

Delaware Recommended Curriculum

This unit has been created as an exemplary model for teachers in (re)design of course curricula. An exemplary model unit has undergone a rigorous peer review and jurying process to ensure alignment to selected Delaware Content Standards.

Unit Title: Interpreting the Past – Dueling Documents

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Content Area: Social Studies

Grade Level: 5

Summary of Unit

This unit uses the duel between Alexander Hamilton and Aaron Burr as a case study in which students explore historical thinking and the question *why might there be different (competing) accounts of the same event?*

Overview

Summative Assessment (page 4): Students write and illustrate an “Upside Down” or “Flip Over” book that describes a single event from two different points of view.

- [Lesson 1 – Mean or Misunderstood?](#): Students analyze competing accounts of the *Three Little Pigs* to advance understanding of point of view and evidence.
- [Lesson 2 – Dueling Sounds](#): A bell ringing contest that simulates a duel allows students to experience an event in which point of view may impact interpretations of who won.
- [Lesson 3 – Tragedy at Weehawken](#): Students read a partial account of the duel between Aaron Burr and Alexander Hamilton that sets the stage for a historical investigation (who fired first?).
- [Lesson 4 – Dueling Documents](#): Students unknowingly engage competing eyewitness accounts of the duel between Aaron Burr and Alexander Hamilton.
- [Lesson 5 – Weighing the Evidence](#): Students weigh the evidence relating to the question, did Burr or Hamilton fire the first shot?
- [Lesson 6 – Dueling Images](#): Students use a historical thinking tool to analyze competing images of the duel, and then use the images to corroborate or refute the documentary evidence and their own interpretations.
- Templates for creating [Tiny Two Tale Flip-Over Book](#).

[In the 4–5 cluster, History Standard Three](#) introduces students to the concept that historical accounts of the same event may differ because of either the differences in the evidence cited to support that historian or because different historians are different people with different ways of looking at something. A historian’s point of view influences the sources used to answer questions, which in turn affects conclusions. Students at this level will quickly get the point if you ask them if parents ever get the same story from two siblings about what started an

argument. Who was the last person to use the milk and why is it sitting out on the counter? Or, who left the toothpaste out? Whose turn is it to take the trash out?

The American Revolution provides many possible opportunities to illustrate this aspect of history. On numerous occasions, the British and the Americans disagreed. An account of an event that happened before or during the war would be different depending on which side of the ocean the author lived on. Or, which side the author preferred to emerge victorious, the British or the rebels. The vocabulary used in different accounts often betrays the author's feelings and personal bias. Alert students to look for such words. Historians may try to write unbiased history, but they can never be completely free of the personal factors that influenced their lives.

This unit addresses a number of preconceptions and misconceptions that research involving elementary students suggests are common, for example:

- History is “just a bunch of facts.”
- There is a single truth that we can uncover about past events.
- History textbooks contain factual, authoritative accounts of the past. They also contain the “correct” answers.
- To know something you have to witness it.
- If two historical sources conflict, one is wrong.
- If a historical account contains any bias or point of view, it must be taken with a grain of salt.
- Knowing about the author/creator of a document or image is unimportant.
- Secondary sources are less reliable than primary sources.
- Historical claims *must* be backed up by a lot of supporting evidence.

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Stage 1 – Desired Results
What students will know, do, and understand

Delaware Social Studies Standards

History Standard Three 4-5a: Students will explain why historical accounts of the same event sometimes differ and will relate this explanation to the evidence presented or the point-of-view of the author.

CCSS.ELA-Literacy.RI.5.1

Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text

CCSS.ELA-Literacy.RI.5.4

Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a *grade 5 topic or subject area*.

CCSS.ELA-Literacy.RI.5.6

Analyze multiple accounts of the same event or topic, noting important similarities and differences in the point of view they represent.

Big Ideas

- Interpretation
- Point of view
- Evidence

Essential Question

- Why are there different explanations of the same event in history?

Knowledge and Skills

Students will know...

- How to define point of view and evidence.
- That there are competing accounts of past events.
- That what happened in the past and what appears in historical accounts may be different.
- That much of what appears in history books is interpretation.
- That what is written has much to do with who wrote it and when it was written.

Students will be able to...

- Employ historical thinking in their analyses of historical materials.
- Write about an event from a different point of view.
- Draw inferences from a timeline.
- Critically evaluate historical evidence.
- Weigh and provide evidence in support of a historical interpretation.
- Corroborate and refute different types of evidence.

Stage 2 – Assessment Evidence

Design assessments to guide instruction

Transfer Task

This summative assessment is a transfer task that requires students to use knowledge and understandings to perform a task in a new setting or context.

The assessment and scoring guide should be reviewed with students prior to any instruction. Students should do the assessment after the lessons conclude.

Essential Question Measured by the Transfer Task

- How could there be different explanations of the same event in history?

[Click here for a handout of the Transfer Task.](#)

Rubric

Scoring Category	Score Point 3	Score Point 2	Score Point 1
This product provides...			
different interpretations of the same event (in words).	The account explicitly offers different interpretations of a single event.	The account offers different interpretations of a single event but one or both have to be inferred.	The account offers one interpretation of a single event.
information explaining the characters' different points of view.	The account describes different points of view and explains why each is held.	The account describes different points of view but offers no explanation as to why each is held.	The account describes a single point of view and explains why it is held.
evidence that supports each interpretation.	The account includes easily found evidence that is used convincingly to support different interpretations.	The account includes evidence found with some difficulty and that provides adequate support different interpretations.	The account includes evidence found with some difficulty and that provides adequate support for a single interpretation.
different (competing) illustrations of the same event.	The account effectively communicates different (competing) interpretations of a single event through illustrations.	The account communicates different (competing) interpretations of a single event through illustrations that require considerable inferencing.	The account offers illustrations that communicate a single interpretation of one event.
the use of content-appropriate vocabulary.	The content-appropriate vocabulary is well developed and evident .	There is some evidence of content-appropriate vocabulary.	There is minimal evidence of content-appropriate vocabulary.

Total Score: _____

Above the Standard: 13 – 15 points

Meets the Standard: 11 – 13 points

Below the Standard: 10 or fewer

Lesson 1



Mean or Misunderstood?



Abstract: In this lesson students will examine competing accounts of a well-known tale to develop their understandings of two concepts that are at the heart of History Standard Three, *evidence* and *point-of-view*.

Essential Question: Why are there different explanations of the same event in history?

Materials Needed:

- Copies of [Appendix 1: Dual Concept Developer](#)
- Copies of [Appendix 2: Wolf Character Map](#)
- Copy of the stories *Three Little Pigs* and *The True Story of the 3 Little Pigs*, by Jon Scieszka (or any two stories that offer competing accounts of the same event—see bibliography below).

Vocabulary:

- Point of view – “A way of looking at things” (American Heritage Children’s Dictionary); position from which something is considered or evaluated (American Heritage Dictionary); what a person thinks or believes about something.
- Evidence – “Facts or signs that help one find out the truth or come to a conclusion” (American Heritage Children’s Dictionary); something that provides proof or support.
- Misunderstood – Failure to understand or grasp the nature of something or someone.

Procedures:

1. *Preview the Unit:* Tell students that you are going to begin a new unit and that there are two concepts that are crucial to understanding the standard that is at the heart of the unit. This lesson will introduce and develop those concepts.
2. *Introduce the Benchmark:* Present the standard addressed in this unit: Students will explain why historical accounts of the same event sometimes differ and relate this explanation to the evidence presented or the point of view of the author.
3. *Introduce Terms/Concepts:*
 - a. Write “Point of View” on the board. Ask volunteers to suggest a definition. Offer an example (e.g., Dana is a smart girl). Have volunteers refine their definitions and then offer a valid definition (e.g., see above under Vocabulary).

- b. Write “Evidence” on the board. Ask volunteers to suggest a definition. Offer an example (e.g., Dana’s outstanding grades are evidence that she is a smart girl). Have volunteers refine their definitions and then offer a valid definition (e.g., see above under Vocabulary).
4. *Think-Pair-Share – Dual Concept Developer*: Distribute copies of [Appendix 1 – Dual Concept Developer](#) and project a copy so that you can guide the students through their tasks.
 - a. Part I: Students define the terms *point of view* and *evidence* and offer an example of each. Ask students to share their examples.
 - b. Part II: Tell the students that people often have different points of view about the same person or event, and they usually offer different evidence to support their point of view. Read the example provided (i.e., *Pat’s Performance During a Soccer Match*). Then, have students work with a partner to offer another example. Ask students to share their examples.
5. *Application*: Select (or create) two stories that present different accounts of the same event (see bibliography below). This lesson uses the story of the *Three Little Pigs* and Jon Scieszka’s *The True Story of the 3 Little Pigs* by A Wolf, but there are many alternatives from which you can choose.
 - a. Read Story #1: Ask students if they have ever heard of the story entitled *Three Little Pigs*. Ask a student to summarize and then read the story to ensure that they can complete a Character Map.
 - 1) Distribute copies of [Appendix 2 – Wolf Character Map](#) and project a copy so that you can guide the students through the tasks. Point to the appropriate points on the handout and explain what students are supposed to do—identify the title of the book, author’s point of view, evidence to support that point of view, and summarize by deciding whether the wolf is mean or misunderstood. Take a minute or two to define “misunderstood” (see Vocabulary above). Optional—allow students to draw the wolf in a manner that effectively illustrates the author’s point of view.
 - 2) Have students work in small groups to discuss responses but have each student create their own character map.
 - 3) Review responses to the prompts on the Wolf Character Map.
 - b. Repeat the same steps outlined in Procedure 5a above for Story 2 (*The True Story of the 3 Little Pigs*). [Appendix 2](#) can be used for both stories.
6. *Debrief*: Raise the following questions with the students...
 - a. What is point of view?
 - b. What is evidence?
 - c. Did the authors of the two books have similar or different points of view? Explain.
 - d. How might a writer’s point of view influence his or her conclusions?
 - e. Did the authors of the two books offer similar or different evidence?
 - f. How might the evidence that a person presents influence his or her conclusions?
 - g. Is there a relationship between evidence, point of view, and conclusions? Explain.
 - h. Can you think of any other examples of people having different points of view about the same event or person?

Check for Understanding

Read the following quote then answer the two questions that follow:

The best books ever written are in the Harry Potter series. To date, that series has sold 400 million copies and both children and adults love the books.

Describe a different point of view. What evidence *could* someone offer to support that different point of view?

Rubric

2 – This response gives a valid point of view with accurate and relevant supporting evidence.

1 – This response gives a valid point of view with inaccurate, irrelevant, or no supporting evidence.

Appendix 1

Dual Concept Developer

Part I: Gathering Information - Use the spaces in the chart below to offer definitions and examples of point of view and evidence.

Point of View		Evidence
Definition		Definition
Example		Example

Part II: Extending Information – People can have different points of view about the same person or event. People can also offer different evidence to support those points of view. Look at the example provided below then offer an example of your own.

