

0. AFTER THE CONSPIRACY TRIAL - Story Preface

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2. EVENTS at the Surratt Boardinghouse

3. John Wilkes Booth and HIS PLANS

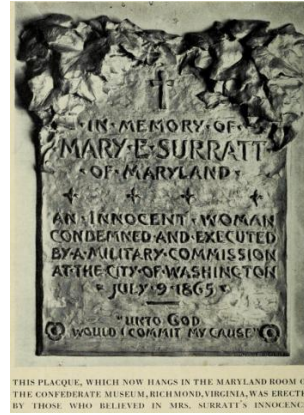
4. CAPTURE and DEATH of John Wilkes Booth

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8. AFTER THE CONSPIRACY TRIAL



Despite the trial verdict, and Mary's execution, many people believed that Mary had been wrongly convicted and punished. This plaque, which hangs in the Maryland Room of the Confederate Museum in Richmond, expresses those sentiments. The image is included in "The Case for Mary Surratt," by Helen Campbell. Click on the image for a better view.

Controversy - over the trial and the executions - was immediate and continuous. The following year, a Supreme Court decision (*Ex parte Milligan*) held that American civilians could not be tried by a military tribunal. That case had been pending while the Hunter Commission decided the fate of the conspiracy defendants.

John Surratt - who was in Elmira, New York at the time of the shooting - was afraid he'd be tried for attempted murder (not merely a kidnapping conspiracy). With newspapers reporting that he had tried to kill Secretary of State Seward, Surratt fled to Canada. There he was helped by Catholic priests, most notably Father Charles Boucher with whom he lived - using the alias "Charles Armstrong" - for three months.

Thereafter, he sailed to Europe. After arriving in the United Kingdom, Surratt traveled to Rome (where he served with the Papal Guard). A story - perhaps fanciful - is told that he made a daring escape after being recognized, then captured, in Rome.

Still on the move, he went south - to Naples - where he boarded a ship bound for Alexandria (by way of Malta). Aware of his plans, American authorities captured him, in Alexandria, during November of 1866.

Returning to the States, following his arrest, Surratt stood trial in a civilian court (the Supreme Court of the District of Columbia). When jurors could not agree on a verdict - they were split 8 to 4 in favor of acquittal - Judge George P. Fisher declared a mistrial. Prosecutors did not ask for another chance to convict him.

Beyond its expected notoriety, Surratt's trial was marred by intense disagreements between Judge Fisher and Surratt's lead lawyer, Joseph H. Bradley, Sr. At one point in the proceedings, Bradley - feeling insulted by the court - assaulted Judge Fisher at the end of a trial day. Responding - when the trial was over - Fisher stripped Bradley of his right to practice law.

By August of 1868, Surratt was a free man. He eventually married, and had seven children, earning a living by teaching (and occasionally lecturing about his relationship with John Wilkes Booth). He later said he did not believe the government would kill his mother (and that he learned of her death after-the-fact).

Anna also married, had several children and lived until she was 61 years old. Mrs. Surratt's oldest child - Isaac - survived his role as a Confederate soldier but never married. He briefly testified at his brother's trial - to tell the jury John was 23 years old.

Sometime after the execution, Anna convinced people in charge of such things to let her move her mother's body to a proper grave. The remains of Mary Surratt now rest in a Washington cemetery.

Joseph Holt - the chief prosecutor against the Lincoln conspirators who (unlike any of the defense lawyers) had private discussions with the military commissioners (the deciders of the case) because he was their legal advisor - became reclusive after the trial. He came to believe that the legal process used to try the conspirators - the military commission - wasn't legal after all.

When the trial was over, and the executed defendants were in their graves, Holt was accused of keeping evidence from the defense and the plea for clemency from the President. One piece of evidence was notably absent from the trial - the diary of John Wilkes Booth.

Holt saw that diary before the trial began, since soldiers found it when they captured Booth. The prosecution

would thus have known, from Booth's own words, about the timing of the assassination plot.

The diary would have been a key piece of evidence for the defendants, but it was "locked in a safe." It is doubtful any of the defense lawyers knew it existed (or, if they did, what it said). Civilian court rules, mandating evidence disclosure, did not apply.

Booth's diary went missing for a time. Two years after the conspiracy trial, it turned-up in the War Department ... with ... eighteen missing pages. (Actually, the FBI later counted 43 missing sheets, meaning 86 missing pages.) No one could explain what had happened, but the diary was used in the trial to impeach President Andrew Johnson.

The missing pages have never been found.

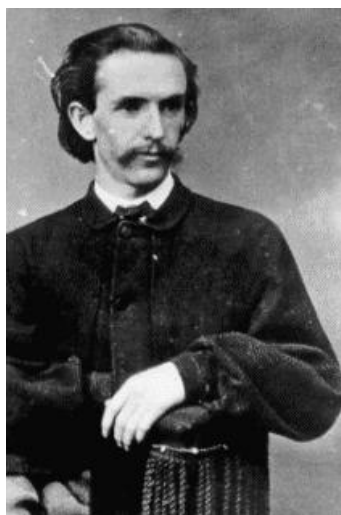
See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/AFTER-THE-CONSPIRACY-TRIAL-Conspirator-Mary-Surratt>

See Learning Tasks for this story online at:

<http://www.awesomestories.com/asset/AcademicActivities/AFTER-THE-CONSPIRACY-TRIAL-Conspirator-Mary-Surratt>

Media Stream

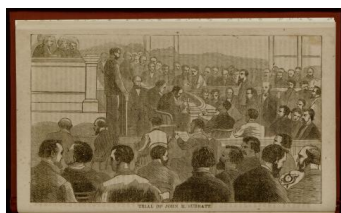


John Surratt - Whereabouts after the Assassination

Image online, courtesy Surratt House Museum.

