

Southern New Hampshire University

The Unconstitutional Trial of Mary Surratt

A Capstone Project Submitted to the College of Online and Continuing Education in Partial
Fulfillment of the Master of Arts in History

By

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November 14, 2017

Southern New Hampshire University
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Date

Dedication to my mother, Geri L. Conrad

A very special thank you to the woman who has been there for me more times than I can count – thank you mama for everything. Words can't describe how much I love you. Thank you for always supporting me in everything I do and encouraging me to be the best person I can be. Thank you for your unwavering support and for always being willing to listen to me and my love of history.

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Abstract

For this final course at Southern New Hampshire University, this project will focus on the trial of Mary Surratt, one of the conspirators in President Abraham Lincoln's assassination. While many historians and authors tend to focus on the actions of one man, John Wilkes Booth, his coconspirators such as Mary Surratt, have been overlooked. After Booth was killed, Mary, along with several other conspirators, were rounded up and put on trial. This trial was not a typical case, as it was judged and conducted by a military commission. These men were picked from Lincoln's finest generals and were men closest to the President. Because of this fact and the surrounding evidence that proved to be unreliable, Mary was sent to the gallows as the first woman to be executed by the United States government. Through military and gender lenses, Mary's case will be reexamined and her trial will prove to be unconstitutional. Through various archival institutions such as the Abraham Lincoln Presidential Library and Museum, and the Surratt House Museum, archives will be collected and displayed in an online exhibit using Omeka. This exhibit will show the evidence of Mary's guilt to be unreliable and the witnesses to be untrustworthy as the facts are revisited.

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Chapter One: An Introduction

On April 14th, 1865, President Abraham Lincoln was assassinated by John Wilkes Booth at Ford's Theater. It did not take long for military authorities to close in on Booth and his co-conspirators. The final public history capstone project for this Master's program centers on the conspirators of President Abraham Lincoln's assassination, particularly the trial of Mary E. Surratt. Lincoln was the first President of the United States to be assassinated, and unfortunately he was not the last. However, because his was the first assassination, there is much to be learned from his death and the trial that came after it. This thesis and online exhibit, in conjunction with the Abraham Lincoln Presidential Library and Museum in Springfield, Illinois, and the Surratt House Museum located in Clinton, Maryland, will display and emphasize the historical significance of this trial.¹ Mary's trial by a military tribunal has raised questions by both historians and scholars alike, not only in regards to the relationship between the North and South, but also between civilians and the military authority. The trial of Mary Surratt was unconstitutional and resulted in her death due to the government's failure to uphold her rights and provide her with the fair trial that she deserved.

The months before Mary Surratt's trial were among the most momentous in the history of the United States. In the spring of 1865, Robert E. Lee first surrendered to the Confederate army and its commander, Ulysses Grant. For some the country was at peace and the war was finally over. For others, such as Southerner John Wilkes Booth, this was not the case and there was still much work to be done to ensure justice was given to the Confederacy. Booth gathered some of his supporters and schemed to kidnap President Lincoln. After several failed efforts, Booth moved to assassinate President Lincoln. After Lincoln was murdered, a trial was immediately set into

¹ <http://lincolnconspiracy.omeka.net/>

motion. Eight conspirators, including one of Booth's best friends, John Surratt Jr., and John's mother Mary Surratt were put on trial. A military tribunal was assigned to be both judge and jury in the case and to ensure that justice was served quickly. Lincoln was, after all, their Commander in Chief, and given how these actions could have been seen as an act of war, many believed it was only fitting that a military tribunal be in charge of the trial versus granting the conspirators a civilian court. Through inconsistent testimonies and circumstantial evidence, Mary was found to be guilty and was the first woman to be executed by the United States government.

Providing and communicating the essential information of this trial assists in fulfilling the missions of both the Surratt House Museum and Abraham Lincoln Presidential Library and Museum. A museum's mission statement describes their purpose and intended audience, more specifically what they want to convey to the public. The Smithsonian describes mission statements as such: "In mission statements, museums express their purpose and their relationships to the various publics they seek to serve. A thorough examination of mission statements is well beyond our scope, but based on those we reviewed, museums with collections tend to focus on the identification, display, and interpretation of what they collect, preserve, and study."² The Abraham Lincoln Presidential Library and Museum, along with the Surratt House Museum both clearly display their mission statements on their websites. The Abraham Lincoln Presidential Library and Museum's mission statement declares:

The Abraham Lincoln Presidential Library Foundation supports the educational and cultural programming of the Abraham Lincoln Presidential Library and Museum; fosters Lincoln scholarship through the acquisition and publication of documentary materials relating to Lincoln and his era; and promotes a greater appreciation of history through exhibits, conferences, publications, online services, and other activities designed to promote historical literacy.³

² Smithsonian Institution, "The Making of Exhibitions: Purpose, Structure, Roles and Process," Washington, D.C.: Office of Policy and Analysis, 2002, Accessed October 25, 2017.

³ "Our Statement," Abraham Lincoln Presidential Library Foundation, accessed October 1, 2017,

While the Surratt House Museum's mission is:

To foster an appreciation for the history and culture of 19th-century Maryland and Prince George's County. The museum provides resources for research into the impact of a tumultuous period of our national history, from 1840 to 1865, with special emphasis on the study of the people and events surrounding the assassination of President Abraham Lincoln.⁴

Both museums focus on the importance of appreciating history and educating the public on the impact President Lincoln's life has had on the nation.

Both museums also provide countless archives in their exhibits and collections that center around Lincoln's life and death, including letters, documents, photographs, and various objects. These museums serve as a basis for this thesis and will help to shed light on such a dark topic. In addition to this exhibit, the museum will also show how even in acts of war, the military is not always the best way to handle these situations. The exhibit will be created using Omeka, which is a web application that allows its users to publish and display collections online. This particular exhibit will display objects, letters, photographs, and drawings about Mary's trial. The exhibit will then be divided into several themes – the first focusing on the assassination of Lincoln that brought the trial to fruition, the second focusing in on the military tribunal and their failure to hold up Mary's constitutional rights, the third focusing on the defense and the evidence used, and lastly Mary's execution and how her trial and execution are still presented to this day.

Following this first chapter, which provides an introduction to the exhibit, the second chapter will focus on the historiography of Mary's trial and how the writing of her history has changed over time. Using primary and secondary sources, starting with the trial transcripts from

<http://www.alplm.org/AboutUs/OurMission.aspx>.

⁴ "The Surratt House," The Surratt House Museum, last modified 2016, accessed September 3, 2017, <http://www.surrattmuseum.org/the-house>.

Ben Poore in the late 1800's to Elizabeth Trindal's *Mary Surratt: An American Tragedy* published in 1996, scholars and historians have displayed several points of view surrounding Mary's trial. Chapter three will focus in on the methodology going into detail providing a historical narrative of the trial and focusing in on how the exhibit came about and what research that has been conducted these past several weeks. This will involve looking at the trial through both the military history and gender lens. The military lens focuses in on acts of war and how these acts can affect cultural and national identities. The other lens will be that of the gender. Mary was a woman in a time that was predominately ruled by men. This trial and the outcome is unique especially when one focuses in on Mary's gender and age. Chapter four focuses in on the specialized audience and discusses why and how this exhibit is beneficial to those in the educational field and to the families coming to visit. Chapter five will then discuss future recommendations for the exhibit as well as the two institutions, while focusing on possible ethical concerns that could hinder this project and the museum's work. Chapter six will discuss budgetary considerations, including, but not limited to, what items need to be budgeted for such as staffing for the exhibit. Chapter seven will provide a conclusion to the thesis and project summing up everything that has been discussed. Overall, this thesis and its online exhibit will raise public awareness of Mary Surratt's trial using resources from both the Abraham Lincoln Presidential Library and Museum, and the Surratt House Museum.

Chapter Two: Literature Review

Since President Abraham Lincoln was assassinated, scholars have pieced together his assassination and the trial of the conspirators. From 1865, newspapers and pamphlets were filled with various accounts of what occurred, journals were filled with emotions and events, and photographers, such as Alexander Gardner, portrayed those involved. Despite all the scholarly research, historians still dispute if her trial was constitutional or not. This is due to the lack of information and historical gaps located from scholar's work to another. Mary may have been the first woman to be executed by the United States, but there are still many historians and scholars who argue if this should have been her fate.

The lack of information is a huge gap in the secondary source literature. Scholars cannot seem to settle on how much information is too much. Some historians have focused strictly on John Wilkes Booth having no regard for the others who were accused. Other scholars are more concerned with John H. Surratt Jr. and how he escaped the hangman's noose, while doing nothing to come forward and defend his mother during her time at court. Still, others focus strictly on Lincoln's death and do not provide any information in regards to what occurred after his funeral. The aftermath of Lincoln's death is just as important as his assassination. Wyatt Kingseed's article, *A Burned Letter, Conflicting Stories, and an Absent Son Helped to Send Mary Surratt to the Gallows* discusses the military's want for justice in Mary's case. The testimonies given did not match up with each other, the witnesses were unreliable, and Mary maintained her innocence and remained firm when being questioned by both the defense and prosecuting attorneys. He quotes:

It is not possible for us today to appreciate the panic caused by Lincoln's murder. With the war essentially over, the president's death seemed inconceivable. The Federal government, and Secretary of War Edwin Stanton in particular, vowed to hunt down the guilty...Upset that Booth had escaped a jury and the hangman, Stanton set out to exact the

harshest penalty possibly for the remaining conspirators. Under his direction, on May 10 the Bureau of Military Justice formally charged eight individuals with complicity to murder the president.⁵

A majority of these historical gaps are shown in the secondary sources provided within this project. Many authors focus on one part of Lincoln's legacy, whether that be his presidency, his death, the search for John Wilkes Booth, or the trial that followed. Very few authors tell the president's life. One such example is shown in Kathryn Canavan's book, *Lincoln's Final Houses: Conspiracy, Terror, and the Assassination of America's Greatest President*. In her book, Kathryn focuses solely on Lincoln's death, disregarding the aftermath and the effect that his death had on our country. Her work provides a good historic representation of what happened the night Lincoln was shot, so for of those looking to understand what happened the night of April 15, 1865 then this piece of nonfiction would be beneficial to its audience. However her work is not for those historians who need to do extensive research on Lincoln.

One such author - Kate Larson in her book, *The Assassin's Accomplice* discusses the gap between scholars and the gap between the people during 1865. Larson addresses this as she recalls,

For some Americans, Mary Surratt had been wrongfully subjected to a vindictive federal military tribunal. Her supporters accused the military court that tried her and the other co-conspirators with illegally prosecuting civilians...Sympathy for Mary increased dramatically in the weeks after her execution, bolstering what would become a decades-long campaign to restore her reputation and prove her innocence. Though many Northerners believed in her guilt, most apparently never expected she would actually be executed. The outcry was so great it would adversely affect political careers and spark years of scrutiny by those who believed deeply in her innocence. Vilified during the trial of the assassination conspirators, Mary's wicked persona was recast into the sorrowful victim, a perfect Victorian mother murdered by immoral and unrestrained powerful men.⁶

⁵ Wyatt Kingseed, "A Burned Letter, Conflicting Stories and an Absent Son Helped to Send Mary Surratt to the Gallows." *America's Civil War* 16, no. 6 (2004): 12, 78-80.

⁶ Kate Clifford Larson, *The Assassin's Accomplice: Mary Surratt and the Plot to Kill Abraham Lincoln*. (New York, NY: Basic Books, 2008), Introduction, Kindle.

Her tone and argument originally began with the supposition that Mary was innocent and that she was hung due to the “result of a frenzy revenge bolstered by a stunned federal government determined to exert its power.”⁷ As she reviews the files and evidence of the trial, her research leads her to believe otherwise. By the end of her book, she not only argues that Mary was unaware of knowing of the assassination plot, but was a lot guiltier than others seemed to have led on.

Other authors such as Elizabeth Trindal, claim the opposite. Trindal in both of her novels *The Two Men Who Held the Noose* and *Mary Surratt: An American Tragedy* stands firm in her position that Mary Surratt was blameless of the charges brought against her. Just in these two authors alone we see how this trial is truly one of the most complicated trials this nation has known. Despite the different views, the sources used for this exhibit overlap each other. The evidence and testimonies used in the books are used both for and against Mary. One of the most used and reoccurring sources, is that of Thomas Reed’s, *Avenging Lincoln’s Death: The Trial of John Wilkes Booth’s Accomplices*. This particular source holds great authority in the historical community, especially for this particular case. Reed argues that the trial was prejudiced and describes the case as unconstitutional and unfair because Congress never authorized trial by military commission for these eight civilians.⁸ He converses why and how both the court and President Johnson failed Mary Surratt. Reed is a professor of law, he understands and has studied how courts have operated in the past. His publisher is Fairleigh Dickinson University – a highly

⁷ Ibid., 63.

⁸ Thomas Reed, *Avenging Lincoln’s Death: The Trial of John Wilkes Booth’s Accomplices*. (Madison: Fairleigh Dickinson University Press, 2016), 21.

distinguished school within itself, there for them to give credit to Reed and willing to publish his book, must say a lot about the author himself. Given his education and background, his arguments seem to have more authority than others.

What is important to remember though is where secondary sources lack, primary sources come through. These primary sources provide historians and scholars with that information that cannot be provided from the secondary sources. Primary sources help to cover the gaps in secondary literature. One such example is shown through Edward Steers book, *The Lincoln Assassination Conspirators: Their Confinement and Execution, as Recorded in the Letterbook of John Frederick Hartranft*. Steers tells us that John Hartranft was appointed by President Johnson to command the military prison. In doing so, Hartranft composed a journal describing the prisoners' daily movements, focusing in detail on their emotions, reactions, actions, and more so. He goes into detail describing their routines and thoughts, all while remaining unbiased, treating them as he would any other prisoner. His firsthand account provides us with the emotions and feelings that other sources are unable to.

Another example of firsthand accounts is provided in James Swanson's book, *Lincoln Assassins: Their Trial and Execution*. Swanson's book spans from the night Lincoln was assassinated until the conspirators were executed. He does so with photographs, letters, books, and newspaper clippings that allow him to bring the trial to life. He provides access to those documents and archives that may not have been presented otherwise. With his book of archives, he is also able to reach out to those who not only may not have access to the museums that hold these archives, but also to those who may not have internet. His extensive bibliography is filled with sources that cross over with other titles listed in this bibliography.

The importance of the trial, the concern for a fair trial, and the decision as to whether or not the government was justified in hanging this women are still topics that are being studied to this day. Mary's outcome provided a new standard of equality, not only in the legal system but also in terms of gender. Since her trial, the laws and rules surrounding military tribunals have changed and people have to come to realize there's more to one's identity besides their gender.

Mary had more to lose than anyone else with her involvement. If she truly was involved in this plot to kill Lincoln, she was not only risking her own life, but the lives of her children as well. She could not risk implicating and endangering her children. After all everything Mary did was for them. From contacting priests to get her children the best education to running a boarding house, tavern, and farm to provide for their needs as well as her husband's. When her husband passed, Mary had then to take on the role of two parents to ensure the safety of her children. However it is also important to remember that Mary was found guilty.

Regardless of the research that scholars have done, the irrationality of the military trial still brings about questioning. It is the fact that civilians were not judged by a jury of their peers, but rather nine military judges is what leads scholars to question whether the trial was properly handled. The judges knew that whatever their verdict, there would be strong reactions, and that this war was far from over. Mary's guilt would have provoked reactions from her fellow Catholics, as shown in Kenneth Zanca's book, *The Catholics and Mrs. Mary Surratt: How They Responded to the Trial and Execution of the Lincoln Conspirator*. Her fellow Southerners – particularly her children who were involved in the Confederate War – would have also reacted to their verdict. Had the military tribunal found her innocent, then questions of loyalty would have been asked of the nine judges such as their loyalty to their Commander in Chief and the North's true motives during the Confederate War.

Despite all the questions that have arisen, there are still connections that can be made. Many of the authors of these sources are students of law, professors, and historians who use each other's articles, photos, and books in their own work. Over time the writing on this subject has changed as it has gone from having a few argue for Mary's freedom to mainly arguing that she was guilty, if not more guilty than what was led on. Many of them also focus on whether or not the military judges did the right thing in condemning her. Ben Poore's book, *The Conspiracy Trial for the Murder of the President: And the Attempt to Overthrow the Government by the Assassination of its Principal Officers*, provides the most detailed account of what happened in that courtroom. His book provides verbatim transcripts that are listed on the Library of Congress's website and that of the Surratt House Museum.

Museums, whether they are physical buildings or online exhibits, are used to preserve our everyday life and capture specific moments in time. In Hursit Cem Salar's article, *Online (Virtual) Exhibitions Application in Education*, Salar describes museums as, "public institutions researching, collecting, and saving the objects witnessed to human and human life. They are the nonprofit bodies that share information, provide exploration, education and enjoyment opportunities concerning to the services of social development in contemporary meaning."⁹ There are many advantages for public history institutions to use virtual and online exhibits. It allows for the audience, who may not have the capacity or capability to drive to the institution, to view its collections online and see what the museum has to offer. For this online exhibit, the targeted audience are young adults ages 18-25. The virtual and online exhibits, created by these institutions, tend to focus more on the younger generations. Those ages 18-25 tend to be more

⁹ Hursit Cem Salar, et al., "Online (Virtual) Exhibitions Application in Education," *Journal of Library & Information Technology* 33, no. 3 (May 2013): 176.

familiar with technology and communicating via online those in the older generations. Virtual and online exhibits can benefit people of all ages and not necessarily just those in their younger years.

Salar writes how this is so stating, “Information is presented according to visitors’ age, background, and knowledge. The site is didactically enhanced and the goal of the learning museum is to make the virtual visitor revisit and come to the museum to see the real objects.”

Other benefits for going virtual and online for exhibits include different interpretations of historic sites and events without having to worry about the costs of a new facility, storage, or physical exhibition. By moving towards the new digital age, museums can go further with the materials they have without spending as much as they have in the past. Salar discusses this as well:

More successful museums experiences lived by the information which virtual museum provides. In this regard one can easily see that virtual museums add new meanings to real museum experience. Virtual museums not only bring museums to people who don’t visit museums in traditional meanings but also given an extensive museum experience to traditional museum visitors by using virtual collections in the real museum with wireless network technologies.¹⁰

The benefits for museums that display online and virtual exhibits continues to grow and will continue to benefit both the institution as well as their audiences.

In the book, *Laying the Foundation*, authors Mary Battle, Tyler Mobley, and Heather Gilbert wrote a chapter entitled, *Digital Public History in the Library: Developing the Lowcountry Digital History Initiative at the College of Charleston*. In this chapter, Battle, Mobley, and Gilbert continue to discuss the benefits for museums that work towards digital collections for their institution. These online exhibitions and digital history initiatives that museums are creating are helping to enhance the experience of their visitors and are crucial to budgeting for museums. With museums and many public history institutions being nonprofit,

¹⁰ Salar, et al., “Online (Virtual) Exhibitions,” 177.

their main sources of income are from their visitor, grants, fundraisers, and donations. Because of this, online exhibits can help save on budgeting. The three authors discuss these limitations of museums and how they have changed over the years:

Many museums, archives, and academic institutions with constrained budgets and limited staff time could not afford to dedicate a significant amount of resources to building a digital project, much less multiple projects at a time. These limitations began to change as new open-source, user-friendly resources started to become available, particularly the Omeka digital publishing platform, and significantly for LDHI, the Omeka *Exhibit Builder* plug-in. Once these tools are installed, humanities scholars with minimal technological training can use Omeka and Neatline to conceptualize and build online exhibition projects. In particular, humanities students can learn to use these tools in a short period of time, so that they can effectively contribute to the often time-consuming effort of developing digital projects.¹¹

Authors John Falk and Lynn Dierking also discuss how online exhibits can affect museums and how these changes in “The Museum Experience Revisited.” According to the authors, most visitors of the museum’s website or exhibit is in regards to visit planning. Often times, visitors will be in search of hours, prices, or directions. While they may come across an item or collection that is visually appealing to them, but it may not be the information they are searching for.¹² One of the key purposes of creating an online exhibit such as this thesis is to draw people in but in order to do so, one must know what entices visitors to visit their website. Once the museum understands what information its visitors are looking for, they can better incorporate that whether it is in the museum physically or through an online exhibit such as the one used in this thesis.¹³ After what has been a complete and thorough examination of literature regarding both museums and online exhibits, along with historical literature in regards to Mary Surratt, no further research on this topic has been completed beyond what has been reported in this chapter.

¹¹ Mary Battle, Tyler Mobley, and Heather Gilbert, “Digital Public History in the Library: Developing the Lowcountry Digital History Initiative at the College of Charleston,” in *Laying the Foundation: Digital Humanities in Academic Libraries*, ed. John W. White and Heather Gilbert (Purdue University Press, 2016), 35-57, <http://www.jstor.org/stable/j.ctt163t7kq.6>, (accessed November 9, 2017)

¹² John Falk and Lynn Dierking, *The Museum Experience Revisited* (Walnut Creek, California: Left Coast Press Inc, 2013), 175-178.

¹³ Falk and Dierking, *The Museum Experience Revisited*, 177.

Chapter Three: Methodology

History can be viewed in a variety of lenses – socially, politically, militarily, culturally and legally to name a few. One of the lenses used to view this particular exhibit is the military lens. As this was a military trial composed of military judges instead of a civilian court, it only makes sense to look at it through this military lens. Military history is not just about wars and soldiers, but also encompasses cultural history and affects nations' identities. The judges themselves were members of Lincoln's own cabinet and given the duty of ensuring justice for their once recent Commander in Chief. These military judges had been there since Lincoln's beginning. However one cannot view this trial strictly from the military standpoint as they were not the only ones involved. Civilians were also affected during this time and historians should not neglect them just because their voices were not heard in a civilian court. It is important to understand why historian's opinions have shifted over time, and in that same respect, why the literature has changed over time.

According to Robert Citino, military history is divided into three classes: war and society which is also known as new military history, operational history, and the history of memory and culture. He goes on to describes how democracy really lies at the root of military success.¹⁴ One cannot lead this nation without an understanding and training in military history. This is what these generals had. They had background in military affairs, war tactics, and strategic planning. War is all these men had known so when it came to handling civilian affairs, this was a new world to them. Their military background was their identification. Their military background determined

¹⁴ Robert Citino, "Military Histories Old and New: A Reintroduction," *The American Historical Review* 112, no. 4 (October 2007): 1071-1073, <http://www.jstor.org/stable/40008444>.

who they were as a person, their beliefs, and their significance in history. This trial only furthered their significance and importance in history.

