

# THE BOSTON MASSACRE: YOU BE THE JUDGE



The Bostonian Society  
**BOSTON HISTORICAL**  
206 Washington Street  
Boston, Massachusetts 02109

# The Boston Massacre: You be the Judge

## Introduction

On the evening of March 5, 1770, a clash erupted between the king's soldiers and the townspeople of Boston and five colonists died. This incident became known as the Boston Massacre. What really happened that night? Did the soldiers intentionally fire upon the townspeople or were they acting in self-defense against an angry mob? This program asks students to decide for themselves. Using information from the original trial records, students will reenact the trial that took place to decide the fate of the accused soldiers. By playing lawyers, witnesses and jurors they will examine the incident from different points of view and analyze the complexities of this very significant historic event.

*The Boston Massacre: You be the Judge* in an in-depth, fun and challenging program that includes pre-visit classroom work, a visit to the Old State House to reenact the trial, and follow up classroom activities. In order for the students to have a fun and memorable experience, it is essential they are prepared for the trial when they arrive at the Old State House. This may take as many 4-5 class sessions as well as some assigned homework. If you are unable to commit this much time, you may want to consider another program. This guide has been designed to help teachers prepare their students for the mock trial. It includes vocabulary, detailed instructions, and many fun and ready to use worksheets and activities to use before and after the trial.

## Learning Goals

The Student will:

- Experience the complexity of a historical event by assuming the role of a historical person and by hearing different points of view
- Explore the circumstances that led up to the Boston Massacre and see the event as one of many leading to the Revolution
- Heighten observation, public speaking, vocabulary, writing and critical thinking skills
- Examine the issues of bias and use of propaganda
- Gain a better understanding of the legal process

## The Old State House

The Old State House (called the Townhouse in the Colonial period) is the oldest surviving public building in Boston. It was built in 1713 as the seat of British government in the Massachusetts Bay Colony. It was the headquarters of the colonial government where the Massachusetts Assembly met and where the Royal Governor met with his council. It was the setting for many stirring speeches and debates by dedicated American Patriots such as James Otis Jr., Samuel Adams and John Hancock. Just outside the Old State House walls, the Boston Massacre takes place on the evening of March 5, 1770, from its balcony Lt. Gov. Hutchinson told the angry crowd to disperse after seeing their fellow citizens shot in the street. Only five years later, on that very same balcony, the Declaration of Independence was read to the people for the first time in Boston. The building later served as Massachusetts first State House and Boston's City Hall. Today the Old State House is operated by The Bostonian Society/Boston Historical as a museum of Boston's History.

## Contents

Massachusetts Frameworks Connection	2
Teacher Instructions	3
Vocabulary	5
The Event and Aftermath	6
Court Procedure	8
Verdicts	8
Instructions for the Prosecution	9
Instructions for the Defense	10
Role Cards	11
Instructions for Lawyers	18
Instructions for Witnesses	20
Bibliography	21
Appendix I - Pre-visit Activities	22
Appendix II - Post-visit Activities	31

*Please direct questions, comments or suggestions to:*  
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THE OLD STATE HOUSE  
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617-720-1713 x 27 or [education@bostonhistory.org](mailto:education@bostonhistory.org)

**Massachusetts State Frameworks:** This program provides opportunities for meeting the following Massachusetts State Frameworks in History and English/Language Arts.

### History and Geography Concepts and Skills Grade 5

1. Identify different ways of dating historical narratives (17th century, 1600s, colonial period).
2. Observe and identify details in cartoons, photographs, charts, and graphs relating to an historical narrative.

### Grade 8-12

5. Explain how a cause and effect relationship is different from a sequence or correlation.
6. Distinguish between long-term and short-term cause and effect relationships.
7. Show connections, causal and otherwise, between particular historical events and ideas.
8. Interpret the past within its own historical context rather than in terms of present-day.
9. Distinguish intended from unintended consequences. (H, E, C)
10. Distinguish historical fact from opinion. (H, E, C)

### Learning Standards

- 5.9 Explain the reasons that the language, political institutions, & political principles of what became the United States of America were largely shaped by English colonists even though other major European nations also explored the New World. (H, C)
- 5.14 Explain the development of colonial governments and describe how these developments contributed to the Revolution. (H, G, E, C)
  - A. legislative bodies
  - B. town meetings
  - C. charters on individual freedom and rights
- 5.15 Explain reasons for the French & Indian War, how it led to an overhaul of British imperial policy, and colonial response to these policies. H, C, E

- A. Sugar Act (1764)
  - B. Stamp Act (1765)
  - C. Townsend Duties (1767)
  - D. Tea Act (1773), the Intolerable Acts (1774)
  - E. the slogan, “no taxation without representation”
  - F. the roles of the Stamp Act Congress, the Sons of Liberty, and the Boston Tea Party (1773)
- 5.18 Describe the life and achievements of important leaders during the Revolution and the early years of the United States. (H, C)
    - A. John Adams
- US1.1 Explain the political & economic factors that contributed to the American Revolution. (H, C)
  - A. the impact on the colonies of the French and Indian War, including how the war led to an overhaul of British imperial policy from 1763 to 1775.
- US1.5 Explain the role of Massachusetts in the Revolution, including important events that took place in Massachusetts and important leaders from Massachusetts. (H)
  - A. the Boston Massacre

### English/Language Arts

#### Grades 5-8

##### Language

##### General Standard 1: Discussion

Students will use agreed-upon rules for informal and formal discussions in small and large groups.

##### General Standard 2: Questioning, Listening, and Contributing

Students will pose questions, listen to the ideas of others, and contribute their own information or ideas in group discussions or interviews in order to acquire new knowledge.

##### General Standard 3: Oral Presentation

Students will make oral presentations that demonstrate appropriate consideration of audience,

purpose, and the information to be conveyed.

##### General Standard 4: Vocabulary and Concept Development

Students will understand and acquire new vocabulary and use it correctly in reading and writing.

##### Reading

##### General Standard 8: Understanding a Text

Students will identify the basic facts and main ideas in a text and use them as the basis for interpretation.

##### General Standard 9: Making Connections

Students will deepen their understanding of a literary or non-literary work by relating it to its contemporary context or historical background.

##### General Standard 10: Genre

Students will identify, analyze, and apply knowledge of the characteristics of different genres.

##### General Standard 13: Nonfiction

Students will identify, analyze, and apply knowledge of the purposes, structure, and elements of nonfiction or informational materials and provide evidence from the text to support their understanding.

##### Writing

##### General Standard 19: Writing

Students will write with a clear focus, coherent organization, and sufficient detail.

##### General Standard 22: Standard English Conventions

Students will use knowledge of standard English conventions in their writing, revising, and editing.

##### General Standard 23: Organizing Ideas in Writing

Students will organize ideas in writing in a way that makes sense for their purpose.

##### General Standard 24: Research

Students will gather information from a variety of sources, analyze and evaluate the quality of the information they obtain, and use it to answer their own questions.

## Teacher Instructions

For students to have a meaningful and enjoyable experience, it is important that they be thoroughly prepared for the Boston Massacre trial reenactment. Many activities and worksheets are included in this booklet to help you prepare your students. The activities are designed to accommodate students at a variety of skill levels. You should use as many of these activities as necessary for the students to become familiar with the subject matter. Many of the activities can be assigned as homework. If you have any questions or concerns while preparing your students, the museum education staff will be happy to assist.

## REQUIRED PRE-VISIT ACTIVITIES

### Background

#### 1. VOCABULARY DEVELOPMENT

It is necessary that students understand the terms that are being used in the program. A vocabulary list can be found on page 5, activities can be found in Appendix I.

#### 2. BOSTON MASSACRE

Students should be familiar with the Boston Massacre and the events that preceded it. Information is provided on page 6 and 7, and activities are provided in Appendix I. Additional resources are listed in the bibliography on page 21.

#### 3. COURT PROCEEDINGS

Students should be familiar with basic courtroom procedures. See explanations on page 8 and activities in Appendix I.

## Trial Preparation

#### 4. CLASS DISCUSSION.

What is the trial about?

Discuss what trials are for and why we have them. Discuss the two opposing sides of this case. Be sure all students are clear about what each side is arguing and why. Use this time to discuss the *Court Procedure* and the possible *Verdicts* of this trial; there is more information on page 8. *Note: We have found students' decisions are often influenced by the results of the real trial in 1770, so you may choose not to tell them before they perform the trial themselves. The museum staff will discuss the real outcome of the 1770 trial after the mock trial has been preformed at the Old State House.*

#### 5. ASSIGN ROLES.

Assign a role to each student using the *Role Cards* on pages 11–17. Match your students' personalities or specific learning styles to the roles. Shy students or aural learners may be best as jurors, quick-thinking, talkative students will make good lawyers while imaginative and expressive students will work well as witnesses.

#### 6. DEVELOPING THE CASE:

a. Divide students into groups to begin work on their cases. Distribute *Role Cards*.

