

Recruiting went on apace. Burr and Blennerhassett both scoured the countryside, trying to induce the footloose and the adventurous to join. Seven young men had come on from Pittsburgh, larger contingents were soon due from the East. The degree of success with which they met was not very encouraging. For strange rumors were flying through the West, causing the bold to pause, the timid to withdraw.

On September 4th, Burr was the guest of John Smith, contractor, storekeeper and United States Senator, in Cincinnati. Then he crossed the Ohio to Lexington and journeyed on to Nashville, once more to meet Andrew Jackson. Here he was among friends. Tennessee was still untouched by suspicion. Jackson wrote to a friend: "Colonel Burr is with me; he arrived last night . . . Would it not be well for us to do something as a mark of attention to the Colonel? He has always and is still a true and trusty friend to Tennessee."<sup>16</sup>

They did a good deal. The leading men of Nashville rode out to the Hermitage to pay their respects to the distinguished visitor. A great ball was organized, and Burr was again the cynosure of all eyes. In private, Jackson and he discussed matters. As a result of their conference, all Tennessee was roused by a proclamation of General Jackson on October 4th, requiring the Militia to be ready for instant duty, as the Spanish forces were "already encamped within the limits of our Government." With his usual impetuosity, Jackson sent off an express to Jefferson offering his services in the pending war, to which the President replied in vague language.

By the first week in October, Burr was back in Lexington, where he met Blennerhassett, Theodosia and her husband. Mrs. Blennerhassett remained behind, in charge of the Island. Lexington was to be the new Headquarters, as nearer to the boats then building, and a better base for collecting supplies. Here he concluded his purchase of the Bastrop claim from Lynch — 400,000 acres on the Washita River, in what is now Louisiana, and not too far away from the Sabine and the Texan border.

"I have bought of Col. Lynch 400 M. acres of the tract called Bastroph's lying on the Washita," he wrote. "The excellence of the soil and climate are established by the report of impartial persons. I shall send on forty or fifty men this autumn to clear and

build cabins. These men are to be paid in land, and to be found for one year in provisions. It is my intention to go there with several of my friends next year. If you should incline to partake and to join us, I will give you 10000 acres."<sup>17</sup> To Lynch, to the Kentuckians, to friends in the East like Biddle and Latrobe, to Wilkins, an old friend whom he had been unable to meet in Pittsburgh, all the talk was of the Bastrop Purchase, of cabins and soil and settlement, and peaceful pursuits.<sup>18</sup> In the nebulous, contingent future, possible exploits in Mexico; in the meantime, good, sound pioneering. Nowhere in private, confidential correspondence with trusted friends, is there breathed a word during the autumn of 1806 of secession, disunion, the West or New Orleans.

The purchase price was supplied by the funds raised between Blennerhassett and Alston. Lynch received in cash four or five thousand dollars, some thirty thousand dollars of his paper obligations were assumed, and Burr agreed to make good his contract with Edward Livingston in New Orleans. It has been said that the title was bad. Burr was too good a lawyer to pay out a considerable sum on a title without merit. By international law, the United States must acknowledge as valid all pre-existing contracts and titles in the Louisiana Territory. The Bastrop grant had been released from its conditions by the Spanish Governor, and must therefore stand as an outright grant. And, on the frontier, a doubtful title could be easily made good by solid, tangible possession, as Burr well knew.

There was considerable talk afterwards that Burr, in his endeavors to raise forces for the Washita and Mexico, had hinted, if not said outright, that his plans had the secret and unofficial approval of the Administration. Jefferson went so far as to allege the showing of a forged letter, purporting to be from the Secretary of War. But this was during the heat of the trial, and was based on vague statements concerning a letter left unguarded on a table while Burr pretended to leave the room, with a hasty, running glance by the honorable witness at its contents before Burr should return.<sup>19</sup> Blennerhassett, his tongue wagging on oiled hinges, was without doubt talking recklessly to all and sundry — of gold, of jewels, of empire, of titles, of Emperor Burr, of plunder, of benevolent Washington — doing infinite damage to Burr without Burr being in the slightest degree aware of what was going on.