Example Provided

Topic: <i>Pat's performance during a soccer match.</i>	
Point of View <i>Pat was the star of the game.</i>	Different Point of View <i>Pat did not play very well.</i>
Evidence <i>Pat scored the only goal for the team.</i>	Evidence <i>Pat played badly on defense and allowed the other team to score 2 goals.</i>

Offer an Example of Your Own in the Spaces Below:

Topic:	
Point of View	Different Point of View
Evidence	Evidence

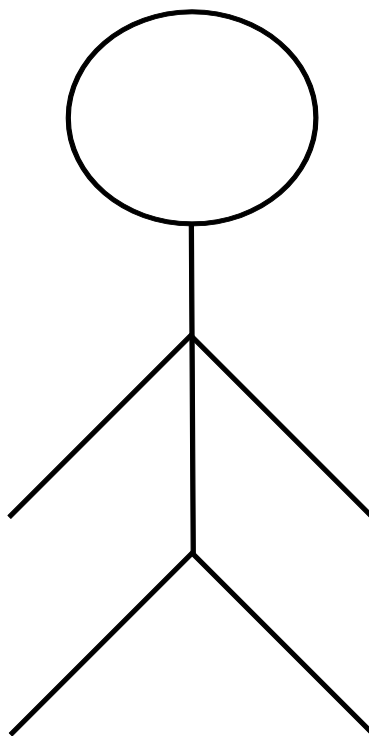
Appendix 2

Wolf Character Map

Describe the WOLF based on...

Title of Story

*What is the author's
point of view toward
the wolf?*



*What evidence
supports this point
of view?*

Draw me to match the author's
point of view.

Interpretation/Conclusion: Is the wolf mean or misunderstood?

Lesson 2

Dueling Sounds

Abstract: This lesson places students in a scenario that builds prior knowledge and prepares students for their encounter with competing accounts of the Burr-Hamilton duel (do not mention the Burr-Hamilton duel at this point). Two pairs of students will compete against each other in a bell-ringing contest or “duel” for a reward that is likely to produce competing or “dual” eyewitness accounts.

Essential Question

- Why are there different explanations of the same event in history?

Materials Needed:

- Two bells or other small, sound-making devices (e.g., whistles).
- Copies of [Appendix 1 – Anticipation/Response Guide](#).
- Large copy of [Appendix 2 – Rules of the Contest](#).

Vocabulary

- Eyewitness, primary source, secondary source

(This lesson assumes that students will have learned the distinction between primary and secondary sources. If not, [visit here](#) for a lesson that develops this understanding.)

Procedures:

1. *Anticipation Guide:* Distribute copies of [Appendix 1 – Anticipation/Response Guide](#) and post or project a copy so that the entire class can see it. Read the instructions while students read to themselves and point to the “Before” section that students are to complete at this phase of the unit. Make it clear that they are to leave the right-hand column labeled “After” blank until later in the unit. Collect their responses and analyze for preconceptions and misconceptions.

Note to Teacher: this Anticipation Guide focuses on historical thinking rather than content relating to the Burr-Hamilton duel as the primary goal of this unit is to advance understanding of what is referred to in *How Students Learn* as “second order, substantive concepts.”

2. *Activity Description:* Tell the students that you are going to have a little competition today involving two students and their partners. The competition involves seeing who can ring a bell first—after receiving permission to do so. Teachers are encouraged to think about who will be involved in this activity prior to implementation. Ideally, you will select two students who are relatively competitive. These two students, who will be the main actors in the activity, will be allowed to select their own partner or “second.” The activity is called “Battle of the Bells.”

The two “parties” you select will be the bell ringers and will compete to see who rings their bell first. Each party will select a “second” person or partner who will work with their partners (bell ringers) as a monitor to make sure that the rules are followed and that the other “party” competes fairly. There will be a very nice prize for the pair that wins the contest (select a prize, e.g., a highly desired piece of candy, and show it to the students. You want to motivate and encourage a keen sense of competitiveness. The prize also establishes an important sense of consequence for losing, which will be important for an upcoming lesson on the Burr-Hamilton duel in which Alexander Hamilton suffers the ultimate consequence. But do not mention the Burr-Hamilton duel connection yet).

3. *Establish and Explain the Rules:* Display [Appendix 2 – Rules of the Contest](#). Tell the students that there are rules that have been set for the contest to make sure that it is conducted fairly and that both participants have a fair chance of winning. Ask volunteers to read and explain the rules, offering clarification when necessary. These “Stipulated” rules are not negotiable.

Note to Teacher: The rules that appear on [Appendix 2](#) are recommended as they mimic rules of dueling and build knowledge for upcoming lessons (the same rules appear below with notes for teachers). These rules also increase the chances that students will arrive at different conclusions.

- a. The “parties” will be seated at desks or tables ___ paces (10 if possible) apart from each other (*make sure that they are far enough apart so that the other pair, especially the second has difficulty witnessing/hearing what happens*).
 - 1) Parties may not ring their bells until AFTER the authorized *second* says “present.”
 - 2) A coin toss will decide which second says “present.”
 - 3) The seconds must stand next to the party who selected them.
 - 4) The party who loses the coin toss has first choice of seats and bells.
 - 5) The “parties” must have their hands on the top of the desk or table and around the bell with one finger above and not touching the bell but ready to press down after the second says “present.” (*Note – this is so that the interval between bell sounds is so brief that it is difficult to distinguish who wins.*)
 - 6) Neither “parties” nor “seconds” may speak to each other after the bells are rung. Each *second* must independently write down what happened and who won.
 - 7) Only one round of bell ringing is allowed and the seconds must decide who wins (NO ties).
4. *Conduct the Contest:* Arrange for the contest to be outside of the eyes of the rest of the class (e.g., in the hallway, another classroom, etc.) so that only the parties and seconds can witness what happens. Logically, you may want to have a parent helper or colleague supervise the contestant-pairs. The point is that the activity will work best if only the seconds are able to witness and report on what happened. The adult supervisor should not come back into the classroom so that there is not even the slightest opportunity to corroborate or refute the seconds’ accounts.

Alternate Strategy: If there are issues with the idea of sending students out of the room, ask the rest of the class to turn their tables or chairs around so that they cannot see what happens. The risk with this option, however, is that the rest of the class will hear the direction from which bell sounds come rather than relying on eyewitness accounts from the “seconds.” Ideally, the class should be restricted to drawing conclusions from the “seconds” accounts.

Send the pairs out for the contest. The seconds should have a piece of paper and a pencil or pen. As soon as the “Battle of the Bells” ends, the “parties” must give up their seats to the seconds who must then write down what happened and who won the contest. The “party” and his or her “second” may speak to each other in “library voices” but must not speak with the other pair. As soon as they are finished they must return to the classroom, and the second must deliver the written account to the teacher.

5. *Classroom Discussion (while contestants are competing):* The teacher should lead the students in a discussion that focuses on the following questions while the contestants are competing in the hallway:
 - a. Who do you predict will win the contest? Why?
 - b. Do you think the “seconds” share the same point of view? Why?
 - c. Do you think the “seconds” will agree on what happened—who won? Why?
 - d. What do you predict will be each “second’s” conclusion? Why?
 - e. Do the rules of this contest ensure that the seconds will be able to see and hear accurately what goes on? Explain.
6. *Read “Eyewitness” Accounts:* Have the seconds return to the classroom and read their accounts to the class. Ask another student to summarize after each account is read.

Note to Teacher: There are two different outcomes (do not allow ties) that will require two different procedures.

Outcome 1 – Seconds Agree Who Won

Procedure – whole-class discussion.

- Is this what you predicted after the parties and seconds left the room? Did we expect the seconds to agree?
- What is the likelihood that other people in the same situation would always agree?
- Explore the counter-factual. Ask students, what if the seconds came back with two different accounts?
- Why *might* two seconds disagree about who rang the bell first?

Outcome 2 – Seconds Disagree About Who Won

Procedure – follow the steps enumerated below.

1. *Seconds Defend Positions:* Invite the *seconds* to explain and defend their version of events.
2. *Whole-Class Discussion:*
 - a. Which pair of contestants earned the award for winning the “Battle of the Bells?”
 - b. Do those of us who remained in class know definitely what happened?
 - c. Did the “Battle of the Bells” occur in the past, present, or future? (*A seemingly odd question, but one that highlights the fact that the battle is grounds for historical investigation because it happened in the past.*)
 - d. Do you think that the “seconds” eyewitness accounts of the bell contest are similar or different to the accounts that appear in history textbooks (i.e., are they “facts” or interpretations)? Explain.
 - e. If _____ (name one of the seconds) was the author of a history textbook, what would that textbook say about the “Battle of the Bells?” What would _____ (name other second) say if he wrote that textbook instead of _____ (other second)? Why would there be differences?
 - f. How should we be reading our history textbooks—as if they are facts that cannot be challenged or as if they are interpretations that can be challenged?
 - g. What are some questions you should be asking of your textbook as you read it (e.g., who was/were the author(s), do they have any obvious biases, what is their point of view, what evidence do they provide, are there other sides of the story, etc.)?
 - h. Can we determine what actually happened in situations like this when we encounter two different accounts of the past? How?
3. *Anticipation/Response Guide (formative assessment):* Have students revisit [Appendix 1 – Anticipation/Response Guide](#). Have them reflect on what they learned in this lesson by filling in Agree or Disagree in the column just to the right of each statement labeled “Response After Lesson 2.” Have students share any revisions in their thinking. Collect and save the Guides for re-use at the end of the unit in Lesson 6.

Check for Understanding (Error Correction)

A student in class says “history is just a bunch of facts.”

- ❖ How would you correct that student if you were his or her teacher? Explain your answer.

Rubric

- 2 – This response gives a valid correction with an accurate and relevant explanation.
- 1 – This response gives a valid correction with an inaccurate, irrelevant, or no explanation.

Appendix 1

Anticipation/Response Guide

Name: _____

Directions: In the left-hand column labeled **Answer Before Instruction**, place the letter “A” next to any statement with which you agree. Do not write in the right-hand columns until your teacher tells you to.

Pre		Formative	Summative
Answer before instruction.	Topic: History	Response after Lesson 2.	Response after the Unit.
	History is the study of facts about the past.		
	History textbooks have the correct answers to questions that people may ask about the past.		
	If there are differences between what one history textbook says and what another history textbook says, one of the textbooks is wrong.		
	It does not matter who writes a history book as long as the author is a historian.		
	We know what happened long ago because of what eyewitnesses tell us happened.		
	Primary sources tell us what actually happened in the past.		

Adapted from Doty, Jane K., Cameron, Gregory N, and Barton, Mary Lee. (2003) *Teaching Reading in Social Studies*. McREL. Aurora, CO.

Appendix 2

Rules – Battle of the Bells

Stipulated Rules

1. The “parties” will be seated at desks or tables that are placed ____ paces apart from each other.
2. Parties may not ring their bells until AFTER the authorized second says “present.”
3. A coin toss will decide which second says “present.”
4. The seconds must stand next to the party who selected them. The party who loses the coin toss has first choice of the seat and bell.
5. The “parties” must have their hands face down on the top of the desk or table and around the bell with one finger on top of the bell so that it is prepared to press down after the second says “present.”
6. The “parties” and “seconds” may not speak to each other after the bells are rung. Shortly after the bells ring, each second must independently write down what happened and who won.
7. Only one round of bell ringing is allowed and the seconds must decide who wins (NO ties).

Lesson 3



Tragedy at Weehawken



Abstract: In this lesson students read a story about the tragic duel between Aaron Burr and Alexander Hamilton to learn how even eyewitnesses may offer different accounts of the past.

Essential Question

- Why are there different explanations of the same event in history?

Materials Needed

- Copies of [Appendix 1 – Thinking Chronologically](#)
- Copies of [Appendix 2 – “Tragedy at Weehawken”](#)

Vocabulary

- Point of view, despicable, rival, honor

Procedures

Warm-Up (optional): Problematic Situation (Vaca & Vaca, 1993) – present students with the following situation. Ask them to work in small groups to generate possible solutions. List solutions and discuss why each one would be good solution. Pick one that seems to be the best solution.

Situation:

You are good friends with someone who is thinking about getting into a fight. Your friend was called a terrible name. What steps would you take to prevent the fight?

