



# The Story of Mary Surratt

by Elizabeth Steger Trindal

**M**ary Elizabeth Surratt was the first woman to be hanged by the United States Government. She was a widow and a mother of three. She was hanged in Washington, D.C. on July 7, 1865. Those who knew her, knew that she was innocent. Most of those who didn't know her, felt that she was one of the conspirators in the assassination of President Abraham Lincoln. After all, wasn't John Wilkes Booth a friend of her son and a frequent caller at Mrs. Surratt's Washington,

D.C. boardinghouse ?

The government had pronounced the woman guilty after a sixteen-week-long military trial. Neither she nor the other alleged conspirators were allowed to testify in their own defense. Nor had the charges of their crimes been read to them until the day before the trial started on May 11. The defense had no time to prepare for the hearing. In Mrs. Surratt's case, she was arrested and taken to prison on April 17 without being told why. The writ of Habeas Corpus had long since been suspended in the United States. As Secretary of State William H. Seward once boasted to Lord Lyons, *"My Lord, I can touch a bell on my right hand, order the arrest of a citizen of Ohio ; I can touch a bell again, and order the imprisonment of a citizen of New York ; and no power on earth, except that of the President, can release them. Can the Queen of England do as much ?"*

**M**ary Elizabeth Surratt was born in 1823 near Washington, D.C., at what is now Clinton, Maryland. Archibald and Elizabeth Ann Jenkins were her parents. Mary's father was a farmer. After he died in 1825, Mary's mother managed the farm and raised a daughter and two sons.

Mary was twelve-years old and a member of the Anglican Church when she first attended St. Mary's Female Institute, a Catholic school. St. Mary's was located at Alexandria, Virginia, across the Potomac from her home state and seven miles south of Washington, D.C. Eventually she became a devout Catholic. Mary remained at the school until she was seventeen-years old.

When she returned to Maryland, Mary met and married John Harrison Surratt, who was nine years her senior. He was a man of some means, having been raised by a wealthy planter. The young couple started their lives together in 1840. Isaac, Elizabeth Susanna, and John Jr. were born to the union.

When their home burned, John sold his property and purchased land in what is now Clinton, Maryland. In the spring of 1852, he built a house and tavern combination.

Eventually it became a stage stop, post office, and polling place. It was well located on a busy road that ran between Washington, D.C., and Richmond, Virginia. Eventually it would be known as Surrattsville. Today the Surratt house-museum is open to the public. Eventually, John Surratt Sr. became his own best customer at the bar. Mary found it necessary to send the children away to school and away from the poor environment of the tavern and their drinking father. John Surratt died in 1862.

The impact of the Civil War was soon felt at Surrattsville. Even though most Southern Marylanders favored the Confederacy, the state remained in the Union. Nevertheless, records indicate that Mrs. Surratt showed no favoritism in her business.

When Mary's husband died, her son John, who had been studying for the priesthood near Ellicott City, Maryland, returned home to help his mother.

Isaac had left Maryland for Texas on the day that President Lincoln was inaugurated. Eventually, Isaac joined the 33<sup>rd</sup> Regiment, Texas Cavalry, Duff's Partisan Rangers, C.S.A.<sup>1</sup> Mary's daughter, Susanna (Anna), remained in a Catholic boarding school near Bryantown, Maryland, and near Dr. Samuel Mudd's farm.

Dr. Mudd would later be arrested, and tried for giving medical aid to John Wilkes Booth. On July 6, 1865, Mudd was sentenced to life imprisonment to be served at Fort Jefferson, on the Dry Tortugas, off the west coast of Florida. He would only serve seven years of the sentence. Out of appreciation for his medical care of the sick, during a yellow fever epidemic, he was released.

Apparently, helping to run the family enterprise was much too mundane for Mary's son, John. He became a Confederate courier when President Lincoln discontinued mail service between the North and the South. His newfound occupation was illegal, even though operatives on both sides were guilty of indulging in the same enterprise. Couriers reasoned that tobacco from the South or medicine from the North, in addition to other supplies, and letter correspondence had to be delivered, one way or the other. The Surratt house was considered a safe house, a place where the exchange of such items could secretly be traded. Hardly a safe place since Mary Surratt fed both Union military and Southern sympathizers alike. And being a stage stop, night guests could be of any ilk.

In time, the business became more than Mary could manage. A change had to be made. In the fall of 1864, she leased the house stage-stop and tavern to John Lloyd, a former Washington, D.C., police officer. But, like the senior John Surratt, the new innkeeper would in time succumb to the devil's brew.

The widow Surratt moved her family to Washington, D.C. There she started what was politely known as "a home for paying guests". The former H Street boardinghouse is now a Chinese restaurant in the China Town section of the city.

