

## CHAPTER

# 4

## What Really Happened in the Boston Massacre? The Trial of Captain Thomas Preston

### \* THE PROBLEM \*

On the chilly evening of March 5, 1770, a small group of boys began taunting a British sentry (called a "Centinel" or "Sentinel") in front of the Boston Custom House. Pushed to the breaking point by this goading, the soldier struck one of his tormentors with his musket. Soon a crowd of fifty or sixty gathered around the frightened soldier, prompting him to call for help. The officer of the day, Captain Thomas Preston, and seven British soldiers hurried to the Custom House to protect the sentry.

Upon arriving at the Custom House, Captain Preston must have sensed how precarious his position was. The crowd had swelled to more than one hundred, some anxious for a fight, others simply curiosity seekers, and still others called from their homes by the

town's church bells, a traditional signal that a fire had broken out. Efforts by Preston and others to calm the crowd proved useless. And because the crowd had enveloped Preston and his men as it had the lone sentry, escape was nearly impossible.

What happened next is a subject of considerable controversy. One of the soldiers fired his musket into the crowd, and the others followed suit, one by one. The colonists scattered, leaving five dead<sup>1</sup> and six wounded,

1. Those killed were Crispus Attucks (a part African, part Native American seaman in his forties, who also went by the name of Michael Johnson), James Caldwell (a sailor), Patrick Carr (an immigrant from Ireland who worked as a leather-breeches maker), Samuel Gray (a rope-maker), and Samuel Maverick (a seventeen-year-old apprentice).

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some of whom were probably innocent bystanders. Preston and his men quickly returned to their barracks, where they were placed under house arrest. They were later taken to jail and charged with murder.

Preston's trial began on October 24, 1770, delayed by the authorities in an attempt to cool the emotions of the townspeople. Soon after the March 5 event, however, a grand jury had taken sworn depositions from Preston, the soldiers, and more than ninety Bostonians. The depositions leaked out (in a pamphlet, probably published by anti-British extremists), helping to keep emotions at a fever pitch.

John Adams, Josiah Quincy, and Robert Auchmuty had agreed to defend Preston,<sup>2</sup> even though the first two were staunch Patriots. They believed that the captain was entitled to a fair trial and did their best to defend

him. After a difficult jury selection, the trial began, witnesses for the prosecution and the defense being called mostly from those who had given depositions to the grand jury. The trial lasted for four days, an unusually long trial for the times. The case went to the jury at 5:00 P.M. on October 29. Although it took the jury only three hours to reach a verdict, the decision was not announced until the following day.

In this chapter, you will be using portions of the evidence given at the murder trial of Captain Thomas Preston to reconstruct what actually happened on that March 5, 1770, evening in Boston, Massachusetts. Was Preston guilty as charged? Or was he innocent? Only by reconstructing the event that we call the Boston Massacre will you be able to answer these questions.

## \* BACKGROUND \*

The town of Boston<sup>3</sup> had been uneasy throughout the first weeks of 1770. Tension had been building since the early 1760s because the town was increasingly affected by the forces of migration, change, and maturation. The

2. Adams, Quincy, and Auchmuty (pronounced Auk'müty) also were engaged to defend the soldiers, a practice that would not be allowed today because of the conflict of interest (defending more than one person charged with the same crime).

3. Although Boston was one of the largest urban centers in the colonies, the town was not incorporated as a city. Several attempts were made, but residents opposed them, fearing they would lose the institution of the town meeting.

protests against the Stamp Act had been particularly bitter there, and men such as Samuel Adams were encouraging their fellow Bostonians to be even bolder in their remonstrances. In response, in 1768 the British government ordered two regiments of soldiers to Boston to restore order and enforce the laws of Parliament. "They will not *find* a rebellion," quipped Benjamin Franklin of the soldiers, "they may indeed *make one*" (italics added).

Instead of bringing calm to Boston, the presence of soldiers only increased tensions. Incidents between Bostoni-

ans and redcoats were common on the streets, in taverns, and at the places of employment of British soldiers who sought part-time jobs to supplement their meager salaries. Known British sympathizers and informers were harassed, and Crown officials were openly insulted. Indeed, the town of Boston seemed to be a powder keg just waiting for a spark to set off an explosion.

On February 22, 1770, British sympathizer and informer Ebenezer Richardson tried to tear down an anti-British sign. He was followed to his house by an angry crowd that proceeded to taunt him and break his windows with stones. One of the stones struck Richardson's wife. Enraged, he grabbed a musket and fired almost blindly into the crowd. Eleven-year-old Christopher Seider<sup>4</sup> fell to the ground with eleven pellets of shot in his chest. The boy died eight hours later. The crowd, by now numbering about one thousand, dragged Richardson from his house and through the streets, finally delivering him to the Boston jail. Four days later, the town conducted a huge funeral for Christopher Seider, probably arranged and organized by Samuel Adams. Seider's casket was carried through the streets by children, and approximately two thousand mourners (one-seventh of Boston's total population) took part.