On October 25, 1806, Burr sent his aide, De Pestre, back to New York and Philadelphia to communicate with his Eastern friends and to see Yrujo. Burr had not yielded up hope of squeezing money out of Spain. Given enough, with the new turn of events on the

Sabine, of which they were just beginning to receive magnified reports, and Mexico might still be in sight. Even if Yrujo would not pay, at least he could be lulled to a state of quiescence concerning Burr's activities.

But before De Pestre arrived, Yrujo was already sending Cevallos a weird account of Burr's army of 500 men, of his purpose to seize Government arms, descend on Natchez and New Orleans and start the Revolution. In fact, wrote Yrujo with conviction, Burr had already composed a Declaration of Independence for New Orleans and the West. Yet, in spite of his gullibility, an uneasy suspicion persisted that all was not well. Though he had been assured that Burr's project against Spain had been abandoned, and that "on the contrary he wishes to live on good terms with Spain, I have written to Governor Folch of West Florida to be on his guard; and although I am persuaded that by means of Governor Folch's connection with General Wilkinson, he must be perfectly informed of the state of things and of Burr's intentions, I shall write to-day or to-morrow another letter to the Governor of Baton Rouge to be on the alert."<sup>20</sup> Wilkinson, who was ostensibly facing the Spaniards at the Sabine in hostile attitude!

On December 4th, Yrujo wrote again, in some perplexity. By this time the fat was in the fire, and all the country was rocking with wild alarms over what Burr was really planning in the West. De Pestre had visited him, and assured him that the Spanish possessions were not to be involved; that any reports to the contrary were dust clouds to hide the real purposes. Yrujo was not convinced. He began to see that he had been made a dupe from the very beginning. "I wrote to the governors of both Floridas and to the Viceroy of Mexico . . ." he told Cevallos, "recommending them to watch the movements of Colonel Burr and of his adventurers. This is an excess of precaution, since by this time they must not only know through the New Orleans and Natchez newspapers of the projects attributed to Colonel Burr, but also through the confidential channel of the No. 13 of the Marquis of Casa Calvo's cipher with the Prince of Peace [Godoy] who is one of the conspirators, and who is to contribute very efficaciously to the execution of the scheme in case it shall be carried into effect." *No. 13*, Spanish spy, was, of course, Wilkinson. But Yrujo had become suspicious even of Wilkinson, hitherto seemingly faithful in disclosing to Spain Burr's plans as they unfolded. With a fine knowledge of that agile gentleman's character, he sent warnings broadcast that "although No. 13 seems to have acted in good faith hitherto, his fidelity could not be depended upon if he had a greater interest

in violating it, and that therefore they must be cautious in listening to him and be very vigilant in regard to events that would probably happen in their neighborhood."<sup>21</sup> Yrujo need not have worried. Already Wilkinson had consulted his own interest and decided to betray Burr. Already the damning accusation was on its way to Jefferson.

### 3. THE CAT JUMPS

Meanwhile, what had been happening on the Sabine? Wilkinson's activities were super-Protean in their character; Janus, the two-faced God of the Romans, Brahma, Vishnu and Shiva, the Indian Triad, with their many faces and a thousand eyes, were but a simple homogeneity compared to him. No wonder that Burr, without word from his fellow conspirator, depending solely on rumor and counter-rumor, was himself compelled to daily inconsistency. One day the news was such as seemed to indicate that Wilkinson was proceeding according to a predetermined schedule — and Mexico and West Florida came to the fore; the next day his apparent supineness reduced Burr to anxious despair — and peaceful settlement on the Washita submerged all thoughts of present conquest. Wilkinson himself was for a long time not quite sure of his own course. Of one thing only was he certain, as Yrujo had justly observed: his own peculiar interests must be served first, last and always.