Another lens to use is that of gender. Mary's punishment was almost altered to life in prison due to her age and her gender. Being a woman during this period, Mary did not have as many rights as her male counterparts did. She was left with vast amounts of debt when her husband died and was forced to run the boardinghouse business on her own to support her children. Mary was forced to live and survive in a man's world. Her identity centered on the fact that she was a woman. It was her gender that almost saved her life. The United States government had never executed a woman before. In Joan Scott's article, *Gender: A Useful Category of Historical Analysis*, she talks about the usage of gender and how it involves relations between both men and women. She notes, "Because war, diplomacy, and high politics have not been explicitly about those relationships, gender seems not to apply and so continues to be irrelevant to the thinking of historians concerned with issues of politics and power."¹⁵ This was not the case in Mary's trial. Her femininity was of huge concern to the military commission. In a world where harsher punishments seemed only fitting for men, the judges did not know how to handle having a woman put on trial for something so drastic. Scott goes on to reason how gender is a way of signifying relationships of power. This significance is still imperative to this day. In the work force today, women are still paid less than their male counterparts. In positions of power such as government, men are still the dominating presence in the White House. In homes, it is shown that men are often considered to be head of the house, slightly above their wives. Gender is part of

¹⁵ Joan Scott, "Gender: A Useful Category of Historical Analysis," *The American Historical Review* 91, no. 5 (1986): 1053-1075, <http://www.jstor.org/stable/1864376>.

one's identity and therefore goes hand in hand with their position in power. Women were not given the same rights as men during the Civil War.

The military lens and gender lens go perfectly hand in hand. Both work with identifying a certain person or group. While the military lens helps identify nations and wars, gender helps define the roles in these nations and wars. The exhibit will use archives from institutions such as the National Archives, Smithsonian Museum, Library of Congress, Surratt House, Indiana Historical Society, and the Abraham Lincoln Presidential Library and Museum. These archives will include photographs, objects, writings, and drawings and examine them from a military standpoint. One will see the gender lens, particularly when it falls upon the commission to decide Mary's fate.

Before one can understand why the assassination occurred, it is important to discuss the events leading up to Mary's trial. The war between the North and South had just concluded. Mixed feelings flooded the country as there was discord, celebration, anger and joy. It would take more than ten weeks to create an exhibit discussing the entire American Civil War from both sides along with Lincoln's Presidency, his murder, and the aftermath that the trial had on the country. Therefore the social lens is also applicable in this exhibit as well.

This exhibit can be viewed from different angles. One can view this exhibit from a militaristic standpoint or a civilian standpoint. Different genders may have different interpretations. Men may see this exhibit differently from the eyes of a woman. Because there are so many different ways and lenses that can be applied to this exhibit, it is important to list relevant dates, names, and events before one chooses their perspective on the exhibit. The information gathered for this exhibit came from archives located from the various historical institutions, and from emails and telephone calls that went out to research librarians and museum directors for

answers to various questions, guidance and suggestions. The Surratt House Museum was the first to respond and to provide the information that has proved to be most relevant and critical in this thesis. Their entire museum focuses in and centers around Mary's life and death, and their records proved to be most useful. It was at this museum that trial transcripts, photographs, and many of the writings became available. Museum director Laurie Verge, and Research Librarian Colleen Puterbaugh assisted in gathering photos and scans of several of their documents, a spreadsheet of the museum's finding aids for their library holdings. These research files they provided are the files that have been collected by the Museum over the years containing reference files, primary sources, and articles. Colleen Puterbaugh stated that her Master's degree was in public history so she is very familiar with online curation and digital history which also provided great assistance with this project.

Outside of the Surratt House Museum, research inquiries were made to places such as the Library of Congress, Abraham Lincoln Presidential Library and Museum, Indiana Historical Society, and the Smithsonian Museum proved to be beneficial in the digitization of their collections. The most beneficial information gained from these institutions came from their online collections. Many of their online exhibits shared archival material amongst each other making it easy to be able to locate additional sources for this thesis. If time would allow, further research would be spent physically visiting the archives, completing more research, and looking at those items that are not digitized on their websites to see what gaps may be missing from their online exhibits.

As for the secondary source materials, the author's writings have filled the gaps in historical scholarship and provided background information in addition to the primary sources that are being used. Secondary research looks at events through various historical lenses – social,

cultural, military, gender, legal, and so on. These secondary sources provide different interpretations surrounding the events that took place, despite that the facts have remained consistent over time. They also reflect current theories and understanding of the past, and as these theories and understanding develop over time, so will the research that is being completed. The authors of the secondary sources conducted their own research, receiving information from primary sources shown in the exhibit, to better reflect the ideas, emotions, and people involved during this crucial time in history.

While exhibits can be created by theme or topic, this particular exhibit was chosen to be chronologically so the audience can best understand how Mary went from the owner of a boarding house to an accused assassin. This exhibit is divided into several themes: the first focusing on the assassination of President Lincoln, the second focusing in on the trial with subthemes focusing in on the defense and the prosecution, and the third focusing on Mary's execution and the aftermath that pursued her death. The Smithsonian Institution provides not only archives for this exhibit but also includes relevant literature. In their article, *The Making of Exhibitions: Purpose, Structure, Roles, and Process*, the museum discusses the criteria for selecting exhibitions. Criteria can include, "relationship to mission, merit, fundability, availability of objects (in-house or available on loan), and audience draw and appeal."¹⁶ These are necessary and fundamental to both the museum and an exhibit's success.

¹⁶ Smithsonian Institution, "The Making of Exhibitions," 7.

Chapter Four: Specialized Audience

While the Surratt House Museum and Abraham Lincoln Presidential Library and Museum present exhibits for children and adults of all ages, the specialized audience for this particular exhibit will be young adults – mainly ages 18-25. Given the nature and subject of this exhibit, a more mature audience is required to be beneficial. Children and those younger will not understand the concepts that are being portrayed or understand the importance of this exhibit. Audiences are crucial to museums. Their likes, dislikes, and feedback are where curators and archivists get their inspirations from. The audience is what paves the path for what museums should represent in their exhibits. As stated in Timothy Ambrose and Crispin Paine’s book *Museum Basics*,

Museums have to engage interest through active involvement with their users and build on this to achieve their objectives. Museum managers should encourage users to explore and discover the museum’s collections and services for themselves...Understanding the public’s interests and concerns, likes, and dislikes, needs and wants, is of critical importance in providing successful services and developing successful museums. Museums are for people, and the successful museum recognizes the opportunities that participation and involvement can bring to its work and the need to engage people ever more closely with the services it provides.¹⁷

A case study was recently conducted in 2011 that works to understand the motives of young adults for visiting and not visiting museum. The case study was conducted by Muhammad Fauzi Mokhtar and Azilah Kasim, both doctorate students from Malaysia. The objectives for this case study were divided into three sections: First, assessing the motivations of young adults to visit museums, the second to determine what keeps them away, and third, evaluate their perceptions as to how these museums should be attracting young adults – what works and what does not.¹⁸ Similar to the context of this thesis, the case study includes a literature review going

¹⁷ Timothy Ambrose and Crispin Paine, *Museum Basics*, 3rd ed. (New York, NY: Routledge, 2012), 26.

¹⁸ Muhammad Fauzi Mokhtar and Azilah Kasim, “Motivations for Visiting and Not Visiting Museum

as far back as 1985 and as recent as 2006. It also provides the methodology for the case study and how it was conducted. Characteristics included gender, nationality, and age category to obtain a better understanding of their results and locate various patterns and differences between the young adults.¹⁹ Data shows that the main reasons for visiting museums for young adults included educational purposes with the most common need being to prepare for homework or a project. Other reasons for attending included to accompany and spend time with family and friends, others to go for relaxation, and some went to contribute to their own knowledge, satisfy curiosity, or help preserve the institution for future generations. The main reason as to why these students and young adults did not visit was time. Between activities, school, social life, and family events, finding time to go to museums is not what it used to be. Many institutions have come to this realization, which is why they are pushing to digitize collections and exhibits, and to make them available online. Other reasons include that they prefer to spend the time they do have in another way, admission prices are too high and they are unable to afford a visit, or the museums do not bring in the visual appeal that they are searching for. This can include not having places to rest, or not having gift shops or cafes.²⁰

Conclusions came to show that females were more likely to be motivated to visit museums than their male counterparts. The accessibility is the biggest factor as to why males are not as inclined to go to a museum. For females, data shows their main reason for not attending a museum was due to time and attendance or admission prices. Data shows in this case study that the women believed they could always attend at another time, never anticipating what would

among Young Adults: A Case Study on UUM Students,” *Journal of Global Management* 3, no. 1 (2011): 43-58.

¹⁹ Ibid., 46.

²⁰ Ibid., 47.

happen if the museum were to be shut down. The conclusions also showed that not having information that was wanted or needed, or wanting the time to be spent on other activities were the second and third reasons as to why males and females do not want to visit museums.²¹ This is not to say that young adults do not visit museums. Many visit in ways that do not involve the physical act of walking around, such as viewing online exhibits or collections, going to a museum's website, and performing their own research when an institution is not easily accessible to them.

Without the audience, there is no need to preserve our history and no need to create such masterpieces. It is important that an archivist understands the difference between a collection and an exhibit. In Martin Kalfatovic's *Creating a Winning Online Exhibition: A Guide for Libraries, Archives, and Museums*, Martin points out right away that, "a collection of objects does not make an exhibition. It is only when objects are carefully chosen to illustrate a theme and tied together by a narrative or other relational threads that they become an exhibition."²² There is more to a museum than the items it holds. According to Surratt House Museum, director Laurie Verge, the museum's educational programs are mainly targeting school groups and the Surratt House Museum has reached as many as 3,000 students in one school year. The monthly speakers and public events bring in an additional 1,000 participants in addition to the walk in tours and visitor groups.²³

The data that is provided with these numbers and the case study, allows for a better understanding as to how this particular exhibit can reach out to young adults. By creating this

²¹ Ibid., 48.

²² Martin Kalfatovic, *Creating a Winning Online Exhibition: A Guide for Libraries, Archives, and Museums* (Chicago and London: American Library Association, 2002), 1.

²³ Laurie Verge, interview via email message to museum director, by Grace Collum, October 23, 2017.

online exhibit, the museums can overcome those objections that were given as to why young adults do not visit museums. There is no need for them to worry about accessibility, admission prices, or time. The young adults can visit the online exhibit when it is convenient for them without having to pay a price in the comfort of their own homes. Young adults can use the exhibit for projects and educational purposes while being able to relax wherever they are. The exhibit can be viewed on laptops, tablets, and cell phones making accessibility that much easier for these young adults.

Chapter Five: Historical Research and Project Planning

Whenever a crime has been committed, it needs to be handled with care. The evidence, defense, prosecution, and witnesses all must be handled with the utmost caution so as not to hurt the innocent or free the guilty. The murder of a President must be handled with even more care and grace in that the effects of this case could in turn affect a whole nation. John Wilkes Booth knew this as he entered the presidential box at Ford Theatre on the night of April 14, 1865. In the spring of this year, Robert E. Lee surrendered to the Confederate Army and to Ulysses Grant. The country was celebrating what they thought was a time of peace. Soldiers were sent to be with their families and loved ones returned home. However this joyous time quickly changed the night that Abraham Lincoln was murdered at Ford's Theater. It was that Friday morning on April 14th that Booth learned the President would be attending the theater. John W. Clampitt, one of the lawyers for the defense and a Confederate soldier during the Civil War describes the emotions of the time,

I was an eye-witness of this sudden and terrible revulsion of popular feeling that finally ended in the shedding of innocent blood. When it became known that Abraham Lincoln had fallen by the hand of an assassin, rage took possession of the populace; cries of vengeance filled the air; music, that a few hours before had been tuned to the high cadence of patriotic rejoicing, was now a mournful dirge; crape festooned banner and flag, and the grand illumination which had poured its blaze of light upon an exultant throng died out in the solemnity of the hour, and every vein and avenue of life was filled with lamentations at the national bereavement.²⁴

The news of the death of the President and attempted assassination of both Vice President Andrew Johnson and Secretary of State William Seward were all that filled the newspapers, pamphlets, cities, and streets. Another Union soldier by the name of Otto H. Sollaw, a lieutenant,

²⁴ John W. Clampitt, "The Trial of Mrs. Surratt," *The North American Review* 131, no. 286 (Sept. 1880): 223-224.

wrote a letter to his brother, Christian Sollaw, describing Lincoln's death and the affect it had on the army: "But alas! Our joys were turned into sorrows, for on the next day, we received the news of the shocking murder of our president. Yesterday was set apart for a day of mourning, all business was closed up and the flag floated at half mast."²⁵ Word of mouth spread quickly as the assassination attempts were on everyone's lips.

The once calm and collected states of America soon turned into a frenzy with a thirst for justice for their beloved President. There was an enormous desire for blood as vast rewards of money were offered up for Booth and his fellow conspirators. Clampitt goes into detail describing the events surrounding the gathering of accused:

Passion, however, ruled the hour, and an insane desire for blood; and, as a sacrifice was demanded, instant means were adopted to achieve that end. The army was put in motion. Hundreds of details scoured the adjoining territory, and thousands of detectives peered into every nook and corner where a hiding place might be discovered. Vast rewards of money and of high promotion were offered for the apprehension of Booth and his coconspirators.²⁶

According to the reward posted for John Wilkes Booth located in the National Archives, \$30,000 was offered for the capture of Booth.²⁷ Only a few days later on April 20th, 1865 the War Department increased the reward to be given to the President's murderer up to \$50,000.

According to this reward poster, \$25,000 was offered for the capture of John H. Surratt, Booth's

²⁵ Otto Sollaw, "Letter from Otto Sollaw to Christian Sollaw," *The Shapell Manuscript Foundation*, April 20, 1865, <http://www.shapell.org/manuscript/civil-war-union-office-reacts-to-abraham-lincoln-assassination> (Accessed September 25, 2017).

²⁶ Clampitt, *Trial of Mrs. Surratt*, 224.

²⁷ *Reward Poster for John Wilkes Booth*, Photograph, Washington D.C.: National Archives and Records Administration, Washington, DC, 1865 <https://www.archives.gov/historical-docs/todays-doc/index.html?dod-date=426> (Accessed September 20, 2017).

best friend and right hand man, and an additional \$25,000 was offered up for the apprehension of David E. Herold, a fellow co-conspirator.²⁸ The nation wanted these men caught and fast. There was no time to waste. After several weeks of investigating, soldiers were able to locate both Herold and Booth in a barn located in Port Royal Virginia where Booth was shot dead by Union soldier Tomas P. Corbett and Herold was arrested.²⁹

Booth's death was not enough to satisfy the want for vengeance. Word had gotten around of Booth's friendship with Confederate spy John H. Surratt, the son of Mary E. Surratt, who was also accused of being involved in Lincoln's death. Soldiers had soon gone to Mary's boarding house in Washington to search for her son John and it was on that night, April 17, 1865, that Mary was arrested with her daughter Anna and taken to the Carroll Annex of the Old Capital Prison.³⁰ Mary was charged with the following:

Mary E. Surratt did, at Washington City, and within the military department and military lines aforesaid, on or before the 6th day of March, A. D. 1865, and on divers other days and times between that day and the 20th day of April, A.D. 1865, receive entertain, harbor and conceal, aid and assist the said John Wilkes Booth, David E. Herold, Lewis Payne, John H. Surratt, Michael O'Laughlin, George A. Atzerodt, Samuel Arnold, and their confederates, with knowledge of the murderous and traitorous conspiracy aforesaid, and with intent to aid, abet and assist them in the execution thereof, and in escaping from justice after the murder of the said Abraham Lincoln, as aforesaid.³¹

However many others were falsely accused during the trial. Investigators and detectives rounded up all who were even the slightest bit suspicious. Some accusers went as far as accusing the

²⁸ *Reward Poster for Booth, Herold, and Surratt*, Lithograph, Indianapolis, IN: Indiana Historical Society, Daniel R. Weinberg Lincoln Conspirators Collection, 1865-1997, <http://images.indianahistory.org/cdm/singleitem/collection/p0409/id/70>, (Accessed October 1, 2017)

²⁹ James Swanson and Daniel Weinberg, *Lincoln's Assassins: Their Trial and Execution* (New York, NY: Harper Perennial, 2008), 12-13.

³⁰ Surratt House Museum, "*Mary Surratt*."

³¹ Benn Pitman, *The Assassination of President Lincoln and the Trial of the Conspirators* (Cincinnati: Moore, Wiltach and Baldwin, 1865), 292.

Catholic Church of being involved in Lincoln's assassination as Thomas Harris points out in his book, *Assassination of Lincoln; A History of the Great Conspiracy; Trial of the Conspirators by a Military Commission and a Review of the Trial of John H. Surratt*. Thomas writes,

He (referring to John Surratt's lawyer, Mr. Richard T. Merrick) then went on to vindicate the Catholic Church, which he claimed had been assailed in this matter. The only reference to the Catholic Church in connection with this trial had been made in the public press. The prosecution had carefully abstained from any assault on that church, and had tried to exclude religious prejudices from the minds of the jurors.³²

This goes to prove that anyone could be blamed and no one could escape an accusation, not even those parts of the Holy Church.

The trial began less than a month later on May 9th, 1865. Many people felt the South was involved in Lincoln's murder. People considered this to be an act of war, therefore they felt it was only fitting to have a military commission judge this trial. In his article "What Type of Trial? A Civil Versus a Military Trial for the Lincoln Assassination Conspirators", Thomas Turner uses numerous primary and secondary sources to provide vital information between civilian and military trials. One of the sources he uses is the New York Times, in which the newspaper told its readers on May 7, 1865, that this was more than your typical murder trial:

The trial now in progress is not a trial for simple murder. Its object is not merely to punish one or more individuals for a specific act of crime. The government seeks to unravel a conspiracy – to follow every clue that may be offered for the detection and arraignment of every person in any way connected, directly or indirectly, with the extended and formidable conspiracy, in which the assassination of the President was only one of the objects sought.³³

³² Thomas Mealey Harris, *Assassination of Lincoln; A History of the Great Conspiracy. Trial of the Conspirators by a Military Commission, and a Review of the Trial of John H. Surratt* (Boston, MA: American Citizen Company, 1892), 280.

³³ Thomas Turner, "What Type Of Trial? A Civil Versus a Military Trial for the Lincoln Assassination Conspirators," *Journal of the Abraham Lincoln Association* 4, no. 1 (1982): 29-51, <http://hdl.handle.net/2027/spo.2629860.0004.104>.

Located in the Library of Congress are several books containing witness testimonies, questions from both the prosecution and defense, and the verdict of the military commission. One such book entitled, *Trial of the Assassins and Conspirators for the Murder of Abraham Lincoln, and the Attempted Assassination of Vice-President Johnson and the Whole Cabinet* was published in 1865. These accounts are very descriptive and provide the best insight into what happened during the trial. Although the author is specifically unidentified, the book provides its author as the United States Military Commission and provides us who was Mary's counsel – "Beyond Mrs. Surratt, on the other side of the table, near the northern windows, sit the counsel for the accused, who are as follows – Mr. Thomas Ewing, son of the Ohio ex-Senator Attorney Stone, Mr. Walter S Cox, and the Hon. Reverdy Johnson and Messrs. Aiken and Clampitt."³⁴ Reverdy Johnson only showed up two times during Mary's trial, leaving the rest of the work to his associates John Clampitt and Frederick Aiken.

There were many who felt the South was involved in Lincoln's murder. There were many who considered this act to be an act of war, therefore it only seemed fitting to them to have a military commission be in charge of the trial given these conditions. The New York Times included an article stating,

The trial now in progress is not a trial for simple murder. Its object is not merely to punish one or more individuals for a specific act of crime. The government seeks to unravel a conspiracy – to follow every clue that may be offered for the detection and arraignment of every person in any way connected, directly or indirectly, with the extended and

³⁴ United States Army Military Commission, *Trial of the Assassins and Conspirators for the Murder of Abraham Lincoln, and the Attempted Assassination of Vice-President Johnson and the Whole Cabinet the Most Intensely Interesting Trial on Record: Containing the Evidence in Full, with Arguments of Counsel on Both Sides, and the Verdict of the Military Commission: Correct Likenesses and Graphic History of All the Assassins, Conspirators, and Other Persons Connected with Their Arrest and Trial* (Philadelphia: Barclay, 1864).

formidable conspiracy, in which the assassination of the President was only one of the objects sought.³⁵

Clearly the war between the North and South was not over as both sides blamed each other for Lincoln's death.

Mary was a devout Catholic woman, who attended mass regularly and was firm in her faith. During her trial, her religious support came from Father Jacob Walter, who not only took Mary's last confession but also comforted her as she walked towards the gallows. He had attempted to save Mary's life as he went with Anna Surratt to the Executive Mansion after her trial to try and meet with President Andrew Johnson only to have his request to meet with the President denied not once, but twice.³⁶ Father Walter was warned by his superiors to take caution and not draw attention to himself, however he felt these were only suggestions rather than direct orders. He believed that, as a freeman, he was entitled to think what he wanted to, and believed in only answering to God alone. Despite this, Father Walter still waited 25 years before he gave his testimony concerning the innocence of Mary Surratt. So why did he wait if he believed in her innocence all the time? He believed the answer to be simple as he states, "It takes time for people to lay aside prejudices, so that they form a just judgment on a question of this character. The whole country was convulsed with horror at the assassination of its Chief Ruler, and the people had run mad with excitement. Time alone could quiet the deep feeling embittered against everyone who might have been suspected of having anything to do with the crime."³⁷ He strongly believed in Mary's innocence declaring:

³⁵ Turner, "What Type of Trial."

³⁶ Reverend. Jacob. A. Walter, "The Surratt Case," *United States Catholic Historical Magazine* 3, 1887, 353-361, <https://archive.org/details/USCatholicHistoricalMagV3/>.

³⁷ Walter, *The Surratt Case*, 353.

There was no evidence enough to have a cat; besides, you cannot make me believe that a Catholic woman would go to Communion on Holy Thursday and be guilty of murder on Good Friday...Every trivial circumstance was brought forward as positive evidence of guilt, when there was not the slightest ground for such a conclusion. I am convinced that if President Johnson had given me a hearing on the day preceding the execution, he would not only have saved the life of an innocent woman, but would have prevented a blot that will forever remain as the stigma on the Government of these United States. This would have given ample time to examine the evidence on which she was convicted and this examination would have proved her innocence.³⁸

Anna also testified to her mother's honest character telling the court that there was never once evidence that proved her family was tied to the plot, "I never, on any occasion, heard a word breathed at my mother's house of any plot or conspiracy to assassinate the President of the United States; nor have I ever heard any remarks in reference to the assassination of any member of the Government; nor did I ever hear discussed, by any member of the family, at any time or place, any plan or conspiracy to capture the President of the United States."³⁹

During the trial there were many other pieces of evidence used against Mary that were used to condemn her, but could also be viewed as admissible. Frederick Aiken argues this in his defense of Mary stating, "For surely no man should be made to suffer because certain facts are proved against him, which are consistent with guilt, when it can be shown that they are also, and more reasonably, consistent with innocence."⁴⁰ Ben Pitman was the recorder to the commission for the trial of the conspirators. In his writing, *The Assassination of President Lincoln and the Trial of the Conspirators* Pitman delves into significant detail providing testimonies in regards to the capture of Booth as well as the witness testimonies given for the defense and prosecution of

³⁸ Ibid., 353-354.