All through the next week Boston was an angry town. Gangs of men and boys roamed the streets at night looking for British soldiers foolish enough to venture out alone. Similarly, off-duty soldiers prowled the same streets looking for someone to challenge

them. A fight broke out at a ropewalk between some soldiers who worked there part time and some unemployed colonists.

With large portions of both the Boston citizenry and the British soldiers inflamed, an incident on March 5 touched off an ugly confrontation that took place in front of the Custom House, a symbol of British authority over the colonies. Both sides sought to use the event to support their respective causes. But Samuel Adams, a struggling attorney with a flair for politics and propaganda, clearly had the upper hand. The burial of the five "martyrs" was attended by almost every resident of Boston, and Adams used the event to push his demands for British troop withdrawal and to heap abuse on the mother country. Therefore, when the murder trial of Captain Thomas Preston finally opened in late October, emotions had hardly diminished.

Crowd disturbances had been an almost regular feature of life in both England and America. Historian John Bohstedt has estimated that England was the scene of at least one thousand crowd disturbances and riots between 1790 and 1810.<sup>5</sup> Colonial American towns were no more placid; demonstrations and riots were almost regular features of the colonists' lives. Destruction of property and burning of effigies were common in these disturbances. In August 1765 in Boston, for example, crowds protesting against the Stamp Act burned effigies and de-

4. Christopher Seider is sometimes referred to as Christopher Snider.

5. John Bohstedt, *Riots and Community Politics in England and Wales, 1790-1810* (Cambridge, Mass.: Harvard University Press, 1983), p. 5.

stroyed the homes of stamp distributor Andrew Oliver and Massachusetts Lieutenant Governor Thomas Hutchinson. Indeed, it was almost as if the entire community was willing to countenance demonstrations and riots as long as they were confined to parades, loud gatherings, and limited destruction of property. In almost no cases were there any deaths, and the authorities seldom fired on the crowds. Yet on March 5, 1770, both the

crowd and the soldiers acted uncharacteristically. The result was the tragedy that colonists dubbed the "Boston Massacre." Why did the crowd and the soldiers behave as they did?

To repeat, your task is to reconstruct the so-called Boston Massacre so as to understand what really happened on that fateful evening. Spelling and punctuation in the evidence have been modernized only to clarify the meaning.

### \* THE METHOD \*

Many students (and some historians) like to think that facts speak for themselves. This is especially tempting when analyzing a single incident like the Boston Massacre, many eyewitnesses of which testified at the trial. However, discovering what really happened, even when there are eyewitnesses, is never quite that easy. Witnesses may be confused at the time, they may see only part of the incident, or they may unconsciously "see" only what they expect to see. Obviously, witnesses also may have some reasons to lie. Thus the testimony of witnesses must be carefully scrutinized, for both what the witnesses *mean* to tell us and other relevant information as well. Therefore, historians approach such testimony with considerable skepticism and are concerned not only with the testimony itself but also with the possible motives of the witnesses.

Neither Preston nor the soldiers testified at the captain's trial because English legal custom prohibited defen-

dants in criminal cases from testifying in their own behalf (the expectation was that they would perjure themselves). One week after the Massacre, however, in a sworn deposition, or statement, Captain Preston gave his side of the story. Although the deposition was not introduced at the trial and therefore the jury was not aware of what Preston himself had said, we have reproduced a portion of Preston's deposition for you to examine. How does Preston's deposition agree or disagree with other eyewitnesses' accounts?

No transcript of Preston's trial survives, if indeed one was ever made. Trial testimony comes from an anonymous person's summary of what each person said, the notes of Robert Treat Paine (one of the lawyers for the prosecution), and one witness's (Richard Palmes's) reconstruction of what his testimony and the cross-examination had been. Although historians would prefer to use the original trial transcript and would do so if one were

available, the anonymous summary, Paine's notes, and one witness's recollections are acceptable substitutes because probably all three people were present in the courtroom (Paine and Palmes certainly were) and the accounts tend to corroborate one another.

Almost all the witnesses were at the scene, yet not all their testimony is of equal merit. First try to reconstruct the scene itself: the actual order in which the events occurred and where the various participants were standing. Whenever possible, look for corroborating testimony: two or more reliable witnesses who heard or saw the same things.

Be careful to use all the evidence. You should be able to develop some reasonable explanation for the conflicting testimony and those things that do not fit into your reconstruction very well.

Almost immediately you will discover that some important pieces of evidence are missing. For example, it would be useful to know the individual backgrounds and political views of the witnesses. Unfortunately, we know very little about the witnesses themselves, and we can reconstruct the political ideas of only about one-third of them. Therefore, you will have to rely on the testimonies given, deducing which witnesses were telling the truth, which were lying, and which were simply mistaken.