In October, 1805, almost a year before, Spain had advanced a small force across the Sabine to occupy the posts of Bayou Pierre and Nana, in what Jefferson claimed to be American territory. On February 1, 1806, Major Porter, commanding at Natchitoches, was ordered by the War Department to dislodge the intruders, even at the cost of bloodshed. On February 5th, a detail of sixty men reached the Spanish camp at Bayou Pierre. The Spanish commander, after due protest, bowed to overwhelming force — he had only *twenty* men — and signed an agreement that he would withdraw within six days. But Salcedo, Captain-General of Mexico, ordered six hundred militia to the front. He had no intention of abandoning his positions. The Arroyo Hondo, he claimed, was the western boundary of Louisiana, not the Sabine. There was also Burr's expedition in the offing. To the Spanish officials, the sudden aggression of the Americans was but part and parcel of Burr's plans. Governor Claiborne of Orleans worked himself into a tremendous case of nerves over the proximity of the alien, and bombarded Jefferson with pleas for reinforcements against *Spanish*

aggression. The border was in a state of touchiness where anything might happen.

By July, the Spanish troops, with Salcedo's militia, were back again over the Sabine. The news threw the Americans into a fever of alarm. Claiborne and Mead, Acting Governor of Mississippi, called for volunteers to repel the invasion. Major Porter was on the ground, and, according to his instructions, should have proceeded at once into action. But Wilkinson, who should have been on hand, was still in St. Louis. From that distant coign of vantage, he had sent private orders to Porter forbidding any attempt on the Spanish positions. Claiborne heard of this and complained to Mead, "My present impression is that 'all is not right.' I know not whom to censure, but it seems to me that there is wrong somewhere. Either the orders to Major Porter (which have been published) ought not to have been issued or they should have been adhered to and supported."<sup>22</sup> Poor Claiborne was to continue in a sad state of befuddlement for many a day.

Wilkinson, however, knew what he was doing. He had no intention of precipitating a war with Spain — especially when he was not on the ground to direct its movements — until he had definitely made up his mind which way the cat was going to jump. Even though Dearborn's orders to him had been explicit and final: he was to proceed at once — the order was dated May 6, 1806 — to Orleans to take command and "by all means in your power, repel any invasion of the territory of the United States east of the River Sabine, or north or west of the bounds of what has been called West Florida."<sup>23</sup> Yet Wilkinson calmly remained in St. Louis, and countermanded all War Department orders. There were several inducing considerations for this outright insubordination in the face of the enemy. He was still at cross-purposes with himself; playing around with the Burr project, and keeping in communication with Spain as *No. 13*.

On September 7th, however, he finally came to Natchez. Claiborne and Mead were pushing matters, and might create an impossible situation for him if he did not arrive to take command. The day after his arrival he wrote ingenuously to Dearborn that the Territorial militia were proposing to expel the enemy, "but I shall discourage their march until I have penetrated the designs of the Spaniard, and may find him deaf to the solemn appeal which I shall make to his understanding, his interest and his duty."<sup>24</sup> The war was rapidly assuming an *opéra bouffe* aspect.

Nevertheless he called for the Mississippi volunteers to join him, enlarged his posts, and made active preparations for an in-



vasion of the Spanish frontier. On September 19th he demanded from Claiborne the assemblage at Natchitoches, which he had constituted his Headquarters, of all troops and militia in New Orleans. The Territories responded with enthusiasm. The militia poured in. Here at last was the long-delayed war with Spain.

For something had happened — something which seems to have decided Wilkinson to turn on his old employer, Spain, and commit the United States to war. For the moment he was definitely determined to cast his lot with Burr. The first news of a battle, the first attack on Spanish forces, would be the signal for Burr to rally the West, to come out into the open with a forthright declaration of his intentions, and sweep down the Ohio and Mississippi, like a gigantic, accreting snowball, gathering new volunteers on his way. Then — on to Baton Rouge, Pensacola, Vera Cruz and Mexico City — once and forever to sweep the Spaniard off the northern continent!