Louis Weichmann, a former fellow seminarian and a friend of John's, dropped his studies and moved into the boardinghouse. Even though the young man was from Pennsylvania, he claimed that his sympathies were with the South. Nonetheless, he chose his employment at the U.S. War Department under Secretary Edwin Stanton. The two friends shared the same room at Mrs. Surratt's boardinghouse : one a courier for the South ; the other, a clerk at the U.S. War Department. When John was on Confederate business, Louis took Mrs. Surratt on her various errands. They even attended Mass together. Mary grew very fond of the young man, and he had eyes for delicate Anna. Yet, at the trial he would testify for the prosecution. Weichmann was arrested as a

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<sup>1</sup> *Duff's Partisan Rangers* is mentioned in the article "R.H. Williams, *The English Texas Ranger*," by Tony Mandara, *CHAB News*, May 2002, p. 38.

conspirator and threatened with death by Mr. Stanton. After the trial, Weichmann said that he believed that Mrs. Surratt was innocent, and that she knew nothing concerning the intentions of John Wilkes Booth.

It was at the boardinghouse where John Wilkes Booth, the famous Shakespearean actor, visited but never lived. The handsome young man had a plan. In order to end the war on Southern terms, he and his new found conspirators would abduct President Lincoln and take him to the Confederate capitol at Richmond, Virginia.

It was a chance meeting on Pennsylvania Avenue on December 23, 1864, that Dr. Samuel Mudd introduced John Surratt to John Wilkes Booth. Weichmann was present. Booth had been in Maryland in search of property to purchase, or so he had said. While there, he met Dr. Mudd who was thinking about selling his farm. The doctor had returned to Washington with Booth to do some last minute Christmas shopping. It soon became obvious to Booth that young Surratt could serve well in his scheme to abduct President Lincoln. After the introduction, the men went to Booth's room at the National Hotel where they drank and talked.

Perhaps it was then that Booth revealed his nefarious scheme. After he and his comrades had abducted the president, they would rush him, by carriage, from Washington, across the Potomac River to Maryland. In Southern Maryland they would travel south and cross the Rappahannock River into Virginia and on to Richmond. All that was needed was a guide. John Surratt qualified. As a courier, he knew the route well.

Two abduction attempts were tried, both failed, leaving Booth with another plan. But when the plan came to fruition, John Surratt was not around.

On April 5, Surratt had left Washington D.C., for Elmira, New York, on Confederate business. There he was to scout the prisoner of war camp to assess the possibility of a prison break.

On Good Friday, April 14, Louis Weichmann took Mary Surratt to Surrattsville to meet John Nothey concerning money that he owed her. Before the couple left, John Wilkes Booth appeared at the boardinghouse. He gave Mary Surratt a small package that he requested her to give to John Lloyd. It was later learned that the package contained a field glass. Long after Mary Surratt was hanged, it came to light that John Wilkes Booth had frequently visited John Lloyd at Surrattsville, thus indicating that Lloyd was more than an innocent tavern keeper.

John Lloyd was not at the tavern when Mary arrived. When she was about to leave, he appeared reeling drunk. At the trial of the conspirators, Lloyd testified that Mrs. Surratt had instructed him to have whiskey and "*shooting irons*" ready for "*whoever called for them that night*". That night John Wilkes Booth and his guide, David Herold, appeared after Booth had shot the president. Lloyd's statement did much to put the noose around Mrs. Surratt's neck. Yet, two years later, at the civil trial of John Surratt, Lloyd confessed that drinking had always affected his memory. Consequently, he didn't know if Mrs. Surratt had given him such instructions or not. He later claimed that he had been tortured into testifying against Mary Surratt.

Much of the same evidence was brought out at the son's trial in civil court that had been aired at the military trial of the conspirators. Yet, the son was freed, while the mother had been hanged.

When John learned of the assassination, he left New York and went to Canada. When his mother was arrested, he sent a messenger saying that he would give himself up if his mother were released. He was advised to take care of himself, that his mother was in no danger. Indeed John took care of himself. He went to Rome where, for a time,

he served as a Papal Zouave. He was arrested in Alexandria, Egypt, on Nov. 26, 1866.

When Booth gave Mary Surratt the package, on the morning of April 14, he didn't know that the president was planning to go to Ford's Theater that evening to see Laura Keane in *The American Cousin*. Booth learned that the president would be at Ford's after he had left Mrs. Surratt, and had stopped by the theater.

He gathered his cohorts and made his plans for the evening event. Lewis Powell was to kill Secretary of State William H. Seward ; George Atzerodt was assigned to kill Vice President Andrew Johnson. Atzerodt backed out on the assignment. Since John Surratt had left Washington, David Herold would be the guide. Booth appointed himself to kill President Lincoln.

On April 17, at 11:30 p.m., Mrs. Surratt was arrested and taken to the Old Capitol Prison. When Mrs. Surratt was preparing to leave for the prison, someone rang the doorbell. When the door was opened by one of the arresting military officers, a large unkept man, with a pick ax, stood before them. He was brought into the dimly lit hall and asked his business. He claimed that Mrs. Surratt had hired him to dig gutters. When Mrs. Surratt was brought into the dimly lit hall to identify the man, she replied : "*Before God, I do not know this man, and I did not hire him to dig a gutter for me*".