³⁹ Pitman, *The Assassination of Lincoln*, 131.

⁴⁰ Ibid., 291.

each of the eight conspirators. Fluctuating testimonies are one of the reasons Mary was not given the fair trial she deserved.

One such example of discrepancy is shown in the testimony for the defense provided by Captain George Cottingham. On May 25, 1865, he testified that Mr. Aiken had met him at the Metropolitan Hotel and notified that he would be calling him as a witness to testify for the defense. On the night they met, Mr. Aiken questioned Cottingham asking him if Mary had asked John Lloyd, the man who ran the tavern on Mary's property, to prepare rifles and whiskey for Booth. At the time, Cottingham denied that Mary had ever asked anything of Lloyd. When he was put on the stand, Cottingham denied that this was the case. He changed his testimony and stated, under oath, that Mary did indeed ask these things of John Lloyd. So why did Cottingham lie? He was a witness for the defense after all and had sworn to tell the truth. His answer was simple: "Undoubtedly I told you a lie there; for I thought you (Aiken) had no business to ask me." Aiken responded, "No business! As my witness, had I not a right have the truth from you?" Cottingham answered, "I told you, you might call me into court; and I state here that I did lie to you; but when put on my oath I will tell the truth."⁴¹ Despite the irregularity in his testimony and the conflicting conversations between him and Aiken, the testimony was still allotted for the trial.

Emma Offutt, another witness called for the defense, testified that on the night of the assassination Lloyd was inebriated, more than she had ever seen him before.⁴² The same was said when Richard Sweeney and John Lloyd were brought to the stand.⁴³ Many more witnesses would come forward and acknowledge under oath, that Mary and Lloyd knew each other and were

⁴¹ Pitman, *The Assassination of Lincoln*, 125.

⁴² Ibid., 127.

⁴³ Pitman, *The Assassination of Lincoln*, 129.

acquaintances. However, whether or not she gave Lloyd the whiskey and rifle arms remains unknown.

One of the first pieces of evidence recorded was the testimony of Lewis J. Weichmann in the *Trial of the Assassins and Conspirators for the Murder of Abraham Lincoln, and the Attempted Assassination of Vice-President Johnson and the Whole Cabinet*. Weichmann had been friends with John Surratt and was welcomed by Mary as a part of the family. She welcomed him in her boarding home, treating him as she would her own son. Mary's daughter, Anna Surratt, testified to Weichmann's character and his residency on May 30th confirming that he had stayed at the boarding house on numerous occasions. According to Anna, "Mr. Weichmann was a boarder at my mother's house, and was but too kindly treated there. It was mother's habit to sit up for him at night, when he was out of the house; she would sit up and wait for him the same as my brother." ⁴⁴ Honora Fitzpatrick, another witness for the defense, testified to the same relationship that was had between Mary and Weichmann. These testimonies only seemed to strengthen the government's case.

Weichmann was able to confirm that the conspirators Atzerodt, Booth, Payne, and John met numerous times at her boarding house, as well spent several nights there. Anna Surratt herself testified that these men stayed at the boarding house. She recalled the times the conspirators Payne, Atzerodt, and Booth stayed at their boarding house, and when questioned about John, her brother, she testified,

The last time I saw my brother was on Monday the 3d of April; I have never seen him since. He may have been on friendly terms with J. Wilkes Booth. Mr. Booth called to see him sometimes. I never asked him what his friendship was to Booth. One day, when we were sitting in the parlor, Booth came up the steps, and my brother said he believed that

⁴⁴ Ibid., 131.

the man was crazy, and he wished he would attend to his own business and let him stay at home.⁴⁵

However this argument is weakened in that Mary's home was a boarding house. Naturally visitors would come and go as they needed a place to stay while in Washington DC. Booth himself was known to be a frequent visitor in her home and this is due to the fact that he was friends with Mary's son John. It was only right and natural for her to fill it with boarders to help pay the debts that her drunk husband had left behind. While the constitution states that one is innocent until proven guilty, Mary was not given this right. Because she filled her home with boarders that knew her son, she was considered guilty in the eyes of the court.

The second crucial piece of evidence was John Lloyd's testimony against Mary. Lloyd testified that John Surratt, David Herold, and George Atzerodt gathered together at Mary's boarding home not long before the assassination. Lloyd had testified to the court that he was told by Mary to have shooting irons, ammunition, and two bottles of whiskey hidden and ready and that men would be by to pick these articles up soon. He recalled, "When she first broached the subject to me, I did not know what she had reference to then she came out plainer, and I am quite positive she asked me about the "shooting irons". I am quite positive about that, but not altogether positive."⁴⁶ Lloyd testified this against Mary and despite the fact that he was not completely sure if that is what was requested of him.

The third piece of evidence that condemned Mary was her eyesight. According to several witnesses, including Honora Fitzpatrick and Anna Surratt, Mary's eyesight was deteriorating in her age. Several other witnesses such as Captain Cottingham, J.Z. Jenkins, and Emma Offutt also

⁴⁵ Pitman, *The Assassination of Lincoln*, 131.

⁴⁶ Pitman, *The Assassination of Lincoln*, 293.

will testify that Mary's eyesight was failing. When J.Z. Jenkins was called for the defense, he testified, "My intercourse with Mrs. Surratt has been of an intimate character. She has never, to my knowledge, breathed a word that was disloyal toward the Government; nor have I heard her make any remark showing her to capture or assassinate the President or any member of the Government."⁴⁷ Anna Surratt also testified on her mother's behalf, stating that she had urged her mother in the past to get spectacles as her mother could hardly recognize her friends, sew, or read by gaslight. She reports, "My mother's eyesight is very bad, and she has often failed to recognize her friends. She has not been able to read or sew by gaslight for some time past. I have often plagued her about getting spectacles, and told her she was too young-looking to wear spectacles just yet; and she has replied that she could not read or see without them."⁴⁸ Mary refused to wear any glasses or spectacles to assist with her vision, despite her daughter's pleas. Her deteriorating eye sight proved to be her downfall when the court brought up the night of April 17th. Major H. W. Smith was called for the prosecution and recalled that on this night while her house was under investigation that Lewis Payne, also known as Lewis Powell, another one of the conspirators, showed up at her home late at night. He had claimed to be there to dig a gutter for her and when questioned by Major Smith if she knew who he was, she testified, "Before God, sir, I do not know this man and have never seen him, and I did not hire him to dig a gutter for me."⁴⁹

The tribunal did not take long to decide Mary's fate. While some of the commission signed a clemency plea on account of her gender and age, requesting that she spend the remainder of her life in prison. This plea was not enough and Mary was sentenced to hang at the age of 42.

⁴⁷ Ibid., 128.

⁴⁸ Ibid., 131.

⁴⁹ Pitman, *The Assassination of Lincoln*, 293.

Despite this verdict to hang her, Mary's lawyers refuse to give up on her and betray her innocence. As a final resort to save her from the hangman's noose, Frederick Aiken and John Clampitt applied for a writ of habeas corpus on behalf of Mary. If granted, Mary would have to stand trial again, only this time it would be in front of a jury of her peers, as a civilian, and the prosecution would be required to supply satisfactory cause for her arrest. In their *Application for a Writ of Habeas Corpus in behalf of Mary E. Surratt*, her lawyers write:

Your petitioner shows unto your Honor that at the time and of the commission of the said offense she was a private citizen of the United States, and in no manner connected with the military authority of same, and that said offense was committed within the District of Columbia, said District of Columbia being at the time within the lines of the armies of the United States, and not enemy's territory, or under the control of a military commander for the trial of civil causes.⁵⁰

Aiken and Clampitt point out that the crime she was accused of was an "offense against the peace of the United States" and was not an act of war therefore she should not have been subjected to military jurisdiction. The writ was presented to Judge Andrew Wylie, one of the Justices of the Supreme Court in the District of Columbia. The writ passed and she was granted habeas corpus. However, on the day of the execution, July 7th, 1865, she received notice from President Andrew Johnson, who suspended her writ and ordered her to be executed with the others. President Johnson penned:

To Major-General W. S. Hancock, Commander, etc.: I, Andrew Johnson, President of the United States, do hereby declare that the writ of habeas corpus has been heretofore suspended in such cases as this, and direct that you proceed to execute the order heretofore

⁵⁰ *Application for a Writ of Habeas Corpus in behalf of Mary E. Surratt*, July 7, 1865, Surratt House Museum in Proceedings of the Conspiracy Trial, <http://www.surrattmuseum.org/proceedings-of-the-conspiracy-trial>, accessed November 2, 2017.

given upon the judgement of the Military Commission, and you will give this order in return to the writ. Andrew Johnson, President. ⁵¹

Ultimately it was these three pieces of evidence that subjected Mary to the noose: her acquaintance with John Wilkes Booth, the allegations brought against her with the instructions to provide John Lloyd with two bottles of whiskey and rifles, and her poor eyesight that caused her to recognize Lewis Payne. It was this, the denial of her right to be tried in front of a civilian court and the prejudices of the military commission, which sentenced her to hang. Aiken told the court,

These three circumstances constitute the part played by the accused, Mary E. Surratt, in this great conspiracy. They are the acts she has done. They are all that two months of patient and unwearyingly investigation, and the most thorough search for evidence that was probably ever made, has been able to develop against her. The acquaintance with Booth, the message to Lloyd, the non-recognition of Payne, constituting the sum total of her receiving, entertaining, harboring, and concealing, aiding, and assisting those named as conspirators and their confederates, with knowledge of the murderous and traitorous conspiracy, and with intent to aid, abet, and assist them in the execution thereof, and in escaping from justice. The acts she has done, in and of themselves, are perfectly innocent they are what you or I, or any of us might have done. She received and entertained Booth, the assassin, and so did a hundred others. She may have delivered a message to Lloyd – so have a hundred others. She might have said she did not know Payne – and who within the sound of my voice can say that they know him now? They are ordinary and commonplace transactions, such as occur every day and to almost every body.” ⁵²

Even after Mary’s death, the accusations against the commission were still forthcoming and her innocence was still something to be determined. John Surratt’s own lawyer, Mr. Richard T. Merrick, claimed the accusations against Mary to be outrageous even after her death as he continued to the accusations against the commission. He claimed that during her trial not only was false evidence presented, it was also prepared by the very judges who hung her! Merrick exclaims,

No matter whether they knew the truth in this case or not, prudence has been betrayed; discretion has been broken down; courage has been conquered...Is it not enough to try the

⁵¹ Aiken and Clampitt, *Writ of Habeas Corpus*, 3.

⁵² Pitman, *The Assassination of Lincoln*, 293.

living? Will you play the gnome, and bring her from the cold, cold earth and hang her corpse? Bring her in; but there is no occasion for doing so; she is here already. We have felt our blood run cold as the rustling of the garments from the grave swept by us. Her spirit moves about, and the Judge Advocate General and all these men may understand that it is the eternal law of God, though, so far as men are concerned, fresh and innocent blood may apparently vindicate innocent blood previously shed, yet the spirit will still walk beside them.⁵³

There was never enough sufficient evidence to condemn her. The trial led by the commission was unfair, her rights were not upheld, and the evidence presented against her was speculative at best.

Throughout Mary's trial, there were those believed that the main purpose of the military tribunal was not to serve justice, but rather to convict. The Attorney General's Office wrote an article on this subject called, *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*. In July 1865, the United States Attorney General, James Speed, argues in his twenty page article, "Such being facts, the question is one of great importance – Important, because it involves the constitutional guarantees thrown about the rights of the citizen, and because the security of the army and the government in time of war is involved; important, as it involves a seeming conflict betwixt the laws of peace and war."⁵⁴ There were many conflicting opinions between the types of jury that should have been selected for the assassins. John Clappitt, Mary's lawyer, also argues,

I answer as my belief, that the Commission was organized to convict. The state of the public mind was such that the desire for revenge had taken the place of justice, and, for a time, a reign of terror prevailed. In the words of the 'New York Herald' "a thirst for vengeance seemed to have taken possession of every soul. It was felt that some one ought to be hanged, and there was a disposition to begin upon the first available person." The Commission that was organized by the Executive order of May 1, 1865, to try these parties, was naturally influenced by the frenzy of the public mind. The fairness and equity characterizing the proceedings of a *civil* court had no sway in the decisions of a Military Commission that rejected or admitted just such testimony as its judge-advocate declared

⁵³ Harris, *History of the Great Conspiracy*, 293.

⁵⁴ James Speed, *Opinion On The Constitutional Power Of The Military To Try And Execute The Assassins Of The President* (Washington, DC: Government Publishing Office, 1865).

should be admitted or rejected. Under such a procedure nearly all evidence having weight for the defense was, on one pretext or another, rejected; and all evidence that was tended toward conviction, no matter how suspicious, was admitted.⁵⁵

The defense and assassins relied on the Military Commission to provide them a trial that executed their rights. They were entitled to a speedy trial by their peers and despite this being their Constitutional right, the accused were denied this.

The evidence for the defense was listed as inadmissible, the witness testimonies were unreliable, and the prosecution was given more time to prepare their argument while the defense was only given days with their clients before they had to be ready to appear in court. There were some in the jury who wanted to provide Mary with a lesser sentence due to her age and gender. Thomas Harris pointed this out in his article, *Assassination of Lincoln; A History of the Great Conspiracy; Trial of the Conspirators by a Military Commission, and a Review of the Trial of John H. Surratt*. He wrote,

The charges here so boldly made that they stood between Mrs. Surratt and an appeal to the Executive for clemency, was shown to be false by Judge Pierrepont, who produced the official record of the trial of the conspirators, together with a paper signed by some members of the court recommending commutation of the sentence of Mrs. Surratt to imprisonment for life on account of her age and sex, and showed that this whole record had been laid before the President and a full cabinet, and that after mature discussion and consideration it had received their unanimous approval, with the exception of the request for the commutation of Mrs. Surratt's sentence which, though not a part of the record, was presented with it; and that the President's order for the execution of the sentence of the court had been written on the back of this very record. These papers containing this whole record were handed to Mr. Merrick, who tossed them from him indignantly, afterwards assigning as his reason for doing so that he had learned to distrust everything that came from the Bureau of Military Justice.⁵⁶

⁵⁵ Clampitt, *The Trial of Mrs. Surratt*, 229-230.

⁵⁶ Harris, *History of the Conspiracy*, 277.

In 1873, Judge Holt confessed that he had stayed silent and withheld information from the President that was crucial in Mary's sentencing. He declared in a letter to the Secretary of War after Mary's execution that he had a petition signed by five members of the Court who suggested that because of her age and sex that she be given life in prison instead of a death sentence. His lack of integrity assisted in costing Mary her life. Out of fear for his own reputation, he remained silent all these years to save himself. Almost ten years later did Judge Holt come out and confess.

Thirty years after Mary's trial and execution, Clappitt was still working to prove that Mary Surratt was innocent in this plot. In 1895, the New York Times wrote of an article telling of a fire that had destroyed "the last shred of documentary evidence, that, it was believed, would have removed the stain of conspiracy to assassinate Abraham Lincoln from the name of Mary E. Surratt."⁵⁷ According to this article, it is said that Clappitt had some evidence in his possession that he believed would have restored her reputation and would have pointed out that the government put an innocent woman to death. Before Father Jacob Walter had passed away John Clappitt met up with him to discuss Mary. Father Walter told Clappitt that Mary was absolutely innocent of all the charges brought against her. Clappitt attested to this stating:

He (Father Walter) said it had been evident to him that the War Department, while bent on convicting, had doubts of the guilt of Mrs. Surratt. From the evidence given me by Father Walter, I learned that he had been sent for by the department the day before the execution, and had been told that he would not be allowed to see Mrs. Surratt on the day of her death unless he would pledge his faith and honor as a priest of God that after he had absolved her and she had received the sacrament he would prevent her from making any protestation of her innocence. In other words, as the price of being allowed to minister to a dying woman, Father Walter was forced by the War Department to consent to allow her to die without one word from her lips to the world as to her innocence. The fact that she did not declare her innocence when in the state of grace following absolution has been used as

⁵⁷ "Mary E. Surratt's Good Name - Fire May Have Destroyed Proofs of Innocence," *New York Times*, 1895, <http://query.nytimes.com/gst/abstract.html?res=9907E0DE133DE433A25757C2A9659C94649ED7CF&legacy=true> accessed November 3, 2017.

an argument in favor of her guilt. The truth is now known. Father Walter's story is gone in fire, but I have it in my memory, and now I let it go to the world."⁵⁸

The project plan is to create an exhibit that will explain how the military tribunal was not constitutional in judging Mary's case. This exhibit contains photographs, letters, pamphlets, artwork, and objects from various museums and historical institutions showing how the jury came to the decision to execute its first woman. These items will be gathered into collections, and then the items will be divided into various themes for the exhibits. The first part of the exhibit will be the introduction panel, providing a brief description of what the exhibit will entail. The exhibit will be divided into several themes – the assassination of Lincoln, the trial of Mary Surratt, and ending with her execution. Subthemes will include John Wilkes Booth, the Military Commission and the actions and witness testimonies provided by the defense and the aftermath of Mary's execution. A trial such as this had never been had before. There were no previous examples to go off and there had never been a case such as this before. No one ever considered someone capable of killing the President of the United States. Future plans for this exhibit will work together with both the Surratt House and the Abraham Lincoln Presidential Library and Museum to ensure their missions are carried out and that many more come to know of Mary's courage and trial.

Working with Omeka will allow these plans to be intact. Omeka allows its users to expand upon their storage and plans, as more material becomes available. The museums will be able to build upon the exhibit already created and allow for historians and archivists to come together to create an even greater exhibit. Software programs such as PastPerfect will allow the museums to digitize and store more of their archives online. These advances in Omeka and PastPerfect will need to be included in the budget for the exhibit. Costs will be needing to ensure marketing needs

⁵⁸ New York Times, *Mary Surratt's Good Name*.

are met, storage is properly secured, archives are digitized correctly and safely, and that researchers are available to help with their patron's needs.

Many schools, especially those in middle school, teach the assassination of President Lincoln but many stop after the death of Booth. As we have learned, there is more to the conspiracy than meets the eye. By focusing on the trial of Mary Surratt, this exhibit combines the general information provided in the secondary source literature and the specific details listed in the primary sources to provide the necessary details to support this thesis. Rather than focusing strictly on Lincoln or Booth, as most general history museums do, this exhibit focuses on those events that occurred after Booth's death.

Chapter Six: Recommendations and Ethical Considerations

Ethical concerns will always be at the forefront for every museum and every exhibit created. Randall Jimerson goes into great lengths discussing the importance of the Ethical Code that is written for museums in his article, *Ethical Concerns for Archivists*. He argues,

The new Code of Ethics represents a substantial revision. To avoid legal limitations posed by the explanatory “Commentary” of previous Codes, it omits these examples. The new Code of Ethics is thus more aspirational and general, provided a broad framework for resolving ethical dilemmas within the archival community. In addition to the Society of American Archivists Code of Ethics, archival associations in many other countries have developed guidelines for professional ethics in recent years. These codes provide a common set of ten ethical principles that enjoy worldwide acceptance.⁵⁹

The ethical code for archives and museum is constantly changing and evolving as more ways become available to store and display archival material. Museums need to ensure that they earn their visitors trust and the visitors in turn expect the museums to provide accurate and historical information. With an exhibit such as this, it proves to be more difficult because there are so many pieces of evidence that can be played for the defense and for the prosecution.

For the particular trial, the museum will also need to be respectful of military ethics which John Roth describes as, “Codes of acceptable behavior in military situations, particularly those related to the conduct of war, that are unique to military cultures. In most modern cultures, military ethics combine professional standards of conduct with more specific codes of conduct designed to regulate the behavior of military personnel in their dealings with their services, governments, enemies, and one another.”⁶⁰ Military ethics can include several concepts whether

⁵⁹ Randall Jimerson, "Ethical Concerns for Archivists," *The Public Historian* 28, no. 1 (2006): 87-92, accessed October 18, 2017, <http://www.jstor.org/stable/4491448>.

⁶⁰ John K. Roth, *Ethics*, (Pasadena, CA: Salem Press, 2005), *EBook Collection (EBSCOhost)*,

it is the relationship between military force and civilians, issues related to war, or studying the concept of military conduct. In this particular instance, the ethics focus on the relationship between military force, such as the government and military tribunal, versus civilians such as Mary Surratt, John Surratt, and John Wilkes Booth.

Memory is another part of this exhibit which may cause conflicting views between both historians and visitors. Emotions can sometimes mix with writing which is the cause for some of the authors in this thesis. In her article *Memory, Distortion, and History in the Museum*, Susan Crane points out that visitors rely on museums to get the past right where our memories may fail us. She writes, “Emotional aspects of memory played another important role in both museums as each made decision about the types of artifacts of atrocity that should be exhibited.”⁶¹ When a visitor steps into a museum, they are given a certain freedom – freedom to draw on their own memories and experience and apply it to what is being shown. It is not the museum’s job to push knowledge and facts into their faces. They should be granted the freedom to decipher the exhibit and take what they want away from it. Museums should be a combination of knowledge and memories. They should be able to relate to its visitors on numerous levels.

A plan must be put into place to discuss the future of this exhibit. Recommendations can come from the visitors themselves, the staff, and other volunteers. Feedback is critical to ensure the success of current and future exhibits. The exhibit can assist in the educational programs provided by both the Surratt House Museum and the Presidential Abraham Lincoln Library and Museum. To ensure that this exhibit fits into their criteria, there may be some changes necessary to enable the exhibit to fit with what the museums are teaching. The exhibit can be used to teach

EBSCOhost (accessed November 3, 2017).

⁶¹ Susan Crane, "Memory, Distortion, and History in the Museum," *History and Theory* 36, no. 4 (December 1997): 44-63. <http://www.jstor.org/stable/2505574>.

history and museum work. For example, preservation of archives and history is extremely important to public historians. Therefore, the exhibit can be used to help young adults and schools understand the importance of preserving and digitizing collections.