Such was the idea. Just what it was that had made up Wilkinson's mind for him — for the moment — is not readily discernible from the evidence. Perhaps it was the unbounded enthusiasm for war he had seen displayed in the Territories, perhaps the thought of himself as an all-conquering hero had created a state of auto-intoxication; perhaps some Spanish official had hurt his vanity by an indiscretion. Whatever the inducing cause, for a short period he was resolved. He even committed himself to paper, something he had been hitherto very careful to avoid. On September 28th he wrote to General John Adair, one of the conspirators: "The time long looked for by many & wished for by more has now arrived, for subverting the Spanish government in Mexico — be ready & join me; we will want little more than light armed troops . . . More will be done by marching than by fighting . . . Unless you fear to join a Spanish intriguer [Wilkinson] come immediately — without your aid I can do nothing."<sup>25</sup>

The same day he sent off another letter — this one to Senator John Smith, also one of the initiate. "I shall as surely push them [the Spaniards] over the Sabine — and out of Nacogdoches as that you are alive, although they outnumber me three to one," he declared vaingloriously. "You must speedily send me a force to support our pretensions . . . 5000 mounted infantry . . . may suffice to carry us forward as far as Grand River, there we shall require 5000 more to conduct us to Mount el Rey . . . after which from 20 to 30,000 will be necessary to carry our conquests to California and the Isthmus of Darien. I write in haste, freely and confidentially, being ever your friend."<sup>26</sup> Strangely enough, no letter

to Burr, the head and front of the movement, whose followers, then gathering on the Ohio, were obviously the troops to which he referred in such geometric progression.

On September 23rd, Wilkinson was as good as his word — temporarily. He wrote sternly to the Spaniards that if they did not evacuate the west bank of the Sabine immediately, he would march on them in force. To which Cordero, in command at Nacogdoches, replied that he could do nothing in the premises until he heard from Salcedo.<sup>27</sup> The situation bristled with warlike consequences. But suddenly it cleared through the act of Herrera, in command at Bayou Pierre. Without any orders from his superiors, he commanded a retreat on September 27th, before Wilkinson, now hot for war, could proceed to carry his threat into execution. The west bank of the Sabine was clear of the Spaniard, Wilkinson had won a great — and bloodless — victory, and the crisis in the relations of Spain and the United States was over.

McCaleb considers that this unexpected retreat had set at naught Wilkinson's plans to force the issue of war; that without war, Burr's filibuster must prove futile, and it was then and there that Wilkinson determined to jettison his old comrade, and make his peace with Spain. In a limited sense this is true. In the short period from September 8th to the end of the month, he had been ready to carry on according to schedule. In a measure, his shift had been forced on him by circumstance. Now the circumstance had changed back to the old norm. The fever died. He was ready once again to betray all and sundry to his own advantage. But in fact he had determined on such a course — subject to contingencies like the little passage of arms on the Sabine — long before. As long before, in fact, as the receipt of Daniel Clark's warning; as long before, it may be, as the very initiation of the conspiracy, which might have been merely a threat directed at Spain to be more liberal and open-pocketed to such an extremely valuable agent as No. 13 was proving himself to be.

In proof of his new change of purpose, it is only necessary to view his ensuing actions. Where, heretofore, he had been bold — in speech, at least — now that there were no Spaniards between him and the Sabine, he temporized. He wrote Dearborn on October 4th that he would proceed in a few days to the Sabine,<sup>28</sup> but on October 8th, two weeks after the retreat of the Spaniards, he was still in camp. On that fatal day, Samuel Swartwout, who had missed him at St. Louis and followed him down the Mississippi, appeared at Wilkinson's quarters, armed with Burr's cipher letter of July 29th. It was a cruel jest of fate that he arrived at this par-

ticular moment. A short two weeks earlier, and he would have caught Wilkinson in the full flush of warlike intent. Burr's letter, breathing false information and spurious ardor, would have kindled the General's vanity to the bursting-point. A quick march, a sudden attack on Bayou Pierre, and not all Jefferson's pacific intentions, not all Wilkinson's own after-hesitations, could have stopped the forward sweep of events. Willy-nilly, he must have thrown in his lot with Burr, and the course of American history would have been considerably changed.

Now, however, the complexion of things had altered. The Spaniards were gone, two weeks had elapsed, and the General's first rush of hot blood had had much time to cool. Perhaps he had received assurances from Folch that he would be well taken care of. In any event, he had resumed his old role — as comfortable to him as a well-worn glove — No. 13 in the pay of Spain. And — he was the heroic Generalissimo of the American forces.