The fact that significant portions of the evidence are missing is not disastrous. Historians seldom have all the evidence they need when they attempt to tackle a historical problem. Instead, they must be able to do as much as

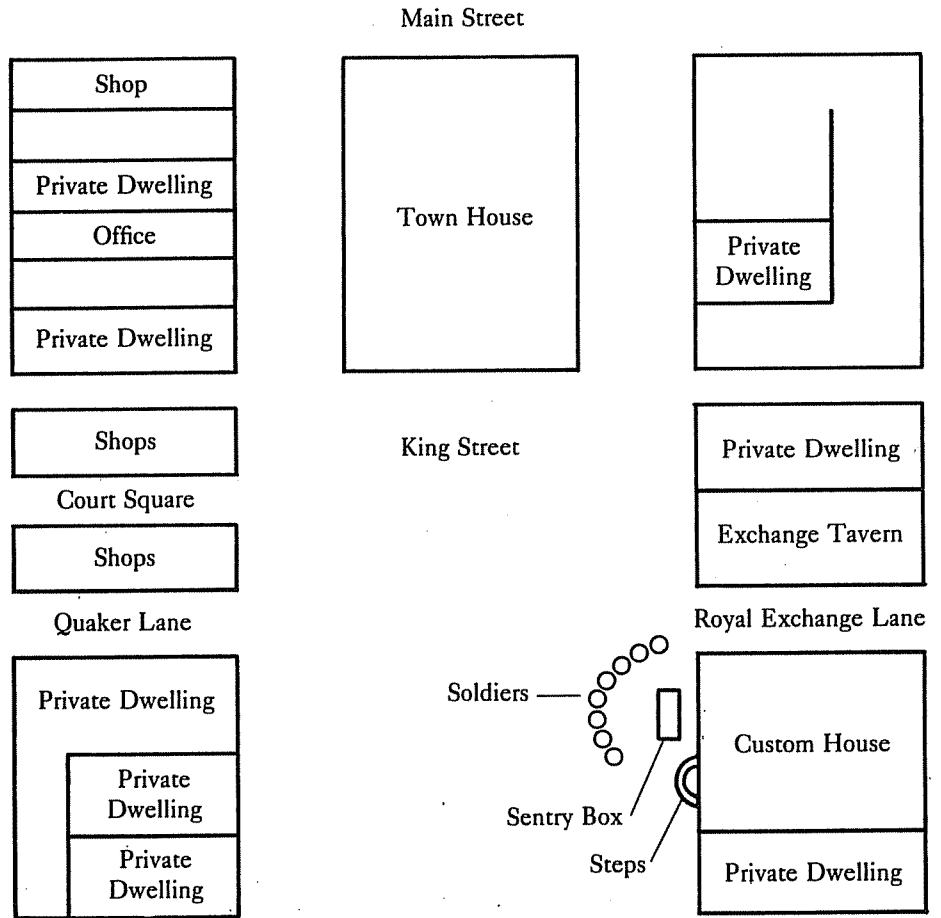
they can with the evidence that is available, using it as completely and imaginatively as they can. They do so by asking questions of the available evidence. Where were the witnesses standing? Which one seems more likely to be telling the truth? Which witnesses were probably lying? When dealing with the testimony of the witnesses, be sure to determine what is factual and what is a witness's opinion. A rough sketch of the scene has been provided. How can it help you?

Also included in the evidence is Paul Revere's famous engraving of the incident, probably plagiarized from a drawing by artist Henry Pelham. It is unlikely that either Pelham or Revere was an eyewitness to the Boston Massacre, yet Revere's engraving gained widespread distribution, and most people—in 1770 and today—tend to recall that engraving when they think of the Boston Massacre. Do not examine the engraving until you have read the trial account closely. Can Revere's engraving help you find out what really happened that night? How does the engraving fit the eyewitnesses' accounts? How do the engraving and the accounts differ? Why?

Keep the central question in mind: What really happened in the Boston Massacre? Throughout this exercise, you will be trying to determine whether an order to fire was actually given. If so, by whom? If not, how can you explain why shots were fired? As commanding officer, Thomas Preston was held responsible and charged with murder. You might want to consider the evidence available to you as either a prosecution or defense attorney. Which side had the stronger case?

✱ THE EVIDENCE ✱

1. Site of the Boston Massacre, Town House Area, 1770.



Source 2 from *Publications of The Colonial Society of Massachusetts* (Boston: The Colonial Society of Massachusetts, 1905), Vol. VII, pp. 8-9.