Group 1: prosecution lawyers and witnesses

Group 2: defense lawyers and witnesses

b. Distribute copies of *Instructions for the Prosecution* and *Instructions for the Defense* to the appropriate sides. Distribute

*Instructions for Lawyers* to each lawyer and *Instructions for Witnesses* to each witness.

Make sure the student have read and understand their *Role Cards* and Instruction sheets.

c. Have the witness read their *Role Cards* aloud while the lawyers take notes. The witnesses and lawyers must work together to develop the trial

questions. The lawyers need to ask only the questions necessary to encourage each witness to reveal his or her *Key Trial Points*. *Note: It is very important that the lawyers and jurors understand that the case is built upon establishing the intentions of the soldiers.* Have lawyers fill out a *Lawyer Worksheet* for each witness to help them develop questions. You may also have them complete worksheets for each of the witnesses on the opposing side so they are prepared for cross examination.

d. Make sure that the lawyers have not only developed questions for each side, but have also prepared opening and closing statements. Each side has two lawyers to allow students to divide their tasks (questioning, giving opening and closing statements). *No single student should do all the speaking.*

e. The clerk should review the *Court Procedure* and the *Role Card*. The clerk also should look up and define words on the *Role Card* he or she does not know and share the definitions with the rest of the class. Additionally, the clerk should create a list of the defendants' (the soldiers') names so that the entire class knows whose futures are at stake in this trial.

f. The jurors can assist in developing the cases or can do other pre-visit activities such as developing the Boston Massacre timeline to present to the class. They should be very familiar with the possible *Verdicts* on page 8.

## Optional

### 1. EXPLORE THE BOSTON MASSACRE

Create a Timeline: If your class has not studied the Boston Massacre, use the suggested sources listed in the bibliography to outline what happened the night of March 5, 1770. Students can create a timeline of the events in words or pictures. If you have a large class, you may want to have the students assigned the roles of the jury do this research and present it to the class.

### 2. WORK ON OBSERVATION SKILLS

Witness a Crime: This brief exercise will help the students understand the complexities and variations in witness testimony. Arrange with someone you know—who the students do not know—to enter your classroom unannounced and “steal” papers from your desk while you and your students are present. After the “thief” leaves, question the students about what they saw. What was the person wearing? How tall was he/she? Did he/she say anything? What color hair did this person have? You and your students will be surprised at the range of responses that you receive and the conviction with which they are given. Then have the “thief” reenter the classroom so the students can compare reality to their memories.

### 3. JOURNAL WRITING

What will the trial be like? Once the students have their roles, ask them to write journal entries from the point of view of their characters. Let them speculate about what they think the trial will be like for them. Are they excited? Afraid? How do they feel about the townspeople? How do they feel about the soldiers? Another journal entry can also be a follow-up activity to compare their knowledge and comprehension before and after the event.

## Helpful Hint:

During the preparation, encourage students to step into the role of the person they are playing. The more comfortable they are in the classroom with their roles, the more successful the role-play of the trial will be at the Old State House. You can take this further, as time permits, by working with costumes and props or delving into everyday life by researching occupations, food, clothing, or other topics.

### At the Old State House

The extensive pre-visit activities and classroom preparation will be well worth the effort once the students arrive at the Old State House. On the day of your visit you will be greeted by a member of the museum staff at the front desk. Students and chaperones will be asked to leave their backpacks and to hang their coats. The group will be directed to our orientation room for a brief introduction and a video about the history of the building. The students will then be lead to the Council Chamber, which overlooks the site of the Boston Massacre, to perform the trial. The room will be set up for the trial and the students will be assigned seats. A museum staff member will briefly review the history of the Boston Massacre and the trial procedures before assuming the role of the judge and leading the trial. After the trial, the staff person will gather the jurors in a separate room and lead the deliberations. While teachers and chaperones are expected to supervise the students throughout the visit, it is essential that they supervise the rest of the students during the jury deliberation. Once a verdict has been reached, the jury will return to the Council Chamber to present their decision to the rest of the class. There will be a brief discussion about

the results of actual trial in 1770, and then the students will have a chance to go through the rest of the museum and to see the exhibit featuring artifacts from the Boston Massacre, including an original copy of the famous Paul Revere engraving of the event. Please allow two hours for the trial and the museum visit. For the trial alone, please allow one and half hours.

*Please note the following museum rules:*

- At least one chaperone is required for every ten students
- No food or drinks are allowed in the museum galleries
- Photos are permitted, but only without a flash
- All backpacks and bagged lunches must be left at the front desk while you visit

Please tell the museum staff before your visit if a student has special needs. We would like to make the necessary arrangements to ensure everyone in your class has a positive and fulfilling museum experience.

### Post-visit Activities

After you return to the classroom, please take the time to do complete some of the post-visit activities included in Appendix II of this booklet. These activities were designed to help students at a variety of skill levels further examine the concepts introduced during this program. These activities can be completed in the classroom, as homework, or as extra credit. You are invited to send your students' post-visit work to the Museum. We love to hear about students' experiences and to see the creative ideas they have!

## Vocabulary

- Bayonet – a knife extending from the end of a musket
- Case – a dispute between opposing sides decided in a court or an argument presented in court by one of the opposing sides
- Colony – a settlement of people who are governed by others
- Clerk – an officer of the court who keeps a record of the trial and the testimonies
- Counsel – to give advice or help, it can also be another word for lawyer
- Cross examine – to question a witness already questioned by the opposing side
- Defendant – the person who is charged with a crime
- Defense – the defendant and the lawyer who makes a case in favor of the defendant
- Fire – an officer's command to shoot
- Foreman – the head person of the jury who tells the court the verdict
- Indictment – a criminal charge brought against a person
- Intentional – to do something on purpose or willfully
- Judge – an official person who hears and decides cases brought before a court of law
- Jury – a group of people (jurors) sworn to hear testimony and make a decision at a trial
- Lawyer – a person who gives legal advice to people and represents them in court
- Manslaughter - the unintentional killing of another person
- Massacre – the killing of a group of people at one time
- Murder – the intentional killing of another person
- Musket – a long gun, like a rifle, held to the shoulder when fired
- Propaganda – words or pictures designed to win someone over to a certain point of view, especially when distorting the truth
- Prosecution – a lawyer appointed by the government to accuse someone of committing a crime
- Sentence – punishment given to a person found guilty
- Sentry – a soldier assigned to guard a certain place
- Summation – the final statement or case summary that is given to the court by the lawyers
- Taunt – to make fun of someone in a disrespectful way, to tease, to call names
- Townhouse – The headquarters of Massachusetts colonial government, including the court, and later the first Massachusetts State House. It is now called the Old State House.
- Testimony – statement(s) of fact given before a court
- Verdict – the decision reached by the jury at the end of a trial
- Witness – someone who has seen or heard something and is called to testify before a court

## The Boston Massacre of March 5, 1770

### The Event and Aftermath

The Boston Massacre was a major event on the road to the American Colonies' violent break with the British government. John Adams, future President of the United States, said of it, "On that night the foundation of American independence was laid." Echoes of the Boston Massacre are evident in the Declaration of Independence (1776), the Constitution of the United States (1787), and the Bill of Rights (1791). Its memory has shaped American history and mythology for over two hundred years. Its legacy can be felt even today.

On October 1, 1768, two regiments of British troops—the 14th and 29th—disembarked at Long Wharf, at the foot of King Street (what is now State Street). Many Bostonians, British citizens, were no longer content to pay taxes to a country that did not allow them a say in the approval of those taxes. The troops had been sent to Boston to maintain an increasingly threatened order. The troops marched up King Street and onto the Common, "as if taking possession of a conquered town." Close to 2,000 troops would be absorbed into a town of about 15,000 inhabitants. With soldiers encamped and posted throughout the town, disputes and fights broke out almost immediately.

Two such outbreaks occurred in the weeks prior to the Boston Massacre, and increasingly strained the relationship between the soldiers and Boston's inhabitants. On February 22, 1770, a rowdy and violent crowd gathered around the home of Ebenezer Richardson, a known loyalist and informer. When the townspeople started throwing rocks and damaging his property, Richardson fired his gun into the crowd and killed Christopher

Seider, an 11 year old boy who was in the crowd. Radical patriots turned the tragedy into a political rally, and over 2,000 people attended the boy's funeral. On March 2, 1770, a fight broke out at the ropewalks between a soldier looking for work and the ropewalk workers. A large group of soldiers joined the fight, but the ropewalk workers ultimately drove them off. The next day, soldiers and ropewalkers engaged in another scuffle, further escalating the already heightened tension in Boston.

Boston in 1770 had no street lamps. Monday, March 5th, was a cold and moonlit night. Up to a foot of frozen snow lay on the ground. Private Hugh White was the lone sentry on guard at the Custom House on King Street. What began as taunting between White and several young apprentices soon escalated to violence. After striking one of the young boys on the head with his musket, White found himself surrounded, pelted with curses, snowballs and chunks of ice.

