

The Last Duel in Pennsylvania

By T. L. RODGERS*

This recalls a tragedy enacted in Pittsburgh and which culminated in the death of Tarleton Bates in January, 1806. Bates was a young man of great promise and prominent at that time. He was about 28 years of age, and a Virginian by birth. He was prothonotary of the county of Allegheny, which was and is one of the most important county offices, and was one of the leaders of the "Jeffersonian Democracy" of this vicinity. One of his brothers was the afterwards celebrated Edward Bates of Missouri, Attorney-General of the United States during the administration of President Lincoln. Another brother was Frederick Bates, the first Governor of the Territory of Missouri. Bates' antagonist was a young man named Thomas Stewart, about whom little information can be found, except that he was a partner in a small store in Pittsburgh for the sale of dry-goods and groceries. The origin of the trouble leading to this event may be traced to the violent newspaper controversies of that day. The "Democratic", or as it was generally called, "The Republican", party at that time had for several years carried all before it in this state. The "Federalist" party, formerly so strong under the leadership of Washington and Hamilton, who were both dead at the time, was in a state of hopeless collapse. History repeats itself always, and this great success of the party was followed by dissensions within itself. The spoils of office were not sufficient to satisfy all, and a faction whose organ was a paper called "The Commonwealth", was formed in this vicinity. The columns of this sheet teemed with abuse of the regular Jeffersonians, who were styled "Quids". The origin of this designation is wrapped in obscurity.**

The most conspicuous members of the regular Jefferson party in the county at this time, 1804 and 1805, seem to have been Henry Baldwin, Tarleton Bates and Walter Forward, the latter having been editor of the "Tree of Liberty" the regular Democratic organ. Henry Baldwin attained later eminence as Judge of the Supreme Court of

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**(*From quid tertium*, a third something. Dictionary American Politics, p. 335. The Quids were the followers of Randolph, who seceded, not the regulars).

the United States, and Walter Forward also became a great lawyer in after years, and was minister to Denmark at one time. The opposition paper, under the conduct of a young man named Pentland, was unsparing in its attacks on these men, and finally Bates was provoked into making a personal assault on the editor, who promptly sought safety in flight. Bates a day or so afterward, inserted a card in the "Tree of Liberty", of which he was an associate editor, giving his version of the occurrence, and saying that he had been traduced, and also his father and grandfather, so often in the pages of "The Commonwealth" that he had been provoked into correcting "The licentiousness of the press with the liberty of the cudgel". He also stated in his card that the editor had challenged him, but that he would pay no attention to it, as he considered the editor as merely an "apprentice" and of no social standing.

This was not, unfortunately, the end of the matter, for it would appear that the clique of personal and political enemies who had inspired these attacks on Bates and his associates succeeded in putting forward the obscure individual, Stewart, as another challenger in place of the editor. This challenge was accepted, and on the afternoon of January 8, 1806 the parties went out to about where Craft Avenue is now located in Oakland. They were placed at a distance of 12 paces apart, and fought with pistols. The first fire was ineffective, but at the second fire Bates fell, shot through the body, and died within an hour. His friend, Walter Forward, wrote a few days after:

"Thus perished one of the best of men, who by a long series of systematic persecution was drawn to this dreadful fate. The public has lost an invaluable servant, society one of its brightest ornaments, the poor their best friend."

