

Mary Surrat

Being the first woman executed by the U.S. Government is not a distinction that Mary Elizabeth Jenkins Surrat ever thought would be her path to fame. On the day of her execution, July 7, 1865, her name was on every tongue in America. She was also the most hated woman, especially in the North. Whether she was guilty in the conspiracy of killing Abraham Lincoln will never be known in this world, but Secretary of War Edward Stanton wanted her to hang and would make sure it happened. If guilty, she still did not deserve the honor of being the first woman executed by the government. As a citizen, she should not have been railroaded in an illegal trial by military court-martial. The same is true for her three accused co-conspirators, two of which were obviously guilty. All should have been tried in a civil court on a civil charge.

Mary Surratt was the daughter of Archibald and Elizabeth Ann Webster Jenkins in either 1820 or 1823, which one is correct has never been confirmed. Most sources give her birth month as May, but that has never been confirmed either. Her birth place was a tobacco plantation near Waterloo (now known as Clinton) in southern Maryland. She was the only daughter among three children. She was two or five years old when her father died and her mother inherited the estate.

Little is known about the early life of Mary Jenkins. When she was around twelve years old her mother enrolled her in a catholic school in Alexandria, Virginia. While attending this school, she converted to Catholicism.

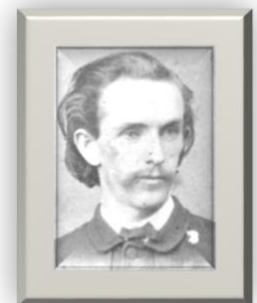


In 1840, Mary (photo at left) married John Harrison Surratt from Washington and they lived on a farm in Washington near Oxon Hill, Maryland. All their children, Isaac, Anna and John, Jr. were born there, and it was their home until 1852. At that time John Surratt bought a 287-acre farm in Prince George's County, Maryland at the intersection of Marlboro-Piscataway and New Cut Roads. The area would become known as Surrattsville and by April 23, 1852, a two-story farm house was under construction. The structure would soon become a tavern, a polling place, and a post office, as well as home to John and Mary Surratt and their three children. John Surratt, Sr. would become the postmaster. This is the place that John Wilkes Booth, and his companion, David Herold, (sometimes Harold) thirteen years later would stop on the night

of April 14, 1865, during the escape from Washington.

Surratt, Sr. bought a townhouse at 541 H Street in Washington on December 6, 1853 and began renting it to tenants. In 1854, He built a hotel addition onto the tavern in Surrattsville.

Surratt, Sr. suddenly died of a stroke in 1862 and John Surratt, Jr. became the new postmaster of the Surrattsville post office. In August of 1863, Surratt, Jr. (photo at right) was seeking employment in the paymaster department of U.S. Department of War. Investigation by Federal agents raised questions about the loyalty of the Surratt family and he was dismissed from his position as postmaster on November 17, 1863. John, Jr. served in the Civil War as a Confederate secret agent. His acquaintances included many of the key figures in the assassination conspiracy, including John Wilkes Booth, Lewis Powell (aka Payne and Paine), Samuel Arnold, Michael O'Laughlin and Edmund Spangler, all Southern sympathizers.





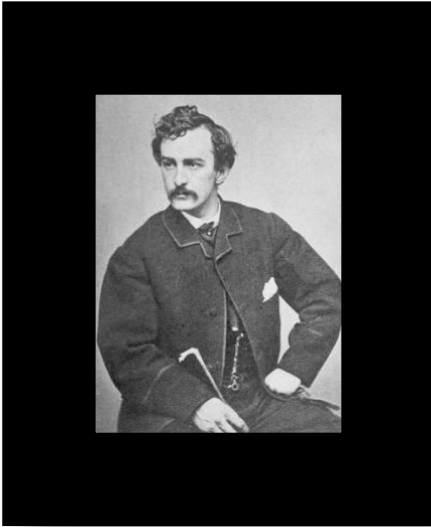
Top row L to R: George Atzerodt, Lewis Powell, Samuel Arnold

Second row L to R: David Herold, Michael O'Laughlin, Edmund Spangler

Two years after the death of Surratt, Sr., Mary moved into the town house in Washington and it would become a focal point in the conspiracy investigation and trial. The tavern was rented to John Lloyd, a former Washington policeman, and he would provide vital testimony against the co-conspirators in the trial.