Have groups share their best solution and explain why it is best.

1. *Preview the Lesson:* Tell students that they are going to read about a tragic event that happened over 200 years ago involving two distinguished lawyers who served with distinction in the War for Independence and in various state and federal offices after the war.
2. *Think-Pair-Share:* Distribute copies of [Appendix 1 – Thinking Chronologically](#). Ask students to read through the timeline that appears on Appendix 1 and then discuss the three questions at the bottom with a partner. Invite volunteers to share their responses after the pairs have had time to discuss.

Questions

- How would you describe the relationship between Aaron Burr and Alexander Hamilton?
- What do you think would be Burr’s point of view toward Hamilton by 1804?
- What do you think would be Hamilton’s point of view toward Burr by 1804?

3. *Pre-Reading Prediction:* Write the following words on the board:
 - Morning, rowed, vice president, treasurer, duel, despicable, honorTell the students that they are going to read a story today. Ask students to use the words to write 2-3 sentences in which they predict what the story will be about. They do not have to use all of the words.
4. *Distribute Copies* of [Appendix 2 – Tragedy at Weehawken](#). Read it aloud while students follow along. Pause to explain sections that may require clarification.
5. *Summarize:* Ask a student to summarize the reading.
6. *Revise Predictions:* Have students revise their pre-reading predictions if the original prediction was wrong.
7. *Extend Thinking and Set the Stage for the Next Lesson:* Ask the following questions:
 - Who fired the first shot – Hamilton or Burr? (*Story does not say*)
 - How might we find out? (*For teachers: four people witnessed the duel—the two seconds, Pendleton and Van Ness; Aaron Burr; and Alexander Hamilton who slipped in and out of consciousness for a day before passing away on July 12.*)

For the Teacher

Students will read one of two, competing eyewitness accounts of the duel in the next lesson. BUT, do not share this because you will want the students to think that they are all reading the same account.

Debrief

Tell students that dueling was not uncommon at the turn of the 19th Century. Even though it was illegal, it was rarely punished. In fact, they were viewed as somewhat acceptable “affairs of honor.” Over time, Americans came to view dueling as barbaric. The practice died out by the end of the 19th Century.

Appendix 1

Thinking Chronologically

Directions: Read through the timeline that appears below and then be able to answer the questions that follow.

1789

Aaron Burr accepts a position as Attorney General for New York after supporting Alexander Hamilton's candidate. Hamilton questions Burr's principles. (Ellis 40)

1791

President George Washington appoints Alexander Hamilton to be Treasurer of the United States. Aaron Burr defeats Hamilton's wealthy father-in-law for a U.S. Senate seat from NY. Burr opposes Hamilton's economic plan as a Senator. (Ellis 40-41)

1792

Alexander Hamilton urges people not to vote for Aaron Burr when he runs for the Office of Vice President. Burr lost. (Ellis 41)

1794

Alexander Hamilton blocks Aaron Burr's nomination as American minister to France. (Ellis 41)

1800

Aaron Burr published a document written by Alexander Hamilton that is highly critical of his fellow Federalist, President John Adams. The document was never intended for public viewing and causes Hamilton a great deal of embarrassment.

The Presidential election of 1800 ends in a tie between two Republicans—Thomas Jefferson and Aaron Burr. Federalist Alexander Hamilton convinces his fellow Federalists to support Republican Thomas Jefferson. Jefferson defeats Burr. (Ellis 41)

1804

Alexander Hamilton urges people not to vote for Aaron Burr when he runs for governor of New York. Burr loses. (Ellis 41)

Questions

1. How would you describe the relationship between Aaron Burr and Alexander Hamilton?
2. What do you think would be Burr's point of view toward Hamilton by 1804?
3. What do you think would be Hamilton's point of view toward Burr by 1804?

Appendix 2

The Story: Tragedy at Weehawken



Aaron Burr



Alexander Hamilton

At around 5:00 on the morning of July 11, 1804, the Vice-President of the United States and a former Treasurer of the United States were rowed in separate boats across the Hudson River from New York City to a secret location on cliffs near Weehawken, New Jersey. The Vice-President was 48-year-old Aaron Burr. The former Treasurer was the Vice-President's longtime rival Alexander Hamilton. The two men went to Weehawken to duel. Burr challenged Hamilton to a duel after he read an article that said Hamilton held a "despicable opinion...of Mr. Burr." Since Burr challenged Hamilton, Hamilton got to select the weapons that would be used in the duel. He chose pistols.

Both Hamilton and Burr brought a "second" or trusted friend. The seconds' responsibilities were to make sure that each man followed the rules for dueling and to help their friends if they were wounded. Alexander Hamilton brought Nathaniel Pendleton, while Vice-President Burr brought William Van Ness.

The two seconds were the only people to witness the duel because dueling was illegal. The men who rowed Hamilton and Burr as well as a doctor David Hosack who went in case of injuries had to stay below in the rowboats so that they could state honestly that they did not witness the duel and, therefore, not be able to testify against the duelists if they were charged with a crime. Sadly, even though duels were illegal in most states in 1804, they were not uncommon. Wealthy men, in particular, thought that dueling was the only way to defend their honor when that honor was seriously attacked.

Following the rules for dueling, Aaron Burr and Alexander Hamilton stood 10 paces apart. Moments after the authorized second said "present," shots rang out. Alexander Hamilton was hit on his right side and died the next day.

Lesson 4

Dueling Documents

Abstract: In this lesson students split into two groups with each given the task of analyzing competing eyewitness accounts of the Burr/Hamilton duel. The students will not know that they are reading competing accounts written by the seconds in the duel. Their task is to determine what happened in the interval between receiving instructions to “present” and the discharge of weapons. The students will then pair off to jigsaw conclusions and debate (or duel) the question: which historical source is “best.”

Essential Question

- Why are there different explanations of the same event in history?

Materials Needed

- Copies of Appendix – [DOCUMENT \(Excerpted Version\)](#): Statement of Aaron Burr’s second
- Copies of Appendix – [Document \(Excerpted Version\)](#): Statement of Alexander Hamilton’s second
- One copy of [Appendix 1 – Bulls-Eyed Version of Pendleton’s Statement](#)
- One copy of [Appendix 2 – Bulls-Eyed Version of Van Ness’s Statement](#)
- Tape and Pencil
- Copies of [Appendix 3 – Graphic Organizer – Duel Interpretations](#)

Note: Complete versions of both documents are provided for the teacher.

- [DOCUMENT \(Complete Version for Teacher\)](#)
- [Document \(Complete Version for Teacher\)](#)

Vocabulary

- Duel, second, eyewitness, account, “holes in the evidence”

Procedures

1. *Jigsaw:* Tell students that they are going to read an eyewitness account of the duel between Aaron Burr and Alexander Hamilton. Split the class into equal halves. Place students in both halves into groups of 3–4. Distribute the handout entitled “[DOCUMENT](#)” (upper case) to one-half of the groups and [Document](#) (lower case) to the other half, making sure that an equal number of students get each of the two documents. The documents are labeled with capital/lower case lettering to distinguish them for the teacher and to conceal the differences from the students. You will want students to assume that they are getting the same document. Try to seat the students with competing documents far enough apart to reduce the likelihood that their conversations will be overheard by those with competing documents.
2. *Reading Buddies:* Pair more with less accomplished readers. Have the students read, analyze, and discuss the document they are given. Ask the students to demonstrate comprehension of the document by writing a brief description of what happened on July 11,

1804, in their own words. Tell them to include information relating to the following question: *who fired the first shot?*

3. *Pair-Share*: Couple the students who analyzed the handout entitled “DOCUMENT” (capital letter account) with a student who analyzed the competing “Document” (lower case account). Ask each of the two students in the paired groups to read their descriptions of what happened on July 11, 1804, to the person with whom they are now sitting.

After the students share and respond to each other’s descriptions ask:

- Were your descriptions similar or different? (*They contain competing accounts of the same event*) Why? (*They read different sources*)
 - Who authored each document? What do you know or what can you infer about each author? (*Pendleton was Hamilton’s friend and his second at the duel with Burr; Van Ness was Burr’s friend and his second at the duel with Hamilton*)
 - How would you define the term *point of view*?
 - What was Mr. Van Ness’s point of view?
 - What was Mr. Pendleton’s point of view?
 - Why might there be two different accounts of the Burr-Hamilton duel?
4. *Dueling Documents*: Tell the pairs that they are now going to play a game of Dueling Documents in which their “duel” focuses on deciding which source is “best.” Explain that they have excerpted reproductions of two primary source documents. Their task is to decide which document should win the document duel (or be considered more accurate). Ask them to discuss the following questions as they decide which document wins the duel:
 - a. Which document won the duel and why?
 - b. Is one source “better” than the other?
 - c. What might make one piece of historical evidence “better” than another?
 - d. What might make one account of the past better than another?
 - e. Which account of the Burr-Hamilton duel should appear in our history textbooks? Why?
 5. “*Holes in the Evidence*”

Ask students what it means when someone says that there are “holes in a story?” (*The story is suspect*) Tell students that evidence, just like stories, can have holes in them and that the class is now going to play a game of “Holes in the Evidence.”

Ask the two students who played the role of “seconds” in the Battle of the Bells to come up to the front of the room. Give one of the students [Appendix 1](#) with a piece of tape. Give the other student [Appendix 2](#) with a piece of tape. Ask the two students to stand back-to-back then count off 10 (small based on room size) paces. Ask them to tape their documents on the chalkboard (or wall) where they complete their 10 paces then return to their seats.

Write *Pendleton* or *Hamilton’s Second* under [Appendix 1](#). Write *Van Ness* or *Burr’s Second* under [Appendix 2](#). Draw attention to the bulls-eyes on each document.

Remind students that the overarching question in this lesson is *who fired first*—Burr or Hamilton. Write the question, “*Which piece of evidence (or document), if either, has holes in it and why?*” in large letters between the two documents. Tell the students that you now want them to offer reasons why one document has holes in it, i.e., is less believable or not as

“good” as the other in terms of answering the question, “what happened at Weehawken on July 11, 1804.” If a student offers a compelling challenge to one of the documents, use a pencil to place a dot symbolizing a hole on the bulls-eye in the document the student critiqued (pencil recommended in case another student effectively refutes the challenge to the document). If the reason is not as compelling, place a hole outside the bulls-eye symbolizing a less accurate “shot.” The further from the bulls-eye, the less persuasive the argument. Once the students exhaust reasons, decide which document loses the document duel.

6. *Debrief:* Ask:

- a. Why might historians arrive at different conclusions about the past? *(Explain that history is filled with different interpretations. One reason for the different interpretations is that historians often rely on different pieces of evidence to construct their accounts. Another is that people have different points of view that are influenced by factors such as friendships, shared beliefs e.g. political, shared opinions, e.g., about other individuals.)*
- b. Knowing that there can be different interpretations of the past, what are some questions you should be asking of any historical account or piece of historical evidence (e.g., a document) as you read/interrogate it?
- c. What makes some pieces of evidence stronger than other pieces of evidence?

Further explain that most accounts of the past involve interpretations built on evidence that varies in strength. To think historically involves questioning texts, including their textbooks and encyclopedias, rather than accepting them as facts.

Check for Understanding

- ❖ Distribute copies of [Appendix 3 – Graphic Organizer – Duel Interpretations](#) and have students fill in information that responds to the prompts in the 4 boxes.
- ❖ Paper Thoughts: Have students read an excerpt from a history textbook and record what they are thinking as they read. Check to see if they are interrogating the text 😊 or treating it as authoritative 😞.

