AARON BURR'S STRATAGEM AT THE WEEKES TRIAL.

Getting to the bottom of the Manhattan well murder

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The lengthy murder indictment of Levi Weeks read, in part, that he "not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the 22d day of December, in the year of our Lord 1799, [did murder Gulielma Sands]." The victim, known as Elma, was to marry Levi that evening. Instead, she found herself at the bottom of a well, from which she was retrieved on Jan. 2, 1800.

Adding intrigue to the gruesome tale was the fact that Levi came from a prosperous family, which included his brother Ezra, who helped design and build Gracie Mansion.

With Ezra's help, a dream team of attorneys was assembled: future Supreme Court Justice Henry Brockholst Livingston, Federalist leader Alexander Hamilton, and future Vice President Aaron Burr. Cadwallader David Colden, a future mayor of New York City, prosecuted the case.

The evidence appeared strong. Elma told her cousin Catherine Sands of her marital plans. She was seen leaving with Levi, who a witness claimed had been measuring the well prior to the murder. Despite that, it took the jury all of five minutes to acquit Levi.

Much is known of the trial as it was the very first such case in America recorded and transcribed.

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Levi Weeks was born in 1776 in western Massachusetts to a father well versed in carpentry and construction. Twenty-two years later, in 1798, he moved to New York to work with his talented brother, Ezra.

Shortly thereafter, he found himself living in a boarding house run by Quakers Catherine and Elias Ring on Greenwich Street. Catherine's 22-year-old cousin, Elma, also lived there. In short time, the boarders noticed Levi and Elma spending much time together in each other's rooms. It soon became apparent that the two were engaged in scandalous activity that exceeded idle chatter.

For Elma, the appearance of her lover seemed to be God sent. Prior to his coming, Elma — born out of wedlock — was sickly and depressed, even speaking of suicide. As her affair progressed, so did her mood.

Levi, conversely, had occasional outbursts and arguments with some of his fellow boarders, though generally he was well liked.

Elma's hushed news that she and Levi were soon to be married assuaged the concerns of the Rings, upset by what they perceived to be the sinful behaviors of the two young boarders living under their roof. The wedding was to be a quiet and private affair set for Sunday evening on Dec. 22. Levi wanted no one to know of their plans, according to Elma.

While no one actually saw the two leave the house together that murderous evening, the strong belief was that they had. Elma had been upstairs dressing, while Levi stood by the front door. Steps were heard coming down, and there were whispers at the door, which soon opened and then closed. The time stood at 8 p.m.

An acquaintance saw Elma on the crowded street with someone she did not recognize. Thirty minutes later, by the area of the Manhattan Well, cries rang out, heard by different people:

"Murder, murder! Oh, save me!"

"Lord have mercy on me! Lord help me!"

“Oh, Lord, have mercy upon me! What shall I do? Help me!”

A one-horse sleigh, matching the description of one owned by Ezra Weeks, was seen leaving the area.

At 10 that evening, appearing “pale and agitated,” Levi returned to the boarding house and asked about Elma, setting off suspicions by Catherine. Two days later, she confronted Levi, revealing what she knew of the wedding. An angered Levi denied any engagement.

At the same time, a boy fetching water from the well discovered the muff that Elma had been wearing the evening she disappeared. For a week, little was done until Elias Ring and others searched the well on Jan. 2. There they found Elma, “with marks of great violence upon her, and the great part of her clothes torn off.”

A brief investigation led to the inevitable circumstantial conclusion that Levi had killed her. There was even evidence of him asking Hope Sands, Elma’s cousin who also lived in the house, to lie for him — to say “any thing in my favor … do it before the body is found [how did he know she was dead?] … that he had paid no more particular attention to Elma, than to any other female in the house — that nothing had passed between them like courtship or looking like marriage … .”

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Ezra Weeks assembled the leading legal talent of the day, who turned the heat up on a celebrity trial already boiling over. At trial, they argued that inflammatory adverse publicity unfairly prejudiced the defendant. Boarding house witnesses testifying for the prosecution were discredited, intimating their own affections for Elma and suggesting reasons to lie.

Moreover, other defense witnesses provided an alibi, including testifying that Erza’s sleigh never went out that evening and that the two brothers were eating together at the time of the death.

Elma’s character was attacked as someone who was “risky and promiscuous” and who “could give no good account of herself.” They described her as melancholy and claimed she committed suicide.

Doctors testified that her body showed no signs of violence. In a coup d’etat, Chief Judge John Lansing weighed in, telling the jury that there was no direct testimony of any wrongdoing, that the case was entirely circumstantial, and that the “proof was insufficient to warrant a verdict against [Levi Weeks].”

It now being past 2 in the morning, the jury went out, took a vote, and, clearly eager to go home and get to bed, returned moments later to render a not-guilty verdict.

While Levi Weeks won in the court of law, the court of public opinion was far less forgiving. The verdict did not sit well with the locals, who loudly voiced their displeasure. Heckled and held in low value and high disregard, Levi fled New York.

He landed in the calmer terrain of Natchez, Mississippi, where he grew into a respected and well-regarded citizen. He married, had four children, and designed, among others, the elegant Auburn Mansion, which today stands as a National Historic Landmark. The 1812 Federal-style structure inspired manors subsequently built in the South. The creative design, lauded for its beauty and unsupported spiral staircase, advanced structural design in the area.

Epilogue

In 1804, Burr killed fellow defense attorney Hamilton in a duel.

In 1819, Levi Weeks died at age 43. Ten years later, in December 1829, Judge John Lansing left his New York residence to mail a letter and was never seen again.

The well in which Elma met her end is still in existence, in the basement of an upscale clothing store at 129 Spring St., in fashionable Soho.

In the hit show "Hamilton," the song "Non-Stop" references the trial, with the character portraying Burr rapping, "Our client Levi Weeks is innocent."

But was he?

The above column was based on the transcript of the trial (from which quotes were taken) and other online sources. R. Marc Kantrowitz is of counsel to Soraya Law, serves as a mediator for REBA DR, and consults on various legal matters. His next history-related book is being released in the fall. He can be contacted at Rmarckantrowitz@comcast.net.