The sudden apparition of Swartwout was like that of an unbidden ghost at the feast. It was the evening of October 8th. When the unexpected messenger entered his quarters, Colonel Cushing was present. Much was to be made later of the *manner* in which Swartwout handed him the incriminating despatch. Wilkinson swore it was slipped to him surreptitiously, after Cushing had retired.<sup>29</sup> Swartwout denied that there was anything secretive about his movements. It really does not matter.

Wilkinson read the slightly bombastic text with increasing perturbation of mind, received Swartwout's help in the decipherment. Then he retired into the silences to consider his course of action. Burr, he noted with an awful clarity, had already commenced operations. They were too far forward to be abandoned now. In fact, as far as Burr was concerned, there was nothing else he could do; he was too deeply committed. But Burr's inevitable coming must necessarily upset Wilkinson's apple cart. The Spaniards, already suspicious of his good faith, would be sure he, Wilkinson, was involved, and a lucrative source of income would be abruptly cut off. Should he urge Burr to give up the entire scheme, Burr, in his resentment, might embroil him with the Administration in Washington. There were certain letters that might be wrongly construed in certain quarters. In which case he stood an excellent chance of losing his command, which, in turn, would mean the abatement of Spain's pension; for his services to Spain must then fall considerably in value. He was damned if he did, and he was damned if he didn't.

In the agony of these wrestlings of spirit, a brilliant resolution

of all his difficulties occurred to him. The letter he had just received from Burr, instead of spelling disaster, actually meant his salvation. By the alteration of a few phrases which too closely incriminated him, he would use it as an instrument to denounce Burr as a traitor to the United States, and as proof to Spain that he had actively warded off a terrible danger from its possessions. Thereby he would kill two birds with one stone, establish himself more solidly than ever in the confidence of Jefferson and Spain alike, and reap the proper rewards of his virtue. The fact that, in the doing, Burr, his old comrade in arms, Dayton, Smith, Adair, Truxton, all friends, and a host of others whom he did not even know, might be ruined beyond redemption, their very lives imperiled, seemingly made no difference to the supple General. He was about to consolidate his own position, and that was all that mattered. In all history, there is no record of a more sinister or vicious betrayal.<sup>30</sup>

#### 4. THE BETRAYAL

Early the following morning, Wilkinson took Colonel Cushing aside and told him in a frightened voice and with much swearing of secrecy that he had just discovered that Burr was plotting to overthrow the United States Government. Young Swartwout was his emissary, but he, Wilkinson, would save the Union, come what may. There was, in fact, only one course to pursue. March at once to the Sabine, make immediate peace with the Spaniards, and then devote all his might to crush the traitors.<sup>31</sup> Thereby — though he forgot to tell Cushing this — he would serve Spain, prove later to Jefferson that he had promptly denounced the conspiracy, and open the way for those measures which would place the unsuspecting Burr in his power immediately upon his arrival.

But to Swartwout he said nothing. He welcomed him with effusive cordiality, kept him as his guest at Natchitoches for a full week — pumping him dry of all the details of the nefarious plot, he was to declare later — actually, because he wished no suspicions of his betrayal to leak out. Then Swartwout went on to New Orleans as had been arranged, there to meet Peter Ogden, who had gone down the river direct with his despatch.

For still another week after Swartwout's departure, Wilkinson dallied in camp, doing nothing, saying nothing, while the nation ostensibly was in the direst peril. Why? Perhaps he was still not quite sure of his course; perhaps he was waiting to hear from his Spanish friends.

Then, one day, he found himself confronted with a situation in which further delay might prove disastrous. Newspapers had filtered down from the West, newspapers filled with denunciations of Burr and an alleged scheme of disunion, and, *mirabile dictu*, daring actually to accuse him, General James Wilkinson, as an "intriguer and pensioner of Spain, now associated with Aaron Burr in reviving the old Spanish Conspiracy." His hand was forced.