At about the same time, bells began to ring throughout the town. Bells at night meant fire, a disaster for the wooden-built town. Men and boys poured into the streets as shouts of "Fire" were heard. As more colonists gathered on King Street, taunting the sentry and daring him to fight, White began to fear for his life. He fixed his bayonet, loaded his musket, and called for the main guard in the barracks beside the Town House (Old State House). Although the troops could not forcefully disperse the gathered townspeople without civilian authority, they could defend themselves. Captain Thomas Preston marched out a rescue

party of seven Grenadiers, the biggest men in the Regiment.

Preston, Corporal William Wemms, and six privates – Carroll, Kilroy, Warren, Montgomery, Hartigan, and McCauley – marched to the sentry box with empty muskets but fixed bayonets. White then joined the ranks. Preston was unable to march the eight soldiers back to the barracks because of the threatening crowd, armed with sticks, swords, rocks, ice and snow. The troops formed a defensive semi-circle in front of the Custom House stairs. While some among the crowd pleaded with Captain Preston to keep his soldiers calm and not to fire, others dared the soldiers to fire. Sticks and bayonets dueled. The taunting colonists thought the soldiers would not fire.

Crispus Attucks, a tall sailor and former slave of mixed African and Native American descent, tried to wrench a gun out of one of the soldier's hands. Private Hugh Montgomery was hit with a stick and fell; on rising he fired his musket. Someone shouted, "Fire," and more shots rang out in an uncontrolled volley. Private Kilroy fired without aiming and hit ropemaker Samuel Gray in the head. Two bullets struck Attucks in the chest. Sailor James Caldwell was shot in the middle of King Street. Samuel Maverick, an apprentice to an ivory turner, was at the top of King Street near the Town House when he caught a bouncing bullet in the chest; he would die several hours later. Patrick Carr, a maker of leather breeches, was shot in the hip. He would die on March 14th, the fifth and final person to die as a result of the Massacre. Six other colonists were wounded.

Rushing from his North End home, Acting Governor Thomas Hutchinson arrived and addressed the crowds from the balcony of the Town House. He urged everyone to go home, stating, "The law shall have its course; I will live and die by the law." A warrant was issued for Captain Preston, who was immediately taken into custody. The eight soldiers surrendered the next morning and were sent to jail. Preston and the eight accused soldiers stayed in jail for almost nine months before their trials. Public opinion was against them and they could find no one to represent them. John Adams, who finally accepted the case, said that "Council ought to be the very last thing an accused Person should want (lack) in a free country."

The soldiers were tried before the Superior Court of Judicature, the highest court in Massachusetts. The trials, one for Preston and one for his men, were two of the longest in colonial times. Among the "firsts" in the trials were the allowance of death-bed testimony (that of Patrick Carr) and the use of the phrase "reasonable doubt." The judge also allowed the jury to find either for murder or the lesser offense of manslaughter. When Privates Montgomery and Kilroy were found guilty of manslaughter, they escaped the death penalty but were branded on the thumb. The other soldiers were found not guilty. Captain Preston was also found not guilty at his trial.

In the immediate aftermath of the trials, passions cooled considerably. Colonial newspapers, broadsides, and public speeches, however, continued to reflect the opinion that the soldiers were to blame for the fatal events of March 5. From the first anniversary of the Massacre, it was remembered throughout the colonies with speeches, declara-

tions, and public displays. A simplistic and primarily erroneous view of the Massacre as an assault upon innocent citizens by wicked soldiers was used again and again. Today, the many questions raised by the Boston Massacre are as relevant as they were in 1770.



## Court Procedure

1. **Clerk** calls court to order, reads the indictments, and instructs the **Jury**.
2. **Prosecution** gives opening statement.
3. **Defense** gives opening statement.
4. **Prosecution** calls and questions its witnesses. The **Defense** may cross examine any of the witnesses.
5. **Defense** calls and questions its witnesses. The **Prosecution** may cross examine any of the witnesses.
6. **Prosecution** gives closing statements.
7. **Defense** gives closing statements.
8. **Jury** deliberates.
9. **Jury** gives verdict.
10. The **Judge** passes sentencing.

## Verdicts

In this court case there are three possible verdicts. The soldiers could be:

- 1) *Guilty of Murder* – The soldier(s) intended to kill the colonists (killed them on purpose).
- 2) *Guilty of Manslaughter* – The soldier(s) did not intend to kill the colonists, but they did anyway. This might mean they fired their guns by accident or for some other reason, but not because they meant to.
- 3) *Not Guilty* – The soldier(s) felt there was a need to fire the gun(s) in order to protect himself (themselves).

*Please keep in mind that the soldiers do not need to be considered as a group, individual soldiers may be found guilty or not guilty on their own.*

If jurors do not feel that there is enough evidence to show that the soldier(s) are guilty of murder or manslaughter, they should find the soldiers not guilty.

## Instructions for the Prosecution

The prosecution needs to prove that the soldiers fired their guns – and killed the victims – on purpose, not by accident or as self-defense. The prosecution lawyers should build their case upon the soldiers' hatred of the townspeople. Witnesses should testify about the soldiers' mean and rough behavior before and during the Massacre, this will help convince the jury that the soldiers wanted to kill the townspeople and should be found guilty of murder. Remember, if the jury does not feel that the prosecution's case is strong enough, they will find the soldiers not guilty.

To prepare for the trial, lawyers should work with their witnesses as a team to develop questions to ask each witness during the trial. The answers that the witnesses give should help support the prosecution's case.

During the trial, the prosecution lawyers will also have a chance to question each defense witness after they have been questioned by the defense lawyers. This is called cross-examination. This means that the prosecution team should look at the role cards of each of the defense witnesses to look for facts that would support the prosecution's case. Lawyers should be prepared to ask those witnesses questions about the facts that would support prosecution's case.

### Prosecution Lawyers:

Robert Treat Paine  
Samuel Quincy

### Prosecution Witnesses:

Edward G. Langford, Town Watchman  
*Key Trial Point: Describes how Mathew Kilroy shot and killed Gray.*

Francis Archibald, Occupation unknown  
*Key Trial Point: Testifies to an earlier fight with the soldiers. This shows the soldiers' rough behavior.*

James Brewer, Waterfront Mechanic  
*Key Trial Point: Denies seeing anyone with a stick or hearing any threats to the soldiers and testifies to the violent behavior of one of the soldiers.*

James Bailey, Sailor  
*Key Trial Point: Saw Montgomery shoot first. He was in control of his weapon when he fired.*

Samuel Hemmingway, Coachman  
*Key Trial Point: Heard Mathew Kilroy threatening to shoot townspeople.*

Benjamin Burdick, Barber  
*Key Trial Point: Heard Hugh Montgomery say he would fire and testifies to his aggressive behavior.*



Robert Treat Paine  
Prosecution Lawyer

## Instructions for the Defense

The defense's job is to defend the soldiers on trial. Everyone knows that five townspeople were killed by the soldiers, but it is the defense's job to prove that the soldiers fired in self-defense and are therefore not guilty. The defense lawyers should show that the townspeople were calling the soldiers names, were armed with sticks and were hitting the soldiers with sticks, snowballs and ice. This will help convince the jury that the soldiers were threatened and needed to protect themselves. The defense wants the jury to find the defendants not guilty.

To prepare for the trial, lawyers should work with their witnesses as a team to develop questions to ask each witness during the trial. The answers that the witnesses give should help support the defense's case.

During the trial, the defense lawyers will also have a chance to question each prosecution witness after they have been questioned by the prosecution lawyers. This is called cross examination. This means that the defense team should look at the role cards (the "depositions") of each of the prosecution witnesses to look for facts that would support the defense's case. Lawyers should be prepared to ask those witnesses questions about the facts that would support defense's case.

### Defense Lawyers:

John Adams  
Josiah Quincy

### Defense Witnesses:

Patrick Keeton, Occupation unknown  
*Key Trial Point: Describes an armed and dangerous Crispus Attucks.*

Henry Knox, Bookseller  
*Key Trial Point: Testifies to an armed and dangerous crowd.*

Newton Prince, Free black cook  
*Key Trial Point: Testifies to an armed and dangerous crowd that taunted the soldiers.*

Andrew, Slave  
*Key Trial Point: Testifies to an angry and dangerous crowd.*

Catherine Field, Landlady  
*Key Trial Point: Says Patrick Carr trying to go out on that evening carrying a concealed sword, which gives evidence of an armed crowd.*

Dr. John Jeffries, Medical Doctor  
*Key Trial Point: Testifies that Patrick Carr, while on his deathbed, said that soldiers fired in self-defense.*



John Adams  
Defense Lawyer

## Role Cards and Instructions

The following pages contain cards for each character involved in the trial. Please photocopy and distribute the cards to the appropriate student. Make as many juror cards as necessary. The lawyer and juror cards contain instructions, the clerk card contains the script that he or she must read to call the court to order and witness cards contain their trial testimony information.

