

been a member of congress and Washington's postmaster-general, and was a man of the highest estimation in the city. Livingston was a very eminent lawyer, afterward judge of the Supreme Court of the United States. \* \* \* \* Swartwout, very popular for his manly bearing and amiable qualities, was Burr's most devoted friend. The name of Rutgers is still familiar in a New Yorker's ear, as it lives in the street where he resided. In a word, Burr's ticket, from the celebrity of some of its names, the eminent respectability of others, and the peculiar popularity of the rest, was the strongest ever offered for the popular suffrages in this state. Above all, it was an obvious and striking contrast to Hamilton's. \* \* \* \*

"The polls opened on the morning of April 29th, and closed at sunset on the 2d of May. During these three days the exertions of both parties were immense. Hamilton was in the field animating his followers with his powerful declamation. Burr addressed large assemblies of republicans. Sometimes both champions appeared on the same platform, and addressed the multitudes in turn, upon the questions in dispute. On these occasions, their bearing toward one another was so gracefully courteous as to be remembered by many in the crowd they addressed, long after the matter of their speeches was forgotten.

"The contest closed. Before the rival chiefs slept on the night of the 2d of May, the news was brought to them that the republicans had carried the city by a majority of four hundred and ninety votes."<sup>1</sup>

"Congress was in session when the result of the New York election was made public. As soon as this event was known, and it was consequently ascertained that a republican president and vice-president could be elected, it became necessary to settle on a candidate for the vice-presidency, all being agreed that Mr. Jefferson should be the presidential candidate. \* \* \* \*

"Colonel Burr was nominated for vice-president at a congressional caucus. \* \* \* \* Upon canvassing the presidential votes, it was found that Mr. Jefferson and Mr. Burr had each of them received seventy-three votes. The whole number of votes were one hundred and thirty-eight, leaving Mr. Adams and Mr. Pinckney sixty-five votes each. This result produced a convulsion, which immediately threatened a dissolution of the government. The number of votes given to Mr. Jefferson and Mr. Burr being equal, there was of course no election by the electors, and the election of president devolved on the states as represented in the house of representatives of the United States. There were then sixteen states. Eight of them were republican, six were federal, and

<sup>1</sup> The life and times of Aaron Burr. By James Parton, vol. i., pp. 243, 247, 248, 252.

John Swartwout's second term as an assemblyman extended through the twenty-fourth session of the legislature, from November 4 to November 8, 1800, and from January 27 to April 8, 1801.