Chapter Seven: Budgeting Considerations and Staffing

Expense	Cost	Total
Research	\$0	
Scanner for digitization and photocopying	\$500	
Camera for digitizing	\$200	
PastPerfect Software	\$800	
Omeka Plan	\$100	
Internet Service	Already in possession	
Social Media Services (Facebook, Instagram, Twitter) to help promote exhibit	\$0	
Computers	\$2000	
Servers to host digital images and software	Already in possession	
Misc. Costs	\$100	
Staff and/or volunteers	Pro Bono	
Emergency Funds	\$1000	
Printer and Ink	\$200	
Postage to send out letters and brochures regarding online exhibit	Estimating \$1/stamp & envelope = \$100	\$5000

Budgeting is critical in the work of museums, especially ones as big as the Abraham Lincoln Presidential Library and Museum and the Surratt House Museum. These museums were chosen because while they vary in size and budget, their missions and goals are the same. They work well together to complete this exhibit. When budgeting for a museum, regardless of size, it is important to ensure that all necessary costs are accounted for, as well as those unexpected costs

that may appear. The Smithsonian divides the cost of funding for exhibitions into four categories: the museum's mission, the staff and their expertise, organizational or individual contributions, and sometimes potential visitors. To be more specific, the Smithsonian Institute's article, *The Cost and Funding of Exhibitions*, funds an exhibition based on several criteria: "First is the exhibition related to the museum's mission; second, is there a staff person whose academic expertise includes the topic; and third, is there some organization or individual who is likely to provide the necessary money? Sometimes the museum considers a fourth criterion – is it interesting to potential visitors?"⁶² Once these requirements are met and taken into consideration, budgeting for the exhibition can begin. Through their research and data collected by the American Association of Museums, the Smithsonian determined that key funders to be individuals, foundations, and corporations.⁶³ All decisions made by the museum are based upon the funding that is received by it.

Budgeting may include grants, donations, and fundraisers. This also may include charging necessary admission to its visitors and patrons to help fund the costs of the exhibits. According to the Smithsonian's second article, *The Making of Exhibitions: Purpose, Structure, Roles and Process*:

Museums that charge admission will approve the development of some exhibitions in the hope that they will attract a large and varied audience, and marketing departments track popular exhibitions at peer museums to identify potentially popular exhibitions. Beyond service to its audience, this is one way of ensuring revenue that can be applied to other, more specialized exhibitions or to general operating expenses. Museums often conduct visitor or market research to assess the potential for an exhibition idea to draw a large audience. While poor market appeal makes an exhibition idea less attractive, rarely does

⁶² Smithsonian Institution, "The Costs and Funding of Exhibitions." Washington, D.C.: Office of Policy and Analysis, August 2002. <https://www.si.edu/content/opanda/docs/rpts2002/02.08.costsfundingexhibitions.final.pdf>. Accessed October 25, 2017.

⁶³ Ibid.

senior leadership reject an idea for that reason, especially in the case of small exhibitions.⁶⁴

According to R.A. Kissel and S. J. Chicone in *Dinosaurs and Dioramas: Creating Natural History Exhibitions*, exhibits should also include the following team members: a project manager, exhibition developer, content specialist, exhibition designer, registrars, educators, evaluator, exhibition fabricator, IT staff, media designers, visitor services managers, and marketing specialists.⁶⁵ Given the size of the Abraham Lincoln Presidential Library and Museum, I believe that they can afford such costs. In addition some of the members, the museums may already have on their teams. Following clear leadership the museum can budget properly.

For this exhibit, the museums and surrounding colleges and universities will be able to collaborate together to educate those ages 18-25. Given the nature, sensitivity, and maturity of the exhibit, this is the best audience for such an exhibit as this one. Timothy Ambrose and Crispin Paine once stated in their novel *Museum Basics*,

Museums have to engage interest through active involvement with their users and build on this to achieve their objectives. Museum managers should encourage users to explore and discover the museum's collections and services for themselves...Understanding the public's interests and concerns, likes, and dislikes, needs and wants, is of critical importance in providing successful services and developing successful museums. Museums are for people, and the successful museum recognizes the opportunities that participation and involvement can bring to its work and the need to engage people ever more closely with the services it provides.⁶⁶

⁶⁴ Smithsonian Institution, "The Making of Exhibitions," 8.

⁶⁵ S. J. Chicone and R. A. Kissel, *Dinosaurs and Dioramas: Creating Natural History Exhibitions*, (New York: Left Coast Press, 2014).

⁶⁶ Timothy Ambrose and Crispin Paine, *Museum Basics*, 26.

By using various marketing techniques and social media, the museums associated with this exhibit will be able to get accurate data as to what the public wants and needs for an exhibit such as this to be successful. Similar to the missions of both the Abraham Lincoln Presidential Library and Museum, and the Surratt House Museum the exhibit will prove to be beneficial in its education of the public. Some of the items in this budget may already be covered by the museum such as scanners, printers, ink, cameras, etc. These are costs that the museum should already have in its possession and in doing so, can save on the budget for the exhibit.

For an exhibit to be successful, there has to be an understanding between the items, collections, and exhibits. Martin Kalfatovic's *Creating a Winning Online Exhibition: A Guide for Libraries, Archives, and Museums*, Martin points out right away that, "a collection of objects does not make an exhibition. It is only when objects are carefully chosen to illustrate a theme and tied together by a narrative or other relational threads that they become an exhibition."⁶⁷ Marketing is also important to enhance the experience of the museum. Whether that is bringing in speakers, having educational programs, or family activities, these types of marketing can help expand upon the success of the exhibit. For example, according to director Laurie Verge, the Surratt House Museum's educational programs that are mainly targeting school groups and has reached as many as 3,000 students in one academic year. The monthly speakers and public events hosted at their institution bring in an additional 1,000 participants in addition to the walk in tours and visitor groups that are already present.

Fundraisers, promotions, and grants are another way to assist in the budgeting of this exhibit. One of the key points is determining whether the exhibit will be permanent or temporary. This is necessary to determine the amount of funding required to keep such an exhibit in place.

⁶⁷ Kalfatovic, "Creating a Winning Exhibition," 1.

According to Sue Runyard and Ylva French, other marketing concerns can be as simple opening and closing hours. When it comes to funding, Runyard and French claim in *Marketing and Public Relations Handbook for Museums, Galleries and Heritage Attractions*, “Opening hours and days are crucial for access and will have a major impact on the marketing plan if too restrictive.”⁶⁸

Hours may vary depending upon location as well. French and Runyard argue that late night openings work well for metropolitan areas while day time hours may cause issues with parking. The writers also discuss the importance of promotions and how they can be another marketing tool to help cover budgeting and staffing needs. They say,

Promotion is the team of the marketing plan. Starting with your brand from which everything flows, choose from the growing list of marketing tools now available to help you meet your objectives –developing your audiences and income. Consider your audiences and the budget available. Go back to your internal review and check what worked in the past and what did not. But remember also that audiences move on, changing their behavior in response to fashionable trends as well as new technology.⁶⁹

Staffing concerns are also critical to running a museum and displaying an exhibit. Staff can include permanent members, temporary members, and volunteers. Regardless of the status of the staff members, necessary training will need to be permitted so everyone is on the same page. This includes making sure that all staff members have the necessary skills to complete their tasks. According to David O Renz’s *The Jossey-Bass Handbook of Nonprofit Leadership and Management*, there are a few starter questions that need to be addressed. The museum will need to focus on what activities needs to take place for the museum to complete its goals, how will each team member’s skills contribute to the exhibit, and what will need to be done in the future to

⁶⁸ Sue Runyard and Ylva French, *Marketing and Public Relations Handbook for Museums, Galleries and Heritage Attractions*, (AltaMira Press and Stationery Office, 1999), 94.

⁶⁹ Ibid.

ensure that this exhibit and the museums continue to reach their necessary goals.⁷⁰ In order for the exhibit to meet their goals, they need to have the right staff. The museums will need to do their research to figure out which candidates are most suited for and what the best way is to market the job description. This can be done through job postings, social media, and radio ads. By determining what type of staff members the museum wants, they are able to better plan for the future. In his book, Renz provides numerous questions and checklist items that can be displayed to help ensure the museum is selecting and bringing the necessary people to meet its mission.⁷¹

⁷⁰ David O Renz and Robert D Herman, *The Jossey-Bass Handbook of Nonprofit Leadership And Management* (Hoboken, New Jersey: Jossey-Bass & Pfeiffer Imprints, Wiley, 2016).

⁷¹ Ibid., 623.

Chapter Eight: Conclusion

The assassination of President Abraham Lincoln on April 14th, 1865 by John Wilkes Booth was a historical event that shattered the world. His death and the trial of the conspirators that followed is still remembered and discussed to this day. The trial of the conspirators, specifically Mary Surratt, is one that will forever be attached to his assassination. The outcome of her trial had an ever-lasting effect on this nation. Not only was Mary the first woman to be executed by the United States, but her trial provided a new standard in society regarding equality between men and women. Her trial came to show that all should be considered responsible for their crimes and be given a fair judgement, regardless of gender and age. It was the responsibility of the government to uphold her rights as a citizen regardless of her guilt. Every citizen should be given a lawyer to defend them, regardless of their stance. This is why Reverdy Johnson originally took Mary's case. Despite the fact that he was a Union supporter and Mary a confederate, Johnson believed she was entitled to a defense so he would defend her. Fickle testimonies from witnesses such as John Lloyd and Louis Weichmann, her inadequate eyesight, Lewis Payne's late night visit on April 17th, 1865, her son's companionship with Booth, and her occupation of running a boarding house are all what ultimately ended her life. Despite Johnson's best efforts and the efforts of Frederick Aiken and John Clampitt, she was still sentenced to the gallows.

To display the prejudiced trial of Mary Surratt, an online exhibit has been created to show the men responsible for her death. The online exhibit helps both the Surratt House Museum and the Abraham Lincoln Presidential Library and Museum with their missions in providing resources for research and supporting educational purposes, specifically for young adults ages 18-25. The

exhibit, with this thesis, shows how unconstitutional Mary's trial was. Had the government upheld her rights and grant her a trial by her peers, rather than the military tribunal, her outcome may have been different. Because the government failed to uphold her rights, Mary became the first woman to be executed by the United States government on July 7, 1865.

Appendix: Exhibit Panels – <http://lincolnconspiracy.omeka.net/>

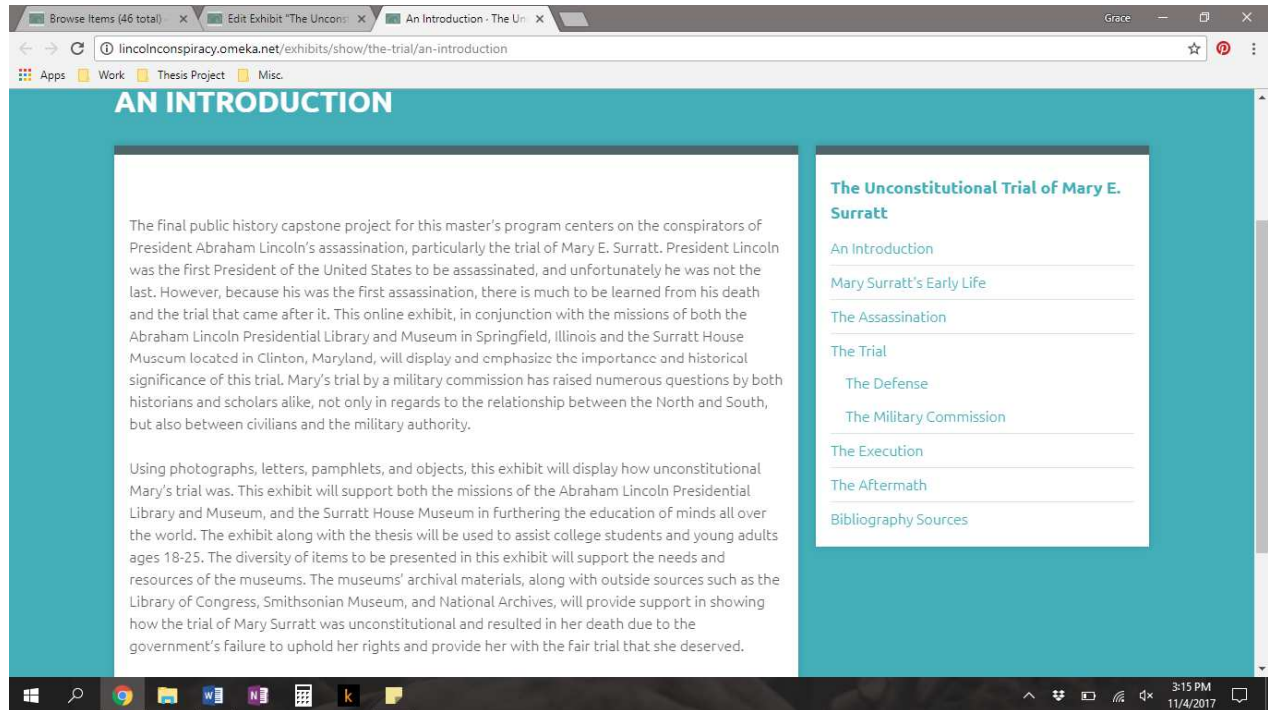



Figure One: Introduction

Mary Surratt's Early Life

lincolnconspiracy.omeka.net/exhibits/show/the-trial/introduction

Browse Exhibits Browse Collections Browse Items

MARY SURRETT'S EARLY LIFE



Mary Surratt was born Mary Elizabeth Jenkins in 1820 in Waterloo, Maryland. She was married to John Harrison Surratt around late August of 1840. Their daughter, Anna Surratt, was born in 1841 while her brother John Surratt Jr, the man accused of conspiring with Booth to kill Lincoln, was born on April of 1844.


Mary and John's home burned down in 1851 by what historians believed was a slave. With the house burned to ashes, financial trouble with businesses, and her marriage in strain due to John's lack of faith, Mary had few to turn to. Her family had all but disowned her and it was not long until her husband turned to alcoholism to get through the struggles. Mary turned to the Catholic faith.

The Unconstitutional Trial of Surratt

- An Introduction
- Mary Surratt's Early Life
- The Assassination
- The Trial
 - The Defense
 - The Military Commission
- The Execution

Mary Surratt's Early Life

lincolnconspiracy.omeka.net/exhibits/show/the-trial/introduction



Mary E. Surratt

long until her husband turned to alcoholism to get through the struggles. Mary turned to the Catholic faith. She became close with many of the priests in the Church. She described his alcoholism to Father Finotti on January 15, 1855 saying, "Mr. Surratt has to be come so that he is drunk on evry occation and are more and more dis-aggreable evry day. I think some times I would give the world if you could come in and give him a good lecture for me. Father John calls to see us often but he is affread to say any thing to him."

The priests assisted in getting Mary's children in to proper Catholic schools and on December 6, 1853 John Surratt bought the Surratt Boarding House. It was this house where Mary was arrested for plotting to kill President Lincoln. John also bought a wheelwright and blacksmith despite not having the funds to do so. All these purchases of businesses and lands ended up leaving the Surratt's in enormous debt and on August 21, 1862 Mary's husband, John, passed away. Mary was now left with huge amounts of debt along with a tainted reputation thanks to her drunken husband. Mary kept the boarding house until she was arrested. She was able to maintain the house and fill it with borders thanks to the assistance of her daughter Anna.

The Execution

- The Aftermath
- Bibliography Sources

Figure 2A and B: Mary Surratt

The Assassination

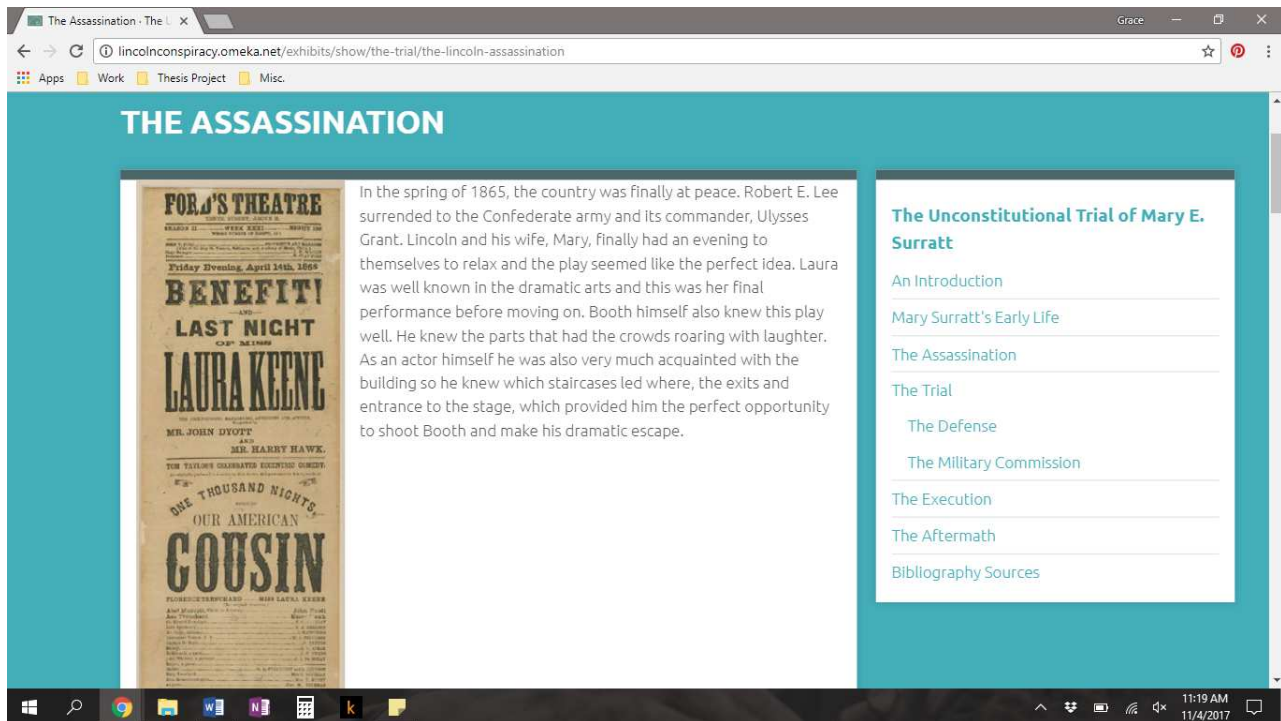


Figure Three: "Our American Cousin" Playbill

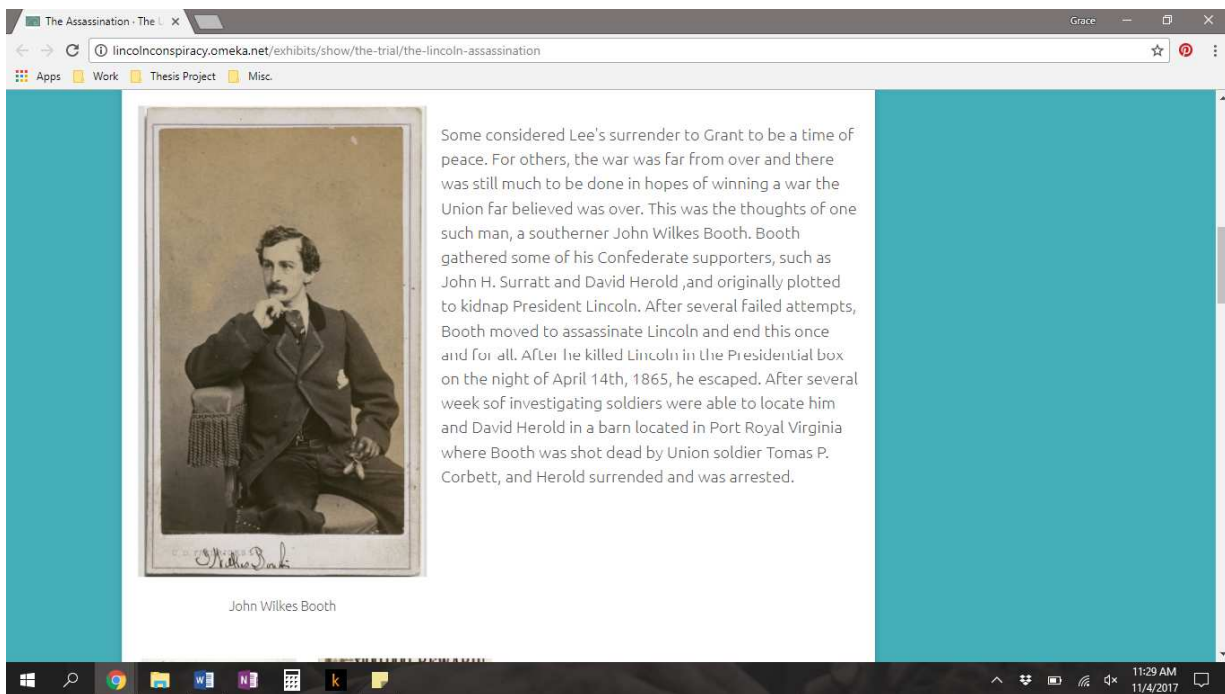




Figure Four: John Wilkes Booth

Lincoln and end this once and for all.



After Lincoln was shot, the War Department immediately put up a reward poster offering up \$30,000 for the capture of the man who put a bullet through the President's head. As more conspirators and suspects were arrested and charged, the War Department not only increased the amount for Booth's capture but then included the captures of John Surratt (Mary's son) and David Herold.



In this letter from S. J.

Figures five and six: The Reward Posters by the War Department for John Wilkes Booth

In this letter from S. J. Koontz, the author describes the assassination of Lincoln in great detail. The letter starts providing a description of Ford's Theater and the box in which President Lincoln watched the play "Our American Cousin". The author tells of how John Wilkes Booth was able to make his way to the President's box without causing suspicion while describing himself as Lincoln's servant. He provided a detailed description of Booth noting that over 500 images had been posted throughout the country for his capture. President Lincoln had attended the play this night with his wife Mary Lincoln, Major Rathborne, and Miss Harris. It was Miss Harris who yelled out that the President had been shot seconds after the bullet hit his skull.

Koontz then recalls his search for Dr. Libermann who was one of the surgeon's who attended to Lincoln after he was shot. Unfortunately, the surgeon was too late and Lincoln was already

report of Lincoln's funeral procession.

himself as Lincoln's servant. He provided a detailed description of Booth noting that over 500 images had been posted throughout the country for his capture. President Lincoln had attended the play this night with his wife Mary Lincoln, Major Rathborne, and Miss Harris. It was Miss Harris who yelled out that the President had been shot seconds after the bullet hit his skull.

Koontz then recalls his search for Dr. Libermann who was one of the surgeon's who attended to Lincoln after he was shot. Unfortunately, the surgeon was too late and Lincoln was already dying. The letter goes on to describe Secretary of State William Seward's assassination attempt. A man, the author recalls, stabbed Seward in the face and neck until a servant had attacked the man. The assassin, later on determined to be Lewis Payne (also known as Lewis Powell), had attacked the servant and was able to escape only to be caught later on. He ends the letter with a

Figure 7A and B: Letter from S. J. Koontz describing the assassination of Lincoln in great detail.

In this letter Charles Leale detailing the night of Lincoln's assassination. His letter starts describing Lincoln making his way into the Presidential Box at Ford's Theater. He describes it as follows: "The audience seemed to be enthusiastically cheerful, yet he looked peculiarly sorrowful, as he slowly walked with bowed head and drooping shoulders toward the box. I was looking at him as he took his last week." Charles Leale was the first physician to respond to Lincoln's wounds at Ford's Theater.