DOCUMENT

(Excerpted Version for Students)

...Mr. P[endleton] expressed a confident opinion that General Hamilton did not fire first – and that he did not fire at all at Col. Burr...

General Hamilton’s friend thinks it to be a sacred duty...to publish to the world such facts and circumstances as have produced a decisive conviction in his own mind. That he cannot have been mistaken in the belief he has formed on these points.

1st. General Hamilton informed Mr. P[endleton]...he had made up his mind *not to fire at Col. Burr the first time, but to receive his fire, and fire in the air.*

2^d. His last words before he was wounded he was asked if he would have the hair spring set? His answer was, “*Not this time.*”

3rd. After he was wounded, and laid in the boat, the first words he uttered: “*Pendleton knows I did not mean to fire at Col. Burr the first time.*”

5th. The pistol that had been used by General Hamilton...after having been some time in the boat, one of the boatmen took hold of it to put it into the case. General Hamilton observed this, said “Take care of that pistol – it is cocked. It may go off and do mischief.” This shews he was not sensible of having fired at all.

6. Mr. P[endleton]...determined to go to the spot where the affair took place, to see if he could not discover some traces of the course of the ball from Gen. Hamilton.

He took a friend with him the day after General Hamilton died, and after some examination they fortunately found what they were in search of. They ascertained that the ball passed through the limb of a cedar tree, at an elevation of about twelve feet and a half, perpendicularly from the ground, between thirteen and fourteen feet from the mark on which General Hamilton stood, and about four feet wide of the direct line between him and Colonel Burr, on the right side; The part of the limb through which the ball passed was cut off and brought to this city,

Statement by Nathaniel Pendleton
Alexander Hamilton’s Second
July 19, 1804 (Hamilton: Writings);
July 16, 1804 (Freeman p 192)

Document

(Excerpted Version for Students)

...it becomes proper for the gentleman who attended Col Burr to state also his impressions with respect to those points on which their [sic] exists a variance of opinion.

The parties met...& took their respective stations as directed: the pistols were then handed to them by the seconds. Gen Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but the direction of the light renders it necessary, at the same time feeling his pockets with his left hand, & drawing forth his spectacles put them on. The second asked if they were prepared which was replied to in the affirmative. The word present was then given, on which both parties took aim. The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening. On this point the second of Col Burr has full & perfect recollection. He noticed particularly the discharge of G H's pistol, & looked at Col B on the discharge of G H's pistol he perceived a slight motion in his person, which induced the idea of his being struck. On this point he conversed with his principal on their return, who ascribed that circumstance to a small stone under his foot, & observed that the smoke of G H's pistol obscured him for a moment in the interval of their firing.

Statement by William P. Van Ness
Aaron Burr's Second
July 21, 1804 (Hamilton: Writings p 1031);
July 17, 1804 (Freeman 192)

Teacher Resource 1

DOCUMENT (Complete Version for Teacher)

The Statement containing the facts that led to the interview between General Hamilton and Col. Burr, published in the Evening Post on Monday, studiously avoided mentioning any particulars of what past at the place of meeting. This was dictated by suitable considerations at the time, and with the intention, that whatever it might be deemed proper to lay before the public, should be made the subject of a future communication. The following is therefore now submitted.

In the interviews that have since taken place between the gentlemen that were present, they have not been able to agree in two important facts that passed there – for which reason nothing was said on those subjects in the paper lately published as to other particulars in which they were agreed.

Mr. P. expressed a confident opinion that General Hamilton did not fire first – and that he did not fire at all at Col. Burr. Mr. V. N. seemed equally confident in the opinion that Gen. H. did fire first – and of course that it must have been at his antagonist.

General Hamilton's friend thinks it to be a sacred duty he owes to the memory of that exalted man, to his country, and his friends, to publish to the world such facts and circumstances as have produced a decisive conviction in his own mind. That he cannot have been mistaken in the belief he has formed on these points.

1st. Besides the testimonies of Bishop Moore, and the paper containing an express declaration, under General Hamilton's own hand, enclosed to his friend in a packet, not to be delivered but in the event of his death, and which have already been published, General Hamilton informed Mr. P. at least ten days previous to the affair, that he had doubts whether he would not receive and not return Mr. Burr's first fire. Mr. P. remonstrated against this determination, and urged many considerations against it. As dangerous to himself and not necessarily in the particular case, when every ground of accommodation, not humiliating, had been proposed and rejected. He said he would not decide lightly, but take time to deliberate fully. It was incidentally again at their occasional subsequent conversations, and on the evening preceding the time of the appointed interview, he informed Mr. P. he had made up his mind *not to fire at Col. Burr the first time, but to receive his fire, and fire in the air.* Mr. P. again urged his upon this subject, and repeated his former arguments. His final answer was in terms that made an impression on Mr. P's mind which can never be effaced. "My friend, it is the effect of a RELIGIOUS SCRUPLE, and does not admit of reasoning, it is useless to say more on the subject, as my purpose is infinitely fixed."

2^d. His last words before he was wounded afford a proof that this purpose had not changed. When he received his pistol, after having taken his position, he was asked if he would have the hair spring set? His answer was, "*Not this time.*"

3rd. After he was wounded, and laid in the boat, the first words he uttered after recovering the power of speech, were, (addressing himself to a gentleman present, who perfectly well remembers it) "*Pendleton knows I did not mean to fire at Col. Burr the first time.*"

4th. The determination had been communicated by Mr. P. to that gentleman that morning, before they left the city.

5th. The pistol that had been used by General Hamilton, lying loose over the other apparatus in the case which was open; after having been some time in the boat, one of the boatmen took hold of it to put it into the case. General Hamilton observed this, said "Take care of that pistol – it is cocked. It may go off and do mischief." This is also remembered by the gentleman alluded to.

This shews he was not sensible of having fired at all. If he had fired previous to receiving the wound, he would have remembered it, and therefore have known that the pistol could not go off; but if afterwards it must have been the effect of an involuntary exertion of the muscles produced by a mortal wound, in which case, he could not have been conscious of having fired.

6. Mr. P. having so strong a conviction that if General Hamilton had fired first, it could not have escaped his attention (all his anxiety being alive for the effect of the first fire, and having no reason to believe the friend of Col. Burr was not sincere in the contrary opinion) he determined to go to the spot where the affair took place, to see if he could not discover some traces of the course of the ball from Gen. Hamilton.

He took a friend with him the day after General Hamilton died, and after some examination they fortunately found what they were in search of. They ascertained that the ball passed through the limb of a cedar tree, at an elevation of about twelve feet and a half, perpendicularly from the ground, between thirteen and fourteen feet from the mark on which General Hamilton stood, and about four feet wide of the direct line between him and Colonel Burr, on the right side; he having fallen on the left. The part of the limb through which the ball passed was cut off and brought to this city, and is now in Mr. Church's possession.

No inferences are pointed out as a result from these facts, nor will any comments be made. They are left to the candid judgment and feelings of the public.

Statement by Nathaniel Pendleton (AH's Second)
July 19, 1804 (Hamilton: Writings);
July 16, 1804 (Freeman p 192)

Source: Alexander Hamilton: Writings. (2001) Library of America. New York.

Teacher Resource 2

Document (Complete Version for Teacher)

The second of G H having considered it proper to subjoin an explanatory note to the statement mutually furnished, it becomes proper for the gentleman who attended Col Burr to state also his impressions with respect to those points on which their [sic] exists a variance of opinion. In doing this he pointedly disclaims any idea disrespectful of the memory of G H, or an intention to ascribe any conduct to him that is not in his opinion perfectly honorable and correct.

The parties met as has been above related & took their respective stations as directed: the pistols were then handed to them by the seconds. Gen Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but the direction of the light renders it necessary, at the same time feeling his pockets with his left hand, & drawing forth his spectacles put them on. The second asked if they were prepared which was replied to in the affirmative. The word present was then given, on which both parties took aim. The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening. On this point the second of Col Burr has full & perfect recollection. He noticed particularly the discharge of G H's pistol, & looked at Col B on the discharge of G H's pistol he perceived a slight motion in his person, which induced the idea of his being struck. On this point he conversed with his principal on their return, who ascribed that circumstance to a small stone under his foot, & observed that the smoke of G H's pistol obscured him for a moment in the interval of their firing.

When G H fell Col B advanced toward him as stated & was checked by his second who urged the importance of his immediately repairing to the barge, conceiving that G H was mortally wounded, & being desirous to secure his principal from the sight of the surgeon & bargemen who might be called in evidence. Col B complied with his request.

He shortly followed him to the boat, and Col B again expressed a wish to return, saying with an expression of much concern, I must go & speak to him. I again urged the obvious impropriety stating that the G was surrounded by the Surgeon & Bargemen by whom he must not be seen & insisted on immediate departure.

Statement by William P. Van Ness
July 21, 1804 (Hamilton: Writings p 1031);
July 17, 1804 (Freeman 192)

Source: Alexander Hamilton: Writings. (2001) Library of America. New York.

Appendix 1

Statement of Alexander Hamilton's Second – Nathaniel Pendleton

The Statement containing the facts that led to the interview between General Hamilton and Col. Burr, published in the Evening Post on Monday, studiously avoided mentioning any particulars of what past at the place of meeting. This was dictated by suitable considerations at the time, and with the intention, that whatever it might be deemed proper to lay before the public, should be made the subject of a future communication. The following is therefore now submitted.

In the interviews that have since taken place between the gentlemen that were present, they have not been able to agree in two important facts that passed there – for which reason nothing was said on those subjects in the paper lately published as to other particulars in which they were agreed.

Mr. P. expressed a confident opinion that General Hamilton did not fire first – and that he did not fire at all at Col. Burr. Mr. V. N. seemed equally confident in the opinion that Gen. H. did fire first – and of course that it must have been at his antagonist.

General Hamilton's friend thinks it to be a sacred duty he owes to the memory of that exalted man, to his country, and his friends, to publish to the world such facts and circumstances as have produced a decisive conviction in his own mind. That he cannot have been mistaken in the belief he has formed on these points.

1st. Besides the testimonies of Bishop Moore, and the paper containing an express declaration, under General Hamilton's own hand, enclosed to his friend in a packet, not to be delivered but in the event of his death, and which have already been published, General Hamilton informed Mr. P. at least ten days previous to the affair, that he had doubts whether he would not receive and not return Mr. Burr's first fire. Mr. P. remonstrated against this determination, and urged many considerations against it. As dangerous to himself and not necessarily in the particular case, when every ground of accommodation, not humiliating, had been proposed and rejected. He said he would not decide lightly, but take time to deliberate fully. It was incidentally again at their occasional subsequent conversations, and on the evening preceding the time of the appointed interview, he informed Mr. P. he had made up his mind not to fire at Col. Burr the first time, but to receive his fire, and fire in the air. Mr. P. again urged his upon this subject, and repeated his former arguments. His final answer was in terms that made an impression on Mr. P's mind which can never be effaced. "My friend, it is the effect of a RELIGIOUS SCRUPLE, and does not admit of reasoning, it is useless to say more on the subject, as my purpose is infinitely fixed."

2d. His last words before he was wounded afford a proof that this purpose had not changed. When he received his pistol, after having taken his position, he was asked if he would have the hair spring set? His answer was "Not this time."

3rd. After he was wounded, and laid in the boat, the first words he uttered after recovering the power of speech, were, (addressing himself to a gentleman present, who perfectly will remembers it) "Pendleton knows I did not mean to fire at Col. Burr the first time."

4th. The determination had been communicated by Mr. P. to that gentleman that morning, before they left the city.