The witness cards are further broken down to help the students build their case by including a key trial point and different fonts to identify facts that support each side.

\*All facts that support the DEFENSE are preceded by this symbol - **D**

\*All the facts that support the PROSECUTION are preceded by this symbol - **P**

As you can see many witnesses, although they are witnesses for one side or the other, know facts that may support the other side. It is important that the lawyers understand that they should only ask questions that prompt the witnesses to answer facts that support their own lawyer's side. Lawyers will have the opportunity to ask questions of the witnesses of the opposing side during cross examination.

### Prosecution Lawyer Samuel Quincy

Your job, along with Robert Treat Paine, is to prove to the jury that the defendants (soldiers) are guilty of murder. Everyone knows five Bostonians were killed, but you have to *prove that the defendants were at the shooting and fired their guns, intending to kill*. You may also want to show that the soldiers were hostile toward townspeople before the night of the shooting.

You must also familiarize yourself with the defense witnesses. Listen carefully to their testimony in court so you can ask them questions that might help your case (cross-examine them).

The prosecution lawyers must also give two short speeches (2-3 sentences):

1. Opening statement - Tell the jury what you will try to prove in your case.
2. Closing statement - Sum up your argument and ask the jury for a guilty verdict.

### Prosecution Lawyer Robert Treat Paine

Your job, along with Samuel Quincy, is to prove to the jury that the defendants (soldiers) are guilty of murder. Everyone knows five Bostonians were killed, but you have to *prove that the defendants were at the shooting and fired their guns, intending to kill*. You may also want to show that the soldiers were hostile toward townspeople before the night of the shooting.

You must also familiarize yourself with the defense witnesses. Listen carefully to their testimony in court so you can ask them questions that might help your case (cross-examine them).

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1. Opening statement - Tell the jury what you will try to prove in your case.
2. Closing statement - Sum up your argument and ask the jury for a guilty verdict.

**Prosecution Witness**  
**Edward G. Langford, Town Watchman**

*Key Trial Point: I describe how Mathew Kilroy's shot killed Gray.*

I was on King Street on the night of March 5th. I heard bells ringing, so I ran to King Street. People were crying, "Fire!"

- D** I saw several boys and young men at the Custom House sentry box, they were swearing & yelling at the sentry. I told them to leave the sentry alone.
- P** I did not see anything thrown at the soldiers.
- P** I saw Mathew Kilroy fire his gun and hit Samuel Gray. After he fired, he thrust his bayonet at me and cut my jacket.
- P** I saw that Samuel Gray was not carrying a weapon.

KEY: **D**—Defense Facts   **P**—Prosecution Facts

**Prosecution Witness**  
**Francis Archibald**

*Key Trial Point: I testify to an earlier fight with the soldiers. This shows the soldiers' rough behavior.*

I was on King Street on the night of March 5th. I heard shouting, but I was not close enough to hear what was said or to see who fired the shots.

- P** I saw nothing thrown at the soldiers.
- P** Earlier in the night, before the incident on King Street, I saw a soldier walking with a man with a cutlass (small sword) in his hand. He came up to my friend and me. My friend said "it's not right to carry a knife at this time of night." The soldier said that "Curse you Yankee booger, what's your business!?" Then he hit my friend and then a fight broke out.

KEY: **D**—Defense Facts   **P**—Prosecution Facts

**Prosecution Witness**  
**James Brewer, Waterfront Mechanic**

*Key Trial Point: I deny seeing anyone with a stick or hearing any threats to the soldiers and testify to the violent behavior of one of the soldiers.*

I was on King Street the night of March 5th.

- P** I saw the sentry on the steps of the Custom House and saw a lot of men and boys with him, no one was bothering him.
- P** The soldiers walked by me as they left the guardhouse on their way to the sentry box. One of them hit me with his bayonet - I think it was Mathew Kilroy.
- P** I did not hear any threatening speeches or anyone calling the soldiers names.
- P** I did not see anyone with sticks or clubs.

KEY: **D**—Defense Facts   **P**—Prosecution Facts

**Prosecution Witness  
James Bailey, Sailor**

*Key Trial Point: I saw Montgomery shoot first. He was in control of his weapon when he fired.*

I was on King Street on the night of March 5th.

- D** I saw the sentry standing guard and lots of people throwing ice at him. The ice was large, hard and could hurt someone.
- P** I saw Hugh Montgomery fire the first shot.
- D** Before Hugh Montgomery fired, he was hit very hard by something. He fell down and his gun flew out of his hand.
- P** After he fell, Hugh Montgomery stood up, picked up his gun and then fired.

KEY: **D**—Defense Facts   **P**—Prosecution Facts

**Prosecution Witness  
Samuel Hemmingway, Coachman**

*Key Trial Point: I remember Kilroy threatening to shoot townspeople which shows that the soldiers had ill feelings toward the townspeople and might harm them.*

I was at home on the night of March 5th.

- P** One night, about a week before March 5th, I was talking to Mathew Kilroy. He said that he would never miss an opportunity to fire upon the townspeople. He said he wanted to ever since he got here.
- P** I told him he was a fool for saying so, but he said he did not care.

KEY: **D**—Defense Facts   **P**—Prosecution Facts

**Prosecution Witness  
Benjamin Burdick, Barber**

*Key Trial Point: I heard Hugh Montgomery say he would fire and testify to his aggressive behavior.*

I was on King Street on March 5th. I left my house because I heard loud noises and wanted to find out what was happening.

- D** I was carrying a sword.
- P** I was carrying a sword, but only because I had heard the soldiers could be violent. My wife insisted I take it with me when I left my house because she was worried.
- P** I saw Hugh Montgomery and I asked him if the soldiers would fire. He said “Yes, by Eternal God!” and then he pushed me.
- D** I hit Hugh Montgomery with my sword.

KEY: **D**—Defense Facts   **P**—Prosecution Facts

**Defense Lawyer  
John Adams**

Your job, along with Josiah Quincy, is to defend the soldiers on trial. Use your witnesses to *prove that the soldiers were threatened by the townspeople. They were therefore acting in self-defense and are not guilty.* You will want to show that the townspeople were calling the soldiers names, were armed with sticks, and hit the soldiers with sticks, rocks and ice.

You must also be familiar with who the prosecution witnesses are. Listen carefully to their testimony in court so you can ask them questions that might help your case (cross examine them).

The defense lawyers must also give two short speeches (2-3 sentences):

1. Opening statement - Tell the jury what you will try to prove in your case.
2. Closing statement - Sum up your argument and ask the jury for a not guilty verdict.

**Defense Lawyer  
Josiah Quincy**

Your job, along with John Adams, is to defend the soldiers on trial. Use your witnesses to *prove that the soldiers were threatened by the townspeople. They were therefore acting in self-defense and are not guilty.* You will want to show that the townspeople were calling the soldiers names, were armed with sticks, and hit the soldiers with sticks, rocks and ice. You know that five townspeople were killed by the soldiers, but you are trying to prove that the soldiers fired in self-defense.

You must also be familiar with who the prosecution witnesses are. Listen carefully to their testimony in court so you can ask them questions that might help your case (cross examine them).

The defense lawyers must also give two short speeches (2-3 sentences):

1. Opening statement - Tell the jury what you will try to prove in your case.
2. Closing statement - Sum up your argument and ask the jury for a not guilty verdict.

**Defense Witness  
Patrick Keeton**

*Key Trial Point: I describe an armed and dangerous Crispus Attucks.*

I was on King Street on the night of March 5th.

- D** I saw people coming to King Street from the North End with sticks and clubs in their hands.
- D** I saw Crispus Attucks with two clubs in his hands. He gave one of the clubs to me and then he walked up to the soldiers cursing and swearing at them.
- P** I dropped the club in the snow and went home soon after.
- P** I did not see anything thrown at the soldiers or see anyone hitting them.

KEY: **D**—Defense Facts    **P**—Prosecution Facts

**Defense Witness**  
**Henry Knox, Bookseller**

*Key Trial Point: I testify to an armed and dangerous crowd.*

I was on King Street on the night of March 5th. I heard bells ringing, so I wanted to see what was happening.

- D** I saw a large crowd surrounding the sentry. They were yelling and swearing at the sentry.
- D** The sentry said he would defend himself if someone hit him first.
- P** I did not see anything thrown at the soldiers.
- D** I heard a townspeople say "I will knock the sentry down!" and "Curse him!"

**D**—Defense Facts    **P**—Prosecution Facts

**Defense Witness**  
**Newton Prince, Free Black Pastry Cook**

*Key Trial Point: I testify to an armed and dangerous crowd taunting the soldiers.*

I was on King Street on the night of March 5th. I heard bells and cries of "Fire!" I left my home and went outside to ask where the fire was. Someone said it was something better than fire.