On October 20, 1806, he wrote a letter to Jefferson, cautious, feeling his way, mentioning no names. "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 or ten thousand men in New Orleans, at a very near period; and from thence, with the co-operation of a naval armament, to carry an expedition against Vera Cruz. Agents from Mexico, who were in Philadelphia in the beginning of August, are engaged in this enterprise; these persons have given assurances, that the landing of the proposed expedition will be seconded by so general an insurrection, as to insure the subversion of the present government, and silence all opposition in three or four weeks. . . . It is unknown under what authority this enterprise has been projected, from whence the means of its support are derived, or what may be the intentions of its leaders, in relation to the territory of Orleans. But it is believed that the maritime co-operation will depend on a British squadron from the West Indies, under ostensible command of American masters. . . . This information has recently reached the reporter through several channels so direct and confidential, that he cannot doubt the facts set forth; and, therefore, he considers it his duty to make this representation to the executive by a courier extraordinary, to whom he has furnished five hundred dollars."<sup>32</sup>

In the main, a truthful description of the expedition, except that Wilkinson *knew* who the leaders were. But this was a mere filibuster, nothing treasonable to the United States, except for the vague reference to possible intentions as to New Orleans. To support this official communication, however, Wilkinson sent another, dated October 21st, addressed also to Jefferson, but marked "personal and confidential." Here he unbosomed himself, became truly terrifying, and rose to heights of insinuation, deceit, bombast.

"Although my information appears too direct & circumstantial to be fictitious," he wrote, "yet the magnitude of the Enterprise, the desperation of the Plan, and the stupendous consequences with

which it seems pregnant, stagger my belief & excite doubts of the reality, against the conviction of my senses; and it is for this reason I shall forbear to commit Names, because it is my desire to avert a great public Calamity, & not to mar a salutary design, or to injure anyone undeservedly. I have never in my whole Life found myself in such circumstances of perplexity and Embarrassment as at present; for I am not only uninformed of the prime mover & ultimate Objects of this daring Enterprize, but am ignorant of the foundations on which it rests, of the means by which it is to be supported, and whether any immediate or Colateral *protection*, internal or external, is expected. . . . Should this association be formed, in opposition to the Laws and in defiance of Government, then I have no doubt the revolt of this Territory, will be made an auxiliary Step to the main design of attacking Mexico, to give it a new Master in the place of promised Liberty. Could the fact be ascertained to me, I believe I should hazard my discretion, make the best compromise with Salcedo in my Power, and throw myself with my little Band into New Orleans to be ready, to defend that Capital against usurpation & violence." After which stupendous exposé, the General hesitated, then added a postscript. "Should Spain be disposed to War seriously with us, might not some plan be adopted to correct the delirium of the associates, & by a suitable appeal to their patriotism to engage them in the service of their Country? I merely offer the suggestion as a possible expedient to prevent the Horrors of a civil contest, and I do believe that, with competent authority I could accomplish the object."<sup>33</sup>

This private letter, with its postscript, is truly an astounding production. In one and the same breath, these mysterious conspirators, of whose names and ultimate objects Wilkinson is wholly ignorant, are traitors and villains of the deepest dye, and men on whose patriotism Wilkinson is certain he can rely. A discrepancy that may be explained by the fact that General Wilkinson is still facing two ways. In the body of the letter, his manifest anxiety is clearly to make peace with Spain. But he has not heard as yet from Folch or Salcedo as to his reward for so doing. Should the Spaniards prove indisposed to make him a proper return, then, with Jefferson's consent, he could still ally himself with Burr, hurl himself upon Spain, and proceed as indicated.

But Wilkinson was not through with his furious letter writing. Still a third letter, also "personal and private," went by the same courier, bearing the same date line. In this address to Jefferson, he discloses the real reason for his sudden outburst of accusations. The *Western World*, Kentucky newspaper, had accused him of

being associated with Burr. "I have at times been fearful your confidence might be shaken, by the boldness of the vile Calumnies leveled at me," he whines. He is sending along for Jefferson's inspection "numerous public and private testimonials of Honor & applause"; exercises in laudation, garnered with care from his officers for just such an occasion. Surely Jefferson will read the nice things therein stated about his, Wilkinson's, character, and pay no heed to the libelous *Western World*. In fact, he was even suing that newspaper for defamation, and the truth would come out.<sup>34</sup> Unfortunately there is no record of any such action.