5th. The pistol that had been used by General Hamilton, lying loose over the other apparatus in the case which was open, after having been some time in the boat, one of the boatmen took hold of it to put it into the case. General Hamilton observed this, said "Take care of that pistol – it is cocked. It may go off and do mischief." This is also remembered by the gentleman alluded to. This shows he was not sensible of having fired at all. If he had fired previous to receiving the wound, he would have remembered it, and therefore have known that the pistol could not go off, but if afterwards it must have been the effect of an involuntary exertion of the muscles produced by a mortal wound, in which case, he could not have been conscious of having fired.

6. Mr. P. having so strong a conviction that if General Hamilton had fired first, it could not have escaped his attention (all his anxiety being alive for the effect of the first fire, and having no reason to believe the friend of Col. Burr was not sincere in the contrary opinion) he determined to go to the spot where the affair took place, to see if he could not discover some traces of the course of the ball from Gen. Hamilton.

He took a friend with him the day after General Hamilton died, and after some examination they fortunately found what they were in search of. They ascertained that the ball passed through the limb of a cedar tree, at an elevation of about twelve feet and a half, perpendicularly from the ground, between thirteen and fourteen feet from the mark on which General Hamilton stood, and about four feet wide of the direct line between him and Colonel Burr, on the right side; he having fallen on the left. The part of the limb through which the ball passed was cut off and brought to this city, and is now in Mr. Church's possession.

No inferences are pointed out as a result from these facts, nor will any comments be made. They are left to the candid judgment and feelings of the public.
-Statement by Nathaniel Pendleton (Hamilton's Second), July 19, 1804 (Hamilton: Writings); July 16, 1804 (according to Freeman pg. 192)

Source: Alexander Hamilton: Writings. (2001) Library of America. New York.

Appendix 2

Statement of Aaron Burr's Second – William Van Ness

General Hamilton's second considered it proper to add an explanatory note to the statement mutually supplied. It becomes proper for Colonel Burr's second to state also his impressions with respect to those points on which there exists a disagreement of opinion. In doing this, he bluntly disclaims any idea disrespectful of the memory of General Hamilton, or an intention to ascribe any conduct to him that is not in his opinion perfectly honorable and correct.

The parties met as has been above related & took their respective stations as directed: the pistols were then handed to them by the seconds. Gen Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but the direction of the light renders it necessary, at the same time feeling his pockets with his left hand, & drawing forth his spectacles put them on. The second asked if they were prepared which was replied to in the affirmative. The word present was then given, on which both parties too aim. The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening. On this point the second of Col Burr has full & perfect recollection. He noticed particularly the discharge of G H's pistol, & looked at Col B on the discharge of G H's pistol he perceived a slight motion in his person, which induced the idea of his being struck. On this point he conversed with his principal on their return, who ascribed that circumstance to a small stone under his foot, & observed that the smoke of G H's pistol obscured him for a moment in the interval of their firing.

When G H fell Col B advanced toward him as stated & was checked by his second who urged the importance of his immediately repairing to the barge, conceiving that G H was mortally wounded, & being desirous to secure his principal from the sight of the surgeon & bargemen who might be called in evidence. Col B complied with his request. He shortly followed him to the boat, and Col B again expressed a wish to return, saying with an expression of much concern, I must go & speak to him. I again urged the obvious impropriety stating that the G was surrounded by the Surgeon & Bargemen by whom he must not be seen & insisted on immediate departure.

*-Statement by William P. Van Ness (Burr's Second)
July 21, 1804 (Hamilton: Writings p 1031); July 17, 1804 (Freeman 192)*

Source: Alexander Hamilton: Writings. (2001) Library of America. New York.

Appendix 3

Graphic Organizer – Duel Interpretations

D
u
e
l

Who Fired First?

(Why might two people arrive at different interpretations of the same event?)



Eyewitness 1
Burr's Second



The Duel
July 11, 1804



Eyewitness 2
Hamilton's Second

Name _____

Explanation(s)
Why might he arrived at at different interpretation?

Interpretation 1
Who Fired First?

Explanation(s)
Why might he arrived at at different interpretation?

Interpretation 2
Who Fired First?

Lesson 5



Weighing the Evidence



Abstract: In this lesson, students will weigh evidence available to those investigating a longstanding mystery surrounding the Burr-Hamilton duel. The mystery involves the question, “Who fired first?”

Essential Question

- Why are there different explanations of the same event in history?

Materials Needed

- Scale (if available) – borrow one from a science teacher or you can also use a hanger and hang the evidence appropriately over the different ends (see Procedure 6)
- Copies of [Appendix 1 – Know/Not Chart](#)
- Copies of [Appendix 2 – Evidence Strips](#)
- Scissors
- Copies of [Appendix 3 – Re-write History – Tragedy at Weehawken](#)

Vocabulary

- “Interview” (19th Century codeword for duel), eyewitness, evidence, hearsay, bias, corroborate

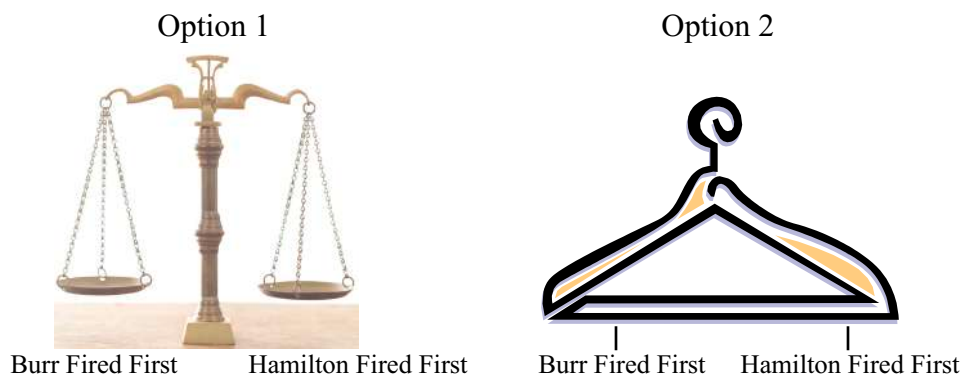
Procedures

1. *Activate Prior Knowledge* (surface preconceptions): Ask students to complete the Know/Not Chart available on [Appendix 1](#). What do we **know** about the Burr-Hamilton duel? What do we still **not** know? Have students share their responses. Highlight the fact that historians still debate who fired the first shot.
2. *Preview the Lesson:* Today’s lesson is an attempt to enter students further into the historical debate. They are going to *do history* by weighing evidence that is considered when addressing the question “*who fired first?*” After weighing the evidence students will be asked to formulate a response that is supported by evidence.
3. *Weigh Evidence in Collaborative Pairs:* Students are to work in collaborative pairs for this activity. Distribute [Appendix 2 – Evidence Strips](#) and a pair of scissors to each pair.

Appendix 2 contains numerous pieces of possible evidence presented in three different sized strips on each page. The different sizes represent varying weights of the evidence (strong, moderate, weak). After analyzing and discussing each piece of evidence with the question *who fired first* in mind, students should cut out that strip that represents their conclusions about the evidence and be prepared to explain why it should be considered strong, moderate, or weak.

Note: Students may argue effectively that a certain piece of evidence supports neither or both positions.

4. *Brainstorm:* Ask...what questions might you (students) ask of the evidence to help determine its strength as you consider the question *who fired first?*
5. Post/distribute and discuss the following questions to guide student thinking as they analyze the evidence:
 - a. What is the source of the evidence (who said it)? Does it matter, “who said it?”
 - b. What do we know about the person who provided the evidence?
 - c. Did the person witness the event (duel)? Does this matter?
 - d. Did the author of the document have any notable biases? What are they?
 - e. What is the date of the source? How close in time to the event (duel) is the source—was it created during, immediately after, a day later, a week later...? Does this matter? (*may be an appropriate time for a “whisper down the lane” exercise*)
 - f. Does the evidence seem consistent with what you know about the event (duel) or the people involved in the event (duel)?
 - g. Is the evidence or statement consistent with what you know about the time in which the duel took place?
 - h. Is the evidence or statement hearsay (e.g., “someone told me”) or eyewitness testimony (e.g., “I saw...”) ? Does this matter?
 - i. Do other pieces of evidence corroborate what is in the source or statement?
6. Call different students up to place their evidence strips on the side of the scale that is supported by that particular piece of the evidence. Alternatively, they can fold the evidence strip and hang it over the appropriate side of the hanger. See below for an illustration of what the scale might look like:



Allow time for student to challenge conclusions to reinforce the idea that history is interpretive and that there can be different conclusions.

7. *Whole-Class Discussion:* Raise the following questions after students have placed all of the evidence provided in this lesson on the scale:
 - a. Where does the evidence lean most heavily—did Burr or Hamilton fire the first shot?
 - b. Do we now have enough evidence to conclude that we know what happened on July 11, 1804?
 - c. What does this unit suggest to us about history—is it fact, interpretation, or both?

- d. Given that history is largely interpretive, how should this unit affect how we read history?
8. *Write History:* Remind students of the reading from Lesson 3 entitled “Tragedy at Weehawken.” Distribute copies of the altered reading provided in [Appendix 3](#). Appendix 3 contains almost all of the same information as the reading from Lesson 3 except that the ending from Lesson 3 reading is cut off so that students can write their own ending. Have each student write their own ending with attention to the question *who fired the first shot?* Compare and contrast the endings written by students. (**Note:** Tell students to save their stories as they will refer back to them in the next lesson.)
9. *Whole-Class Discussion:*
- Are you surprised that classmates wrote different accounts? Why or why not?
 - What should your history textbook state about the duel?
 - Should you be surprised if there are different accounts of the past found in different history books? Why or why not?
 - What questions should you ask if you encounter (only) one account of an event in a source such as a (text)book or encyclopedia?

Debrief

Be careful not to leave the students with the impression that historical claims must be backed up by a lot of evidence. Sometimes it only takes a single piece of evidence to substantiate or refute a claim.

Check for Understanding

“Hamilton did fire his weapon intentionally and he fired first. But he aimed to miss Burr, sending his ball into the tree above and behind Burr’s location. In doing so, he did not withhold his shot, but he did waste it...”

Joseph Ellis
Founding Brothers (2000) p. 30

Joseph Ellis won the very prestigious Pulitzer Prize for his book *Founding Brothers*. Has Joseph Ellis finally settled the dispute over who fired the first shot on July 11, 1804? Explain.