- D** There were people with clubs, buckets and sticks running to King Street.
- D** When I got to King Street, I saw soldiers with guns and bayonets. Townspeople were hitting them with sticks. I thought the guns might go off accidentally.
- D** I heard townspeople yelling, "Fire, fire you lobsters, fire! You dare not fire!"
- D** I saw some boys throwing snowballs at the soldiers.

**D**—Defense Facts    **P**—Prosecution Facts

**Defense Witness**  
**Andrew, Slave**

*Key Trial Point: I testify to an angry and dangerous crowd.*

I was on King Street on the night of March 5th.

- D** I saw people throwing snowballs and yelling at the soldiers.
- P** Someone yelled "Bloody back, are you going to stab me?" the soldier said "Yes, I will!"
- D** I saw 2 or 3 soldiers being hit with snowballs or rocks. Townspeople were hitting their guns.
- P** The soldiers pushed the townspeople with their guns. One of them cursed at me.
- D** I saw a townspeople hit Captain Preston.

**D**—Defense Facts    **P**—Prosecution Facts



**Defense Witness**  
**Catherine Field, Landlady**

*Key Trial Point: You tell about Patrick Carr trying to go out on that evening carrying a concealed sword, which gives evidence of an armed crowd.*

I was at home on the night of March 5th with my husband, my neighbor, and Patrick Carr, who rents a room in my house.

- D** When the bells rang, Patrick Carr got up to see what was happening and put a sword under his coat. My husband and I tried to take the sword away from him, but we were not able to.
- P** Our neighbor took the sword away before he left the house. Patrick Carr went to King Street without the sword.

KEY: **D**—Defense Facts    **P**—Prosecution Facts

**Defense Witness**  
**Dr. John Jefferies, Medical Doctor**

*Key Trial Point: As Patrick Carr's surgeon, you are put on the stand to relate the conversation you had with Carr on his deathbed; Carr said he thought the soldiers fired in self-defense.*

I was not on King Street the night of March 5th. I was asked at 11:00 pm on March 5th to care for Patrick Carr, who had been shot.

After dressing Patrick Carr's wounds, I asked him about what happened on King Street.

Patrick Carr said he was sorry he went to King Street.

- D** He said there were a lot of people throwing things at the soldiers and that he thought they would fire because they were being abused a great deal.
- D** He said that he thought the soldiers would have been hurt if they hadn't fired. A lot of townspeople were calling out "Kill them!"
- D** Patrick Carr said that he thought the soldiers fired in self-defense and that he did not blame the man who shot him.

KEY: **D**—Defense Facts    **P**—Prosecution Facts

**Court Clerk  
Samuel Winthrop**

Your job is to keep the records for the court.

*Call the court to order:*

This court is now in session. The Honorable Benjamin Lynde presiding. We will now hear the case of Rex (the crown) vs. Wemms.

*Read the indictment to the jury (while facing the courtroom):*

Gentlemen of the jury, hearken to the charge. That William Wemms, James Hartegan, William McCauley, Hugh White, Mathew Kilroy, William Warren, John Carrol, and Hugh Montgomery did, on the fifth day of March 1770, at Boston, with force and arms, feloniously, and willfully assault and murder Patrick Carr, Samuel Gray, Crispus Attucks, James Caldwell, and Samuel Maverick, all residents of the town of Boston and at that time being in the peace of God and of our Lord the King.

*Instruct the jury (while facing the jury):*

To this indictment the defendants at the bar plead not guilty, and for trial place themselves upon God and their country. Your charge therefore is, to enquire whether they or either of them be guilty of the felony and murder whereof they stand indicted, or not guilty. Good men and true stand together and hearken to your evidence.

**Juror**

It is your job to determine the verdict or the outcome of the trial. Listen carefully to the testimony of the witnesses. Base your verdict only on what you hear during your trial at the Old State House. You may want to take notes during the trial.

*Remember:*

- If you think either some or all of the soldiers acted in self-defense then you should find them not guilty.
- If you feel that they fired on purpose then you should find them guilty of murder.
- If you feel that they may have fired on accident, or for some other reason, you should find them guilty of manslaughter.

*Jurors:*

Foreman, Joseph Mayo, Roxbury  
Samuel Davenport, Milton  
Nathaniel Davis, Roxbury  
Joseph Houghton, Milton  
Abraham Wheeler, Dorchester  
Consider Atherton, Stoughton  
Edward Pierce, Dorchester  
Jacob Cushing, Jr., Hingham  
Isaiah Thayer, Braintree  
Josiah Lane, Hingham  
Benjamin Fisher, Dedham  
Jonathan Burr, Hingham

## Instructions for the Lawyers

As a lawyer, your task is to ask your witnesses questions to help prove your case.

Use the following list as a guide to help you question your witnesses. In the original trial in 1770 the lawyers asked these same questions. Remember, you should only ask the questions necessary to get your witness to say things that will support your case. Don't ask every witness all of the questions.

### GENERAL QUESTIONS

*These questions could be asked of most of the witnesses.*

1. Where were you on the night of 5th March last?
2. Were you in King Street on the 5th of March last?
3. What did you see?
4. What did you hear?

### More Specific Questions

*Think about which of these questions apply to each witness.*

1. Was anyone carrying sticks or clubs?
2. Did you see any of the soldiers in King Street on the 5th of March last?
3. Do you know any of the soldiers?
4. Did you speak to the sentry? Did the sentry say anything to you?
5. Did you hear the guns fire?
6. Did you see anything thrown at the soldiers?
7. Did you see who fired the first shot?
8. Did you see what made him fire?
9. What was said to the soldiers? What were the townspeople yelling?
10. Did you see any violence towards the soldiers before that night?
11. Did you hear any of the soldiers speak badly of the townspeople before that night?

### OPENING AND CLOSING STATEMENTS

*Lawyers must prepare opening and closing statements.* The opening statement should tell the jury what the lawyers will do to prove their case. The closing statements should sum up the lawyer's argument and remind jurors of some of the Key Trial Points that support their case. Each statement should be 2-3 sentences long. Lawyers should divide the task of giving opening and closing statements so each lawyer delivers one statement.

*Remember – Only ask questions that will encourage witnesses to say things that will support your case.*

### Example ~ Lawyer Worksheet

**Witness name:** Catherine Field

**List the parts of the witness' testimony that would help your case.**

Mrs. Field saw Patrick Carr leave the house with a sword. (This shows that if Patrick Carr was going to go take a sword, maybe other people in the crowd had weapons too)

**List questions you should ask the witness to get them to tell this information.**

Did you see Patrick Carr on the night of March 5th?

What did he do?

**List the parts of the witness' testimony that would not help your case.**

Mrs. Field's saw her neighbor take the sword away from Patrick Carr, so she knows he didn't take it to King Street. (You don't want to ask questions about this, because this shows Patrick Carr was not armed)

Lawyer Worksheet

*Witness name:*

*List the parts of the witness' testimony that would help your defense case.*

*List questions you should ask the witness to get them to tell this information*

*List the parts of the witness' testimony that would not help your case.*

Lawyer Worksheet

*Witness name:*

*List the parts of the witness' testimony that would help your defense case.*

*List questions you should ask the witness to get them to tell this information*

*List the parts of the witness' testimony that would not help your case.*

Lawyer Worksheet

*Witness name:*

*List the parts of the witness' testimony that would help your defense case.*

*List questions you should ask the witness to get them to tell this information*

*List the parts of the witness' testimony that would not help your case.*

## Instructions for Witnesses

### STICK TO YOUR STORY

As a witness, you provide very important information to the trial. The lawyers use your testimony to prove their case. In the trial, you must stick to the facts on your card. The lawyers may try to get you to change what you say, but you should always stick to your story! If they ask you something that you do not know, you can say, "I do not know" or "I did not notice."

*It is important that you do not make up any information that is important to the case.*

### Example ~ Witness Worksheet

***My witness name:*** Catherine Field

***I am a witness for:*** the defense

***Where was I on the evening of March 5, 1770?***

I was in my house with my husband and Patrick Carr.

***What did I see and hear?***

I saw Patrick Carr try to leave my house with a sword under his coat. My husband and I tried to take it from him, but we couldn't. Our neighbor did.

***What is the most important thing that I saw or heard?***

Patrick Carr wanted to take the sword to King Street.

***Why is what I witnessed important to the case?***

It is evidence that the crowd might have been armed.