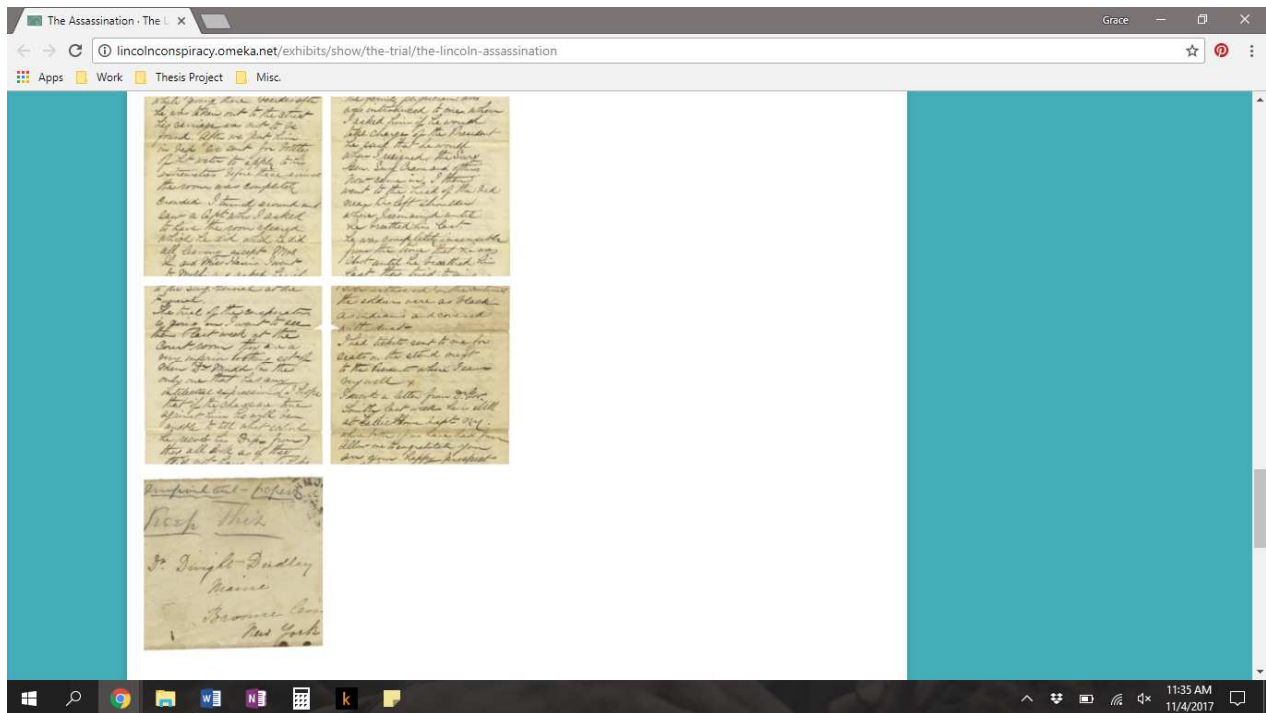


Figure 8A and B: Another eyewitness account of Lincoln's assassination from Dr. Charles Leale.

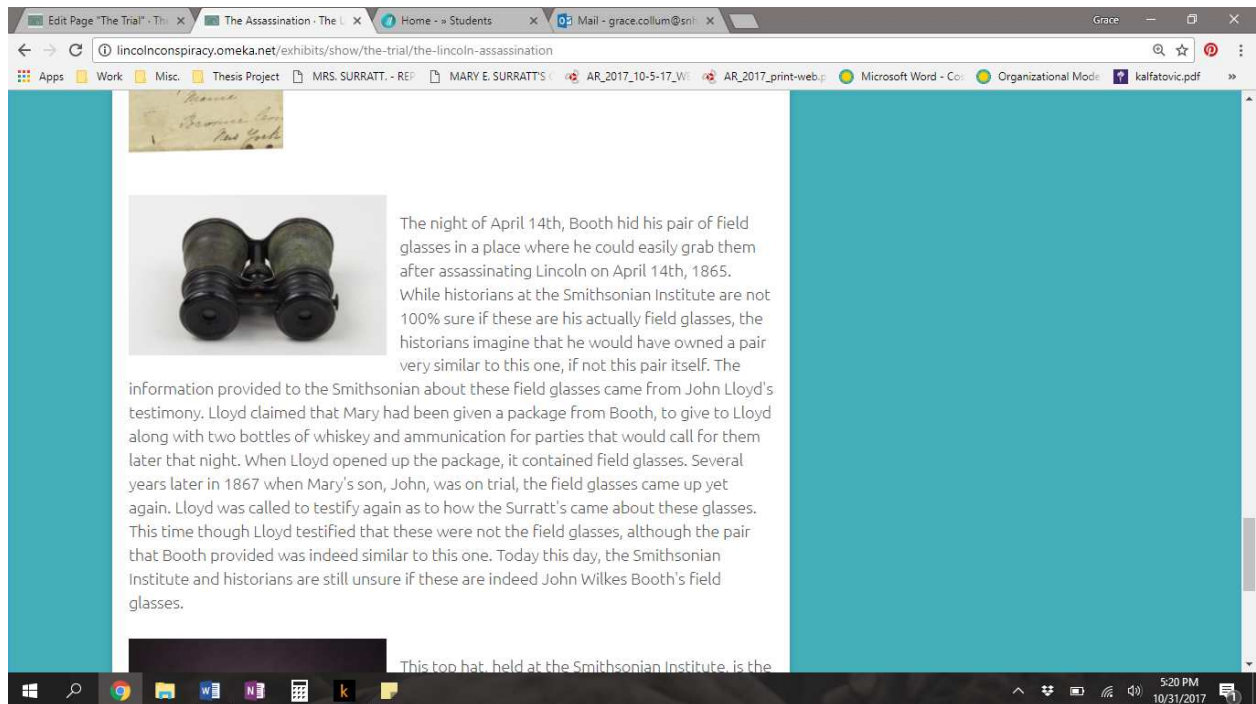


Figure Nine: Booth's field glasses

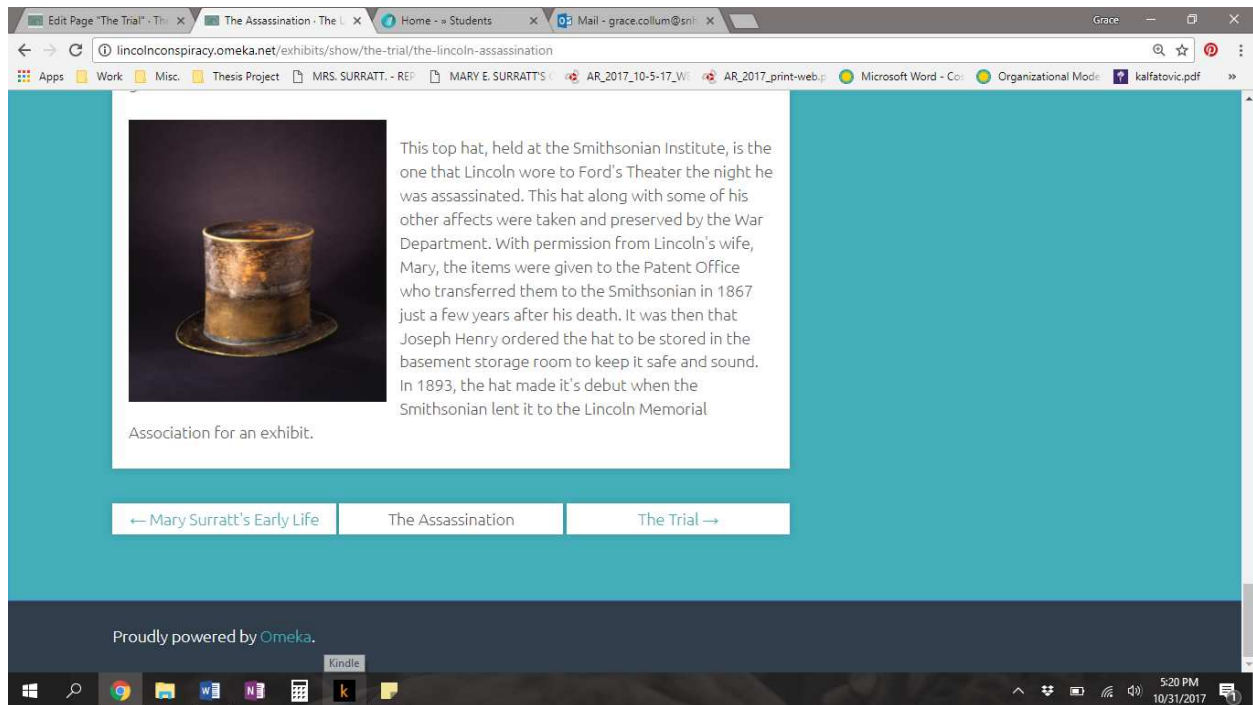
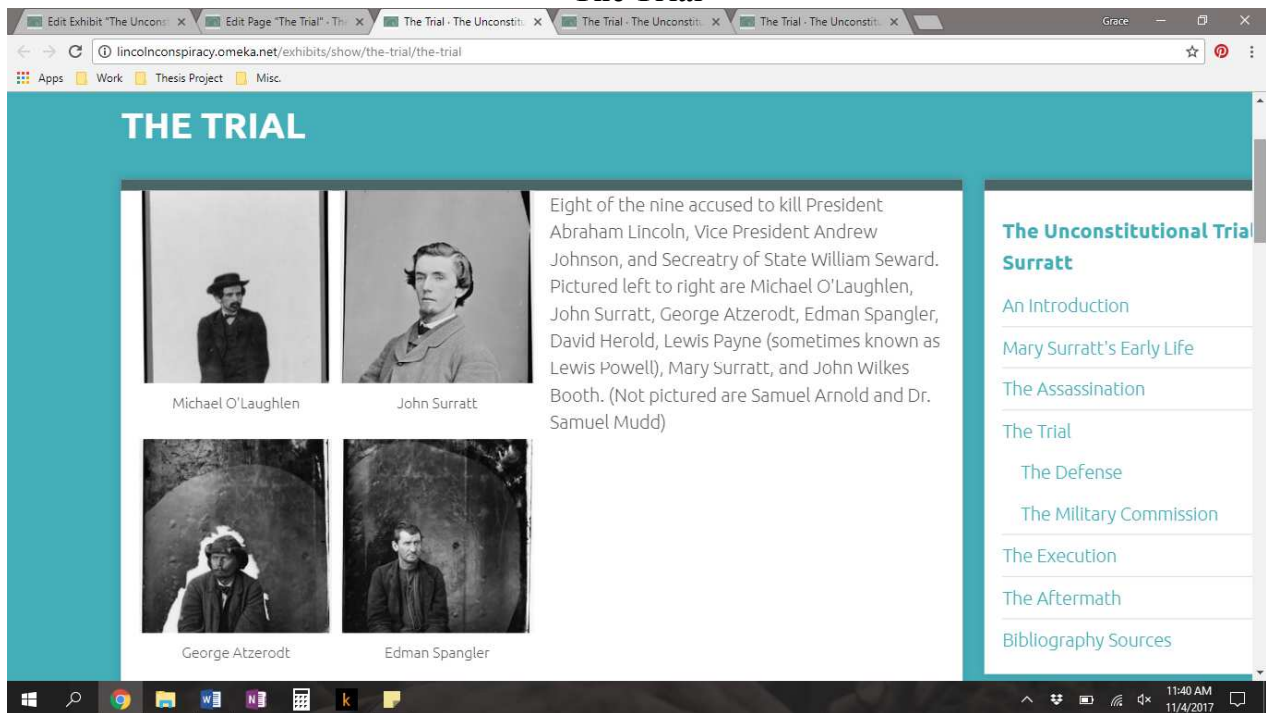


Figure Ten: Lincoln's Top Hat

The Trial



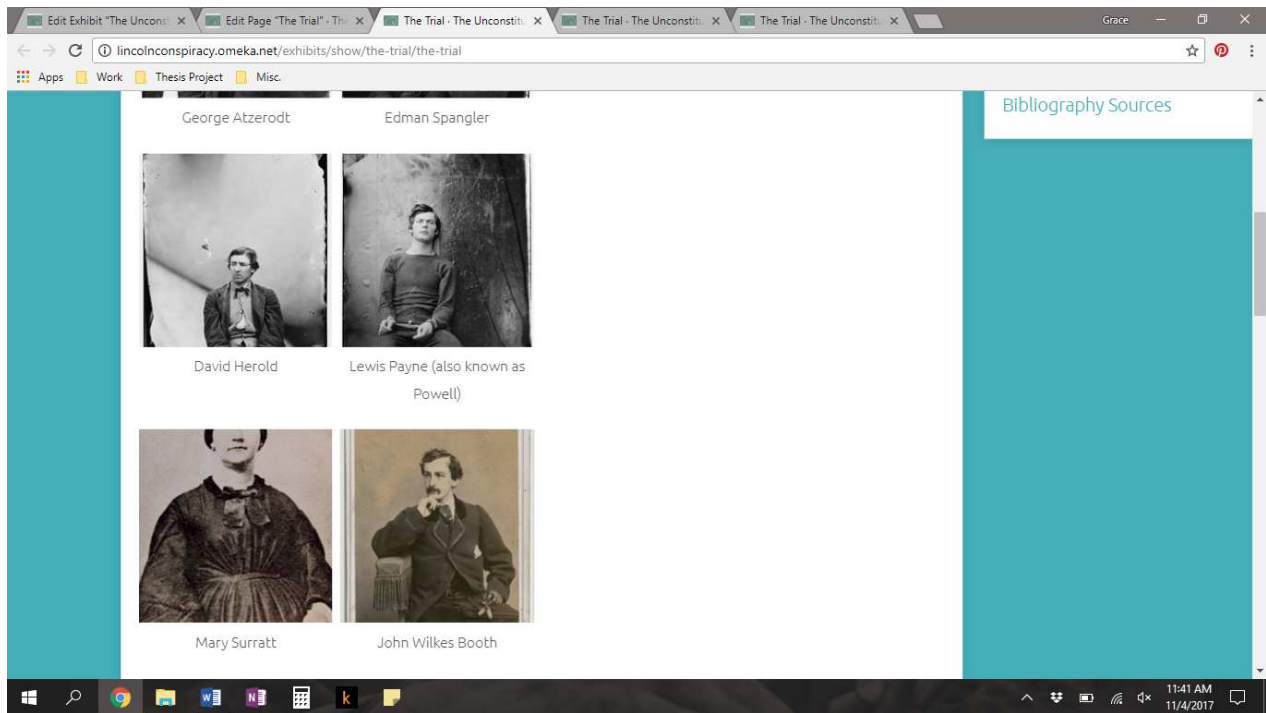


Figure 11A and B: Some of the conspirators. Not pictured are Samuel Arnold and Dr. Samuel Mudd

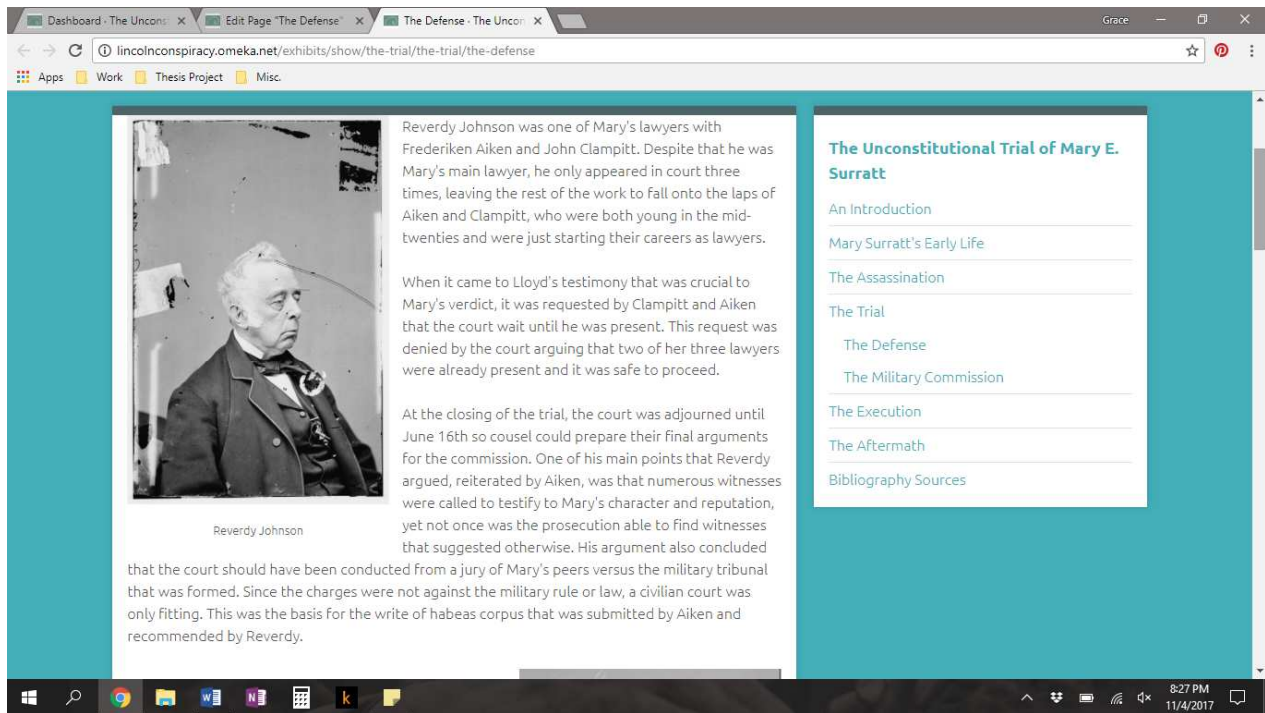


Figure twelve: Lewis Payne's visit to Mary's boarding house.



Figure thirteen: Testimonies for the defense and prosecution. The caption continues to provide a description of the book and includes some of the most important testimonies that led Mary to her fate including her interaction with John Lloyd, her eyesight, and Captain Cottingham's testimony. The file in the exhibit allows visitors to scroll through 424 pages of testimonies, sketches, and evidence provided for the case of the conspirators.

Subtheme one – the Defense



Dashboard - The Uncon... Edit Page "The Defense" The Defense - The Uncon... Grace

lincolnconspiracy.omeka.net/exhibits/show/the-trial/the-trial/the-defense

Apps Work Thesis Project Misc

The Unconstitutional Trial of Mary E. Surratt

- An Introduction
- Mary Surratt's Early Life
- The Assassination
- The Trial
 - The Defense
 - The Military Commission
- The Execution
- The Aftermath
- Bibliography Sources

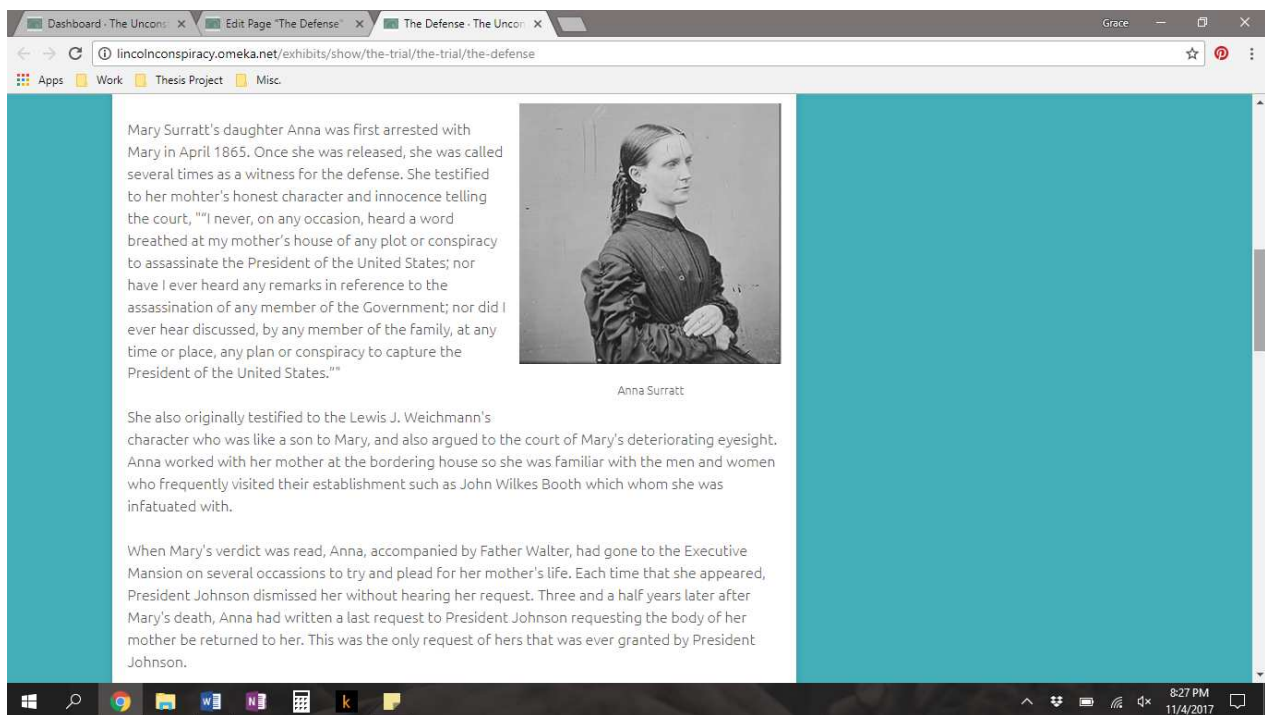
Reverdy Johnson was one of Mary's lawyers with Frederiken Aiken and John Clampitt. Despite that he was Mary's main lawyer, he only appeared in court three times, leaving the rest of the work to fall onto the laps of Aiken and Clampitt, who were both young in the mid-twenties and were just starting their careers as lawyers.

When it came to Lloyd's testimony that was crucial to Mary's verdict, it was requested by Clampitt and Aiken that the court wait until he was present. This request was denied by the court arguing that two of her three lawyers were already present and it was safe to proceed.

At the closing of the trial, the court was adjourned until June 16th so counsel could prepare their final arguments for the commission. One of his main points that Reverdy argued, reiterated by Aiken, was that numerous witnesses were called to testify to Mary's character and reputation, yet not once was the prosecution able to find witnesses that suggested otherwise. His argument also concluded that the court should have been conducted from a jury of Mary's peers versus the military tribunal that was formed. Since the charges were not against the military rule or law, a civilian court was only fitting. This was the basis for the writ of habeas corpus that was submitted by Aiken and recommended by Reverdy.

Reverdy Johnson

Figure fourteen: Reverdy Johnson, one of Mary's lawyers.



