

# ADMINISTRATION OF JUSTICE

## Opening Activity

### Whodunit #5?

#### The Case of the Soured Partnership

Name: \_\_\_\_\_ Period: \_\_\_\_\_ Row: \_\_\_\_\_

#### LADIES AND GENTLEMEN OF THE JURY:

Sometimes the difference between an attempted murder and an accident may be as fine a definition as the difference between breathing out and breathing in.

Please keep this in mind as you examine the unusual case before you today. The State, represented by the district attorney, has accused William Lee of the attempted murder of Jason Hamilton. William Lee, the defendant, admits that he shot Hamilton but says it was an accident.

William Lee has testified as follows:

"Two years ago, Jason Hamilton and I (William Lee) each invested \$25,000 to build a sporting goods store on the outskirts of Jackson City. The store's location is near a hunting preserve that attracts sportsmen from all over the United States."

The two men began with high hopes for success, calling the store Lee and Hamilton Sporting Goods. On the day the store opened, Jason bought his partner a hunting vest and William bought his partner Jason a special hunting hat for good luck.

Despite seeing some promising business when the sporting goods store opened, the store soon ran into serious financial problems. A new general discount store opened a few miles down the highway that carried a number of similar items as Lee and Hamilton at a lower cost and cut deeply into business profits.

One day, William Lee decided to check the county records to see who filed for a business license to operate the discount store. William was shocked to learn it was owned by his partner, Jason Hamilton. He believed that Hamilton was able to sell sports supplies for less at the discount store because the merchandise Jason's store was selling in fact had been secretly stolen from the Lee and Hamilton warehouse.

William Lee was outraged at this betrayal and stab in the back! He immediately drove over to Hamilton's home, only to learn that Hamilton had gone camping with friends at the Shadow Oak Hunting Preserve. Lee drove in a rage to the campsite and saw Hamilton standing outside a large tent.

Lee confronted Hamilton with what he had learned about the new store and his belief that merchandise was taken from the store he was part owner in. William threatened to get even if Jason did not return the money he had made from the selling stolen supplies. Jason Hamilton simply laughed in William Lee's face, claiming that he could never prove he had stolen the supplies from the Lee and Hamilton warehouse. William Lee became even more enraged and left the campsite in a fit of anger.

Later that night, while Jason Hamilton was inside the tent playing cards with some of his friends, a rifle shot rang out from the darkness. The shot pierced the side of the tent and Hamilton fell down, a bullet lodged in his leg.

Harry Peterson, a fellow card player, ran outside the tent to see what happened. He saw William Lee standing a short distance from the tent and appeared to be picking up a rifle.

Police were called and after an investigation arrested William Lee for the attempted murder of Jason Hamilton. William Lee claimed the shooting was an accident, and he had not intended to harm his partner Jason Hamilton. He stated to the police that he had decided their friendship was too important to lose over a business squabble, and he had decided to join the hunting party. As he was walking toward the front of the tent that night, the rifle fell out of his hand, hit the ground, and went off accidentally.

William Lee's attorneys presented **EXHIBIT A**, which is a diagram of the tent where Jason Hamilton and his friends were playing cards when Hamilton was shot. The spot has been marked where William Lee was alleged to have been standing when he claimed he dropped his gun. Note that

the tent flaps are closed, and it appears that there may have been no way Lee could have seen Hamilton to purposely aim the rifle at him.

William Lee continues to claim that the shooting was an accident throughout the trial.

The district attorney called Harry Peterson to the witness stand and he testified that he had been in the tent earlier in the day. Peterson testified that he overheard William Lee threaten Jason Hamilton. **EXHIBIT B** presents Mr. Peterson's testimony as he remembers the conversation. The evidence clearly indicates Lee was quite angry and did in fact threaten Hamilton, saying that if he did not pay back the money he stole, he would never live to spend it.

The district attorney has also presented **EXHIBIT C**. He says it proves William Lee could have aimed a rifle at Jason Hamilton while he was seated inside the tent even though the tent flaps were closed. He claims that Lee could have seen from the shadows on the outside wall of the tent due to the lantern inside, which man was his partner. Jason Hamilton and his friends were of similar height. But William Lee could have identified his partner Jason Hamilton if he somehow cast a shadow that was different than his friends.

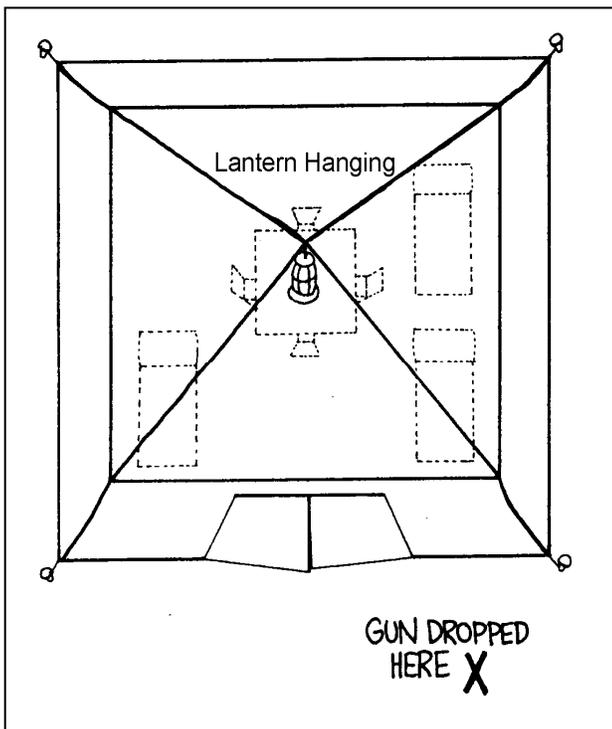
The hats worn the night of the shooting of Hamilton and his two fellow hunters when they were playing cards are shown in this exhibit. For demonstration purposes, the district attorney placed a kerosene lantern similar to the one in the tent in front of the hats with a white background behind them.