### Witness Worksheet

***My witness name:***

***I am a witness for:***

***Where was I on the evening of March 5, 1770?***

***What did I see and hear?***

***What is the most important thing that I saw or heard?***

***Why is what I witnessed important to the case?***

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## Appendix I – Pre-visit Activities

Boston Massacre Vocabulary Multiple Choice	23
Boston Massacre Trial Vocabulary Matching	24
Legal Vocabulary Multiple Choice	25
Legal Vocabulary Crossword Puzzle	26
Massacre Matching	27
The Boston Massacre Crossword Puzzle	28
Court Procedure Worksheet	29
Court Procedure Cut and Paste	30

## Boston Massacre Vocabulary Multiple Choice

*Circle the letter of the phrase that best tells the meaning of the underlined word in each sentence.*

1. Paul Revere's engraving of the Boston Massacre is an example of propaganda.
  - a. killing of a group of people at a time
  - b. to do something on purpose
  - c. words or pictures designed to persuade someone to believe something
2. John Adams was the lawyer for the defendants.
  - a. a statements of facts given before a court
  - b. a criminal charge brought against a person
  - c. people who are charged with a crime
3. Two of the soldiers were found guilty of manslaughter.
  - a. the decision reached by the jury at the end of a trial
  - b. the unintentional killing of another person
  - c. the intentional killing of another person
4. The verdict in Captain Preston's trial was "not guilty."
  - a. the decision reached by the jury at the end of a trial
  - b. statements of facts given before a court
  - c. a criminal charge brought against a person
5. Some of the colonists wanted the soldiers found guilty of murder.
  - a. the decision reached by the jury at the end of a trial
  - b. the unintentional killing of another person
  - c. the intentional killing of another person
6. The jury had to listen carefully to the testimony of the witnesses.
  - a. the head person of the jury who tells the court the verdict
  - b. statements of facts given before a court
  - c. a lawyer appointed by the government to accuse someone of committing a crime
7. Joseph Mayo of Roxbury was the foreman of the jury.
  - a. a person who is charged with a crime
  - b. to question a witness already questioned by the opposing side
  - c. the head person of the jury who tells the court the verdict
8. Josiah Quincy helped to cross examine the witnesses.
  - a. to question a witness already questioned by the opposing side
  - b. statements of fact given before a court
  - c. a criminal charge brought against a person



## Boston Massacre Trial Vocabulary Matching

*Match the term in Column 2 with the definition in Column 1*

- |  |                  |
|--|------------------|
| 1. ____ a lawyer appointed by the government to accuse someone of committing a crime | A. murder        |
| 2. ____ statements of fact given before a court                                      | B. testimony     |
| 3. ____ to question a witness already questioned by the opposing side                | C. defendant     |
| 4. ____ a person who is charged with a crime   | D. indictment    |
| 5. ____ a criminal charge brought against a person                                   | E. manslaughter  |
| 6. ____ word or pictures designed to persuade someone to believe something           | F. propaganda    |
| 7. ____ the decision reached by the jury at the end of a trial                       | G. prosecution   |
| 8. ____ the head person of the jury who tells the court the verdict                  | H. foreman       |
| 9. ____ the killing of a group of people at one time                                 | I. verdict       |
| 10. ____ the intentional killing of another person                                   | J. cross examine |
| 11. ____ to do something on purpose or willingly                                     | K. intentional   |
| 12. ____ unintentional killing of another person                                     | L. massacre      |

## Legal Vocabulary Multiple Choice

*Circle the letter of the phrase that best tells the meaning of the underlined word in each sentence.*

1. The clerk was asked to read back the witness' testimony.
  - a. an official person who hears and decides cases brought before a court of law
  - b. a person who gives legal advice to people and represents them in court
  - c. an officer of the court who keeps a record of the trial and the testimonies
2. The jury had a hard time reaching a verdict.
  - a. to do something on purpose or willfully
  - b. the decision reached by the jury at the end of a trial
  - c. punishment given to a person found guilty
3. Robert Treat Paine was the lawyer for the prosecution.
  - a. the final statement or case summary that is given to the court by the lawyers
  - b. a lawyer appointed by the government to accuse someone of committing a crime
  - c. the defendant and the lawyer who makes a case in favor of the defendant
4. Josiah Quincy was very good when he would cross examine a witness.
  - a. a criminal charge brought against a person
  - b. the defendant and the lawyer who makes a case in favor of the defendant
  - c. to question a witness already questioned by the opposing side
5. At first, John Adams was unsure if he should agree to be the defense lawyer.
  - a. the final statement or case summary that is given to the court by the lawyers
  - b. a lawyer appointed by the government to accuse someone of committing a crime
  - c. the defendant and the lawyer who makes a case in favor of the defendant
6. The British soldiers had very good counsel.
  - a. the person who is charged with a crime
  - b. to give advice or help, it can also be another word for lawyer
  - c. punishment given to a person found guilty
7. Some of the colonists felt the soldiers had committed murder.
  - a. the unintentional killing of another person
  - b. the intentional killing of another person
  - c. to do something on purpose or willfully

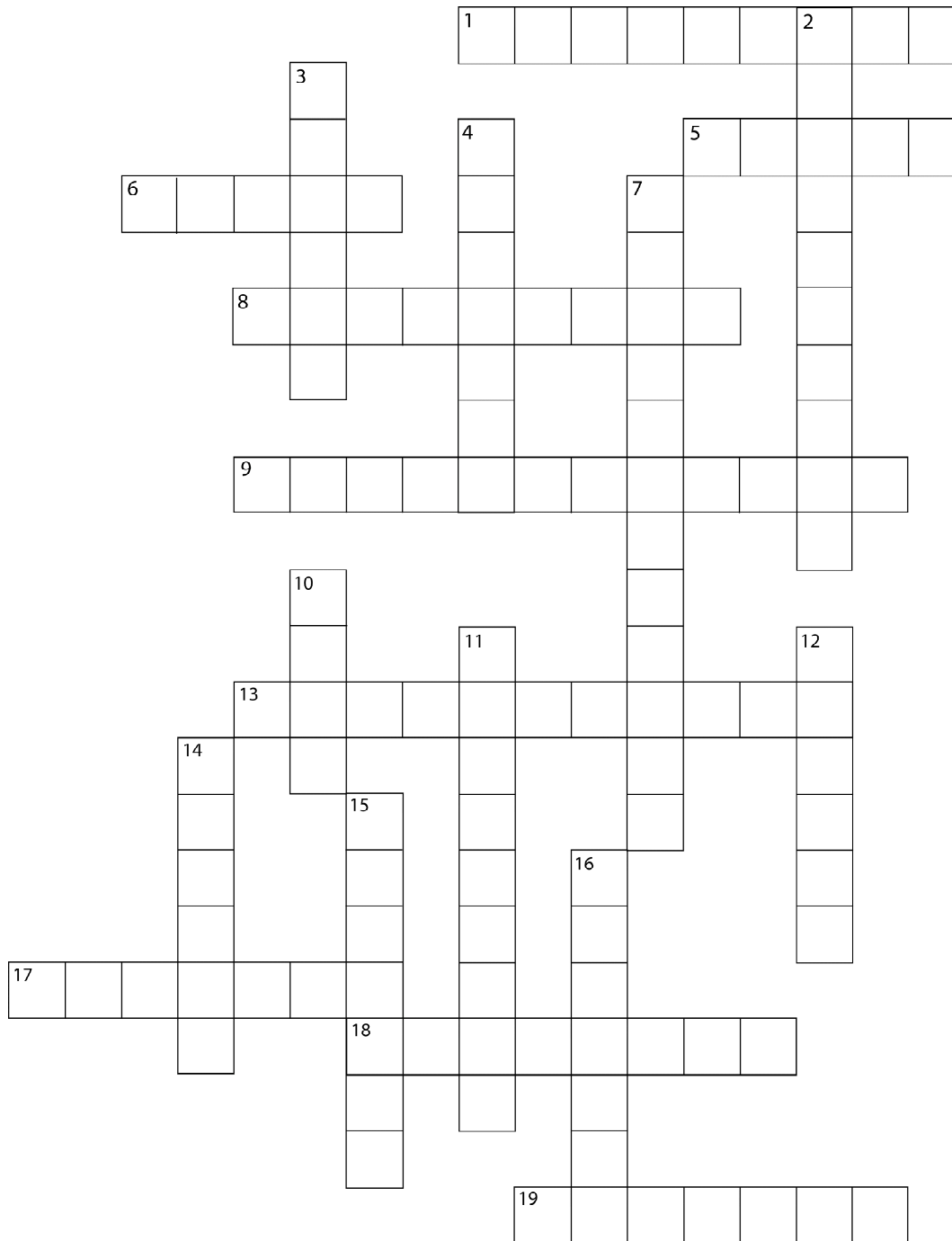
## Legal Vocabulary Crossword Puzzle

### ACROSS

1. the final statement or case summary that is given to the court by the lawyers
5. an official person who hears and decides cases brought before a court of law
6. an officer of the court who keeps a record of the trial and the testimonies
8. the person who is charged with a crime
9. to question a witness already questioned by the opposing side
13. a lawyer appointed by the government to accuse someone of committing a crime
17. the head person of the jury who tells the court the verdict
18. punishment given to a person found guilty
19. the decision reached by the jury at the end of a trial

### DOWN

2. a criminal charge brought against a person
3. the intentional killing of another person
4. someone who has seen or heard something and is called to testify before a court
7. the unintentional killing of another person
10. a group of people (jurors) sworn to hear testimony and give a verdict upon a case presented in court
11. statement(s) of fact given before a court
12. to do something on purpose or willfully
14. a person who gives legal advice to people and represents them in court
15. to give advice or help, it can also be another word for lawyer
16. the defendant and the lawyer who makes a case in favor of the defendant



