



AP Wirephotos

AARON BURR
A possible precedent

The 1804 Aaron Burr Indictment

Trenton, N.J.

The 1804 New Jersey murder indictment of Vice President Aaron Burr has been found by the State Archives Office, it was announced yesterday.

The document was located after an unidentified congressman asked the Library of Congress for it and the request was relayed here, officials said.

It was unclear whether the document was sought in connection with the grand jury probe that involves Vice President Spiro Agnew

and alleged kickbacks from Maryland contractors. The Burr case, however, often has been cited as a possible legal precedent in connection with possible indictments against Agnew.

The document charges Burr with murder in the death of Alexander Hamilton after the two dueled in Weehawken, N.J., July 11, 1804. In the duel, Hamilton missed, but Burr shot Hamilton in the stomach and he died the next day.

The indictment against Burr was returned by a Bergen county grand jury in the October, 1804, court term, six months before Burr left office as Vice President on March 5, 1805.

The New Jersey indictment of Burr was dismissed in November, 1807, on the basis of an affidavit from Dr. David Hosack of New York. Hosack's statement said that Hamilton died in the doctor's presence in New York City on July 12, 1804. The indictment was based on the assumption that Hamilton died in New Jersey.

The Burr-Hamilton duel arose from the deadly political rivalry of the two men in New York State. Hamilton had served as the first secretary of the Treasury from 1789 to 1795. Burr was replaced as Vice President under Thomas Jefferson by George Clinton.