Dashboard - The Uncon... Edit Page "The Defense" The Defense - The Uncon... Grace

lincolnconspiracy.omeka.net/exhibits/show/the-trial/the-trial/the-defense

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The Unconstitutional Trial of Mary E. Surratt

- An Introduction
- Mary Surratt's Early Life
- The Assassination
- The Trial
 - The Defense
 - The Military Commission
- The Execution
- The Aftermath
- Bibliography Sources

Mary Surratt's daughter Anna was first arrested with Mary in April 1865. Once she was released, she was called several times as a witness for the defense. She testified to her mother's honest character and innocence telling the court, "I never, on any occasion, heard a word breathed at my mother's house of any plot or conspiracy to assassinate the President of the United States; nor have I ever heard any remarks in reference to the assassination of any member of the Government; nor did I ever hear discussed, by any member of the family, at any time or place, any plan or conspiracy to capture the President of the United States."

She also originally testified to the Lewis J. Weichmann's character who was like a son to Mary, and also argued to the court of Mary's deteriorating eyesight. Anna worked with her mother at the boarding house so she was familiar with the men and women who frequently visited their establishment such as John Wilkes Booth which whom she was infatuated with.

When Mary's verdict was read, Anna, accompanied by Father Walter, had gone to the Executive Mansion on several occasions to try and plead for her mother's life. Each time that she appeared, President Johnson dismissed her without hearing her request. Three and a half years later after Mary's death, Anna had written a last request to President Johnson requesting the body of her mother be returned to her. This was the only request of hers that was ever granted by President Johnson.

Anna Surratt

Figure fifteen: Anna Surratt (Mary's daughter)

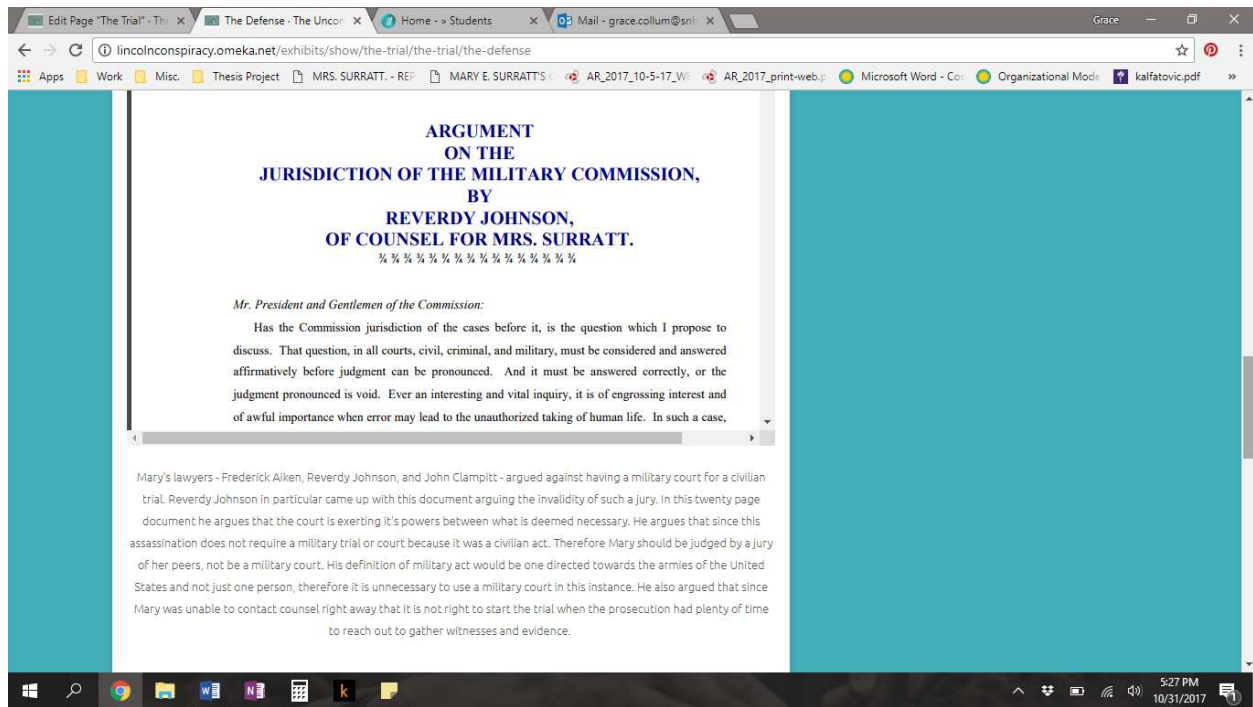
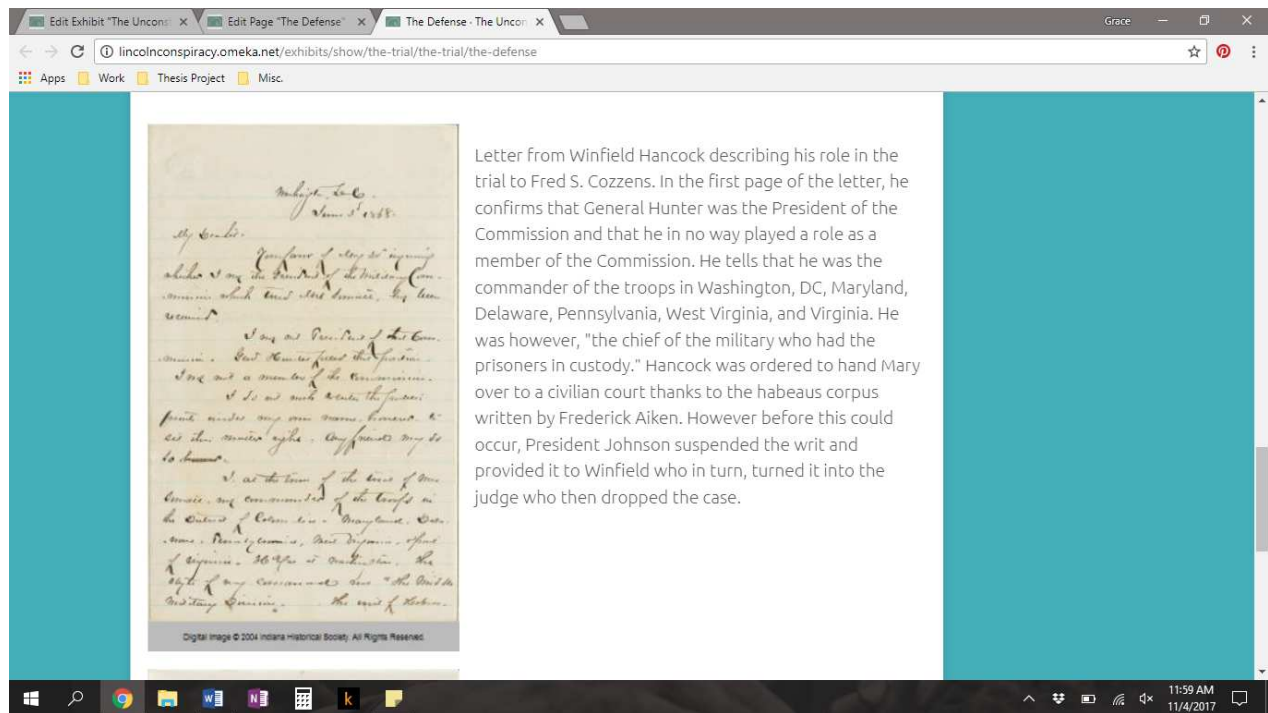


Figure sixteen: Argument on the Jurisdiction of the Military Commission.



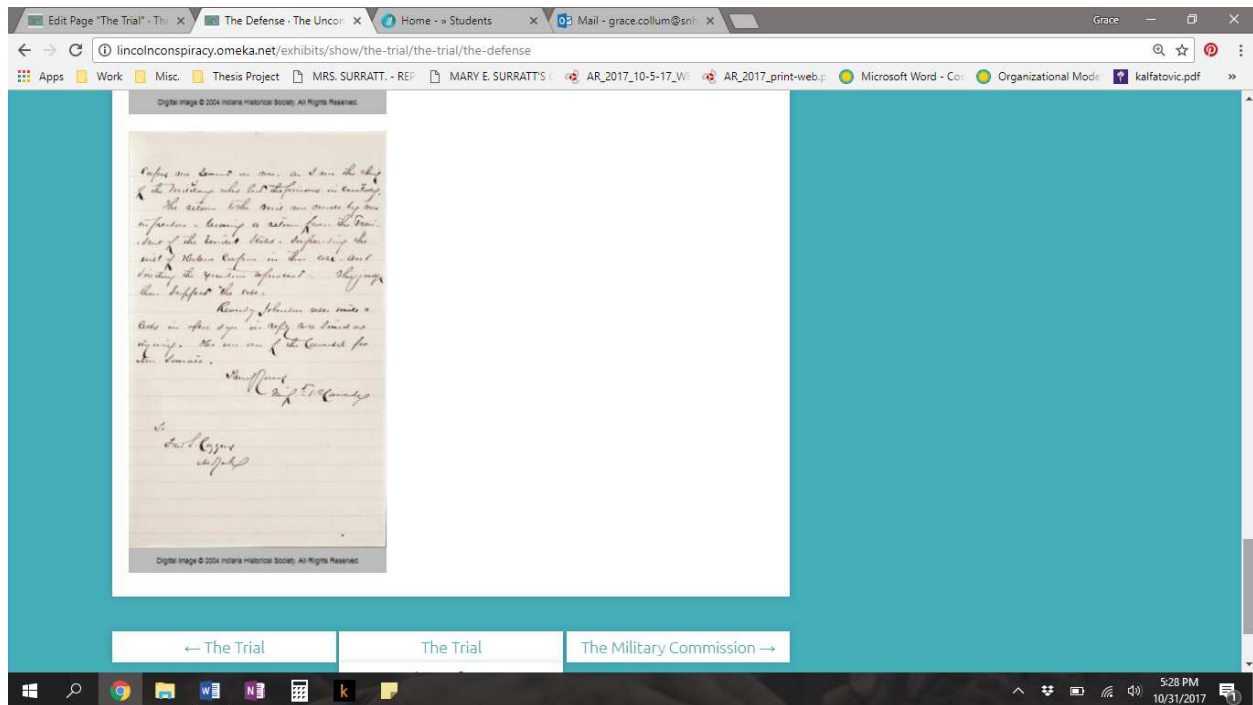


Figure 17A and B: A letter from Winfield Hancock who was ordered to transfer Mary to a civilian court before her writ for habeas corpus was suspended by President Johnson. Includes both pages.

Subtheme Two – The Military Commission

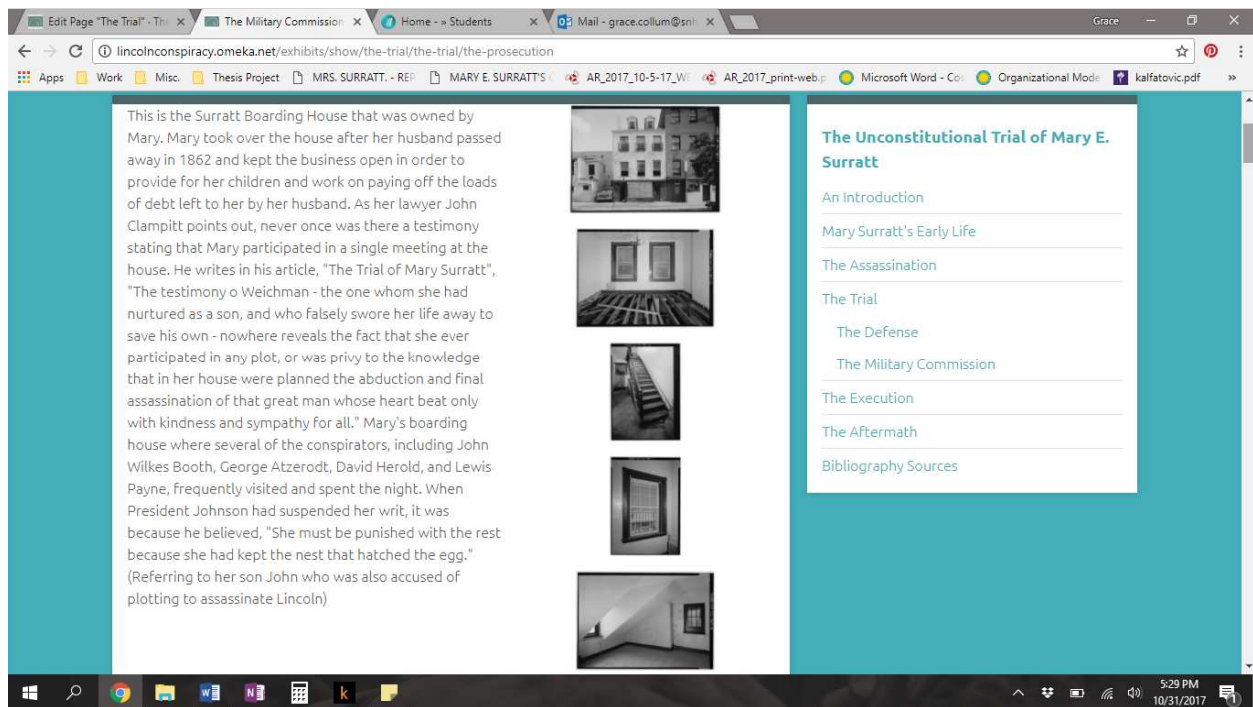


Figure eighteen: Images of Mary Surratt's Boarding House

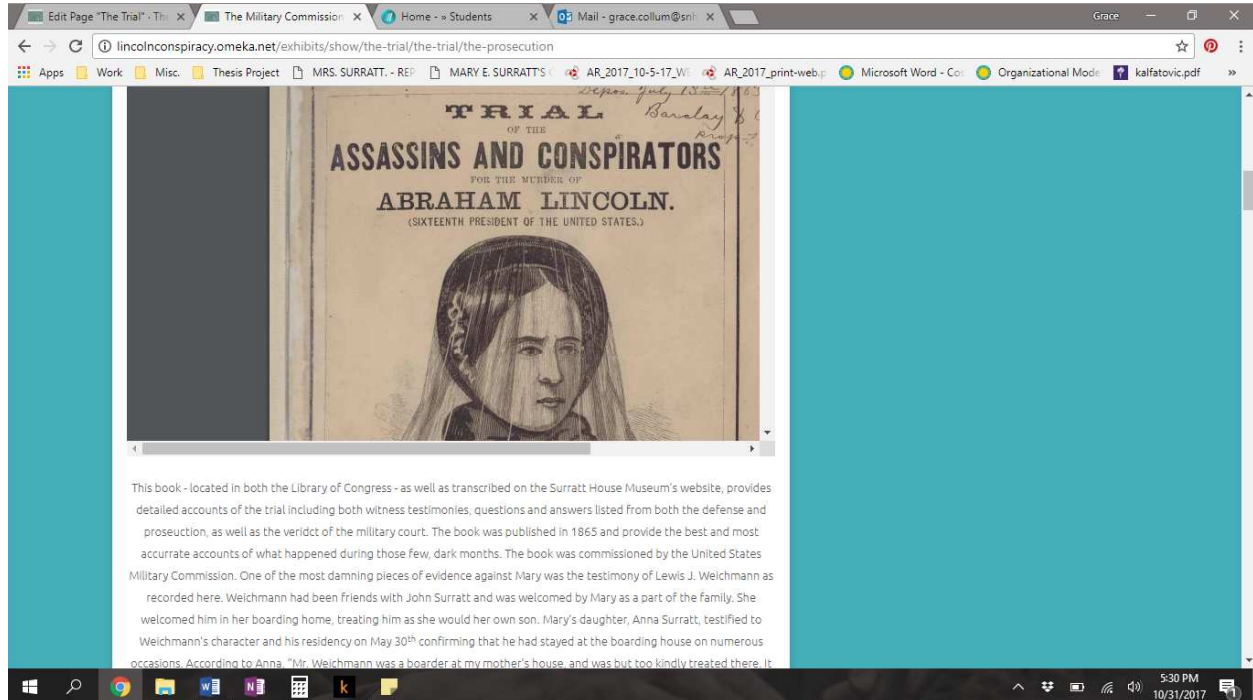
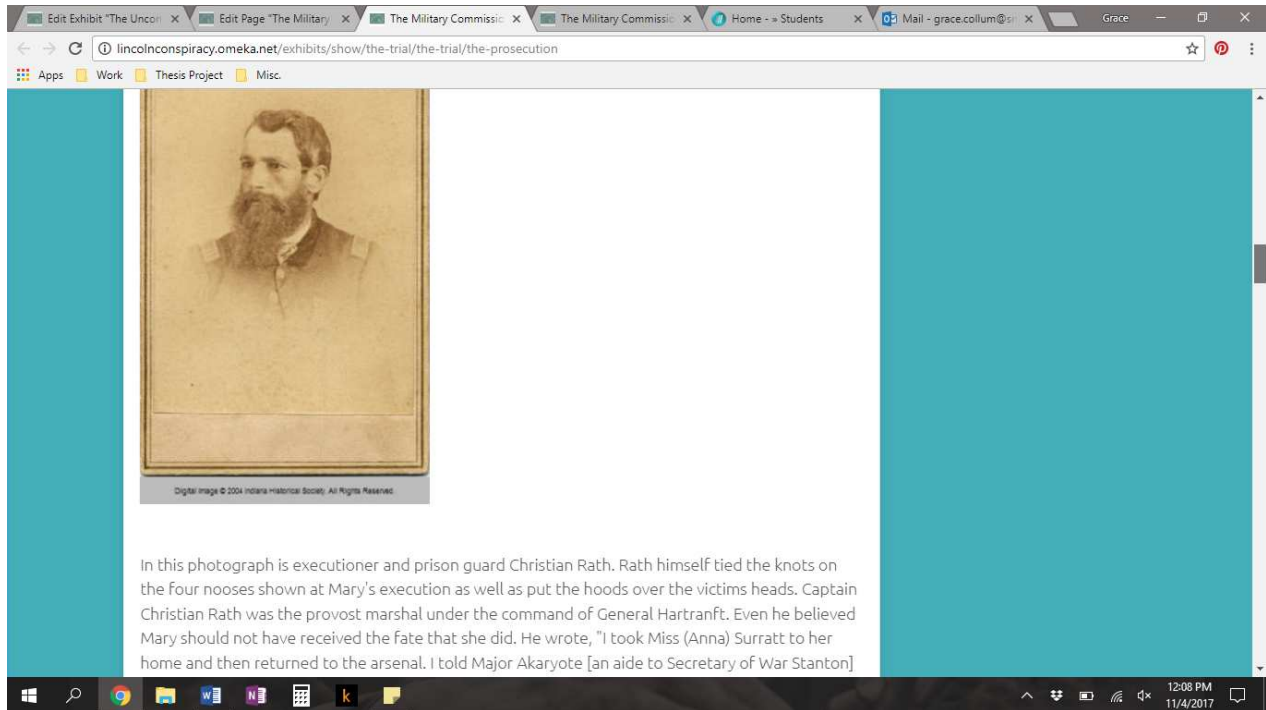



Figure nineteen: Another primary source including trial transcripts and accounts of the trial. This was commissioned by the United States Military Commission. Similar to the other transcripts, the user can scroll through the file online and read the testimonies of witnesses. The caption includes parts of this book such as Lewis Weichmann's testimony and Anna Surratt's testimony, both of which were for the defense but in the end only strengthened the government's case against Mary.



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In this photograph is executioner and prison guard Christian Rath. Rath himself tied the knots on the four nooses shown at Mary's execution as well as put the hoods over the victims heads. Captain Christian Rath was the provost marshal under the command of General Hartranft. Even he believed Mary should not have received the fate that she did. He wrote, "I took Miss (Anna) Surratt to her home and then returned to the arsenal. I told Major Akaryote [an aide to Secretary of War Stanton]

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In this photograph is executioner and prison guard Christian Rath. Rath himself tied the knots on the four nooses shown at Mary's execution as well as put the hoods over the victims heads. Captain Christian Rath was the provost marshal under the command of General Hartranft. Even he believed Mary should not have received the fate that she did. He wrote, "I took Miss (Anna) Surratt to her home and then returned to the arsenal. I told Major Akaryote [an aide to Secretary of War Stanton] of the stoicism displayed by Mrs. Surratt. He informed me that her daughter had no sooner left the jail than the mother fell into a dead faint. She bore up remarkably well before her child, but the strain was too much for her. After that Annie came to the prison almost daily. Every time she came in I hoped she she carried with her something which she could administer to her mother so that, the dreadful hangman's noose would not have to be placed around her neck." Ironically one month later, Rath was the one who would place the noose around Mary's neck.

When President Johnson ordered the gallows to be built, Rath was the one who ordered to construct it for four people. Thomas Eckert confided in him that only three would more than likely be hanged. By the time Rath had gotten to Mary's noose, he was tired he only made five turns instead of the regulatory seven. His reasoning was this was acceptable because he did not think Mary would be hung anyway and it was late by the time he finished all four nooses by himself. Eckert was also not expecting Mary to be hung but they were all proven wrong on July 7th when she was led to her death.

Figure 20 A and B: Christian Rath – Mary's Executioner and Prison Guard. Even he believed that Mary was going to escape the hangman's noose. No one expected the outcome of her death.

