Alexander Hamilton's
Unfought Duel of 1795

It is a well-known fact that a hundred and fifty years ago this month, on the morning of July 11, 1804, Alexander Hamilton of New York, attorney, former Secretary of the Treasury, and Federalist leader, was mortally wounded in a duel at Weehawken, New Jersey, by Aaron Burr the younger, Vice-President of the United States. It is a much less known fact that some two and a half years earlier, on November 24, 1801, Hamilton's son and first-born, Philip, was killed in a duel on the same spot at Weehawken where his father fell. Considerably less known is the fact that in the summer of 1795, Hamilton père came uncomfortably close to fighting a duel with Commodore James Nicholson.

Not often does the full documentation for a significant historical incident turn up in one's hands, but this was the case several months ago when a little packet of letters was discovered by the writer in an unlikely place in the Library of Columbia University. These fourteen manuscripts revealed the dramatic story of a heated argument in a public place in New York City (location undisclosed), Hamilton's challenge to a "meeting" and Nicholson's acceptance, the evidence of sober second thoughts and a decline of belligerence, and finally the successful endeavors of friends and seconds to avert the duel. The sense of history which prompted Colonel Nicholas Fish to date (even to the exact hour in certain cases), docket, and preserve the letters is something which should not be overlooked.

Biographers of both Hamilton and Nicholson have known of the averted duel and at least two quite different versions of the affair have been published. In Isaac Q. Leake's Memoir of the Life and Times of General John Lamb (Albany, 1857), the quarrel is said to have concerned the Jay Treaty, and the author cites as his informant Solomon Southwick, the Albany editor and politician. The Jay Treaty was indeed the subject of acrimonious discussion at that time,
but was not the immediate cause of the challenge. Using a letter of May 25, 1795, from John Beckley to James Madison, Nathan Schachner in his *Alexander Hamilton* (New York, 1946), concludes that Commodore Nicholson’s loud talk of his “authentic information” on Hamilton’s alleged investment of £100,000 sterling in the British funds was the cause of Hamilton’s challenge. Our documents reveal that Hamilton had interfered in a heated altercation between Nicholson and a “Mr. Hoffman” (probably Josiah Ogden Hoffman, then Federalist leader in the New York Assembly) “to prevent the continuance of a controversy which might lead to disturbance & riot.” Whatever the subject of the altercation was—and it is not disclosed—the remark which occasioned Hamilton’s challenge was a highly personal one: Nicholson’s accusation that Hamilton “had declined an interview [i.e., a duel] upon a former occasion.”

The major participants in the affair are such well-known men that it is hardly necessary even at this day to identify them. Commodore Nicholson, born in Maryland about 1736, had been an enterprising and gallant fighter during the Revolution, and at its end was senior officer of the Continental Navy. In 1795 he was a retired naval captain living in good circumstances on William Street, Manhattan, in a house where the followers of Burr and Jefferson, including his son-in-law Albert Gallatin, were always welcome. When New York celebrated with a joyful parade the ratification of the Federal Constitution in July, 1788, Commodore Nicholson rode through the streets on a float drawn by ten horses which bore a twenty-seven-foot model frigate, fully manned, called the “Federal Ship Hamilton.” In April, 1789, when President Washington was rowed in triumph across New York Bay in a decorated barge to take his oath of office on Wall Street, the Commodore was in command of the barge. Charles O. Paullin, writing of Nicholson in the *Dictionary of American Biography*, says: “He once had a tiff with Alexander Hamilton and the duel that threatened possessed considerable charm for him, now a choleric old man.” For his seconds, Nicholson chose De Witt Clinton (Columbia 1786), a young man just getting his start in politics, and Colonel Brockholst Livingston (Princeton 1774), a learned lawyer, later to be translated to the Supreme Court bench. Within the year, Hamilton had resigned from the United States Treasury and resumed the practice of law at his office-and-home,
56 Pine Street, Manhattan; he had done a brilliant job establishing his country’s finances on a sound basis and was now undertaking to do the same for his personal finances, an enterprise in which he was, it must be said, singularly unsuccessful. For his seconds he selected Colonel Nicholas Fish, a Princeton man and adjutant general of the state, and Rufus King (Harvard 1777), United States Senator from New York.