Appendix 1
Know-Not Chart

Name: _____

<p style="text-align: center;">I Know</p> <p style="text-align: center;">What do I know about the Burr-Hamilton duel?</p>	<p style="text-align: center;">I Do Not Know</p> <p style="text-align: center;">What do I still not know about the Burr-Hamilton duel?</p>

Appendix 2

Evidence Strips

- A. Hamilton was given the choice and took a position with sun in his eyes that gave the advantage to Burr. ***“The parties met as has been above related & took their respective stations as directed: the pistols were then handed to them by the seconds. Gen Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but the direction of the light renders it necessary....”***
Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804
- B. Van Ness stated that Hamilton “first discharged.” ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening.”***
Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804
- C. Pendleton stated that AH fired first. ***“Mr. P. expressed a confident opinion that General Hamilton did not fire first – and that he did not fire at all at Col. Burr.”***
Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804
- D. Mr. Van Ness stated that Hamilton paused to put on his glasses. ***“The parties met...& took their respective stations as directed: the pistols were then handed to them by the seconds. Gen Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but...feeling his pockets with his left hand, & drawing forth his spectacles put them on.”***
Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804
- E. Night before the duel Pendleton states that Hamilton told him he would not fire at Burr. ***“...on the evening preceding the time of the appointed interview, he informed Mr. P. he had made up his mind not to fire at Col. Burr the first time, but to receive his fire, and fire in the air. Mr. P. again urged his upon this subject, and repeated his former arguments. His final answer was in terms that made an impression on Mr. P’s mind which can never be effaced. “My friend, it is the effect of a RELIGIOUS SCRUPLE, and does not admit of reasoning, it is useless to say more on the subject, as my purpose is infinitely fixed.”***
Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

- F. The day before the duel Hamilton wrote that he would “throw away” his “first fire.” ***“...I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to reserve and throw away my first fire, and I have thoughts even of reserving my second fire – and thus give a double opportunity to Col Burr to pause and reflect.”***

Written “remarks:” Alexander Hamilton
July 10, 1804

- G. Van Ness wrote that Burr said he stumbled after AH fired and held his fire until he could see through the smoke. ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening...the smoke of G H’s pistol obscured him for a moment in the interval of their firing.”***

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

- H. His own second states that Hamilton’s pistol had a hair trigger. ***“His last words before he was wounded...he was asked if he would have the hair spring set?”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

- I. Pendleton said Hamilton’s last words before the shots were “Not this time” when Pendleton asked if he should set the hair trigger. ***“His last words before he was wounded afford a proof... When he received his pistol, after having taken his position, he was asked if he would have the hair spring set? His answer was, “Not this time.”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

- J. Van Ness stated that Hamilton “first discharged.” ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening.”***

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

- K. Pendleton states that his first words after being shot and placed in the rowboat were ***“Pendleton knows I did not mean to fire at Col. Burr the first time.”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

- L. On the way back to the city Pendleton states that Hamilton gained consciousness and cautioned others to be careful with his pistol: ***“The pistol that had been used by General Hamilton, lying loose over the other apparatus in the case which was open; after having been some time in the boat, one of the boatmen took hold of it to put it into the case. General Hamilton observed this, said “Take care of that pistol – it is cocked. It may go off and do mischief.”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

- M. Van Ness stated that he looked at Burr after Hamilton fired and saw him stumble. ***“He noticed particularly the discharge of G H’s pistol, & looked at Col B on the discharge of G***

H's pistol he perceived a slight motion in his person, which induced the idea of his being struck. On this point he conversed with his principal on their return, who ascribed that circumstance to a small stone under his foot... in the interval of their firing."

Excerpt, Statement of William Van Ness (Burr's Second)
July 17 or 21, 1804

- N. Hamilton's second, Nathaniel Pendleton, returned to the scene of the duel the next day to see if there might be evidence that would help settle the question—*who fired first*. He wrote that he ***"took a friend with him the day after General Hamilton died, and after some examination they fortunately found what they were in search of. They ascertained that the ball passed through the limb of a cedar tree, at an elevation of about twelve feet and a half, perpendicularly from the ground, between thirteen and fourteen feet from the mark on which General Hamilton stood, and about four feet wide of the direct line between him and Colonel Burr, on the right side; he having fallen on the left. The part of the limb through which the ball passed was cut off and brought to this city..."***

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

- O. "...The most abominable falsehoods are current and have issued from the house in which H. [Hamilton] now lies..."

Aaron Burr to William P. Van Ness
July 13, 1804

"...I refer you to the Morning Chronicle* [a newspaper] of the 17th inst. [July]...The following incidents will shew what reliance may be placed on those declarations of H. which assert that he did not mean to injure me &c &ca....when the word "present" – was given, he took aim at his adversary & fired very promptly – the other fired two or three seconds after him & the Gen[era]l instantly fell exclaiming "I am a dead Man..."

Aaron Burr to Charles Biddle
July 18, 1804

Appendix 2

Evidence Strips

Evidence A

Level 3: Strong Evidence

Hamilton was given the choice and took a position with sun in his eyes that gave the advantage to Burr. *“The parties met as has been above related & took their respective stations as directed: the pistols were then handed to them by the seconds. Gen. Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but the direction of the light renders it necessary....”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 2: Moderate Evidence

Hamilton was given the choice and took a position with sun in his eyes that gave the advantage to Burr. *“The parties met as has been above related & took their respective stations as directed: the pistols were then handed to them by the seconds. Gen. Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but the direction of the light renders it necessary....”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 1: Weak Evidence

Hamilton was given the choice and took a position with sun in his eyes that gave the advantage to Burr. *“The parties met as has been above related & took their respective stations as directed: the pistols were then handed to them by the seconds. Gen Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but the direction of the light renders it necessary....”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Evidence B

Level 3: Strong Evidence

Van Ness stated that Hamilton “first discharged.” ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening.”***

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 2: Moderate Evidence

Van Ness stated that Hamilton “first discharged.” ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening.”***

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 1: Weak Evidence

Van Ness stated that Hamilton “first discharged.” ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening.”***

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Evidence C

Level 3: Strong Evidence

Pendleton stated that Alexander Hamilton fired first. ***“Mr. P. expressed a confident opinion that General Hamilton did not fire first – and that he did not fire at all at Col. Burr.”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Level 2: Moderate Evidence

Pendleton stated that Alexander Hamilton fired first. ***“Mr. P. expressed a confident opinion that General Hamilton did not fire first – and that he did not fire at all at Col. Burr.”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Level 1: Weak Evidence

Pendleton stated that Alexander Hamilton fired first. ***“Mr. P. expressed a confident opinion that General Hamilton did not fire first – and that he did not fire at all at Col. Burr.”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Evidence D

Level 3: Strong Evidence

Mr. Van Ness stated that Hamilton paused to put on his glasses. *“The parties met... & took their respective stations as directed: the pistols were then handed to them by the seconds. Gen. Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but... feeling his pockets with his left hand, & drawing forth his spectacles put them on.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 2: Moderate Evidence

Mr. Van Ness stated that Hamilton paused to put on his glasses. *“The parties met...& took their respective stations as directed: the pistols were then handed to them by the seconds. Gen. Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but...feeling his pockets with his left hand, & drawing forth his spectacles put them on.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 1: Weak Evidence

Mr. Van Ness stated that Hamilton paused to put on his glasses. *“The parties met... & took their respective stations as directed: the pistols were then handed to them by the seconds. Gen Hamilton elevated his, as if to try the light, & lowering it said I beg pardon for delaying you but... feeling his pockets with his left hand, & drawing forth his spectacles put them on.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Evidence E

Level 3: Strong Evidence

Night before the duel Pendleton states that Hamilton told him he would not fire at Burr. *“...on the evening preceding the time of the appointed interview, he informed Mr. Pendleton he had made up his mind not to fire at Col. Burr the first time, but to receive his fire, and fire in the air. Mr. Pendleton again urged his upon this subject, and repeated his former arguments. His final answer was in terms that made an impression on Mr. Pendleton’s mind which can never be effaced. “My friend, it is the effect of a RELIGIOUS SCRUPLE, and does not admit of reasoning, it is useless to say more on the subject, as my purpose is infinitely fixed.”*

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Level 2: Moderate Evidence

Night before the duel Pendleton states that Hamilton told him he would not fire at Burr. *“...on the evening preceding the time of the appointed interview, he informed Mr. Pendleton he had made up his mind not to fire at Col. Burr the first time, but to receive his fire, and fire in the air. Mr. Pendleton again urged his upon this subject, and repeated his former arguments. His final answer was in terms that made an impression on Mr. Pendleton’s mind which can never be effaced. “My friend, it is the effect of a RELIGIOUS SCRUPLE, and does not admit of reasoning, it is useless to say more on the subject, as my purpose is infinitely fixed.”*

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Level 1: Weak Evidence

Night before the duel Pendleton states that Hamilton told him he would not fire at Burr. *“...on the evening preceding the time of the appointed interview, he informed Mr. Pendleton he had made up his mind not to fire at Col. Burr the first time, but to receive his fire, and fire in the air. Mr. Pendleton again urged his upon this subject, and repeated his former arguments. His final answer was in terms that made an impression on Mr. Pendleton’s mind which can never be effaced. “My friend, it is the effect of a RELIGIOUS SCRUPLE, and does not admit of reasoning, it is useless to say more on the subject, as my purpose is infinitely fixed.”*

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Evidence F

Level 3: Strong Evidence

The day before the duel Hamilton wrote that he would “throw away” his “first fire.” *“... I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to reserve and throw away my first fire, and I have thoughts even of reserving my second fire – and thus give a double opportunity to Col Burr to pause and reflect.”*

Written “remarks:” Alexander Hamilton
July 10, 1804

Level 2: Moderate Evidence

The day before the duel Hamilton wrote that he would “throw away” his “first fire.” *“... I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to reserve and throw away my first fire, and I have thoughts even of reserving my second fire – and thus give a double opportunity to Col Burr to pause and reflect.”*

Written “remarks:” Alexander Hamilton
July 10, 1804

Level 1: Weak Evidence

The day before the duel Hamilton wrote that he would “throw away” his “first fire.” *“... I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to reserve and throw away my first fire, and I have thoughts even of reserving my second fire – and thus give a double opportunity to Col Burr to pause and reflect.”*

Written “remarks:” Alexander Hamilton
July 10, 1804

Evidence G

Level 3: Strong Evidence

Van Ness wrote that Burr said he stumbled after Alexander Hamilton fired and held his fire until he could see through the smoke. *“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening... the smoke of General Hamilton’s pistol obscured him for a moment in the interval of their firing.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 2: Moderate Evidence

Van Ness wrote that Burr said he stumbled after Alexander Hamilton fired and held his fire until he could see through the smoke. *“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening... the smoke of General Hamilton’s pistol obscured him for a moment in the interval of their firing.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 1: Weak Evidence

Van Ness wrote that Burr said he stumbled after Alexander Hamilton fired and held his fire until he could see through the smoke. *“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening... the smoke of General Hamilton’s pistol obscured him for a moment in the interval of their firing.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Evidence H

Level 3: Strong Evidence

His own second states that Hamilton's pistol had a hair trigger. *"His last words before he was wounded... he was asked if he would have the hair spring set?"*

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Level 2: Moderate Evidence

His own second states that Hamilton's pistol had a hair trigger. *"His last words before he was wounded... he was asked if he would have the hair spring set?"*

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Level 1: Weak Evidence

His own second states that Hamilton's pistol had a hair trigger. *"His last words before he was wounded... he was asked if he would have the hair spring set?"*

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Evidence I

Level 3: Strong Evidence

Pendleton said Hamilton's last words before the shots were "Not this time" when Pendleton asked if he should set the hair trigger. *"His last words before he was wounded afford a proof.... When he received his pistol, after having taken his position, he was asked if he would have the hair spring set? His answer was, "Not this time."*

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Level 2: Moderate Evidence

Pendleton said Hamilton's last words before the shots were "Not this time" when Pendleton asked if he should set the hair trigger. *"His last words before he was wounded afford a proof.... When he received his pistol, after having taken his position, he was asked if he would have the hair spring set? His answer was, "Not this time."*

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Level 1: Weak Evidence

Pendleton said Hamilton's last words before the shots were "Not this time" when Pendleton asked if he should set the hair trigger. *"His last words before he was wounded afford a proof.... When he received his pistol, after having taken his position, he was asked if he would have the hair spring set? His answer was, "Not this time."*

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Evidence J

Level 3: Strong Evidence

Van Ness stated that Hamilton “first discharged.” ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening.”***

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 2: Moderate Evidence

Van Ness stated that Hamilton “first discharged.” ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening.”***

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 1: Weak Evidence

Van Ness stated that Hamilton “first discharged.” ***“The pistol of General Hamilton was first discharged, and Col Burr fired immediately after, only five or six seconds of time intervening.”***

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Evidence K

Level 3: Strong Evidence

Pendleton stated that Hamilton's first words after being shot and placed in the rowboat were, "*Pendleton knows I did not mean to fire at Col. Burr the first time.*"

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Level 2: Moderate Evidence

Pendleton stated that Hamilton's first words after being shot and placed in the rowboat were, "*Pendleton knows I did not mean to fire at Col. Burr the first time.*"

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Level 1: Weak Evidence

Pendleton stated that Hamilton's first words after being shot and placed in the rowboat were, "*Pendleton knows I did not mean to fire at Col. Burr the first time.*"

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Evidence L

Level 3: Strong Evidence

On the way back to the city Pendleton states that Hamilton gained consciousness and cautioned others to be careful with his pistol:

“The pistol that had been used by General Hamilton, lying loose over the other apparatus in the case which was open; after having been some time in the boat, one of the boatmen took hold of it to put it into the case. General Hamilton observed this, said “Take care of that pistol – it is cocked. It may go off and do mischief.”