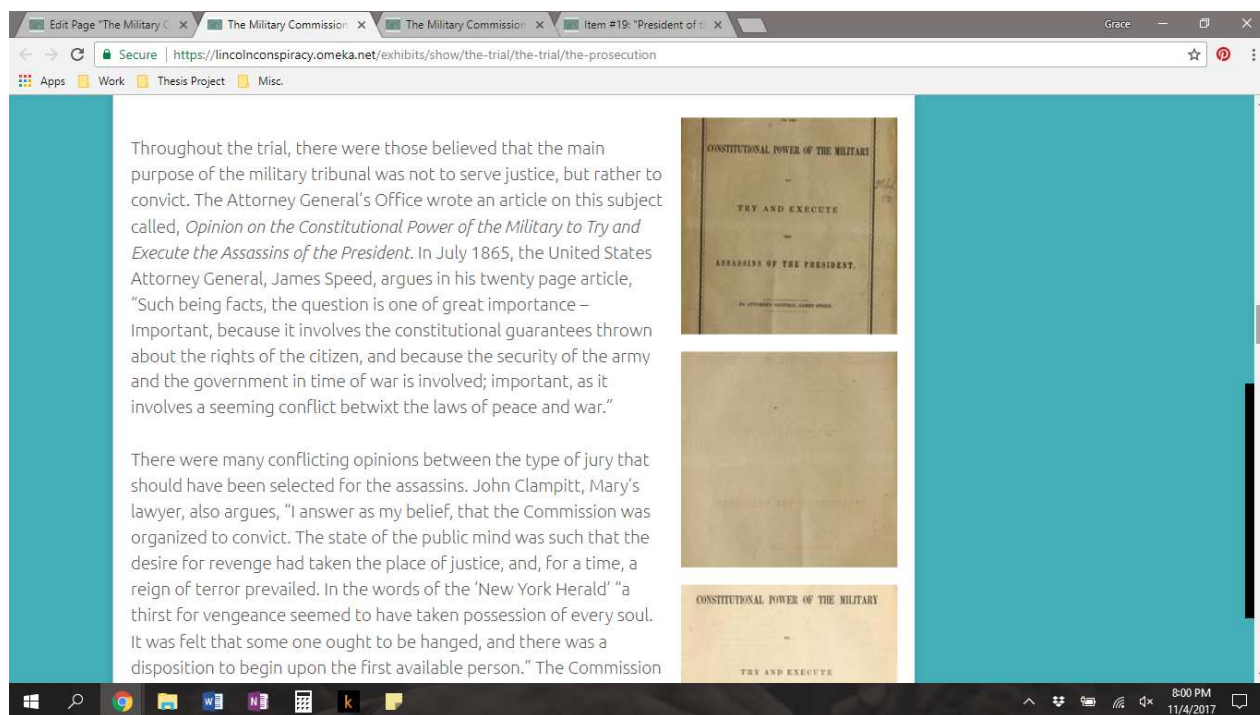


Figure Twenty One A: *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*

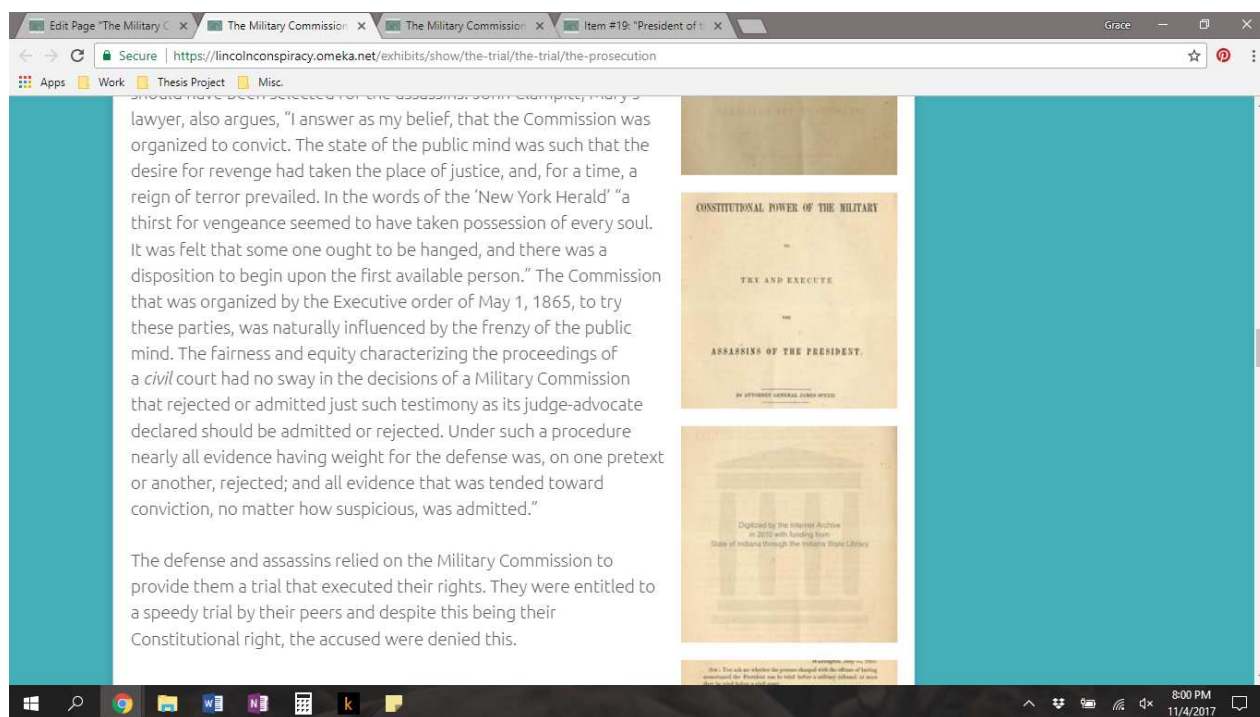


Figure Twenty One B: *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*

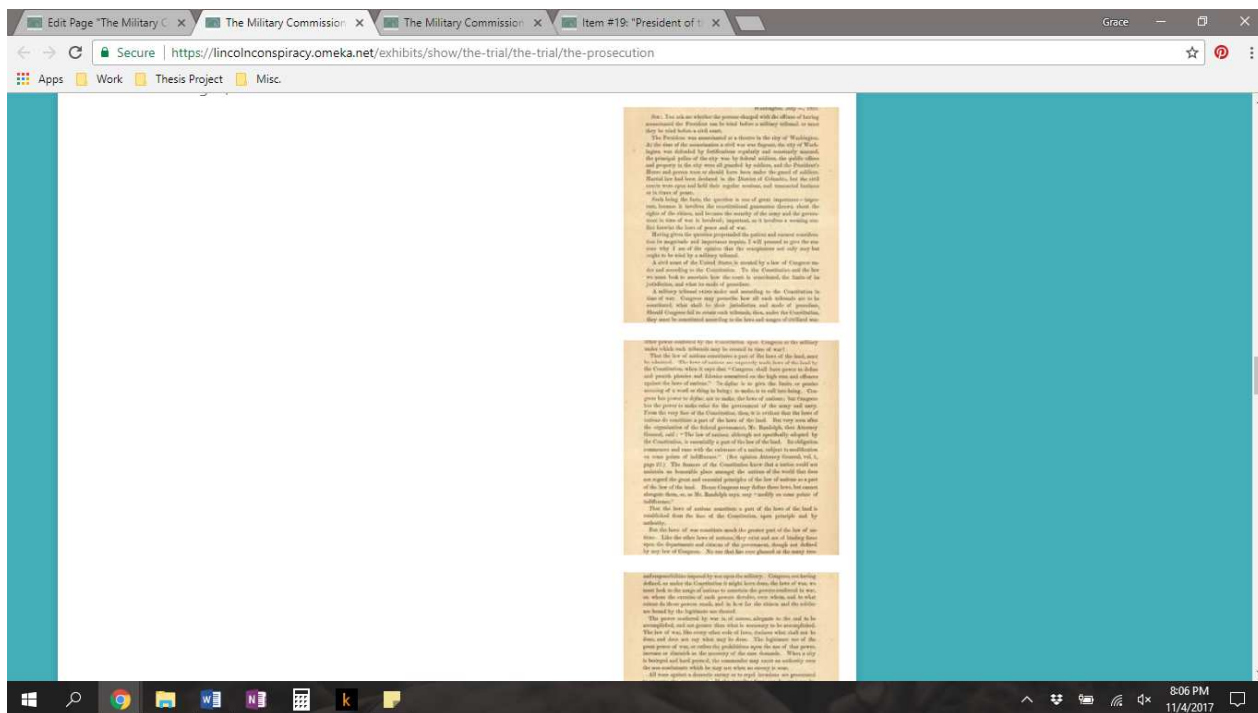


Figure Twenty One B: *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*

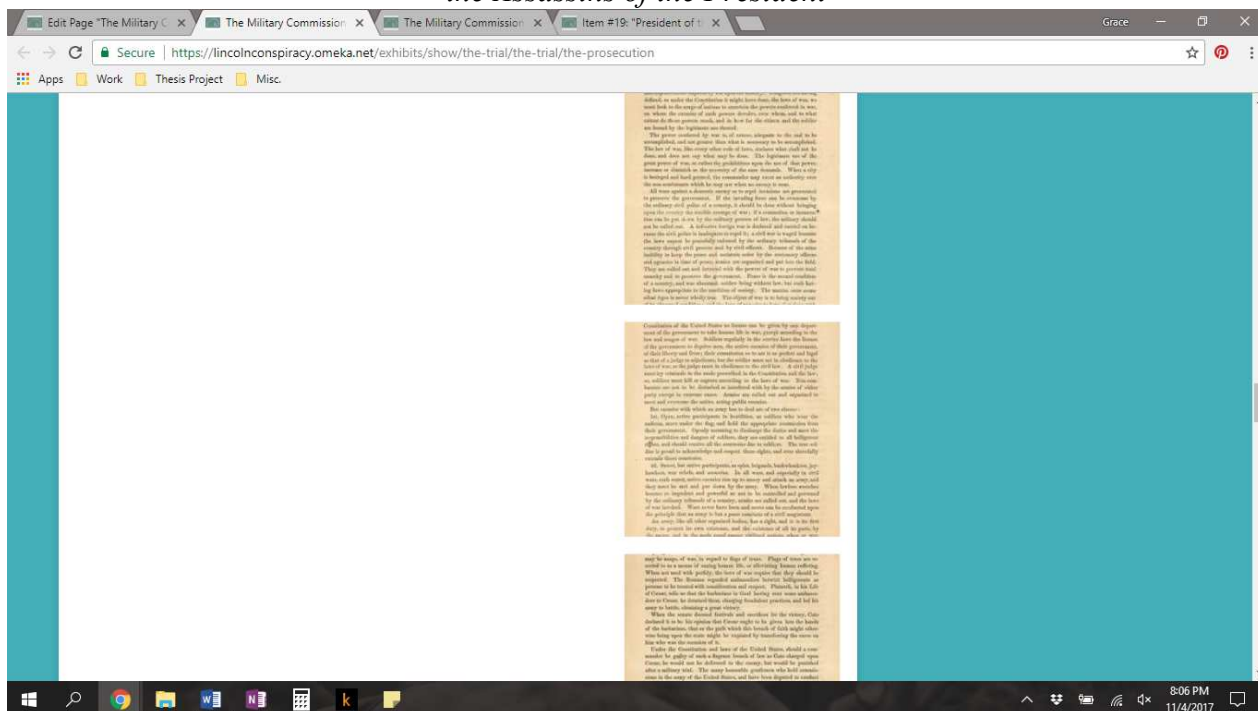


Figure Twenty One C: *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*

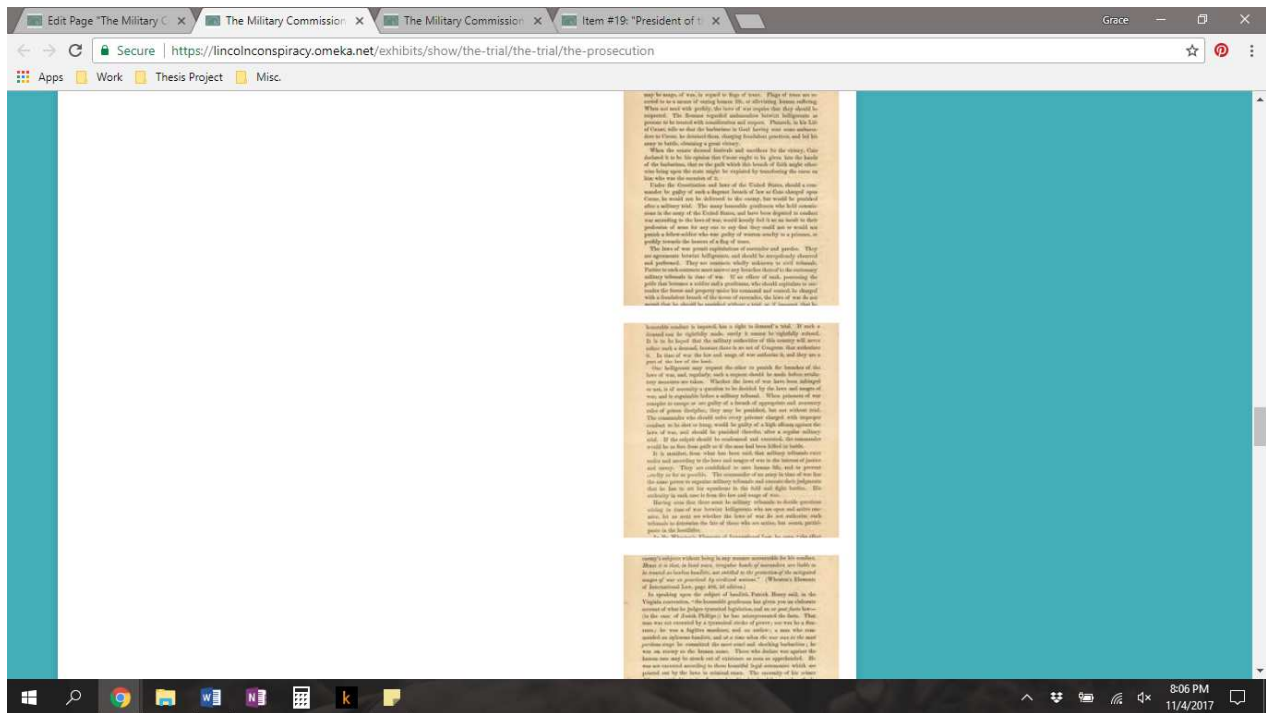


Figure Twenty One D: *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*

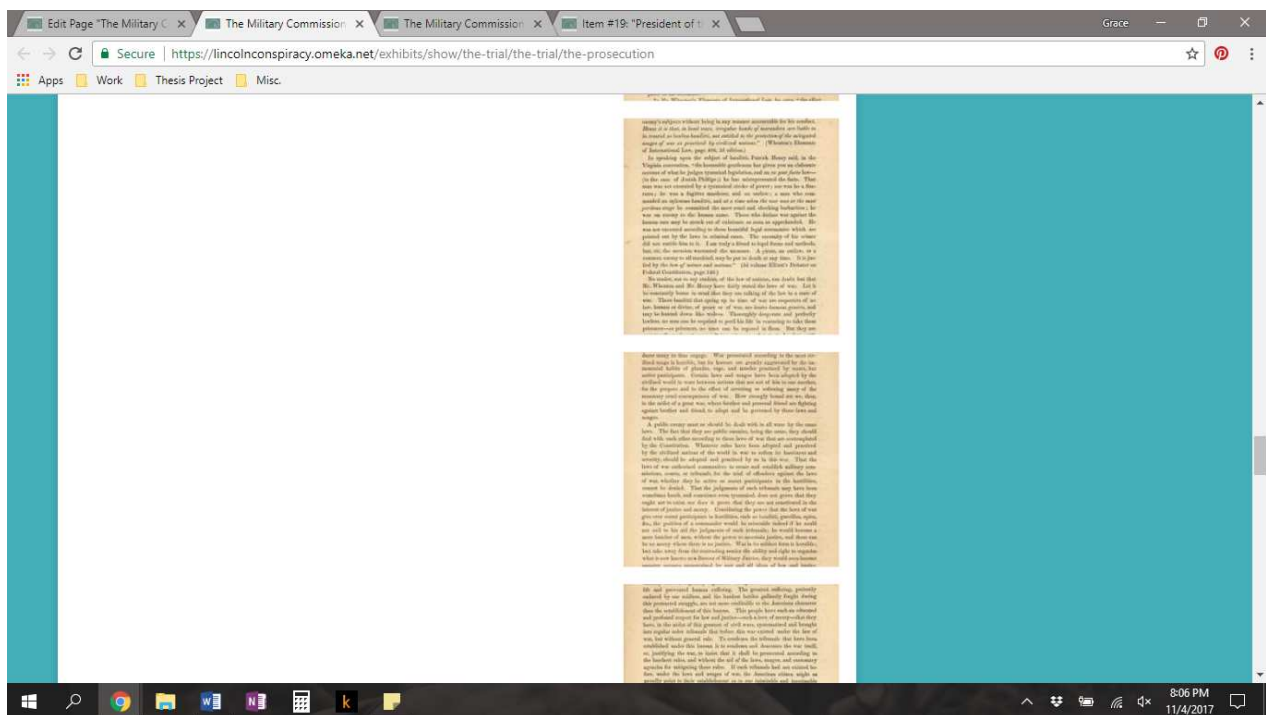


Figure Twenty One E: *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*

[illegible]

Figure Twenty One G: *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*

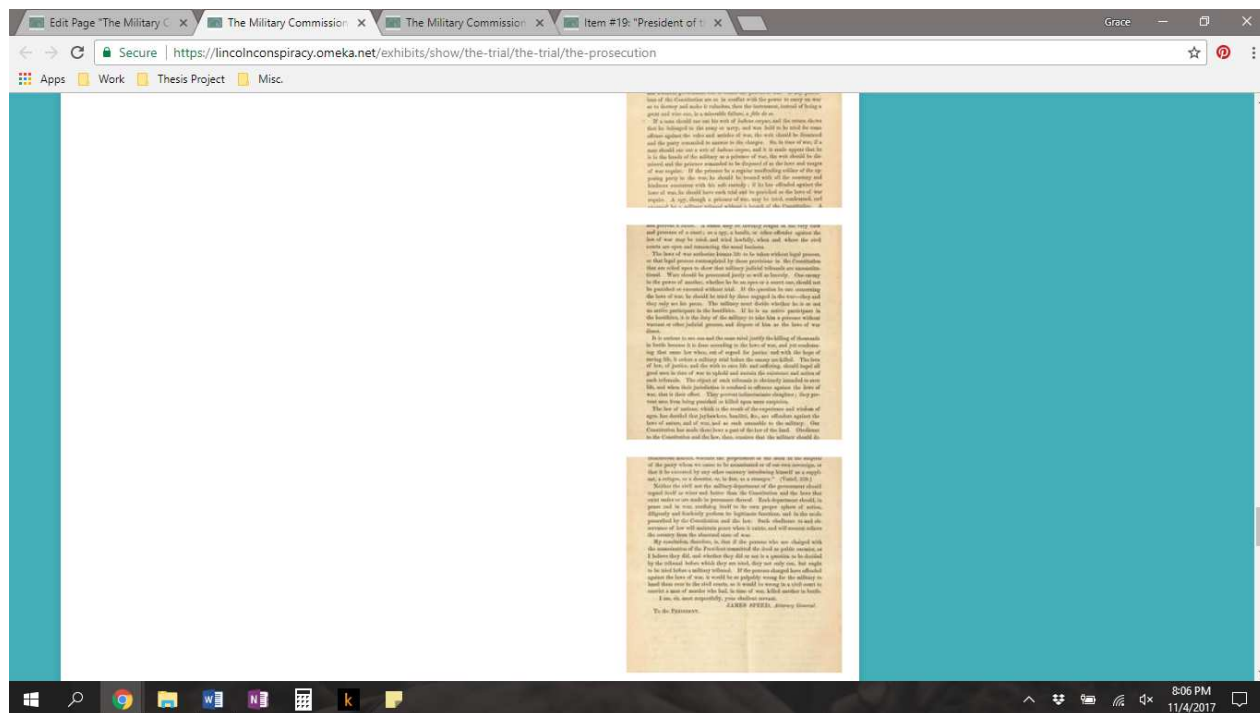


Figure Twenty One H: Throughout the trial, there were those believed that the main purpose of the military tribunal was not to serve justice, but rather to convict. The Attorney General, James Speed, wrote an article on this subject called, *Opinion on the Constitutional Power of the Military to Try and Execute the Assassins of the President*, written in July 1865. Clearer images of each page are shown in the items section.

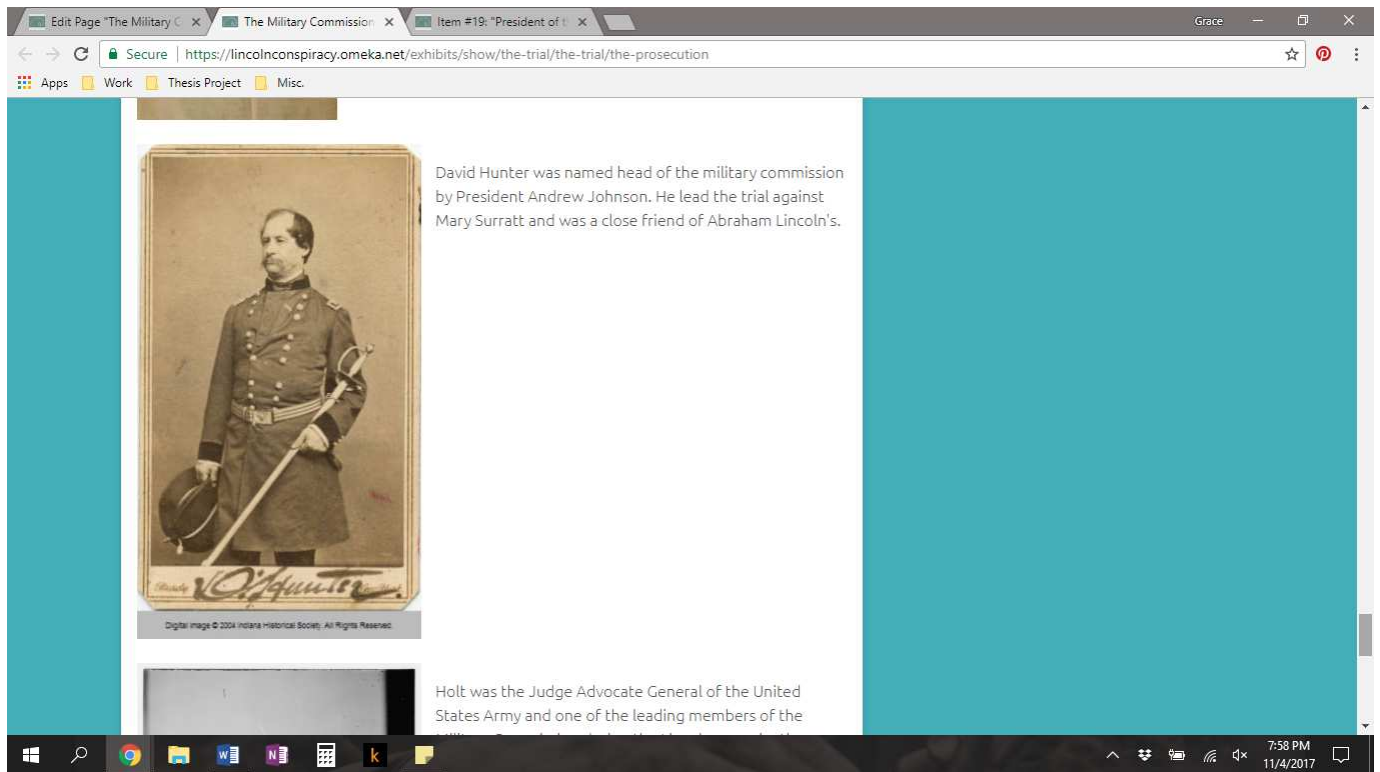


Figure twenty two – Major General David Hunter, the President of the Military Commission

