

Primary Source Activity

The logo for 'networks' features the word 'networks' in a bold, lowercase sans-serif font. To the right of the text is a stylized graphic of a network, consisting of several thin lines radiating from a central point, resembling a starburst or a web.

The Spirit of Independence

Lesson 2 *Uniting the Colonists*

Boston Massacre Trial

On March 5, 1770, a fight erupted between British redcoats and colonists in Boston. Redcoats fired, killing five colonists in what became known as the Boston Massacre. Eight redcoats were put on trial for murder. Their defense lawyer was none other than John Adams, a Patriot who believed deeply in justice. Thanks to Adams, the jury acquitted six of the eight soldiers. Two were convicted of manslaughter and branded on their thumbs.

Directions: Read the following excerpt from Boston Massacre Trial Page: Summation of John Adams.

Excerpt 1 from John Adams's closing statements to the jury at the trial of British troops arrested after the Boston Massacre.

May it please your Honours, and you Gentlemen of the Jury,

I yesterday afternoon produced from the best authorities, those rules of law which must govern all cases of homicide. . . . [I]t now remains to consider the evidence, and see whether any thing has occurred, that may be compared to the rules read to you. . . .

The witnesses are confident that they know the prisoners at the barr, and that they were present that night. . . . [H]owever, it is apparent, that witnesses are liable to make mistakes, by a single example before you. Mr. *Bass*, who is a very honest man, and of good character, swears positively that the tall man, *Warren*, stood on the right that night, and was the first that fired; and I am sure you are satisfied by this time, by many circumstances, that he is totally mistaken. . . .

The next witness . . . he says he saw the tall man *Warren*, but saw another man . . . so like him [Warren] as to make him doubt whether it was *Warren* or not; . . . if *Wemms* did not discharge his gun at all, he could not kill any of the persons, therefore he must be acquitted on the fact of killing; for an intention to kill, is not murder nor manslaughter, if not carried into execution: The witness swears positively that he not only saw ice or snow thrown, but saw the guns struck [with sticks] several times. . . . [T]here are many others who swear to circumstances in favour of the prisoners. . . . [T]here were a dozen of persons with clubs, surrounded the party [of soldiers]; twelve sailors with clubs were . . . an overmatch to eight soldiers . . . there by the order and command of their officer. . . .

Primary Source Activity *Cont.*



The Spirit of Independence

Gentlemen of the jury, ... clubs they had not, and they could not defend themselves with their bayonets against so many people; it was in the power of the sailors to kill one half or the whole of the party [of soldiers], if they had been so disposed. ... Their [the sailors'] clubs were as capable of killing as . . . much as a sword, bayonet, or musket.

... [C]onsidering the confusion and terror of the scene ... there was but a very short space of time between the first gun and the last, when the first gun was fired the people [the crowd] fell in upon the soldiers and laid on with their weapons with more violence. ... [T]here were 50 people near the soldiers pushing at them. ...

The soldiers heard all the bells ringing and saw people coming from every point of the compass to the assistance of those who were insulting, assaulting, beating and abusing of them—what had they to expect but destruction, if they had not thus early taken measures to defend themselves?

Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence: ... [I]f an assault was made to endanger their lives, the law is clear, they had a right to kill in their own defense.

Analyzing Primary Sources

Directions: Answer the following questions.

1. Describing How does John Adams describe the witness, Mr. Bass?

2. Explaining How did the jury know the rules that spelled out the meaning of homicide?

3. Distinguishing Fact from Opinion Explain whether this statement is fact or opinion: "Mr. *Bass*, who is a very honest man."

Primary Source Activity *Cont.*



The Spirit of Independence

4. Interpreting Based on Adams’s description, what were the conditions of the fight scene?

Critical Thinking

5. Speculating Do you think Adams was pleased with the verdict? Why or why not?

6. Making Judgments If you had been on the jury and heard this closing statement, how would you have voted? Why?