The one sorry thing in this entire business, aside from the obvious Wilkinson, is the picture of Jefferson, who certainly cannot be accused of a lack of intelligence, being taken in by such a fraudulent concoction, in which every line shrieks its glaring inconsistencies. Or was he? Was not Jefferson's willingness to believe every word of Wilkinson as the truth and the gospel a mere pretense? Did he not welcome even the aid of the malodorous Wilkinson, as once he had welcomed that of the ineffable Cheetham, to pursue the victim he had marked for final and definitive destruction? Queries to which the end result may give the answer.

Lieutenant Smith, the courier, left with his assorted despatches and testimonials for Washington on October 22nd. The following day, Wilkinson sent off a despatch to Colonel Freeman, commander in New Orleans, requiring him to rush the completion of all fortifications, and hinting mysteriously at causes "too imperious to be resisted, and too highly confidential to be whispered, or even suspected."<sup>35</sup> Thereby he was certain to start a train of whispered alarm in New Orleans, of which he intended taking later advantage.

Within another few days — perhaps he had heard from Salcedo, and the information had been sufficiently encouraging to decide his course — he commenced his long-postponed march to the Sabine. This was a full month after Herrera had retreated, leaving the disputed area clear of even a solitary enemy. But this knowledge did not prevent Wilkinson from acting the conquering hero. He went in overwhelming force, flags flying, drums beating, scouts spread fanwise before him in the most approved military fashion, stopping at every bush for fear of lurking Spaniards. The rabbits stared, and the squirrels chattered volubly.

On October 29th, he was at the bank of the Sabine. The day before he had sent his conditions to Cordero. The two parties, he requested, should retire to Nacogdoches and Natchitoches respectively, far from the possibility of contact. The Spaniards were to

agree not to cross the Sabine again, and the Americans were to retrace all the steps they had taken with such martial display, and agree to hold the Arroyo Hondo as a boundary inviolate. All the territory between the Sabine and the Arroyo Hondo, in effect, was to become neutral ground. Then, proposed Wilkinson, let the home Governments decide the moot question of boundaries. In short, Wilkinson was giving up everything he had gained, his expedition had been wholly unnecessary, and he had disobeyed specific orders. More, he had assumed diplomatic and plenipotentiary powers for which he had absolutely no authorization.

The Spaniards were more than willing — the proposals were entirely in their favor. If they were surprised, they concealed it admirably. It is impossible to avoid the suspicion that they knew in advance what Wilkinson's moves were going to be. On November 5, 1806, the pact known as the "Neutral Ground Treaty" was signed on the terms proposed, and Wilkinson marched back to Natchitoches, carefully concealing from his troops, however, the fact that any such treaty had been made. The whole arrangement was to become a thing of mystery and doubt for a long time after.

Wilkinson's confidence that Jefferson would uphold his course was not misplaced. On November 8th, three days after the signing of the treaty, and of course without any knowledge thereof, Jefferson wrote him that he was extremely desirous of avoiding conflict with Spain, and that he left it to Wilkinson's discretion to arrange such terms and such boundaries as he could.<sup>36</sup> Wilkinson had simply anticipated him.

As for Salcedo, his elation knew no bounds. "This treaty," he wrote Viceroy Iturrigaray on December 3rd, "insures the integrity of the Spanish dominions along the whole of the great extension of frontier."<sup>37</sup> Irregular, unauthorized, unsanctioned by Congress, the arrangement actually held until 1819, when a final and definitive agreement was reached between the contracting powers. Once more Wilkinson had proved that the laborer is worthy of his hire.