The full text of the newly discovered documents, printed verbatim, follows:

HAMILTON TO NICHOLSON¹

New York Monday July 20th 1795.

Sir

The unprovoked rudeness and insult which I experienced from you on Saturday leaves me no option but that of a meeting with you, the object of which you will readily understand. I propose to you for the purpose Powlus Hook² as the place and monday next eleven o’clock as the time—I should not fix so remote a day but that I am charged with trusts for other persons which will previously require attention on my part—My friend Col. Fish who is to deliver you this will accompany me.

I am Sir
your humble Servᵗ

A. Hamilton

Commodore Nicholson.

Endorsed: July 20th 95. 1st Note A. Hamilton. to J’s Nicholson

NICHOLSON TO HAMILTON

Sir,

I had the honor of receiving a note from you a few minutes ago by Colo: Fish relative to an altercation that took place between us on Saturday last. On an occasion of this kind I shall certainly not decline your invitation; Its peremptory tenor necessarily precludes any dis-

¹ Hamilton’s retained copy; in the handwriting of Nicholas Fish.
² Now a part of Jersey City. A ferry from the foot of Cortlandt Street, New York, to Paulus Hook had been in operation since 1764.
discussion on my part of the merits of the controversy. The publicity of the affair & the unusual visit of your friend have however unfortunately occasioned an alarm in my family & may produce an inquiry—you will therefore perceive that my situation will be rendered extremely disagreeable unless our interview takes place before that time I have therefore to entreat that it may not be postponed longer then tomorrow morning

I am &c yrs Ja^ Nicholson

N York Monday July 20^th 1795
A. Hambleton Esq

Addressed: Alexd^ Hambleton Esq
Endorsed: July 20^th 1^st Note. J^ Nicholson to Alex^ Hamilton

HAMilton TO NICHOLSON^2

New York July 20^th 1795

Sir

From an observation contained in the first part of your Note, I think it proper to observe that what you stile the peremptoriness of my invitation proceeded from an impression on my part that the nature of what you said to me especially on a certain very delicate point which you cannot but recollect was such as to render it improper in me to invite explanation—At the same time, I think it now due to a reasonable course of conduct to say that I do not decline it if you see in the original transaction room for it.

As to the time named in my first Note, it was fixed for cogent reasons respecting third persons which affect my justice & reputation; so that I am not at liberty to shorten it. I should hope that it will be easy for you to quiet the alarm in your family; and in any event the possible interruptions may be overcome

I am Sir

your humble Serv^c

Alex^ Hamilton

Commodore Nicholson

Endorsed: July 20^th 2^nd Note A. Hamilton to J. Nicholson

^2 Hamilton's retained copy; in the handwriting of Nicholas Fish.
Sir,

In my answer to your first Note I informed you that the peremptory nature of your invitation necessarily precluded an investigation of the merits of the Controversy since any overture on my part to this end might be attributed to the peculiarity of the occasion; to this Sentiment I still adhere. I do however by no means intend to admit that your charges are well founded. The precipitation of your conduct in giving A challenge before requiring an explanation must render you responsible for the consequences.

The reasons assigned for shortening the time were important to me but as you persist in your determination I shall though reluctantly acquiesce being afraid that by this procrastination the business may reach the public Ear.

I am y'r humb: serv*

Ja$ Nicholson

A. Hambleton Esq*
Tuesday 21st July 1795

Addressed: A. Hambleton Esq*
Endorsed: July 21st 2nd Note J$ Nicholson to A. Hamilton

Nicholson to Hamilton

Sir

From the late hour of a Visit from one of our acquaintance & her frequent attempts to get M$ Nicholson alone in the Garden & from the Conversation I had with the Lady in waiting upon her home, I have no doubt on my mind she came to alarm my family of what was likely to take place. I have therefore to insist upon the matter being determined at an early hour this morning (that all further correspondence discontinue) & at a place that our seconds may agree upon.

I am yrs &c

Ja$ Nicholson

Wednesday morn$ 1/2 past 5

A. Hambleton Esq*

Addressed: A. Hambleton Esq*
Endorsed: July 22nd 3rd Note Wednesday Morn$ 6 o'clock From J.N. to A.H.