## 2. Deposition of Captain Thomas Preston, March 12, 1770 (Excerpt).

The mob still increased and were outrageous, striking their clubs or bludgeons one against another, and calling out, come on you rascals, you bloody backs, you lobster scoundrels, fire if you dare, G-d damn you, fire and be damned, we know you dare not, and much more such language was used. At this time I was between the soldiers and the mob, parleying with, and endeavoring all in my power to persuade them to retire peaceably, but to no purpose. They advanced to the points of the bayonets, struck some of them and even the muzzles of the pieces, and seemed to be endeavoring to close with the soldiers. On which some well behaved persons asked me if the guns were charged. I replied yes. They then asked me if I intended to order the men to fire. I answered no, by no means, observing to them that I was advanced before the muzzles of the men's pieces, and must fall a sacrifice if they fired; that the soldiers were upon the half cock<sup>6</sup> and charged bayonets, and my giving the word fire under those circumstances would prove me to be no officer. While I was thus speaking, one of the soldiers having received a severe blow with a stick, stepped a little to one side and instantly fired. . . . On this a general attack was made on the men by a great number of heavy clubs and snowballs being thrown at them, by which all our lives were in imminent danger, some persons at the same time from behind calling out, damn your bloods—why don't you fire. Instantly three or four of the soldiers fired. . . . On my asking the soldiers why they fired without orders, they said they heard the word fire and supposed it came from me. This might be the case as many of the mob called out fire, fire, but I assured the men that I gave no such order; that my words were, don't fire, stop your firing. . . .<sup>7</sup>

6. The cock of a musket had to be fully drawn back (cocked) for the musket to fire. In half cock, the cock was drawn only halfway back so that priming powder could be placed in the pan. The musket, however, would not fire at half cock. This is the origin of "Don't go off half cocked." See Source 5.

7. Depositions also were taken from the soldiers, three of whom claimed, "We did our Captain's orders and if we don't obey his commands should have been confined and shot." As with Preston's deposition, the jury was not aware of that statement. In addition, ninety-six depositions were taken from townspeople.

Source 3 from Hiller B. Zobel, ed., *The Legal Papers of John Adams* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1965), Vol. III, pp. 46-98.

### 3. The Trial of Captain Thomas Preston (*Rex v. Preston*), October 24-29 (Excerpt).

#### *Witnesses for the King (Prosecution)*

Edward Gerrish (or Garrick)

I heard a noise about 8 o'clock and went down to Royal Exchange Lane. Saw some Persons with Sticks coming up Quaker Lane. I said [to the sentry] Capt. Goldsmith owed my fellow Apprentice. He said he was a Gentleman and would pay every body. I said there was none in the Regiment.<sup>8</sup> He asked for me. I went to him, was not ashamed of my face. . . . The Sentinel left his Post and Struck me. I cried. My fellow Apprentice and a young man came up to the Sentinel and called him Bloody back.<sup>9</sup> He called to the Main Guard. . . . There was not a dozen people when the Sentinel called the Guard.

Ebenezer Hinkley

Just after 9 o'clock heard the Cry of Fire. I saw the party come out of the Guard House. A Capt. cried out of the Window "fire upon 'em damn 'em." I followed 'em down before the Custom House door. Capt. Preston was out and commanded 'em. They drew up and charged their Bayonets. Montgomery<sup>10</sup> pushed at the people advancing. In 2 or 3 minutes a Boy threw a small stick over hand and hit Montgomery on Breast. Then I heard the word fire in ¼ minute he fired. I saw some pieces of Snow as big as Egg thrown. 3 or 4 thrown at the same time of pushing on the other End of the file, before 1st gun fired. The body of People about a Rod<sup>11</sup> off. People said Damn 'em they durst not fire don't be afraid. No threats . . . I was a Rod from Capt. Preston. Did not hear him give Order to fire. ½ minute from 1st Gun to 2d. same to 3d. The others quicker. I saw no people striking the Guns or Bayonets nor pelting 'em. I saw Preston between people and Soldiers. I did not see him when 1st firing.

8. To say that there was no gentleman in the regiment was an insult to the sentry's superior officer, Captain Goldsmith.

9. British soldiers' coats were red.

10. Montgomery, one of the soldiers, undoubtedly fired the first shot.

11. A rod equals 16.5 feet.



Peter Cunningham

Upon the cry of fire and Bells ringing went into King Street, heard the Capt. say Turn out the Guard.<sup>12</sup> Saw the Centinel standing on the steps of the Custom house, pushing his Bayonet at the People who were about 30 or 40. Captain came and ordered the Men to prime and load.<sup>13</sup> He came before 'em about 4 or 5 minutes after and put up their Guns with his Arm. They then fired and were priming and loading again. I am pretty positive the Capt. bid 'em Prime and load. I stood about 4 feet off him. Heard no Order given to fire. The Person who gave Orders to Prime and load stood with his back to me, I did not see his face only when he put up their Guns. I stood about 10 or 11 feet from the Soldiers, the Captain about the midway between.