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Level 2: Moderate Evidence

On the way back to the city Pendleton states that Hamilton gained consciousness and cautioned others to be careful with his pistol: ***“The pistol that had been used by General Hamilton, lying loose over the other apparatus in the case which was open; after having been some time in the boat, one of the boatmen took hold of it to put it into the case.***

General Hamilton observed this, said “Take care of that pistol – it is cocked. It may go off and do mischief.”

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Level 1: Weak Evidence

On the way back to the city Pendleton states that Hamilton gained consciousness and cautioned others to be careful with his pistol: ***“The pistol that had been used by General Hamilton, lying loose over the other apparatus in the case which was open; after having been some time in the boat, one of the boatmen took hold of it to put it into the case. General Hamilton observed this, said “Take care of that pistol – it is cocked. It may go off and do mischief.”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton’s Second)
July 16 or 19, 1804

Evidence M

Level 3: Strong Evidence

Van Ness stated that he looked at Burr after Hamilton fired and saw him stumble *“He noticed particularly the discharge of General Hamilton’s pistol, & looked at Col. Burr on the discharge of General Hamilton’s pistol he perceived a slight motion in his person, which induced the idea of his being struck. On this point he conversed with his principal on their return, who ascribed that circumstance to a small stone under his foot... in the interval of their firing.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 2: Moderate Evidence

Van Ness stated that he looked at Burr after Hamilton fired and saw him stumble *“He noticed particularly the discharge of General Hamilton’s pistol, & looked at Col. Burr on the discharge of General Hamilton’s pistol he perceived a slight motion in his person, which induced the idea of his being struck. On this point he conversed with his principal on their return, who ascribed that circumstance to a small stone under his foot... in the interval of their firing.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Level 1: Weak Evidence

Van Ness stated that he looked at Burr after Hamilton fired and saw him stumble *“He noticed particularly the discharge of General Hamilton’s pistol, & looked at Col. Burr on the discharge of General Hamilton’s pistol he perceived a slight motion in his person, which induced the idea of his being struck. On this point he conversed with his principal on their return, who ascribed that circumstance to a small stone under his foot... in the interval of their firing.”*

Excerpt, Statement of William Van Ness (Burr’s Second)
July 17 or 21, 1804

Evidence N

Level 3: Strong Evidence

Hamilton's second, Nathaniel Pendleton, returned to the scene of the duel the next day to see if there might be evidence that would help settle the question – *who fired first*. He wrote that he ***“took a friend with him the day after General Hamilton died, and after some examination they fortunately found what they were in search of. They ascertained that the ball passed through the limb of a cedar tree, at an elevation of about twelve feet and a half, perpendicularly from the ground, between thirteen and fourteen feet from the mark on which General Hamilton stood, and about four feet wide of the direct line between him and Colonel Burr, on the right side; he having fallen on the left. The part of the limb through which the ball passed was cut off and brought to this city....”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Level 2: Moderate Evidence

Hamilton's second, Nathaniel Pendleton, returned to the scene of the duel the next day to see if there might be evidence that would help settle the question – *who fired first*. He wrote that he ***“took a friend with him the day after General Hamilton died, and after some examination they fortunately found what they were in search of. They ascertained that the ball passed through the limb of a cedar tree, at an elevation of about twelve feet and a half, perpendicularly from the ground, between thirteen and fourteen feet from the mark on which General Hamilton stood, and about four feet wide of the direct line between him and Colonel Burr, on the right side; he having fallen on the left. The part of the limb through which the ball passed was cut off and brought to this city....”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Evidence N (continued)

Level 1: Weak Evidence

Hamilton's second, Nathaniel Pendleton, returned to the scene of the duel the next day to see if there might be evidence that would help settle the question – *who fired first*. He wrote that he ***“took a friend with him the day after General Hamilton died, and after some examination they fortunately found what they were in search of. They ascertained that the ball passed through the limb of a cedar tree, at an elevation of about twelve feet and a half, perpendicularly from the ground, between thirteen and fourteen feet from the mark on which General Hamilton stood, and about four feet wide of the direct line between him and Colonel Burr, on the right side; he having fallen on the left. The part of the limb through which the ball passed was cut off and brought to this city....”***

Excerpt, Statement of Nathaniel Pendleton (Hamilton's Second)
July 16 or 19, 1804

Evidence O

Level 3: Strong Evidence

Aaron Burr shared his thoughts in two letters written shortly after the duel: "... the most abominable falsehoods are current and have issued from the house in which H. [Hamilton] now lies...."

Aaron Burr to William P. Van Ness
July 13, 1804

"... I refer you to the Morning Chronicle* [a newspaper] of the 17th inst. [July].... The following incidents will shew what reliance may be placed on those declarations of H. which assert that he did not mean to injure me &c &ca....when the word "present" – was given, he took aim at his adversary & fired very promptly – the other fired two or three seconds after him & the Gen[era]l instantly fell exclaiming "I am a dead Man...."

Aaron Burr to Charles Biddle
July 18, 1804

Source: Kline, 884-887.

Level 2: Moderate Evidence

Aaron Burr shared his thoughts in two letters written shortly after the duel: "... the most abominable falsehoods are current and have issued from the house in which H. [Hamilton] now lies...."

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Aaron Burr to Charles Biddle
July 18, 1804

Evidence O (continued)

Level 1: Weak Evidence

Aaron Burr shared his thoughts in two letters written shortly after the duel: "... the most abominable falsehoods are current and have issued from the house in which H. [Hamilton] now lies..."

Aaron Burr to William P. Van Ness
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Aaron Burr to Charles Biddle
July 18, 1804

Appendix 3

Rewrite History – Tragedy at Weehawken



Aaron Burr



Alexander Hamilton

At around 5:00 on the morning of July 11, 1804, the Vice-President of the United States and a former Treasurer of the United States were rowed in separate boats across the Hudson River from New York City to a secret location on cliffs near Weehawken, New Jersey. The Vice-President was 48-year-old Aaron Burr. The former Treasurer was the Vice-President’s longtime rival Alexander Hamilton. The two men went to Weehawken to duel. Burr challenged Hamilton to a duel after he read an article that said Hamilton held a “despicable opinion... of Mr. Burr.” Since Burr challenged Hamilton, Hamilton got to select the weapons that would be used in the duel. He chose pistols.

Both Hamilton and Burr brought a “second” or trusted friend. The seconds’ jobs were to make sure that each man followed the rules for dueling and to help their friends if they were wounded. Alexander Hamilton brought Nathaniel Pendleton while Vice-President Burr brought William Van Ness.

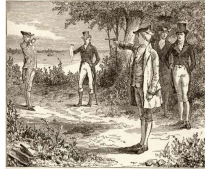
The two seconds were the only people to witness the duel because dueling was illegal. The men who rowed Hamilton and Burr, as well as a doctor David Hosack who went in case of injuries, had to stay below in the rowboats so that they could state honestly that they did not witness the duel and, therefore, not be in a position to testify against the duelists if they were charged with a crime. Sadly, even though dueling was illegal in most states back then, it was not uncommon. Wealthy men, in particular, thought that dueling was the only way to defend their honor when that honor was seriously attacked.

Following the rules for dueling, Aaron Burr and Alexander Hamilton stood 10 paces apart. Moments after the authorized second said “present,” _____

(use back of paper if needed)

Lesson 6

Dueling Images



Abstract: In this lesson, students examine visual images of the duel between Aaron Burr and Alexander Hamilton. The visuals offers new contexts in which students hone their historical thinking skills, corroborate or refute preliminary conclusions using the additional evidence, and work with alternatives to traditional word-based texts that challenge many younger readers.

Essential Question

- Why are there different *images* of the same event in history?

Materials Needed

- Transparency or projected image of [Appendix 1 – \(Reflection Tool\) Historical Thinking – Visual Images](#)
- Transparency marker.
- Copies of [Appendix 2 – Images of the Duel](#)
- Scissors for groups of students
- Copies of [Appendix 3 – Cover Page](#)
- Students revised stories – “Tragedy at Weehawken” that they completed in Lesson 5 ([Appendix 3](#))

Vocabulary

- Accurate, bias, corroborate, evidence, point of view, refute

Procedures:

1. *Review:* Remind students that our focus is on trying to answer the question, *who fired the first shot at the Burr-Hamilton duel on July 11, 1804?* Ask them where the evidence seems to be pointing at this time based on the documentary evidence and the questions that they have used to interrogate those documents.
2. *Preview this Lesson:* Remind students that they just analyzed one type of evidence (i.e., documents) relating to the duel between Burr and Hamilton. Now, they are going to interrogate a different type of evidence, i.e., visual.
3. *Independent Think Aloud:* Ask students to take out a piece of paper and a pencil or pen. Tell them that you are going to pass out an image of the duel and that you want them to write down what they are thinking as they analyze the image. Distribute (or project) a copy of [Image 1](#) on Appendix 2 to each student and ask them to *quietly* and *independently* analyze

the image and write down what they are thinking. Tell them to include **any** thoughts or questions that come to mind. Invite volunteers to share their thoughts and questions.

4. *Model Think Aloud:* Project a copy of [Appendix 1 – \(Reflection Tool\) Historical Thinking – Visual Images](#). Tell students that there are certain things that historians think about as they look at images of historical events. The Appendix on the screen depicts some of them. Read each statement on the left hand column, making sure the students understand the mental activity it is describing. Have students reflect on what they did while looking at [Image 1](#) and raise their hands if they did it “Not Much, A Little, etc.” and record the baseline data. Tell them that they are now going to look at several different images of the duel and that you want them to employ the same line of thinking or do the things that are on Appendix 1 as they analyze the various images.
5. Distribute copies of [Appendix 2 – Images of the Duel](#) and ask students to cut the multiple page appendix into individual images. Then they should begin analyzing the images, looking carefully for what appear to be accuracies and inaccuracies. Allow sufficient time to cut and analyze.
6. *Reflection:* Distribute copies of [Appendix 1 – \(Reflection Tool\) Historical Thinking – Visual Images](#) to each of the students. Have them reflect on how often they did each of the things listed in the left hand column. Record the post instructional data and reward any improvements in their “historical thinking.”
7. *Discussion:* Pose the following questions to the whole class (questions that are asterisked in this lesson are drawn from Bruce VanSledright’s *In Search of America’s Past: learning to read history in elementary school*).
 - *Did you notice any differences in the images? Describe some.
 - *The images all describe the same duel between Burr and Hamilton so why are there differences?
 - *Where do the images come from?
 - When do you think the images were created?
 - Does it matter when the image was created? If so, how?
 - *How do they compare to the documents? Do they support or challenge the documents you analyzed in earlier lessons?
8. *Order the Images:* Tell the students that their next task is to use what they have learned from the documents to arrange the images left (least accurate) to right (most accurate).