Mary's townhouse then and now



Booth (**Photo at left**) was full of rage as the election of 1864 was drawing near and two things were clear, the chances of a Confederacy victory had all but disappeared; and the hated Lincoln was going to be handily reelected. In Booth's mind, Lincoln was responsible for the war and all the troubles of the South. He had promised his mother that he would not enter the war as a soldier and as the war was ending in a loss for the South, he was increasingly having feelings of a coward. He began to develop a plan that he was sure would aid the South and even end the war. He would kidnap President Lincoln from his summer home at the Old Soldiers Home, about three miles from the White House. Then he would smuggle him across the Potomac River and to Richmond, Virginia. The Confederacy would then swap Lincoln for all the Southern prisoners of war. This would give the Rebels the manpower they needed, boost the morale of the whole South and increase the Northern opposition to the war and perhaps force the north to recognize the Confederacy. Booth recruited his friends Samuel Arnold and Michael O'Laughlin to assist him in the plot and the

execution thereof. They held meetings at the house of Maggie Branson at 16 North Eutaw Street in Baltimore. He also held meetings with Southern sympathizers at the Parker House in Boston. General Lee's surrender before the arrival of summer ruled this plan worthless and another plan would have to be developed if there was to be, in Booth's mind, any chance for the Confederacy.

On April 14, 1865, just five days after General Robert E. Lee surrendered to General Ulysses S. Grant, and forty-three days after his second inauguration, President Lincoln and Mary Todd Lincoln decided to take a break from all of the hullabaloo of the incessant celebration occurring in Washington and take in the comedy *Our American Cousin* at the Ford theater. They had invited Grant to join them and he had accepted. The town was abuzz to have a chance to see their two greatest heroes, and Grant's appearances in Washington had been very rare prior to the surrender.

It was about noontime when Booth learned of the first family's plans to be at Ford's Theatre at 8:00 that night. He was doubly pleased that Grant would be with him. He would have a chance to get revenge for his defeat of the Confederacy. However, he had only eight hours to put a plan together. That obstacle was not too big to overcome, as a leading actor Booth had performed at the theatre many times and was intimate with every nook and cranny in the building.

Booth arranged a meeting of the conspirators at the Herndon House with Powell, Herold, and Atzerodt. He informed them that kidnapping the President would no longer be sufficient to change the direction of the war. It would take a bold, daring and shocking event. In addition to Lincoln, they would also target Vice-President Johnson, and Secretary of State Seward. The crew he had could not possibly kidnap these three men and smuggle them out of town. But they were just enough manpower to accomplish his new plan, assassinate the three and do it in a coordinated manner at exactly 10:00 that night.

George Atzerodt was armed with a revolver and a knife. He was to go to the Kirkwood House where Vice-President Johnson was living alone and in an unguarded room. "You must kill Johnson," Booth told him. Lewis Powell, also armed with a revolver, was to go to the home of the secretary of state who was barely clinging to life after a carriage accident. He would have David Herold to guide him to the home, hold the horses and guide Powell, who knew nothing of the city, out of town. Those two were Booth's most loyal followers and they immediately accepted the assignment. Atzerodt balked at murder and said he would not do it. Some unfriendly persuasion applied by Booth, like implicating him and

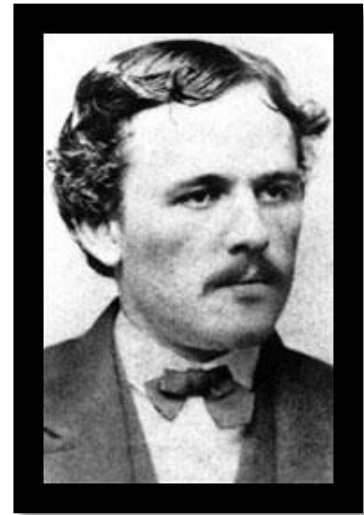
getting hung, and he accepted. What the three co-conspirators did not know was that Booth had implicated all of them earlier when he gave a friend a letter to deliver to the *National Intelligencer* to justify the assassinations and signed all four names to the document:

For a long time I have devoted my energies, time and money, to the accomplishment of a certain end. I have been disappointed. The moment has arrived when I must change my plans. Many will blame me for what I am about to do, but posterity, I am sure, will justify me. Men who love their country better than gold and life.