William Wyatt

I heard the bell, . . . saw People running several ways. The largest part went down to the North of the Townhouse. I went the South side, saw an officer leading out 8 or 10 Men. Somebody met the officer and said, Capt. Preston for Gods sake mind what you are about and take care of your Men. He went down to the Centinel, drew up his Men, bid them face about, Prime and load. I saw about 100 People in the Street huzzaing, crying fire, damn you fire. In about 10 minutes I heard the Officer say fire. The Soldiers took no notice. His back was to me. I heard the same voice say fire. The Soldiers did not fire. The Officer then stamped and said Damn your bloods fire be the consequences what it will. Immediately the first Gun was fired. I have no doubt the Officer was the same person the Man spoke to when coming down with the Guard. His back was to me when the last order was given. I was then about 5 or 6 yards off and within 2 yards at the first. He stood in the rear when the Guns were fired. Just before I heard a Stick, which I took to be upon a Gun. I did not see it. The Officer had to the best of my knowledge a cloth coloured Surtout<sup>14</sup> on. After the firing the Captain stepped forward before the Men and struck up their Guns. One was loading again and he damn'd 'em for firing and severely reprimanded 'em. I did not mean the Capt. had the Surtout but the Man who spoke to him when coming with the Guard.

12. To dress and equip so as to be ready for duty.

13. Muskets were loaded from the muzzle with powder, wadding, a ball, and more wadding. The hammer was drawn back halfway, and powder was poured into the small pan under the hammer. There was a small piece of flint attached to the cock (see Source 5) so that when the trigger was pulled, the cock would come down and the flint would spark and ignite the gunpowder in the pan. The fire would then ignite the gunpowder in the breech and fire the gun. If the powder in the pan exploded but did not ignite the powder in the breech, the result was a "flash in the pan" and a musket that did not fire.

14. A type of overcoat.

Theodore Bliss

At home. I heard the Bells for fire.<sup>15</sup> Went out. Came to the Town House. The People told me there was going to be a Rumpus<sup>16</sup> with the Soldiers. Went to the Custom house. Saw Capt. Preston there with the Soldiers. Asked him if they were loaded. He said yes. If with Ball. He said nothing. I saw the People throw Snow Balls at the Soldiers and saw a Stick about 3 feet long strike a Soldier upon the right. He sallied<sup>17</sup> and then fired. A little time a second. Then the other[s] fast after one another. One or two Snow balls hit the Soldier, the stick struck, before firing. I know not whether he sallied on account of the Stick or step'd back to make ready. I did not hear any Order given by the Capt. to fire. I stood so near him I think I must have heard him if he had given an order to fire before the first firing. I never knew Capt. Preston before. I can't say whether he had a Surtout on, he was dressed in red. I know him to be the Man I took to be the Officer. The Man that fired first stood next to the Exchange lane. I saw none of the People press upon the Soldiers before the first Gun fired. I did after. I aimed a blow at him myself but did not strike him. I am sure the Captain stood before the Men when the first Gun was fired. I had no apprehension<sup>18</sup> the Capt. did give order to fire when the first Gun was fired. I thought, after the first Gun, the Capt. did order the Men to fire but do not certainly know.

Benjamin Burdick

When I came into King Street about 9 o'Clock I saw the Soldiers round the Centinel. I asked one if he was loaded and he said yes. I asked him if he would fire, he said yes by the Eternal God and pushd his Bayonet at me. After the firing the Captain came before the soldiers and put up their Guns with his arm and said stop firing, dont fire no more or dont fire again. I heard the word fire and took it and am certain that it came from behind the Soldiers. I saw a man passing busily behind who I took to be an Officer. The firing was a little time after. I saw some persons fall. Before the firing I saw a stick thrown at the Soldiers. The word fire I took to be a word of Command. I had in my hand a highland broad Sword which I brought from home. Upon my coming out I was told it was a wrangle<sup>19</sup> between the Soldiers and people, upon that I went back and got my Sword. I never used

15. Colonial American towns did not have fire departments. When fires broke out, church bells would be rung, and citizens were expected to come out with buckets to help extinguish the fire.

16. A disturbance.

17. Leaped forward suddenly.

18. Had no doubt.

19. A quarrel.

to go out with a weapon. I had not my Sword drawn till after the Soldier pushed his Bayonet at me. I should have cut his head off if he had stepped out of his Rank to attack me again. At the first firing the People were chiefly in Royal Exchange lane, there being about 50 in the Street. After the firing I went up to the Soldiers and told them I wanted to see some faces that I might swear to them another day. The Centinel in a melancholy tone said perhaps Sir you may.

Diman Morton

Between 9 and 10 I heard in my house the cry of fire but soon understood there was no fire but the Soldiers were fighting with the Inhabitants. I went to King Street. Saw the Centinel over the Gutter, his Bayonet breast high. He retired to the steps—loaded. The Boys dared him to fire. Soon after a Party came down, drew up. The Captain ordered them to load. I went across the Street. Heard one Gun and soon after the other Guns. The Captain when he ordered them to load stood in the front before the Soldiers so that the Guns reached beyond him. The Captain had a Surtout on. I knew him well. The Surtout was not red. I think cloth colour. I stood on the opposite corner of Exchange lane when I heard the Captain order the Men to load. I came by my knowledge of the Captain partly by seeing him lead the Fortification Guard.