This was high encomium, but was fully deserved. The funeral of Tarleton Bates was attended by the largest assemblage ever seen in Pittsburgh until that time. The interment was in the burying ground of the old Trinity Church, where his remains rest unmarked and unknown. The excitement from this tragic event was intense in this place. Stewart fled to Baltimore and never returned, and another person who it is supposed was his second, and who afterward became a prominent lawyer and politician, found it was necessary to fly for refuge in the house of a friend where he was concealed in a stable or barn for several weeks. As was expressed at the time, "he would have been

torn to pieces" if he had been found on the streets immediately after the duel. A pathetic incident was related to the writer by an aged lady of Pittsburgh. She says her mother often told her of Mr. Bates calling at her house on the morning of the fatal day and bidding the family "good-bye". They expressed great regret, and asked where he was going but he did not answer them. Perhaps he had a presentiment that this was his last journey as it proved to be. On the evening of that day, the last-mentioned lady, Mrs. Sarah Collins, wife of a prominent lawyer here, was at a small dinner party, when the dreadful news came of the tragic death of Tarleton Bates, who was a general favorite in social and business circles of the town. The news was a terrible shock to all present, and explained the mysterious leavetaking of the morning.

Bates' "last will and testament" is on record in the register's office in the court house of Allegheny County, dated January 7, 1806, the day before he was killed and reads as follows:

"This is my last will. I constitute Henry Baldwin, my very dear friend, my sole executor. He is to sell all my estate, real and personal, except my watch. The last I give to him with any money he may be indebted to me. With the proceeds of my estate he is to pay first my debts, and burn my body or at least bury it without any direction. Next to support James at school, to finish his education by the study of law at Litchfield, if there be a sufficiency; otherwise my brother Frederick will make up the deficiency. And my residue is to go to my adored mother. Signed, being written wholly by myself, this 7th day of January, 1806."

There were no witnesses and the paper was found among his effects after his death. On January 11th, John Wood and Thomas Collins testified before Register Samuel Jones that they knew and identified the writing of Bates, and Baldwin was made executor. Tarleton Bates was a high official of the Masonic order in Pittsburgh, and lieutenant of the military company of the city.

Note. According to Appleton's *Cyclopedia of American Biography*, Frederick Bates was appointed by President Jefferson in 1805, first U. S. Judge for the Territory of Michigan, was afterward Secretary of the Territory of Missouri, and was governor of the State from 1824 to 1826.

Edward Bates was a candidate for President in the convention that nominated Lincoln. Vol. i, page 193.

From THE COMMONWEALTH, Pittsburgh,
January 15, 1806.

Duel. The following particulars of the late duel are extracted from *The Pittsburgh Gazette* of yesterday. From motives of delicacy, we decline, *at present*, making any remarks on the subject—reports, however, injurious to the character of the editor, and entirely destitute of foundation, having gone abroad, and been seized upon with avidity, by his political enemies, to blast his reputation—a vindication of his conduct will shortly be given to the public—until then he requests a suspension of public opinion.

Pittsburgh, Jan. 11, 1806

Mr. Scull . . . A friend of the gentlemen who were seconds to Mr. Bates and Mr. Stewart, in the duel which lately occurred, to prevent improper representations of that affair, requests you to insert the following statement, which he believes will be approved of by them both.

A duel took place on Wednesday the 8th inst. between Tarleton Bates, Esq. and Mr. Thomas Stewart, merchant, both of this place. The latter thought proper to require of Mr. Bates an apology for what he considered improper expressions, respecting him, in a publication by Mr. Bates which appeared the day before in the TREE OF LIBERTY. No apology having been made, or agreed to, the parties, each attended by a friend, met near the Monongahela River, three miles from town. Previous to their positions being taken on the ground, the friend of Mr. Stewart mentioned an apology, which would be accepted -- but as it was the same in substance as had been proposed before and as it had been perfectly well understood before the parties went to the ground that no apology would be made by Mr. Bates, he rejected it. The distance (ten steps) was then measured, and the pistols loaded by the seconds in the presence of each other. They each fired twice. In the interval between the first and second fire, no proposition of adjustment was made. The second fire proved fatal to Mr. Bates, who received the ball of his antagonist's pistol, in the upper part of his breast, and expired in an hour.

The behaviour of the principals on the ground was perfectly calm and undaunted, and this unfortunate transaction was conducted in conformity to the arrangements, which had been previously made, and to the strictest rules of honor.