John W. Booth, Payne, Herold, Atzerodt

At the last minute, the Grants had decided to leave Washington and visit their children. After having several invitations turned down, Clara Harris, daughter of Senator Harris, and her fiancé, Major Henry Rathbone were more than pleased to accept.

Lewis (or Louis) Weichmann (photo at right) had attended college with Surratt, Jr. and was now living in Mary's boarding house. And he would deliver incriminating evidence against her. He described numerous private conversations in the Surratt house between Mary and Booth, Powell, and other conspirators. He also said that on the Tuesday before the assassination that Booth had given him \$10 to rent a buggy and take Mary to Surrattsville to collect, according to Booth, a small debt. During the day of the assassination Mary sent Weichmann to rent the buggy for a two hour to ride Surrattsville. Weichmann testified that she took along "a package, done up in paper, about six inches in diameter." Booth had given her the package to deliver to Lloyd, the tavern keeper, and to give him the message that he would be there late that night to retrieve the package and other gear that he had stored there. They arrived about 4:00 that afternoon and Mary spent about two hours waiting for Lloyd while Weichmann waited at the bar. He would testify that just before they left, about 6:15, he saw Mary speaking privately with Booth in the bar parlor.



Less than seven hours after leaving Surrattsville, as the president lay mortally wounded and Booth having fled into Maryland, the investigators made their first visit to the Surratt boarding house. In a Weichmann affidavit dated 8/11/1865, after the investigators left Mary turned to her daughter and said, "Anna, come what will, I am resigned. I think J. Wilkes Booth was only an instrument in the hands of the Almighty to punish this proud and licentious people."

As Booth fled the scene and made it into Maryland, what he did not know was that his co-conspirators had blown their assignments. Powell had entered the secretary's home and, in the dark, inflicted some serious wounds to the already seriously injured Seward. He also wounded two of his sons, an army guard and a servant, but his target would survive. He, however, was deserted by Herold and would be captured in a few days. Atzerodt did not even pretend to enter the vice-president's room and he too was captured in a few days. The only success was Booth, and he met up with Herold in Maryland and the largest Manhunt in history would consume the nation for the next twelve days. For an interesting, page-turning book covering the manhunt almost minute-by-minute you should read *MANHUNT: The 12-Day Chase for Lincoln's Killer*, by James L. Swanson. Also, a highly recommended read is *LINCOLN'S ASSASSINS: Their Trial and Executions* by James Swanson and Daniel Weinberg, containing many never before published photographs.

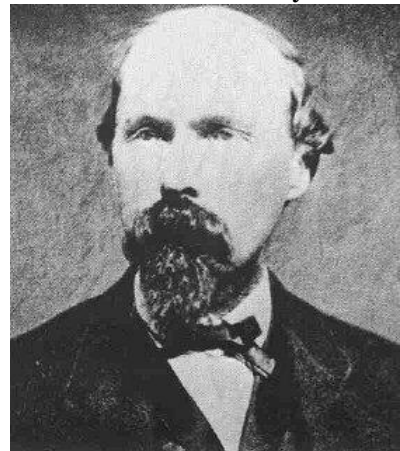
About 10:15 on the night of the execution, Booth, undetected slipped into the Presidential Box through a door behind the Lincoln party. He was able to jam the door behind him so that it was impossible for anyone else to enter the box. With his single shot pistol in one hand and a large knife in

the other, he came near enough to the president to almost make contact. Just as he pulled the trigger, the president leaned forward just a bit. Had he not moved, he would have died instantly, had he leaned just a bit farther the bullet would have missed completely.

Rathbone, an experienced army officer, was the first to realize that the noise was a shot and reacted. The darkness and the smoke from the pistol obscured his vision, but as he took a step toward the president he saw Booth through the haze. Almost simultaneously Booth saw Rathbone and the two sprang at each other. Booth raised the large knife as high as he could and slashed down as hard as he could. He intended to kill the officer. Rathbone's quick reaction saved his life by deflecting Booth's thrust just enough to deflect the arc of the knife so that it slashed through his coat sleeve and inflicted a terrible, bloody gash in his arm. With that, Booth jumped from the box to the stage below and broke his leg when he landed awkwardly.