Nathaniel Fosdick

Hearing the Bells ring, for fire I supposed I went out and came down by the Main Guard. Saw some Soldiers fixing their Bayonets on. Passed on. Went down to the Centinel. Perceived something pass me behind. Turned round and saw the Soldiers coming down. They bid me stand out of the way and damnd my blood. I told them I should not for any man. The party drew up round the Centinel, faced about and charged their Bayonets. I saw an Officer and said if there was any disturbance between the Soldiers and the People there was the Officer present who could settle it soon. I heard no Orders given to load, but in about two minutes after the Captain step'd across the Gutter. Spoke to two Men—I don't know who—then went back behind his men. Between the 4th and 5th men on the right. I then heard the word fire and the first Gun went off. In about 2 minutes the second and then several others. The Captain had a Sword in his hand. Was dressed in his Regimentals. Had no Surtout on. I saw nothing thrown nor any blows given at all. The first man on the right who fired after attempting to push the People slipped down and drop'd his Gun out of his hand. The Person who stepped in between the 4th and 5th Men I look upon it gave the orders

to fire. His back was to me. I shall always think it was him. The Officer had a Wig on. I was in such a situation that I am as well satisfied there were no blows given as that the word fire was spoken.

*Witnesses for the Prisoner (Preston)*

Edward Hill

After all the firing Captain Preston put up the Gun of a Soldier who was going to fire and said fire no more you have done mischief enough.

Richard Palmes

Somebody there said there was a Rumpus in King Street. I went down. When I had got there I saw Capt. Preston at the head of 7 or 8 Soldiers at the Custom house drawn up, their Guns breast high and Bayonets fixed. Found Theodore Bliss talking with the Captain. I heard him say why don't you fire or words to that effect. The Captain answered I know not what and Bliss said God damn you why don't you fire. I was close behind Bliss. They were both in front. Then I step'd immediately between them and put my left hand in a familiar manner on the Captains right shoulder to speak to him. Mr. John Hickling then looking over my shoulder I said to Preston are your Soldiers Guns loaded. He answered with powder and ball. Sir I hope you dont intend the Soldiers shall fire on the Inhabitants. He said by no means. The instant he spoke I saw something resembling Snow or Ice strike the Grenadier<sup>20</sup> on the Captains right hand being the only one then at his right. He instantly stepd one foot back and fired the first Gun. I had then my hand on the Captains shoulder. After the Gun went off I heard the word fire. The Captain and I stood in front about half between the breech and muzzle of the Guns. I dont know who gave the word fire. I was then looking on the Soldier who fired. The word was given loud. The Captain might have given the word and I not distinguish it. After the word fire in about 6 or 7 seconds the Grenadier on the Captains left fired and then the others one after another. . . .

Q. Did you situate yourself before Capt. Preston, in order that you might be out of danger, in case they fired?

A. I did not apprehend myself in any danger.

Q. Did you hear Captain Preston give the word *Fire*?

A. I have told your Honors, that after the first gun was fired, I heard the word, *fire!* but who gave it, I know not.

20. A soldier in the British Grenadier Guards.

Matthew Murray

I heard no order given. I stood within two yards of the Captain. He was in front talking with a Person, I don't know who. I was looking at the Captain when the Gun was fired.

Andrew, a Negro servant to Oliver Wendell<sup>21</sup>

I jump'd back and heard a voice cry fire and immediately the first Gun fired. It seemed to come from the left wing from the second or third man on the left. The Officer was standing before me with his face towards the People. I am certain the voice came from beyond him. The Officer stood before the Soldiers at a sort of a corner. I turned round and saw a Grenadier who stood on the Captain's right swing his Gun and fire. . . .

Jane Whitehouse

A Man came behind the Soldiers walked backwards and forward, encouraging them to fire. The Captain stood on the left about three yards. The man touched one of the Soldiers upon the back and said fire, by God I'll stand by you. He was dressed in dark colored clothes. . . . He did not look like an Officer. The man fired directly on the word and clap on the Shoulder. I am positive the man was not the Captain. . . . I am sure he gave no orders. . . . I saw one man take a chunk of wood from under his Coat throw it at a Soldier and knocked him. He fell on his face. His firelock<sup>22</sup> was out of his hand. . . . This was before any firing.