The district attorney has asked you to notice the similar shadows cast by two of the hats. But the shadow of the third hat, which is the special hunting hat Lee bought for Hamilton, is very different. The district attorney has stated that Lee could easily have recognized the shadow of Hamilton's hat, and he could have easily aimed at him and fired. The State rests its case and requests a verdict of attempted murder.

**LADIES AND GENTLEMEN OF THE JURY:** You have just heard the Case of the Soured Partnership. You must decide the merits of the State's accusation. Be sure to carefully examine the evidence in **EXHIBITS A, B, and C**. Was the shooting accidental? Or is William Lee guilty of attempted murder?

## THESE ARE YOUR EXHIBITS OF EVIDENCE

### EXHIBIT A



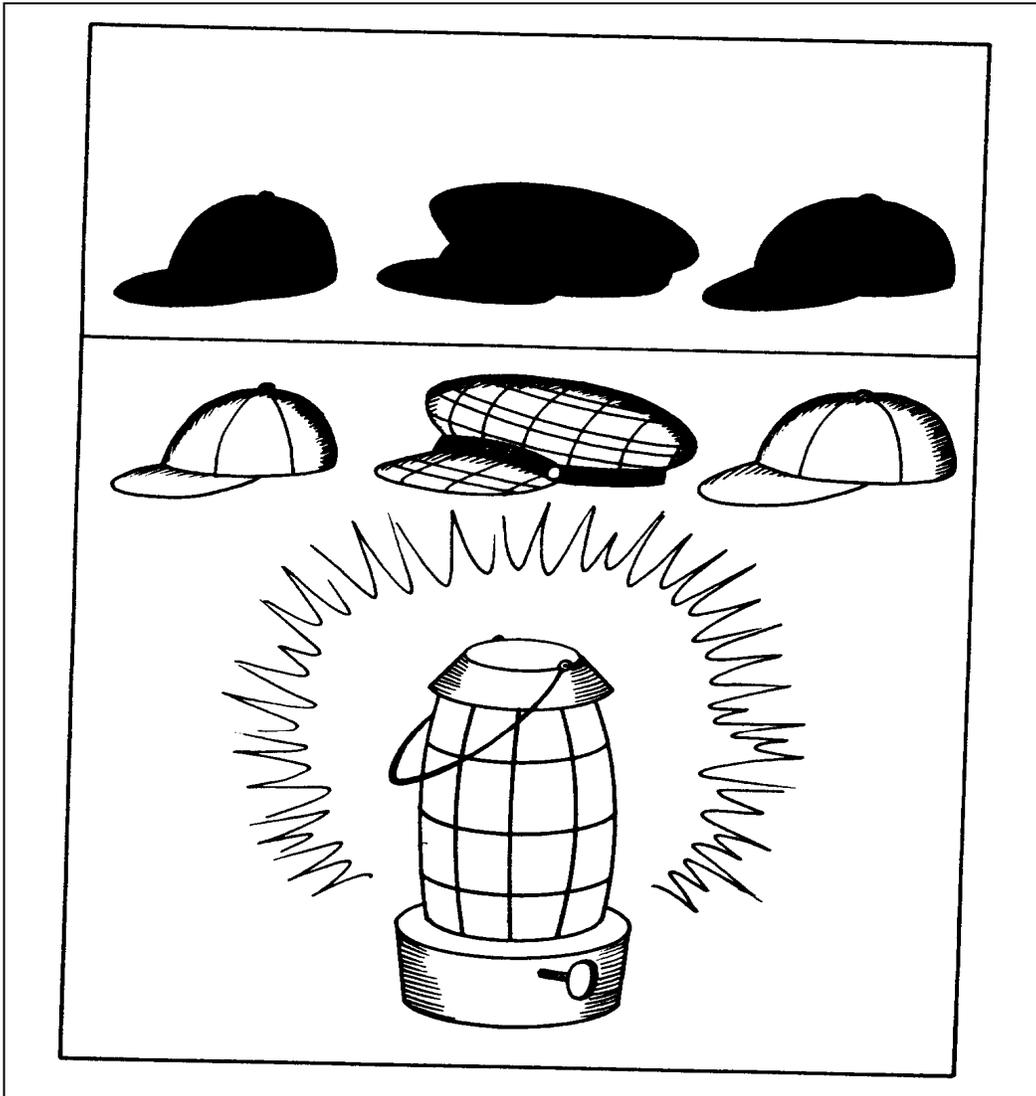
### EXHIBIT B

#### STATEMENT OF HARRY PETERSON TO THE POLICE:

- Q. Did you see or hear an argument outside the tent?
- A. I heard an argument but could not see it.
- Q. Did you know who was arguing with Jason Hamilton?
- A. Yes, I knew from the voice it was William Lee.
- Q. What was the nature of the conversation?
- A. All I heard was William Lee yelling at Jason Hamilton. He said Hamilton was a crook and had stolen merchandise from their store. He told Hamilton he would get even with him if it was the last thing he did.
- Q. Did William Lee threaten Jason Hamilton?
- A. Yes, he told Hamilton to pay back the money he had made on the stolen supplies, or he would never live to spend it.

**ADDITION EXHIBIT OF EVIDENCE**

**EXHIBIT C**



**THE VERDICT! (Explain your decision)**

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