It was just after midnight on April 26 when the chase finally reached its inevitable end. Booth and Herold were hiding in the barn of Richard H. Garret, near Port Royal, Caroline County in the eastern part of Virginia. Federal troops surrounded the barn and called for the pair to surrender. The troops could hear arguments coming from the barn and Booth called out that Herold was coming out. The army wanted Booth alive and decided to set the barn ablaze to force him to surrender. As the flames lit up the barn, Sergeant Boston Garrett of the 16th New York Cavalry could see every move Booth made through large slots between the barn's slats. When he thought that Booth was going to try to shoot his way out, he put his revolver in one of the slots and pulled the trigger shooting Booth in the chest. Soldiers entered the barn and drug the body out of the fire. They carried him to the Garrett's front porch and just as the sun was coming up he breathed his last.

While the manhunt was in progress, the government was in a feeding frenzy arresting people. They arrested Edman Spangler, the Ford Theatre employ that held Booth's horse. They arrested several other theatre employees that had nothing to do with Booth, including the Ford brothers. They not only arrested Mary Surratt, they arrested every one of her boarders. A rumor that Booth was aboard a train got everyone on the train arrested. Stanton even had the theatre itself arrested. It was closed and the government confiscated ownership from the Fords. In the middle of the night on April 17, Lewis Powell stumbled into their hands. He knocked on Mary's door while the house was full of investigators. He was filthy and carrying nothing but a pick ax. He tried to tell them he had been hired to dig a ditch for Mary. Samuel Arnold and Michael O'Laughlin from the kidnapping conspiracy was jailed. Atzerodt was arrested in bed at the home of his cousin. And Herold had surrendered at the end of the manhunt. Later Doctor Samuel Mudd (**Photo at right**) was arrested. By the end of April all the suspects had been arrested, imprisoned and were awaiting trial.



Of all those arrested, eight would become defendants in the great conspiracy trial. Herold, Powell, Atzerodt, Spangler, Arnold and O'Laughlin were imprisoned in horrible conditions below decks in two ironclads. Mary and Doctor Mudd were confined in the Old Capitol Prison, most likely because of her sex and his position as a doctor.

President Johnson, under pressure by Edwin Stanton, declared that the assassination was an act of war and that the eight co-conspirators be tried by a military court. This was to become a much-debated issue before, during and after the trial. Secretary of the Navy Gideon Welles and Edward Bates, Lincoln's first attorney general strongly objected to that decision. Stanton pushed the trial forward as he was not about to let a civil court that he could not control take his revenge away from him. Perhaps he would come to regret that decision in the future.

According to Thomas Harris, a member of the Military Commission that tried Surratt, the most damning evidence against her came from Surrattsville tavern keeper John Lloyd. Lloyd told the Commission that five to six weeks before the assassination John Surratt, David Herold, and George Atzerodt came to Surrattsville to drop off at his tavern two carbines, ammunition, about twenty feet of rope, and a monkey wrench. The men asked Lloyd to conceal them, with Surratt suggesting a hiding place under joists in a second-floor room.

Lloyd testified that three days before the assassination, Mary Surratt told him that "the shooting irons" left at his place by the men weeks ago would be needed soon. Then on the day of the assassination, Surratt again brought up the subject, according to Lloyd's testimony:

On the 14th of April I went to Marlboro to attend a trial there; and in the evening, when I got home, which I should judge was about 5 o'clock, I found Mrs. Surratt there. She met me out by the wood-pile as I drove in with some fish and oysters in my buggy. She told me to have those shooting-irons ready that night, there would be some parties who would call for them. She gave me something wrapped in a piece of paper, which I took upstairs, and found to be a field-glass. She told me to get two bottles of whisky ready, and that these things were to be called for that night.

Just about midnight on Friday, Herold came into the house and said, "Lloyd, for God's sake, make haste and get those things." I did not make any reply, but went straight and got the carbines, supposing they were the parties Mrs. Surratt had referred to, though she didn't mention any names. From the way he spoke he must have been apprised that I already knew what I was to give him. Mrs. Surratt told me to give the carbines, whisky, and field-glass. I did not give them the rope and monkey-wrench. Booth didn't come in. I did not know him; he was a stranger to me. He remained on his horse. Herold, I think, drank some out of the glass before he went out.

I do not think they remained over five minutes. They only took one of the carbines. Booth said he could not take his, because his leg was broken. Just as they were about leaving, the man who was with Herold said, "I will tell you some news, if you want to hear it," or something to that effect. I said, "I am not particular; use your own pleasure about telling it." "Well, said he, "I am pretty certain that we have assassinated the President and Secretary Seward."