Newton Prince, a Negro, a member of the South Church

Heard the Bell ring. Ran out. Came to the Chapel. Was told there was no fire but something better, there was going to be a fight. Some had buckets and bags and some Clubs. I went to the west end of the Town House where [there] were a number of people. I saw some Soldiers coming out of the Guard house with their Guns and running down one after another to the Custom house. Some of the people said let's attack the Main Guard, or the Centinel who is gone to King street. Some said for Gods sake don't lets touch the main Guard. I went down. Saw the Soldiers planted by the Custom house two deep. The People were calling them Lobsters, daring 'em to fire saying damn you why don't you fire. I saw Capt. Preston out from behind the Soldiers. In the front at the right. He spoke to some people.

21. Andrew was actually Wendell's slave, and Wendell appeared in court to testify that Andrew was honest and truthful.

22. Musket.

The Capt. stood between the Soldiers and the Gutter about two yards from the Gutter. I saw two or three strike with sticks on the Guns. I was going off to the west of the Soldiers and heard the Guns fire and saw the dead carried off. Soon after the Guard Drums beat to arms.<sup>23</sup> The People whilst striking on the Guns cried fire, damn you fire. I have heard no Orders given to fire, only the people in general cried fire.

James Woodall

I saw one Soldier knocked down. His Gun fell from him. I saw a great many sticks and pieces of sticks and Ice thrown at the Soldiers. The Soldier who was knocked down took up his Gun and fired directly. Soon after the first Gun I saw a Gentleman behind the Soldiers in velvet of blue or black plush trimmed with gold. He put his hand toward their backs. Whether he touched them I know not and said by God I'll stand by you whilst I have a drop of blood and then said fire and two went off and the rest to 7 or 8. . . . The Captain, after, seemed shocked and looked upon the Soldiers. I am very certain he did not give the word fire.

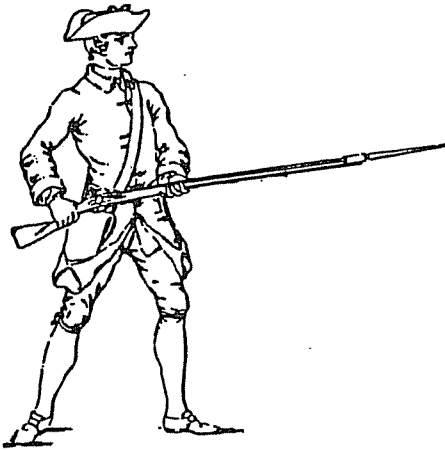
Cross-Examination of Captain James Gifford

- Q. Did you ever know an officer order men to fire with their bayonets charged?
- A. No, Officers never give order to fire from charged bayonet. They would all have fired together, or most of them.

23. A special drumbeat that signaled soldiers to arm themselves.

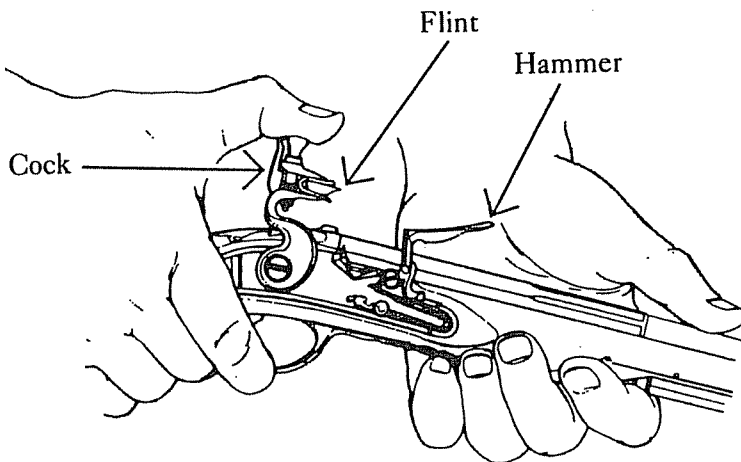
Source 4 from Anthony D. Darling, *Red Coat and Brown Bess*, Historical Arms Series, No. 12 (Bloomfield, Ontario). Courtesy of Museum Restoration Service, © 1970, 1981.

#### 4. The Position of "Bayonets Charged."



Source 5 from Robert Held, *The Age of Firearms* (N.Y.: Harper, 1957), p. 93. Drawing by Nancy Jenkins. Reprinted by permission of the author.

#### 5. Detail of a Musket.



Source 6: Library of Congress.

**6. Paul Revere's Engraving of the Boston Massacre.**  
[Notice how he dubbed the Custom House "Butcher's Hall."]



**\* QUESTIONS TO CONSIDER \***

In reconstructing the event, begin by imagining the positions of the various soldiers and witnesses. Where were the soldiers standing? Where was Captain Preston standing? Which witnesses were closest to Preston (that is, in the best positions to see and hear what happened)? Where were the

other witnesses? Remember that the event took place around 9:00 P.M., when Boston was totally dark.

Next, read closely Preston's deposition and the trial testimony. What major points did Preston make in his own defense? Do you find those points plausible? More important, do the wit-



nesses who were closest to Preston agree or disagree with his recounting, or with each other's? On what points? Be as specific as possible.