### Word List

clerk  
counsel  
cross examine  
defendant  
defense  
foreman  
indictment  
intent  
judge  
jury  
lawyer  
manslaughter  
murder  
prosecution  
sentence  
summation  
testimony  
verdict  
witness

## Massacre Matching

*Match the person in Column 2 with the fact in Column 1.*

- |  |                       |
|--|-----------------------|
| 1. _____ Witnesses saw me firing the first shot in the Boston Massacre.                              | A. John Adams         |
| 2. _____ I assisted John Adams in defending the British soldiers.                                    | B. Crispus Attucks    |
| 3. _____ My death a few days earlier may have contributed to the Boston Massacre.                    | C. Paul Revere        |
| 4. _____ I was guarding the Custom House when I was confronted by a group of rock throwing Patriots. | D. Hugh Montgomery    |
| 5. _____ Although I was a devoted Patriot, I defended the British soldiers at their trial.           | E. Patrick Carr       |
| 6. _____ I was the first African American to die in what would become the American Revolution.       | F. Thomas Preston     |
| 7. _____ Although I was in charge of the British troops, I was found not guilty at my trial.         | G. Josiah Quincy      |
| 8. _____ My Boston Massacre engraving is probably the most famous one.                               | H. Christopher Seider |
| 9. _____ I was an Irish immigrant who was shot during the Boston Massacre.                           | I. Hugh White         |

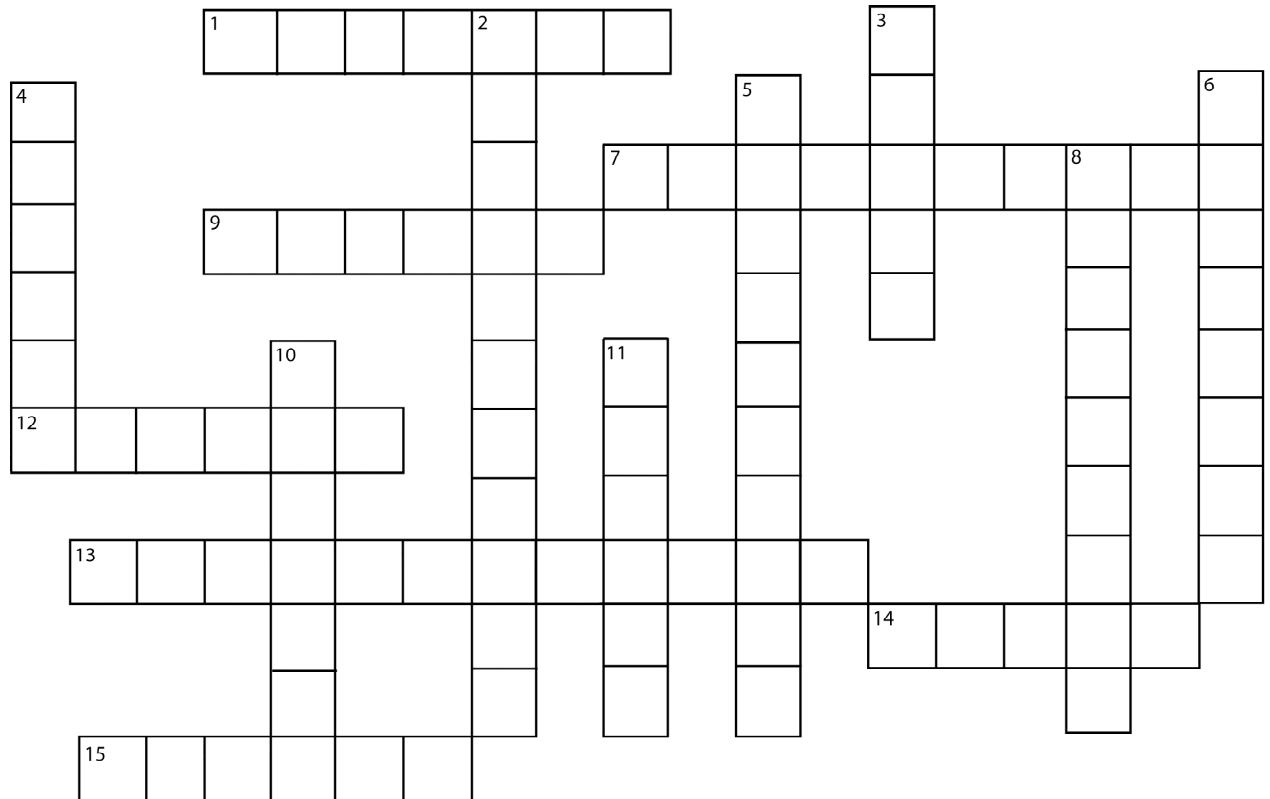
# The Boston Massacre Crossword Puzzle

## ACROSS

1. I was the first African American to die in what would become the American Revolution.
7. Words or pictures designed to win someone over to a certain point of view.
9. Verdict for Montgomery and Kilroy
12. My Boston Massacre engraving is probably the most famous one.
13. Crime Montgomery and Kilroy were found guilty of
14. I was guarding the Custom House when I was confronted by a group of rock throwing Patriots.
15. I assisted John Adams in defending the British soldiers.

## DOWN

2. place the soldiers were guarding on March 5, 1770
3. Although I was a devoted Patriot, I defended the British soldiers at their trial.
4. My death a few days earlier may have contributed to the Boston Massacre.
5. I was convicted of manslaughter for my role in the Boston Massacre.
6. The killing of many of people at one time
8. Verdict in Captain Preston's trial
10. Although I was in charge of the British troops, I was found not guilty at my trial.
11. I was angry because I felt that Paul Revere had copied my picture of the Boston Massacre.



## Word List

Seider  
Custom House  
guilty  
massacre

Revere  
manslaughter  
Quincy  
Pelham

Montgomery  
White  
not guilty  
Adams

Attucks  
Preston  
propaganda

## Court Procedure Worksheet

*Number these events in the order in which they will happen in court during a trial.*

- \_\_\_ Prosecution gives closing statements.
- \_\_\_ Clerk calls court to order, reads the indictments, and instructs the jury.
- \_\_\_ Prosecution gives opening statement.
- \_\_\_ Defense gives closing statements.
- \_\_\_ Jury gives verdict: Foreman reads the verdict to the court.
- \_\_\_ Defense calls and questions its witnesses. The Prosecution may cross examine any of the witnesses.
- \_\_\_ The Judge passes sentencing.
- \_\_\_ Jury deliberates.
- \_\_\_ Defense gives opening statement.
- \_\_\_ Prosecution calls and questions its witnesses. The defense may cross examine any of the witnesses.

## Court Procedure Cut and Paste

*Arrange these events in the order in which they will happen in court during a trial.*

Prosecution calls and questions its witnesses. The Defense may cross examine any of the witnesses.	
Defense gives opening statement.	
Defense calls and questions its witnesses. The Prosecution may cross examine any of the witnesses.	
Prosecution gives opening statement.	
The Judge passes sentencing.	
Prosecution gives closing statements.	
Jury gives verdict: Foreman reads the verdict to the court.	
Defense gives closing statements.	
Clerk calls court to order, reads the indictments, and instructs the jury.	
Jury deliberates.	

## Appendix II

### Post-visit Activities

Newspaper Reporting	32
Design a Boston Massacre Display	32
Design a Boston Massacre Marker	33
Letter Writing	34
Propaganda Activity	34
Writing Prompts	35
Current Court Case Activity	36
Boston Massacre Match	37
Old State House Match	40
Boston Massacre Final Quiz	43



## Newspaper Reporting

The story of the Boston Massacre first appeared in a newspaper, “The Boston Gazette and Country Journal”, on March 12, 1770.

### ***Task One***

Pretend that you were a reporter for this newspaper. Based on what you have learned about the Massacre, either in the classroom or from your own research, write an article recounting the event.

Things to remember:

1. Your facts must be true. You will need to document your sources.
2. You must include at least four facts in your story.
3. Your story must be at least three paragraphs long.
4. You must write in complete sentences.

### ***Task Two***

Pretend that you are an editor of this newspaper. Based on what you have learned about the Massacre, either in the classroom or from your own research, write an editorial (a persuasive essay) for this newspaper.

Things to remember:

1. You must choose a side. Were the British soldiers guilty or not-guilty of murder?
2. It is your job to convince the readers that they should support your point of view.
3. Your facts must be true. You will need to document your sources.
4. You must include at least four facts in your story.
5. Your story must be at least three paragraphs long.
6. You must write in complete sentences.

## Design a Boston Massacre Display

Imagine that you have been given the task of designing a new display about the Boston Massacre to be housed in the Old State House Museum.