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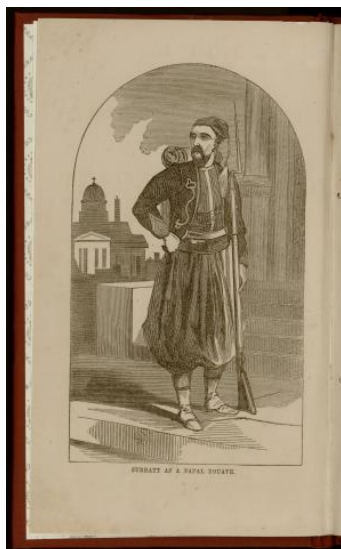
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John Surratt - On Trial, in 1867

Image from the *Life and Extraordinary Adventures of John H. Surratt* - published in Philadelphia (1867) by Barclay & Co. - online, courtesy Library of Congress.

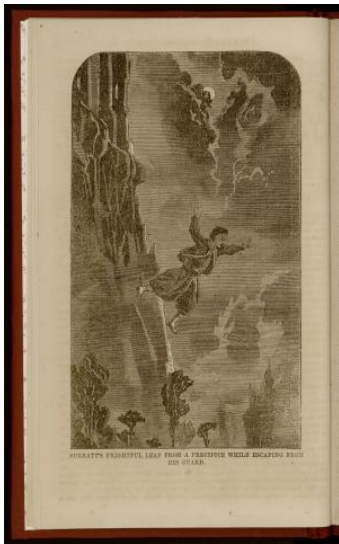
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John Surratt as a Papal Guard

Image from the *Life and Extraordinary Adventures of John H. Surratt* - published in Philadelphia (1867) by Barclay & Co. - online, courtesy Library of Congress.

View this asset at: <http://www.awesomestories.com/asset/view/John-Surratt-as-a-Papal-Guard>



John Surratt - Escapes Capture in Rome

Image from the *Life and Extraordinary Adventures of John H. Surratt* - published in Philadelphia (1867) by Barclay & Co. - online, courtesy Library of Congress.

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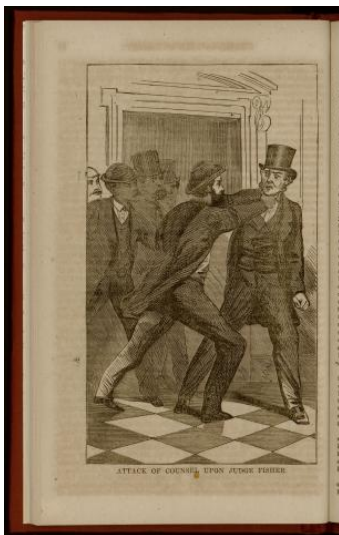


Charles Boucher - Priest Helps John Surratt

Image - referencing and summarizing part of Father Boucher's testimony at the John Surratt trial - from the *Life and Extraordinary Adventures of John H. Surratt* - published in Philadelphia (1867) by Barclay & Co. - online, courtesy Library of Congress.

View this asset at:

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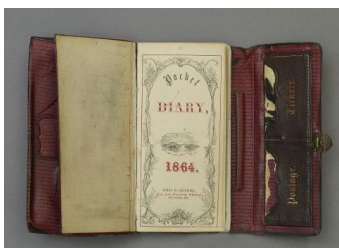


John Surratt Trial - Lawyer Bradley Assaults Judge Fisher

Image from the *Life and Extraordinary Adventures of John H. Surratt* - published in Philadelphia (1867) by Barclay & Co. - online, courtesy Library of Congress.

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<http://www.awesomestories.com/asset/view/John-Surratt-Trial-Lawyer-Bradley-Assaults-Judge-Fisher>

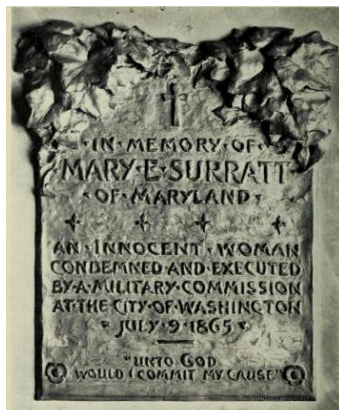


Diary of John Wilkes Booth

Photo of Booth's diary, online courtesy Library of Congress. The artifact is maintained, by the National Park Service, at Ford's Theatre.

Excerpted passage from *History of the United States Secret Service*, by La Fayette C. Baker (1867), page 508.

View this asset at: <http://www.awesomestories.com/asset/view/Diary-of-John-Wilkes-Booth1>



THIS PLACQUE, WHICH NOW HANGS IN THE MARYLAND ROOM OF THE CONFEDERATE MUSEUM, RICHMOND, VIRGINIA, WAS ERECTED BY THOSE WHO BELIEVED IN MRS. SURRATT'S INNOCENCE.

AFTER THE CONSPIRACY TRIAL

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