Now consider the other witnesses, those who were not so near. What did they hear? What did they see? To what degree do their testimonies agree or disagree, both with each other and with Preston and those closest to him?

Lawyers for both sides spent considerable time trying to ascertain what Captain Preston was wearing on that evening. Why did they consider this important? Based on the evidence, what do you think Preston was wearing on the evening of March 5, 1770? What conclusions could you draw from that?

The attorneys also were particularly interested in the crowd's behavior *prior* to the firing of the first musket. Why did they consider that important? How would you characterize the crowd's behavior? Are you suspicious of testimony that is at direct odds with your conclusion about this point?

Several witnesses (especially Jane Whitehouse) tell a quite different story. To what extent is her recounting of the event plausible? Is it corroborated by other witnesses?

We included Paul Revere's engraving, even though he probably was not an eyewitness, because by the time of Preston's trial, surely all the witnesses would have seen it and, more important, because later Americans have obtained their most lasting visual image of the event from that work. How does the engraving conform to what actually happened? How does it conflict with your determination of what actually took place? If there are major discrepancies, why do you think this is so? (Revere certainly knew a number of the eyewitnesses and could have ascertained the truth from them.)

After you have answered these questions and carefully weighed the eyewitnesses' evidence, answer the central question: What really happened in the Boston Massacre?

## ✱ EPILOGUE ✱

In his closing arguments in defense of Captain Preston, John Adams noted that the crowd not only had been harassing the soldiers but also had actually threatened to attack them. Yet there was no reliable evidence to prove that Preston had ordered his men to fire into the crowd, Adams insisted. In such doubtful cases, he concluded, the jury must vote for an acquittal. The prosecution's closing summary portrayed Preston as a murderer. The

crowd's actions, the prosecution maintained, were "a few Snow-balls, thrown by a parcel of Boys." According to the prosecution, the rest of the people who gathered in the square were peaceful and simply curious about what was happening.

In the trial of Thomas Preston, the jury took only three hours to reach its verdict: not guilty. Some of the jurors were sympathetic to the British, and thus were determined to find

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Preston innocent no matter what evidence was presented. Also, the leaking of the grand jury depositions ultimately helped Preston's defense, since defense attorneys knew in advance what the potentially most damaging witnesses would say in court. Finally, defense attorney John Adams's tactics (to create so much confusion in the minds of the jurors that they could not be certain what actually had taken place) were extremely effective. As it turned out, Preston had the advantage from the very beginning.

As for Thomas Preston himself, the British officer was quickly packed off to England, where he received a pension of £200 per year from the king "to compensate him for his suffering." He did not participate in the American Revolution and died in 1781. Of the eight soldiers (the sentry plus the seven men Preston brought to the Custom House), six were acquitted, and two were convicted of manslaughter and punished by being branded on the thumb. From there they disappeared into the mists of history.

On the road to the American Revolution, many events stand out as important or significant. The Boston Massacre is one such event. However, we must be careful in assessing its importance. After all, the colonists and the mother country did not finally resort to arms until five years after this dramatic event. By that time, most of those killed on King Street on March 5 had been forgotten.

Yet the Boston Massacre and other events have helped shape Americans' attitudes as to what their own Revolution was all about. To most Ameri-

cans, the British were greedy, heartless tyrants who terrorized a peaceful citizenry. More than one hundred years after the event, the Massachusetts legislature authorized a memorial honoring the martyrs to be placed on the site of the so-called massacre. The Bostonians' convictions were bolstered by Irish immigrants whose ancestors had known British "tyranny" firsthand, and the Bostonians remained convinced that the American Revolution had been caused by Britain's selfishness and oppression. As we can see in the Boston Massacre, the road to the Revolution was considerably more complicated than that.

Today the site of the Boston Massacre is on a traffic island beside the Old State House (formerly called the Town House and seen in the background of Paul Revere's famous engraving) in the midst of Boston's financial district. With the exception of the State House (now a tasteful museum), the site is ringed by skyscrapers that house, among other institutions, BankBoston and Fleet Bank of Massachusetts. Thousands of Bostonians and tourists stand on the Boston Massacre site every day, waiting for the traffic to abate.

Many years ago, John Adams said that "the foundation of American independence was laid" on the evening of March 5, 1770. Although he may have overstated the case, clearly many Americans have come to see the event as a crucial one in the coming of their Revolution against Great Britain.

Now that you have examined the evidence, do you think the Boston Massacre of March 5, 1770, was a

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justifiable reason for rebellion against the mother country? Could the crowd action on that evening secretly have been directed by the Patriot elite, or was it a spontaneous demonstration of anti-British fury? Why was Paul Revere's engraving at such variance with what actually took place?

Few Americans have stopped to ponder what actually happened on that fateful evening. Like the American Revolution itself, the answer to that question may well be more complex than we think.