The man was Lewis Powell, the son of a Baptist minister, and the man Booth had assigned to slay Secretary of State William Seward. Powell attacked the secretary, but failed in his attempt to kill him. Powell was supposed to meet Herold and Booth at the Navy Yard bridge but had gotten lost.

Three days after his attempt to kill the secretary, Powell ended up at Mrs. Surratt's. Mary Surratt's eyesight was failing ; consequently she couldn't recognize Lewis Powell even though he had been a guest at her boardinghouse a number of times. The last time he was dressed as a Baptist minister. Powell was a man of many disguises and many names : Kinchloe, Wood, and Paine were his aliases.

When Mrs. Surratt was arrested on April 17, she, Anna, and some lady boarders were taken to the Old Capitol Prison. On April 30, she was transferred to the Old Arsenal Federal Penitentiary at what is now Ft. McNair, Washington, D.C. The portion of the prison where she and the others stood trial still stands.

The trial started on May 11 and ended on June 28. The warrant of execution was read on July 6. The execution took place the next day.

One of the mysteries that still remains is what happened to the plea for clemency that had been written by the military judges for President Johnson's signature, on behalf of Mrs. Surratt ? Under the rules governing the military commission, two-thirds of the members had to vote for the death penalty. In Mary Surratt's case, this was done only after the plea for clemency had been written in consideration of her age of 42, and her gender. In other words, there were those who voted against her because they believed her guilty, but did not want to see her hanged, but still didn't want to see her go unpunished. They believed that the plea for clemency would be signed by President Johnson, and Mrs. Surratt's life would be spared. But the president claimed to have never received the clemency. Joseph Holt, the Judge Advocate, was supposed to have taken it to the president. Judge Holt claimed that he had given the clemency paper, along with the findings of the trial to the president. Then miraculously, later, the plea for Mrs. Surratt appeared at John Surratt's trial in 1867. Mrs. Surratt would not have been released, but would have served the rest of her life in prison.

It is questionable if Mary Surratt would have lived for very long. While on trial she became quite ill and was moved from a cell to a room. Her twenty-two-year old daughter was allowed to stay with her mother until she was executed on a steaming hot

afternoon, on July 7, 1865.

Father Jacob Walters couldn't divulge Mrs. Surratt's last confession that she had made to him the night before the execution. He had stayed with the woman through the night in prayer, and holy readings. Nevertheless the next morning, he and Anna rushed to the White House to try to save Mrs. Surratt. But, alas, the president refused to see them.

That same morning, Lewis Powell informed General Hartranft that Mrs. Surratt was innocent. The general sent a courier to the White House to try to prevent Mrs. Surratt from being executed. He had believed Powell would have nothing to gain or to lose by lying because the young man's life was all but over. Even on the scaffold, while a reprieve was still expected, Powell would say to his attending minister that an innocent woman would be hanged.

There were many who believed Mrs. Surratt would not hang. Christian Rath, the hangman, was sure that Mrs. Surratt's life would be spared.

Father Walter spent the rest of his life telling Mary Surratt's story wherever he could, that she was "*as innocent of that crime as a babe unborn*".

On the day of her execution she asked her friend, John Brophy, to try "*at some future time, when the passions of the war are cooled, the task of clearing her name of the crime ...*". This he promised to do, and this he tried until his death.

Even Ben Butler, the Beast of New Orleans, told John A. Bingham, former Judge Advocate, at the trial of the conspirators, that he believed Mrs. Surratt was innocent. He said the same at the impeachment trial of President Johnson. In addition, he was convinced that President Johnson was behind the assassination of President Lincoln. Butler was referring to John Wilkes Booth's diary that the assassin kept while attempting his escape. In it, Booth wrote, "*I have ... almost a mind to return to Washington and in a measure to clear my name, which I feel I can do*". It is unreasonable to think that the former vice president was behind the assassination, because if Booth had his way, Johnson would have been killed.

U.S. Major General Benjamin Butler was famous for his Order Number 28, which decreed that New Orleans women, who insulted Union soldiers, would be treated as women of the town. At the time, New Orleans was under Butler's control. No doubt the hearts of New Orleans' ladies would have softened a bit had they heard of his defense of Mary Surratt. And, no doubt, all eyebrows would have shot skyward at the thought that John Wilkes Booth may have been a double agent.

And what would old Ben Butler have said had he known that Booth, the arch Southerner, was engaged to the lovely Lucy Hale, daughter of Civil War Senator John Hale of New Hampshire? John Hale was a Democrat, not of the opposing Republican Party of Lincoln. Strangely, neither the senator nor his daughter was asked to testify at the trial of the conspirators. John Hale became Minister to Spain, the year of the assassination - 1865.

Aside from these historical byways, there is one thing for sure : it seems, an innocent woman was hanged.

### **About the author**

**Elizabeth Steger Trindal**, a CHAB member, is a lecturer and the author of the book : *Mary Surratt : An American Tragedy*. In addition, she has written numerous articles on various subjects that have appeared both in the United States and abroad. Her book may be purchased at Amazon.com and a copy is now available at the CHAB library.