Have volunteers suggest and explain an ordering of the visuals one at a time. Those who volunteer should come up to the front of the room with their image held out for all to see and explain why it should be placed where he or she recommends. Ask volunteers to do the same with other images, situating themselves to the left or right of other students who volunteered based on where the visual should appear on the Accuracy Continuum. Raise the following question repeatedly: *Why is Image ___ more accurate than the other images?

Allow others to raise challenges to the ordering.

Check to see if students are comparing the images to evidence they gathered from documents in earlier lessons. Be sure to encourage this if the students are not doing it themselves.

9. Have students take out their revised story “Tragedy at Weehawken” that they completed in Lesson 5 ([Appendix 3](#)). Then, distribute copies of [Appendix 3 – Cover Page – Tragedy at Weehawken](#). Tell the students to select one image that they believe is the most accurate image for the book cover of their story and tape or glue it onto Appendix 3 and explain why they chose that image is the space provided at the bottom of the page.

Students can staple their covers to the revised stories to create their “history book.”

Debrief

Ask students to consider both the documents they read and the images they viewed to draw conclusions to the question, who fired the first shot – Burr or Hamilton?

Note to Teacher: Reflecting upon his research with historical thinking involving 5th grade students in Maryland, Bruce VanSledright writes, “To conclude... that it is difficult to reach definitive conclusions about some historical events because the evidence is thin and conflictual is a significant cognitive achievement that may well be a crucial distinction between novice and more expert status in the history domain.” (VanSledright, *In Search of...* 134)

Check for Understanding

Return copies of the Anticipation/Response Guides that students responded to in [Lesson 2 \(Appendix 1\)](#).

- ❖ Have students re-read each statement in the Guide.
- ❖ Have students write “Agree” or “Disagree” in the far right column labeled “Response After the Unit.”

Appendix 1 – Reflection Tool

Historical Thinking: Visual Evidence

Name: _____

Directions: Place a check in the box that describes how often you did each of the things listed in the left hand column.

	Not Much	A Little	Most of Time	Always
I tried to figure out who created the image.				
I thought about the biases of the person who created the image.				
I tried to infer the point of view of the person who created the image.				
I tried to figure out when the image was created.				
I looked for things that seemed similar to what I read in <i>documents</i> .				
I looked for things that seemed different from what I read in <i>documents</i> .				
I compared and contrasted the <i>visuals</i> to determine how they were similar or different.				
I thought about which visuals seemed accurate and which seemed inaccurate .				

Appendix 2

Images of the Duel

Image 1



The Granger Collection: half tone print. 19th Century. Hand colored at a later date.

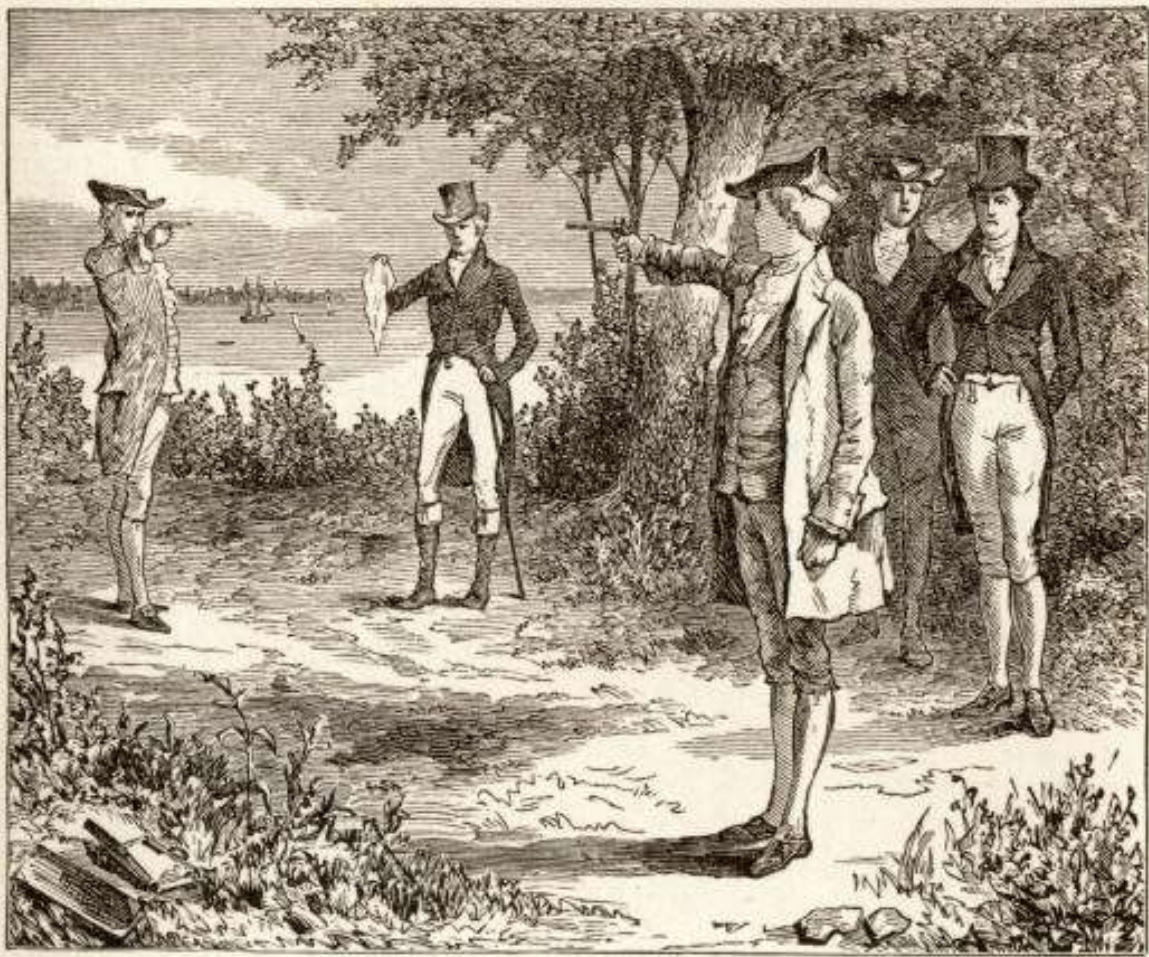
Image 2



Duel between Alexander Hamilton and Aaron Burr after the painting by J. Mund. From the Project Gutenberg e-Book. Beacon lights of History, Volume XI American Founders, by John Lord (1810-1894). <http://www.gutenberg.org/etext/10644> Copyright unknown.

Painting by J. Mund—From <http://www.gutenberg.org/dirs/1/0/6/4/10644/10644-h/Illus0368.jpg>

Image 3



Description: A duel between Alexander Hamilton and Aaron Burr, in which Hamilton was killed.

Source: David B. Scott *A School History of the United States* (New York: American Book Company, 1884) 243. Wood Engraving, American, c1883.

Image 4



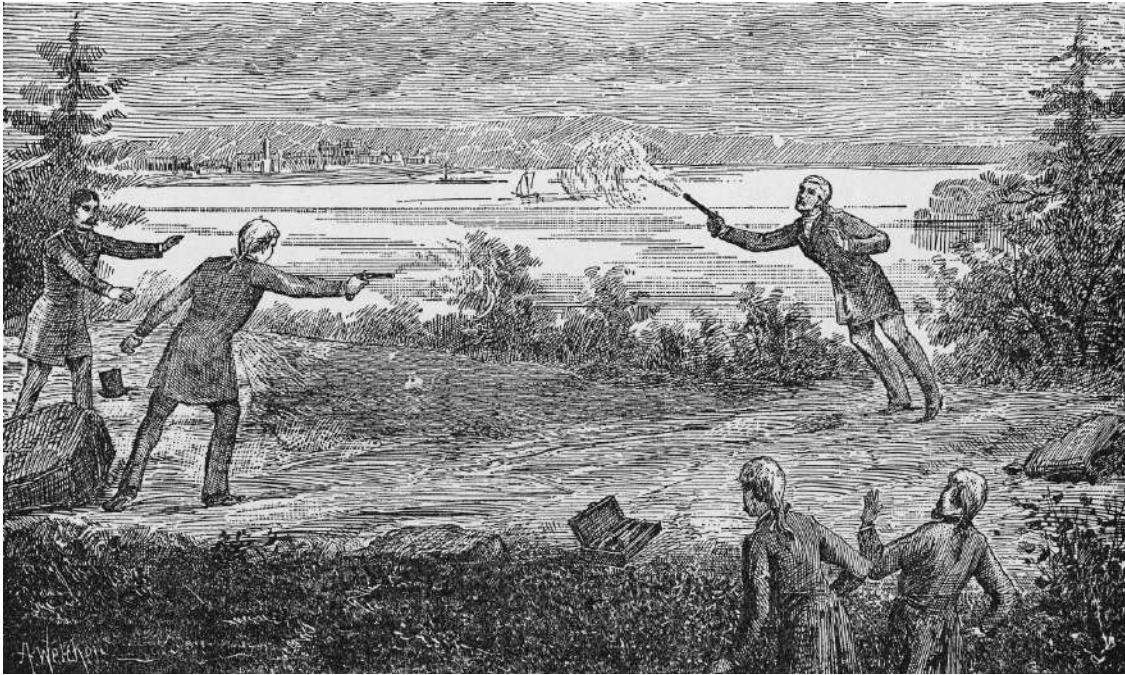
The Granger Collection, New York. Artist: Hooper. Wood engraving, c1874.

Image 5



Image from the book, Alexander Hamilton and Aaron Burr *Their Lives, Their Times, Their Duel* by Anna Erskine Crouse and Russel Crouse, published in 1958.

Image 6



The Granger Collection, New York. Wood engraving, American, c 1892

Appendix 3 – Cover Page

**Tragedy
at Weehawken**

Place image here

by

_____ (your name)

Explanation: why did you select this image?

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Children's Literature

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Other

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Tiny Two Tales Publications
Presents

Title

by

Dueling with Documents – Transfer Task

Overview	Students will create an “Upside Down” or “Flip Over” book ¹ on a topic that allows them to write about the same event from two different points of view. Account 1 will present a story from one point of view and will be written in one direction. When readers turn the book upside down, Account 2 will progress in the opposite direction and present the story from a different or competing point of view.
Prior Knowledge	Now that you understand reasons why there may be different accounts of the past, you are prepared to write an illustrated children’s “Upside Down” or “Flip Over” book.
Scenario	Tiny Two Tales Publishing Company is looking for talented young authors who can write stories about the same event from different points of view. You have been identified as one of a handful of <i>very</i> promising young authors in Delaware. The publisher has contracted you to write an illustrated “ Tiny Two Tales ” book on the topic of your choice.
Role/ Perspective	You are one of a handful of students identified in Delaware by a major publishing company as a solid author for a book that they are paying you to write.
Product	You are to write an illustrated “Upside Down” or “Flip Over” ⁱ book that tells about an event from two different points of view.
Criteria for Exemplary Response	See rubric below for additional details.
Differentiation	Read a point-of-view book to the student(s) and have the student(s) write a “Two Tale” book from a different point of view.

ⁱ An “Upside Down” or “Flip Me Over” book is a book that tells a story from two different points of view. A traditional version of the story appears on the front cover and progresses from left to right as most books do. When the reader flips the book over, a cover page introduces the story from a different point of view. Dr. Alvin Granowsky has written numerous “Another Point of View” books for Steck Vaughn including: