



The Trial of Captain Preston: Key Evidence

Although the trial of Captain Thomas Preston (who Preston commanded the British troops involved in the Boston Massacre) was transcribed in shorthand by John Hodgson, the transcript has not survived. John Adams wrote, "The British government have never permitted it to see the light, and probably never will." We can, however, gather much about how the trial likely proceeded from the deposition given by Preston himself, as well as from the statements of eyewitnesses to the massacre.

Primary source: Wheeler; Becker. The American Past. Houghton Mifflin Company (1990).

Deposition of Captain Thomas Preston, March 12, 1770.

. . . The mob still increased and were more 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 endeavouring 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 endeavouring 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 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 on one side and instantly fired, on which turning to and asking him why he fired without orders, I was struck with a club on my arm, which for some time deprived me of the use of it, which blow had it been placed on my head, most probably would have destroyed me.

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, one after another, and directly after three more in the same confusion and hurry. The mob then ran away, except three unhappy men who instantly expired, in which number was Mr. Gray at whose rope-walk the prior quarrels took place; one more is since dead, three others are dangerously, and four slightly wounded. The whole of this melancholy affair was transacted in almost 20 minutes except but the loss of life in a very ignominious manner, without the interposition of his Majesty's royal goodness.

Witnesses for the Prosecution:

John Cole

I saw the officer after the firing and spoke to the Soldiers and told 'em it was a Cowardly action to kill men at the end of their Bayonets. They were pushing at the People who seemed to be trying to come into the Street. The Captain came up and stamped and said Damn their bloods fire again and let 'em take the consequence. I was within four feet of him. He had no surtout but a red Coat with a Rose on his shoulder. The people were quarrelling at the head of Royal Exchange lane. The Soldiers were pushing and striking with the Guns. I saw the People's Arms moving but no Sticks.

Daniel Calef

I was present at the firing. I heard one of the Guns rattle. I turned about and lookd and heard the officer who stood on the right in a line with the Soldiers give the word fire twice. I lookd the Officer in the face when he gave the word and saw his mouth. He had on a red Coat, yellow Jacket and Silver laced hat, no trimming on his Coat. The Prisoner is the Officer I mean. I saw his face plain, the moon shone on it. I am sure of the man though I have not seen him since before yesterday when he came into Court with others. I knew him instantly. I ran upon the word fire being given about 30 feet off. The officer had no Surtout on.

Robert Goddard

The Soldiers came up to the Centinel and the Officer told them to place themselves and they formd a half moon. The Captain told the Boys to go home least there should be murder done. They were throwing Snow balls. Did not go off but threw more Snow balls. The Capt. was behind the Soldiers. The Captain told them to fire. One Gun went off. A Sailor or Townsman struck the Captain. He thereupon said damn your bloods fire think I'll be treated in this manner. This Man that struck the Captain came from among the People who were seven feet off and were round on one wing. I saw no person speak to him. I was so near I should have seen it. After the Capt. said Damn your bloods fire they all fired one after another about 7 or 8 in all, and then the officer bid Prime and load again. He stood behind all the time. Mr. Lee went up to the officer and called the officer by name Capt. Preston. I saw him coming down from the Guard behind the Party. I went to Gaol the next day being sworn for the Grand Jury to see the Captain. Then said pointing to him that's the person who gave the word to fire. He said if you swear that you will ruin me everlastingly. I was so near the officer when he gave the word fire that I could touch him. His face was towards me. He stood in the middle behind the Men. I looked him in the face. He then stood within the circle. When he told 'em to fire he turned about to me. I lookd him in the face.

Witnesses for the Defense

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.

Daniel Cornwall

Capt. Preston was within 2 yards of me and before the Men and nearest to the right and facing the Street. I was looking at him. Did not hear any order. He faced me. I think I should have heard him. I directly heard a voice say Damn you why do you fire. Don't fire. I thought it was the Captain's then. I now believe it. .

William Sawyer

The people kept huzzaing. Damn 'em. Daring 'em to fire. Threw Snow balls. I think they hit 'em. As soon as the Snow balls were thrown and a club a Soldier fired. I heard the Club strike upon the Gun and the corner man next the lane said fire and immediately fired. This was the first Gun. As soon as he had fired he said Damn you fire. I am so sure that I thought it was he that spoke. That next Gun fired and so they fired through pretty quick.

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.

Boston Massacre Writing Assignment

For _____ write a “Better Answers” essay that addresses the following prompt:

“Describe your position on whether or not there is evidence that Paul Revere’s engraving of the Boston Massacre was biased.”

Your essay should take either the position that the engraving is totally factual OR that it was unduly influenced by the emotion of the people of Boston in 1770. Present evidence from the primary source of the trial of Captain Thomas Preston to make your point.

Scoring will be: Neatness (5 points); Organization (Title Question/heading) 5 points; English usage (10 points); Content (30 points)

Assessment and Scoring Rubric

NEATNESS /5

- ___ extremely legible; typed (double-spaced, #12 font proper margins; uniform medium (ink, pencil) used throughout; no significant erasure errors
- ___ mostly legible; minor errors in margins or with erasures or with font
- ___ legible with noticeable errors in margins, erasures; not uniform in medium (pen mixed with pen, type mixed with pen, pencil, etc.)
- ___ not very legible, numerous careless errors
- ___ extremely illegible

ORGANIZATION /5

- ___ complete title page (with heading)
- ___ errors in title
- ___ title page missing

ENGLISH /10

- ___ exceptionally well written; excellent sentence and paragraph formation; good use of personal vocabulary (original wording); exemplary spelling, capitalization, punctuation and grammar
- ___ excellent sentence and paragraph formation; good use of personal vocabulary; minor errors in spelling, capitalization, punctuation and/or grammar
- ___ sentence and paragraph formation adequate; noticeable errors in spelling, capitalization, punctuation and/or grammar; use of personal vocabulary somewhat weak
- ___ sentence and paragraph formation weak; numerous errors in spelling, capitalization, punctuation and/or grammar; original wording very weak

CONTENT /30

- ___ all major points addressed completely and accurately ___ clear reference to primary source
- ___ majority of points addressed well with only minor errors or omissions of information
- ___ adequate coverage of topic; some errors and/or omissions
- ___ numerous errors in information and/or omission of important information; topic not covered well at all

TOTAL SCORE /50