Another prosecution witness, George Cottingham told the Commission that after learning of the assassination John Lloyd had cried, "Oh, Mrs. Surratt, that vile woman, she has ruined me! I am to be shot! I am to be shot!"

Surratt's attorney, Frederick Aiken, argued that Lloyd's evidence should be disbelieved because he was "a man addicted to the excessive use of intoxicating liquors" and was motivated to "exculpate himself by placing blame" on Mary Surratt.

The Military Commission--relying heavily on the testimony of Lloyd-- found Mary Surratt guilty of conspiracy and sentenced her to death. Five of the nine Commission members, in the record transmitted to President Johnson for his review, recommended that the President--because of "her sex and age"-- reduce Surratt's punishment to life in prison. Johnson refused to change the sentence, describing Surratt as having "kept the nest that hatched the egg."

After a last-ditch effort to delay her prosecution by way of a writ of habeas corpus failed when President Johnson declared the writ suspended for this case, Surratt was hanged on July 7, 1865 along with three other conspirators. Surratt became the first woman executed by the United States.

The execution of Surratt came under considerable criticism in some quarters. H. L. Burnett, who served on the Commission, defended the sentence: "Whomever indulges in wide-mouthed proclamations, or pronounces her conviction 'an inhuman crime,' unsupported by evidence, betrays an animus, to say the least, not over careful of truth."

Epilogue

Clara Harris and Henry Rathbone, married in 1867, almost two years after their dreadful night in Ford's Theatre. He was never blamed for Lincoln's death, after all he was the Lincoln's guest and not a bodyguard. He was not on duty and he was not assigned the duty of protecting the president. And he neither saw nor heard Booth until the mortal until after the fatal wound was inflicted. Luckily for Rathbone, the fact that he asked to be treated before the president was not widely broadcast. Clara would have been better off if Booth had taken just a bit more time and killed Rathbone. On December 3, 1883, Rathbone went berserk, grabbed a pistol and a knife, shot Clara and then stabbed her to death. He never returned to America and spent the rest of his life in a German asylum.

Boston Corbett was indeed a strange fellow. As he was preaching on the street one day, two prostitutes approached him. This was highly embarrassing to him. When he reached home, he began reading Mathew 18 and 19. When he read the part that says, "And if thy right eye offends thee, pluck it out and cast it from thee....and there be eunuchs which have made themselves eunuchs for the kingdom of heaven's sake"). In order to avoid sexual temptation and remain holy, he castrated himself with a pair of scissors. He then ate a meal and went to a prayer meeting before seeking medical treatment.

The Supreme Court on April 13, 1866, less than a year after the execution of the coconspirators, in a unanimous decision, declared: *Civilians cannot be tried by presidentially created military commissions when the civil courts are still in operation.* The case was *Ex parte Milligan: Lambden P. Milligan was sentenced to death by a military commission in Indiana during the Civil War; he had engaged in acts of disloyalty. Milligan sought release through habeas corpus from a federal court.*

Michael O'Laughlin died in prison February 23, 1868 at Fort Jefferson in the Dry Tortugas with Spangler, Arnold, and Mudd. He died there of yellow fever. On February 13, 1869, President Andrew Johnson ordered O'Laughlin's remains to be turned over to his mother. His body was then sent north to Baltimore. He was buried in Baltimore in Green Mount Cemetery. John Wilkes Booth and Samuel Arnold were also buried in the same cemetery.

Dr. Samuel Mudd: The influence of his defense attorney, Thomas Ewing Jr., who was influential in the President's administration, was one reason that on February 8, 1869, Mudd was **pardoned** by Johnson. He was released from prison on March 8, 1869 and returned home to Maryland on March 20, 1869. Mudd was just 49 years old when he died of **pneumonia**. He is buried in the cemetery at **St. Mary's Catholic Church** in Bryantown, the same church in which he once met Booth.

Spangler and Arnold: On April 1, 1869, three weeks after he pardoned Mudd, Johnson also pardoned Spangler and Arnold.

Sources: manhunt: *The 12-Day Chase for Lincoln's Killer*, by James L. Swanson; LINCOLN'S ASSASSINS: *Their Trial and Execution*, by James L. Swanson