The way was now clear to crush Burr. Wilkinson, back in Natchitoches, declaimed to Cushing, now in New Orleans: "The plot thickens, yet all but those concerned, sleep profoundly. My God! what a situation has our country reached. Let us save it if we can . . . I think officers who have families at Fort Adams should be advised to leave them there, for if I mistake not, we shall have an insurrection of blacks as well as whites." This indeed was a novel touch, intended to excite New Orleans to such a pitch of alarm that it would yield without protest to all of Wilkinson's

measures. "No consideration, my friend," he continued impressively, "of family, or personal inconvenience, must detain the troops a moment longer than can be avoided, either by land or by water; they must come, and rapidly. On the fifteenth of this month, Burr's declaration is to be made in Tennessee and Kentucky; hurry, hurry after me, and if necessary, let us be buried together in the ruins of the place we shall defend."<sup>38</sup> Wild talk, yes — but serving a purpose. Passions must be inflamed to a degree which would leave Burr speechless, should he attempt to confront Wilkinson. If he should be slain in an access of righteous anger, and his mouth stopped forever, so much the better.

On November 12th, he sent another courier to Jefferson — one Isaac Briggs — with more horrendous news. "Many circumstances have intervened since my last, confirmatory of the information received, and demonstrative of a deep, dark and wicked conspiracy." It embraced the "young and old, the Democrat and the Federalist, the native and the foreigner, the patriot of '76 and the exotic of yesterday, the opulent and the needy, the ins and the outs; and I fear it will receive strong support in New Orleans, from a quarter little suspected." Stopping a moment for breath, he added further masterly touches. He expected a descent of 7000 men, and he had only a handful. "We must be sacrificed unless you should be able to succor me seasonably by sea, with two thousand men and a naval armament, to command the mouth of the Mississippi. To give effect to my military arrangements, it is absolutely indispensable New Orleans and its environs should be placed under martial law."<sup>39</sup> There indeed was the root of the matter. Martial law! Himself dictator of Orleans, able to ride roughshod over protesting citizens and Governor Claiborne alike (was Claiborne the "quarter little suspected"?). More, martial law would be an effective way of dealing with Burr on his arrival, a justification of a drumhead trial and summary execution even.

The following day he was whistling another tune. But this was to his confidential friend, Walter Burling, whom he wrote privately to proceed to Mexico "to avail yourself of the present alarm produced by Colonel Burr's projects [engineered by himself], to effect a visit to the city of Mexico by the interior and to return by water, in order to examine both routes, relatively to their practicability and the means of defence the Spaniards possess. I have long been in quest of this information."<sup>40</sup> And with Burling went a passport from Wilkinson, announcing to all and sundry that he was being sent to the Viceroy of Mexico for the purpose of handing him a detailed report of Burr's plans and designs, to wit,

"to carry an expedition against the Territories of his Catholic Majesty, a prince at peace with the United States." Wilkinson was attempting the almost incredible feat of riding three plunging and diverging horses at once!

Over two months later Burling rode into Mexico City and delivered his despatches to the Viceroy, who sent copies along to Spain. "In it you will see," he wrote Cevallos, "that he [Wilkinson] lays great stress on the measures which he has taken, at the risk of his life, fame, and fortune in order to save, or at least to protect this kingdom from the attacks of the insurgents." But the Viceroy had had dealings with the American General, *No. 13* in the Spanish cipher, before. "He finally comes to what I had anticipated," he remarked ironically, "the question of payment for his services. He asks for \$85,000 in one sum, and \$26,000 in another. But, not content with this, he says he considers it just and equitable to be reimbursed for those sums he has been obliged to spend in order to sustain the cause of good government, order, and humanity. Understanding the desires of the General I destroyed his letter, after it had been translated, in the presence of his aide-de-camp." The General becomes positively fascinating in his stupendous audacity as the story unfolds! The Viceroy, amused at these demands, put Burling off with fair words, insinuated that he "wished him happiness in the pursuit of his righteous intentions," and made preparations to return the messenger forthwith to the United States.<sup>41</sup>

Defeated in his modest demands, Wilkinson still was able to make a profit out of the journey. He turned now to Jefferson, whom he had found always most accommodating, sent him a report of conditions in Mexico, purporting to have come from Burling, and requested a modest \$1,500 for the expenses of the exploration. Which Jefferson actually caused to be paid to him.<sup>42</sup>