Your display must:

1. Include factual information of events/conditions in Boston leading up to the Boston Massacre.
2. Include factual information about the event itself.
3. Include factual information about the trial.
4. Be reflective of both the Patriot and Loyalist point of view.
5. Not replicate any existing display (you may include materials/documents/artifacts currently displayed but you must also include additional material).

You may either:

1. complete the entire display individually, or
2. work in groups.

You must include:

1. copies of primary source documents or pictures.
2. documentation for any material not presented in class.
3. pictures of any artifact included (this may be hand drawn).
4. dimensions of the finished display.

## Design a Boston Massacre Marker

The picture below is the current historic marker for the site of the Boston Massacre along the Freedom Trail. Below it is a close up of the same marker. It sits in the crosswalk on the corner of Washington and State Streets in downtown Boston.



Using the information you have learned about this event, design a new marker.

*Explain why you chose your design.*

## Letter Writing

Imagine you are a resident of Boston in 1770. Write a letter to family or friends who live in England. Tell them about the situation in Boston before, during, or after the Boston Massacre. You may wish to use your character from the role-play or you may wish to pretend you were in the audience at the trial.

Topics to include in your letter:

- What are the problems in Boston?
- What caused the Massacre?
- Do you think the soldiers were at fault?
- What can you or your relatives do to help?
- What part did you take in the trial?
- Do you think the verdicts in the trial were fair?

Be sure to use correct letter format and write in complete sentences.

## Propaganda Activity

The reporting of the Boston Massacre to England and the other colonies was handled by people who were very careful about what information to include and what to leave out. For instance, Paul Revere and the Sons of Liberty created and distributed a drawing of the Massacre. They were not interested in showing what really happened; they wanted to make people feel a certain way about the British. This is called propaganda.

Pretend you are trying to spread anti-colonist propaganda. Draw a piece of propaganda, such as a picture or cartoon, or write a poem, that tells how the British may have used the Massacre to make people feel a certain way.

## Writing Prompts

1. Prior to the American Revolution, the Boston Massacre was one of several events that show that the American colonists were becoming more and more unhappy with the British government. Describe this event and describe why it angered the colonists.
2. Although he was a loyal Patriot, John Adams agreed to defend the British soldiers at their trial following the Boston Massacre, calling it "one of the most gallant, generous, manly, and disinterested actions of my whole life, and one of the best pieces of service I ever rendered my country." Why did he do this?
3. The British soldiers who were put on trial for their role in the Boston Massacre claimed they had fired in self defense. Considering that they were trained, armed, professional soldiers who fired upon a group of ordinary citizens, how could they make this claim?
4. Imagine that you were a citizen of Boston who found yourself on King Street on the night of March 5, 1770. You heard the fire bell sounding. What would you have done? Why would you have reacted that way?
5. If you were living in Boston on March 5, 1770 would you have supported the actions of the Sons of Liberty or would you have remained a Loyalist? Use examples from what you have heard or read on your own to support your answer. Be sure you are able to document your sources.
6. Paul Revere's engraving, which shows the British soldiers lined up shooting the colonists, has been effective in conveying a particular point of view about the Boston Massacre. Discuss the role that propaganda played in helping to form the Patriots' view of the events on King Street on March 5, 1770.
7. If the American War for Independence had been fought in March 1770, could the colonists have succeeded in getting their independence? Include in your answer the issues such as economics of war as well as the need for all of the colonies to unite against Britain for success.
8. "Facts are stubborn things and whatever may be our inclinations, or the dictums of our passions, they cannot alter the state of facts and evidence" said John Adams in his final statements to the jury during the Boston Massacre trial. List 5 facts about the trial that supported the defense side and 5 different facts that supported the prosecution side.
9. Some called Crispus Attucks a "hero" and a "patriot", "the first martyr of the American Revolution." Others, such as John Adams, lawyer for the British soldiers, saw Attucks as the rabble-rousing villain whose "mad behavior" was responsible for the carnage of March 5, 1770. Based on your knowledge of the event, how do you think Crispus Attucks should be remembered today?

## Current Court Case Activity

Using a newspaper as your source, investigate a current court case.

- |  |  |  |
|--|--|--|
| <p>1. Discover</p> <ul style="list-style-type: none"> <li>a. Who is the defendant in the case?</li> <li>b. Who is the prosecution in the case?</li> <li>c. What is the defendant's plea?</li> <li>d. Where is the trial being held?</li> </ul> | <p>2. List</p> <ul style="list-style-type: none"> <li>a. Five facts that you have learned about the case.</li> <li>b. Five questions that will help the defense side of the case.</li> <li>c. Five questions that will help the prosecution side of the case.</li> </ul> | <p>3. Predict</p> <ul style="list-style-type: none"> <li>a. Based on what you have learned about the case, predict what the verdict will be.</li> <li>b. Document what led you to make this prediction.</li> </ul> |
|--|--|--|

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Case:	The Defendant:	The Prosecution:	The Plea:	The trial is being held in:
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Facts About the Case:

1.

2.

3.

4.

5.

Defense Questions:

1.

2.

3.

4.

5.

Prosecution Questions:

1.

2.

3.

4.

5.

I predict the verdict will be:

My reasons for this verdict are:





## Boston Massacre Match

### Instructions:

1. Duplicate pages 37, 38, and 39 on card stock.  
Cut out the image and text page boxes. Adhere either of the text boxes to the back of the image. *Make sure you are adhering the TOP of both pages together.*
2. Laminate both pages.
3. Cut up the sheet with the picture on it, using the boxes around the text as a guide.

### Task:

1. Take a name and match it with the corresponding fact on the full sheet.
2. Turn the piece over so that the picture shows, and place it over the "match."

### Completion:

You will know if you have matched all names and facts correctly if you have accurately reproduced "The Boston Massacre" by Paul Revere.



Although I was in charge of the British troops, I was acquitted at my trial.	My Boston Massacre engraving is probably the most famous one.	I said I would fire on the townspeople if I had the chance.
I was an African American who died during the Boston Massacre.	I was wounded at the Boston Massacre and died a few days later. My dying statements were used at the trial.	Although I was a devoted Patriot, I defended the British soldiers at their trial.
My death a few days earlier may have contributed to the Boston Massacre.	I was guarding the Custom House when I was confronted by a group of rock throwing Patriots.	I was the only woman to testify during the Boston Massacre Trial.
Witnesses saw me firing the first shot in the Boston Massacre.	I was one of the prosecution lawyers in the Boston Massacre Trial.	I assisted John Adams in defending the British soldiers.

Mathew Kilroy	Paul Revere	Thomas Preston
John Adams	Patrick Carr	Crispus Attucks
Catherine Fields	Hugh White	Christopher Seider
Josiah Quincy	Robert Treat Paine	Hugh Montgomery





## Old State House Match

### Instructions:

1. Duplicate pages 40, 41, and 42 on card stock. Cut out the image and text page boxes. Adhere either of the text boxes to the back of the image. *Make sure you are adhering the TOP of both pages together.*
2. Laminate both pages.
3. Cut up the sheet with the picture on it, using the boxes around the text as a guide.

### Task:

1. Take a vocabulary word and match it with the corresponding definition on the uncut text sheet.
2. Turn the piece over so that the picture shows, and place it over the "match."

### Completion:

You will know if you have matched all the vocabulary words to their definitions correctly if you have accurately reproduced The Old State House.



statements of fact given before a court	to question a witness already questioned by the opposing side	a person who is charged with a crime
the intentional killing of another person	a lawyer appointed by the government to accuse someone of committing a crime	the head person of the jury who tells the court the verdict
the killing of a group of people at one time	the decision reached by the jury at the end of a trial	to do something on purpose or willingly
word or pictures designed to win someone over to a certain point of view	the unintentional killing of another person	a criminal charge brought against a person

defendent	cross examine	testimony
foreman	prosecution	murder
intentional	verdict	massacre
indictment	manslaughter	propaganda

## Boston Massacre Final Quiz

- |  |  |  |
|--|--|--|
| 1. Why were British soldiers sent to Boston in 1768?                           | 5. Name three of the five men who were killed in the Boston Massacre.<br><br>1)<br><br>2)<br><br>3)    | 9. In your trial, what were some of the points that the prosecution made?<br><br>1)<br><br>2)<br><br>3)              |
| 2. Why were the colonists upset that the British soldiers were sent to Boston? | 6. What crime were the soldiers charged with?  | 10. What was the outcome of the real trial that happened in 1770?<br><br>Do you think it was fair? Why or why not?   |
| 3. How did the Boston Massacre start?  | 7. Who was the famous lawyer that defended the soldiers at their trial?<br><br>Why did he defend them? | 11. What, if any, was the guilty soldier(s)' sentence (punishment)?<br><br>Do you think it was fair? Why or why not? |
| 4. Who was the officer in command of the soldiers?                             | 8. In your trial, what were some of the points that the defense made?<br><br>1)<br><br>2)<br><br>3)    | 12. Why was this event called a "massacre"?  |