*The phrase in parentheses is interlined.
Udny Hay to Nicholas Fish

Mr. U. Hay presents his respectful compliments to Col. Fish and requests an interview with him as soon as possible, Mr. Clinton being absent.

Wednesday morning 6 o'clock

Written in pencil: N. 68 John Street
Addressed: Colonel Fish
Endorsed: July 22nd Wednesday 6 o'clock A.M. From Uv Hay to N. Fish

Hamilton to Nicholson

New York July 22nd 1795.

Sir

Your letter of this morning surprises me as one part of it seems to imply that I had been seeking further correspondence between us. this certainly is not the fact. I considered your last letter as closing the business—not did any step originate with me, or that I know of, with any friend of mine for opening anew the discussion.

Measures it is true towards an accommodation have been subsequently in train; but I have had no other agency in the affair than that of meeting them, as I conceive, in a liberal & Gentlemanlike manner.

With this explanation, I shall only add that motives which affect me as an honest Man put it out of my power to abridge the time originally named—that I am sure, if alarms were excited in my family, I could find means to quiet them—that I should take it for granted the same would be equally practicable to you and that in every event I shall be ready to pursue our plan.

As to place I certainly did not mean Paulus Hook as the exact spot—I meant that as a point of rendezvous to proceed thence to some convenient place in the vicinity. But Col. Fish is instructed to arrange with you or your friend any other place out of this State.

\[5\] Lieut. Col. Udny Hay had been deputy quartermaster general of the Middle Department of the Continental Army during the Revolution.

\[6\] Hamilton's retained copy; in the handwriting of Nicholas Fish.
which may be preferred. The reason of the choice of a place out of the State cannot need explanation.

I am Sir

Your humble Serv't

James Nicholson Esq  A. Hamilton

Inserted in another hand: The original of this was delivered to Mr. Clinton at 10 o'clock A. M.

Endorsed: July 22nd 3rd Note Wednesday 10 o'Clock A.M. A.H. to J.N.

Nicholson to Hamilton

New York 22d July—95

Sir, your last letter was handed to me a few minutes ago; if mine to you this morning admits the implication you suspect, I pledge my honour it was not intended—the measures which have been proposed for an accommodation arose, I have no doubt, through the medium of our friends, with none but honourable intentions on either side. As you persist in not altering the hour of our meeting I must rest satisfied

I shall pursue the mode which your & my friend have agreed as best calculated to prevent my family from being alarmed. Should you close your business at an earlier moment then you at present expect, & find it convenient to meet me at an early hour then the one fixed on, you will be pleased to give me notice, & I will immediately attend you.

I am sir, &c

A. Hambleton Esq  James Nicholson

Addressed: Alexd Hamilton Esq

Endorsed: July 22nd 4th Note. J Nicholson to A. Hamilton

De Witt Clinton to Nicholas Fish

New York 25 July 1795

Sir

Some circumstances render it expedient in Mr. Nicholson's mind that Mr. Hamilton and he should each of them be attended by two
friends on Monday next. You will be so obliging as to signify to me Mr. Hamilton's sense of this proposal: If it is not perfectly agreeable to him, it shall not be insisted upon.

I have the honor to be

With great regard

Your humble Servt

Co¹ Fish De Witt Clinton

Addressed: Co¹ Nicholas Fish
Endorsed: July 25th From Dewitt Clinton to Nichs Fish

Although this correspondence has something of an air of unreality for present-day readers, its deadly seriousness is attested by a long letter which Hamilton wrote on Saturday the 25th to his old friend from King's College days, Colonel Robert Troup, a lawyer in New York. Hamilton made Troup the executor of his will, and added sadly: "My concerns are not very extensive and of course will not give you much trouble. Indeed, I might have dispensed with the ceremony of making a will as to what I may myself leave, had I not wished that my little property may be applied as readily and as fairly as may be to the benefit of my few creditors. For after a life of labor I leave my family to the benevolence of others, if my course shall happen to be terminated here."

The next three documents are in Hamilton's handwriting. Since the first duty of the seconds, according to the code of that day, was the endeavor to prevent the duel by honorable means, these men asked Hamilton to draft a statement which would satisfy him, provided the agreement of Nicholson could be obtained. Hamilton's first draft evidently was felt to be too long, fiery, and specific; the second is not only shortened, but altered in tone. The third draft, one long sentence, is cool and diplomatic.

[First Draft of Hamilton's Demands]

M'r Hamilton declares & would repeat that when he interposed in the altercation between M'r Nicholson & M'r Hoffman what he said

¹ The full text of this letter, listing his assets and creditors and giving careful directions as to where his papers can be found, is printed in H. C. Lodge, ed., The Works of Alexander Hamilton (New York, 1885-1886), VIII, 351-354.
was addressed to both & was purely intended without offence to either to prevent the continuance of a controversy which might lead to disturbance & riot

Mr Nicholson replied very harshly to Mr Hamilton that he was not the man to prevent his quarreling called him an Abettor of Tories and used some other harsh expressions which are forgotten.

Mr Hamilton replied that that was not a place for altercation & Mr Nicholson & he would discuss it upon a more fit occasion

Mr Nicholson replied he Mr Hamilton would not pursue the affair for he had declined an interview upon a former occasion

Mr Hamilton replied that no man could affirm that with truth & that he pledged himself to convince Mr Nicholson of his mistake

Here then was clearly a violent offence without provocation

If Mr Nicholson is disposed to accommodation justace & propriety require that he should say

That the subject of offence to Mr Hamilton was the effect of misapprehension & temporary passion—that he does not entertain the opinion which his declaration would seem to imply and that he regrets the pain which it must have given to Mr Hamilton

[SECOND DRAFT]

Mr Nicholson declares that the expressions made use of by him in the first instance which appeared to give offense to Mr Hamilton proceeded from a supposition that Mr Hamilton had interposed in favour of Mr Hoffman and in a manner that implied censure on him—that understanding from Mr Hamilton that he dropped some expressions which indicated that Mr Hamilton had declined an interview upon a former similar occasion Mr Nicholson further declares that he is not conscious nor can he recollect that such expressions dropped him—that however relying on the information he has since received that expressions of such import did escape him he declares that they proceeded from the heat of altercation—that he does not entertain the opinion which they seemed to imply and that he regret the pain which his expressions upon the occasion must have given to Mr Hamilton

Endorsed: Substance of what is required from J. N.
Mr. Nicholson declares that the warmth of the expressions which he recollects to have used to Mr. Hamilton proceeded from a misapprehension of the nature of his interposition in the altercation between Mr. Hoffman & Mr. Nicholson that as to the suggestion alleged to have been made by Mr. Nicholson namely that Mr. Hamilton had declined a former interview he does not recollect and is not conscious of having made it neither did he intend the imputation which it would seem to imply and that if he did make the suggestion he regrets the pain which it must have occasioned to Mr. Hamilton.

On Sunday evening the seconds called on the Commodore with Hamilton's third draft, and before they left he had agreed to the statement without a single verbal change. Fish wrote:

Mr. Nicholson declares that the warmth of the expressions which he recollects to have used to Mr. Hamilton proceeded from a misapprehension of the nature of his interposition in the altercation between Mr. Hoffman & Mr. Nicholson that as to the suggestion alleged to have been made by Mr. Nicholson namely that Mr. Hamilton had declined a former interview he does not recollect and is not conscious of having made it, neither did he intend the imputation which it would seem to imply and that if he did make the suggestion he regrets the pain which it must have occasioned to Mr. Hamilton.

Sunday Evening July 26th 1795 The above declaration was made by Commodore Nicholson in presence of Mr. King, Mr. B. Livingston, Mr. Clinton & myself

N. F.

Endorsed: July 26th 1795 Declaration of Commodore Nicholson

We may assume that the foregoing declaration was shown to Hamilton and accepted by him as satisfying his honor as the injured party. Clinton then wrote out a final statement which all four men signed:

The subscribers having been made acquainted with the correspondence between Mr Hamilton and Mr Nicholson relative to a
controversy that took place between them on Saturday before last, do hereby certify that the same has been settled in a satisfactory and honorable way to both the parties

De Witt Clinton
Nich* Fish
Rufus King
Brockholst Livingston

New York 26 July 1795

Endorsed: Certificate of Dewitt Clinton Nich* Fish B. Livingston & Rufus King

Columbia University

Milton Halsey Thomas