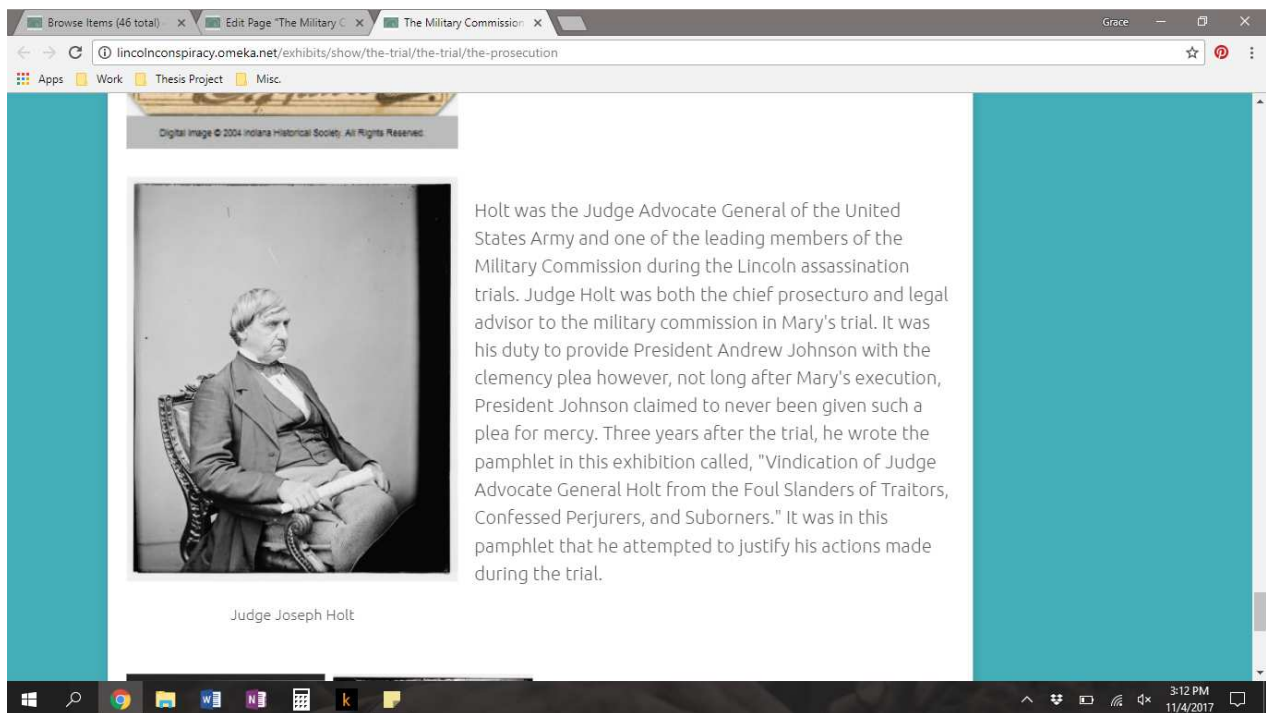


Figure twenty three – Judge Joseph Holt

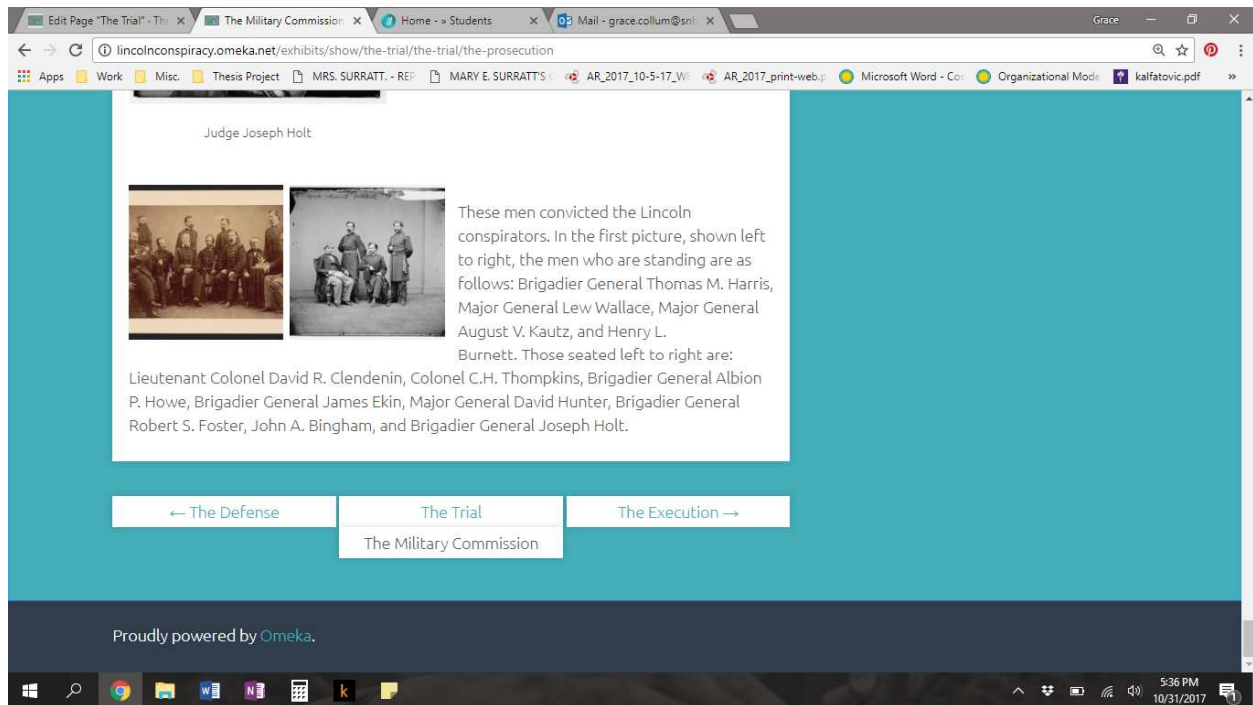


Figure twenty four – members of the Commission

The Execution

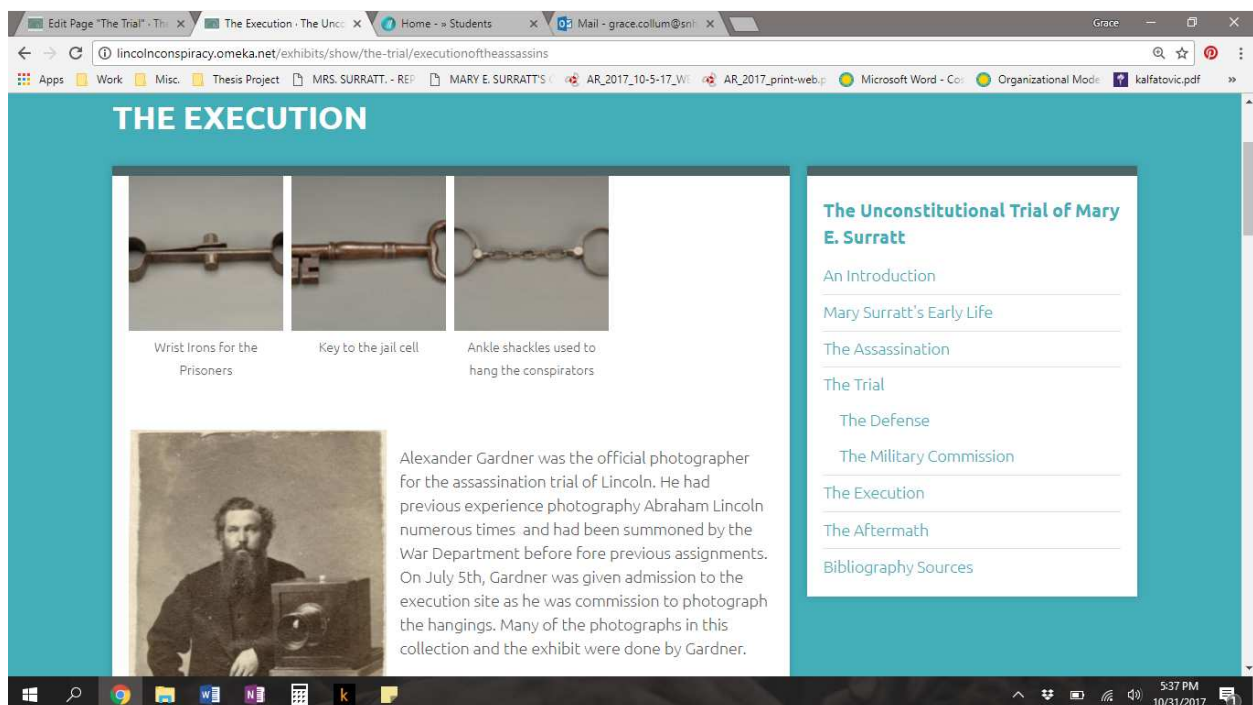


Figure twenty three – the wrist irons, keys, and ankle shackles used to keep the accused in line as they were going up to the gallows.

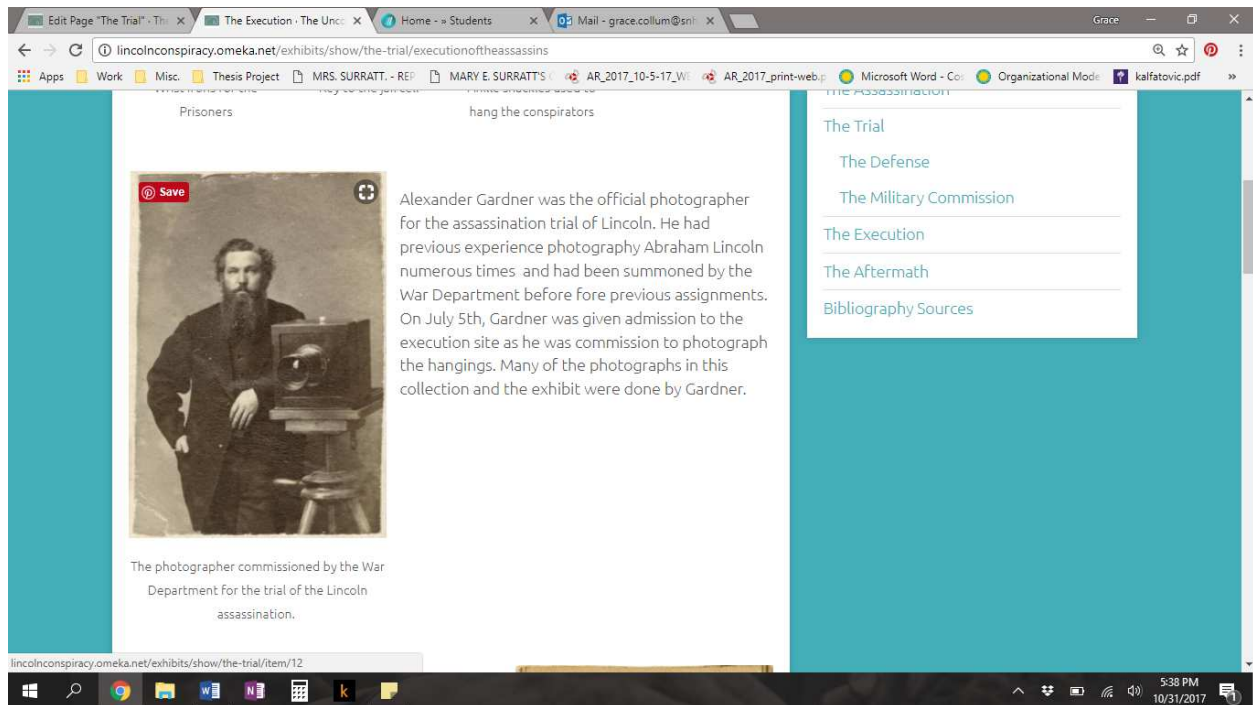


Figure twenty four – Alexander Gardner, the photographer hired by the Commission to document this historical event through his photographs. Many of the items in the collection were taken by him.

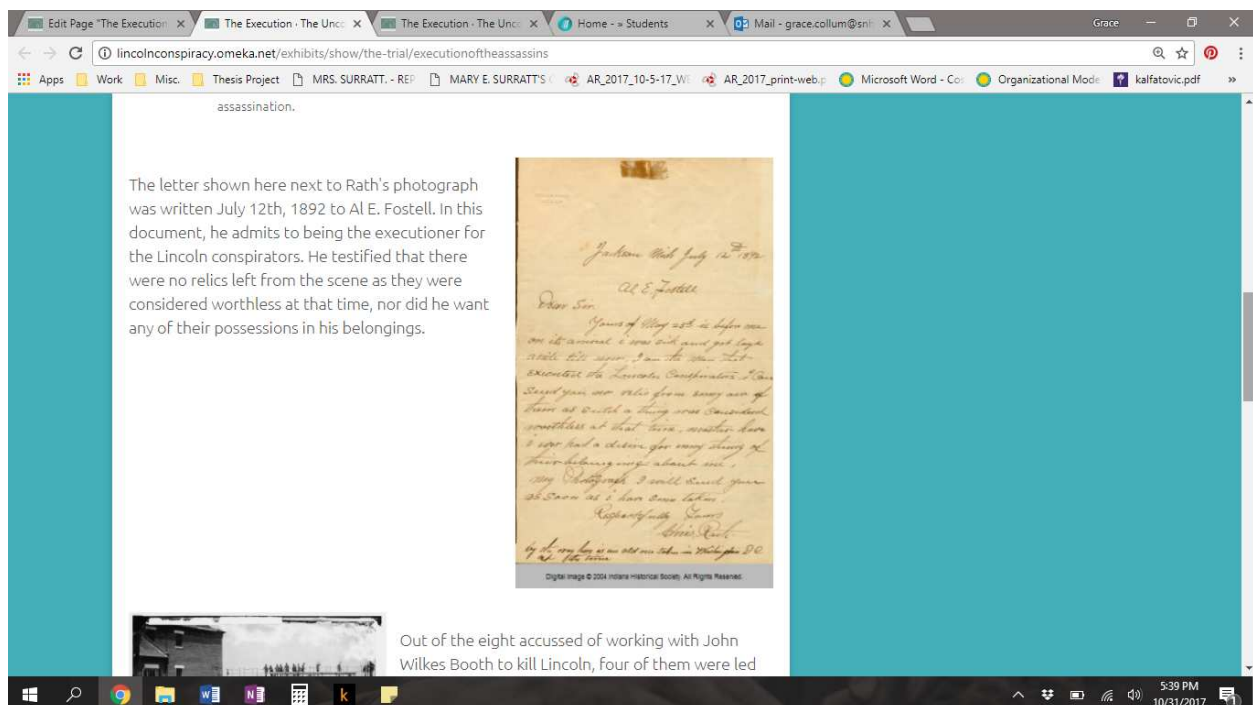


Figure twenty five – letter from Christian Rath describing his duties as an executioner and admitting to being the one who hung Mary Surratt

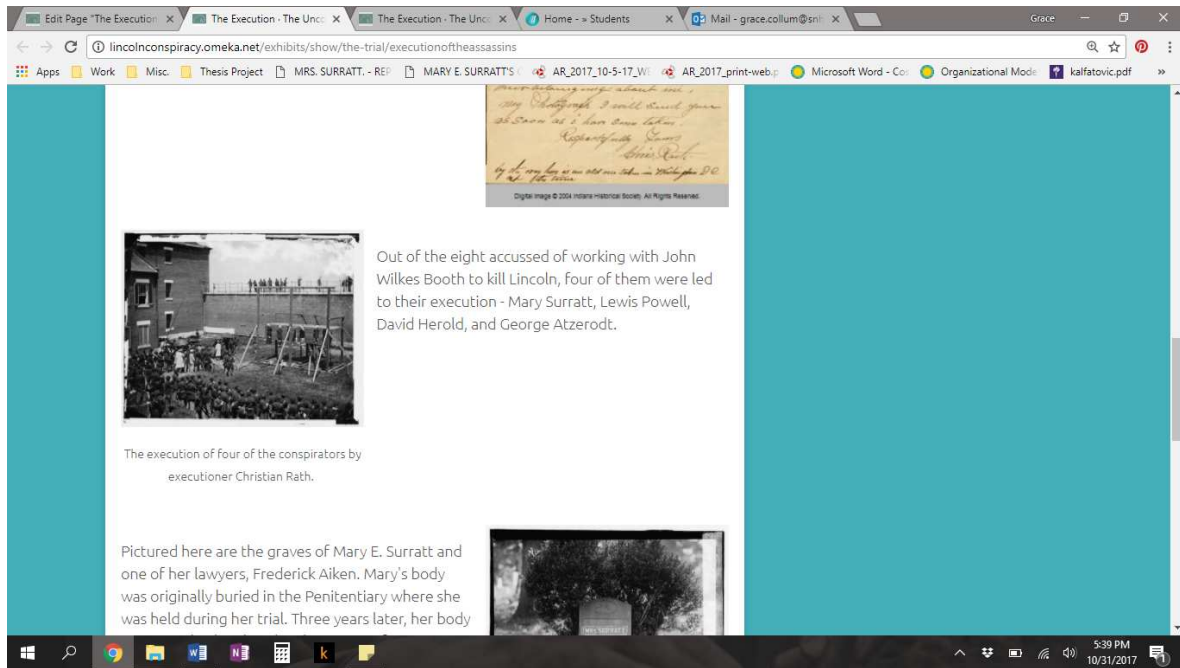


Figure twenty six – the execution of Mary Surratt, Lewis Payne (Powell), David Herold and George Atzerodt.



Figure twenty seven: The graves of Mary Surratt and Frederick Aiken

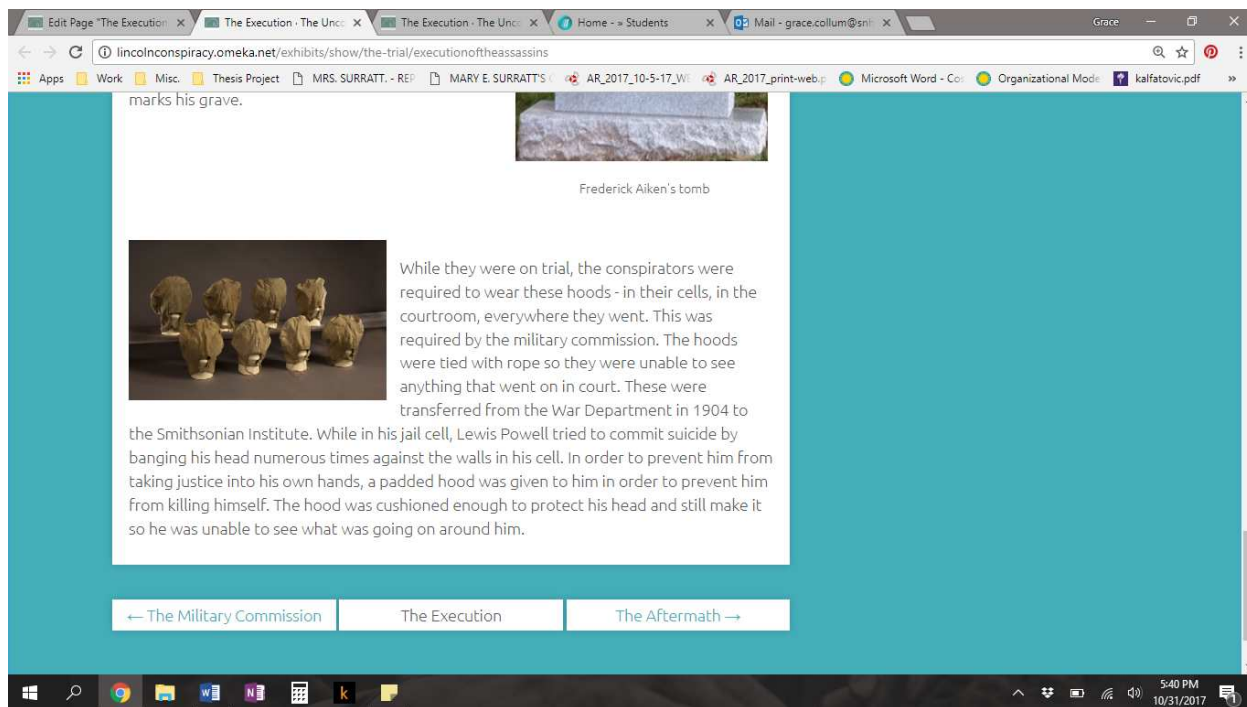
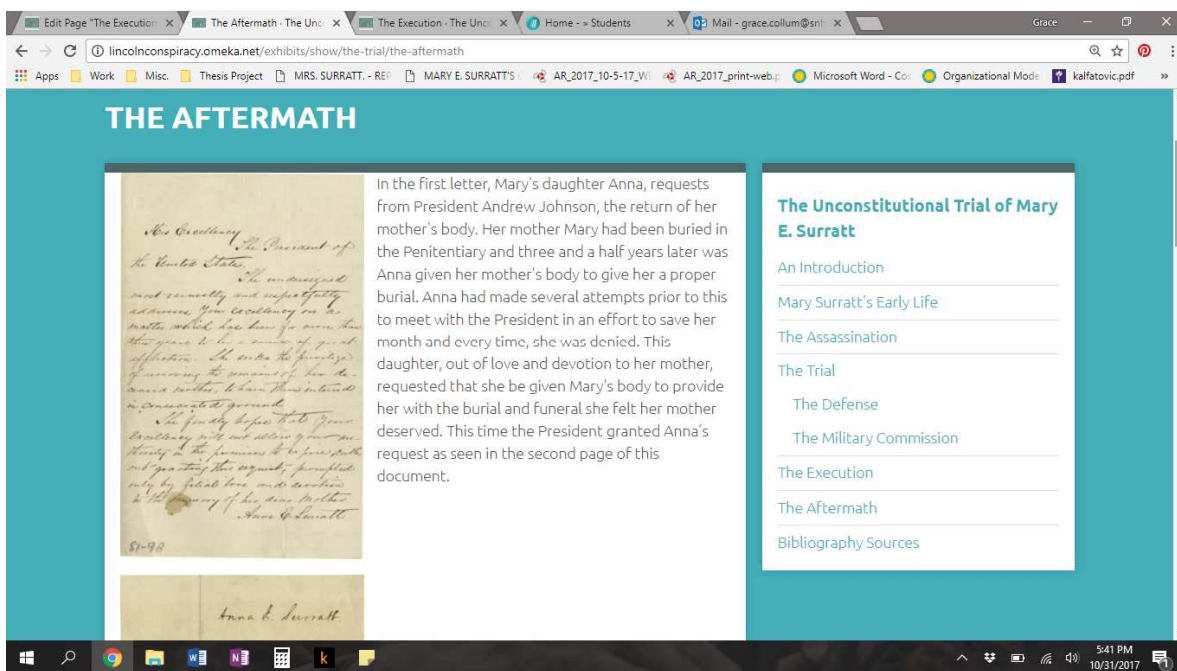


Figure twenty eight: The hoods of the conspirators

The Aftermath



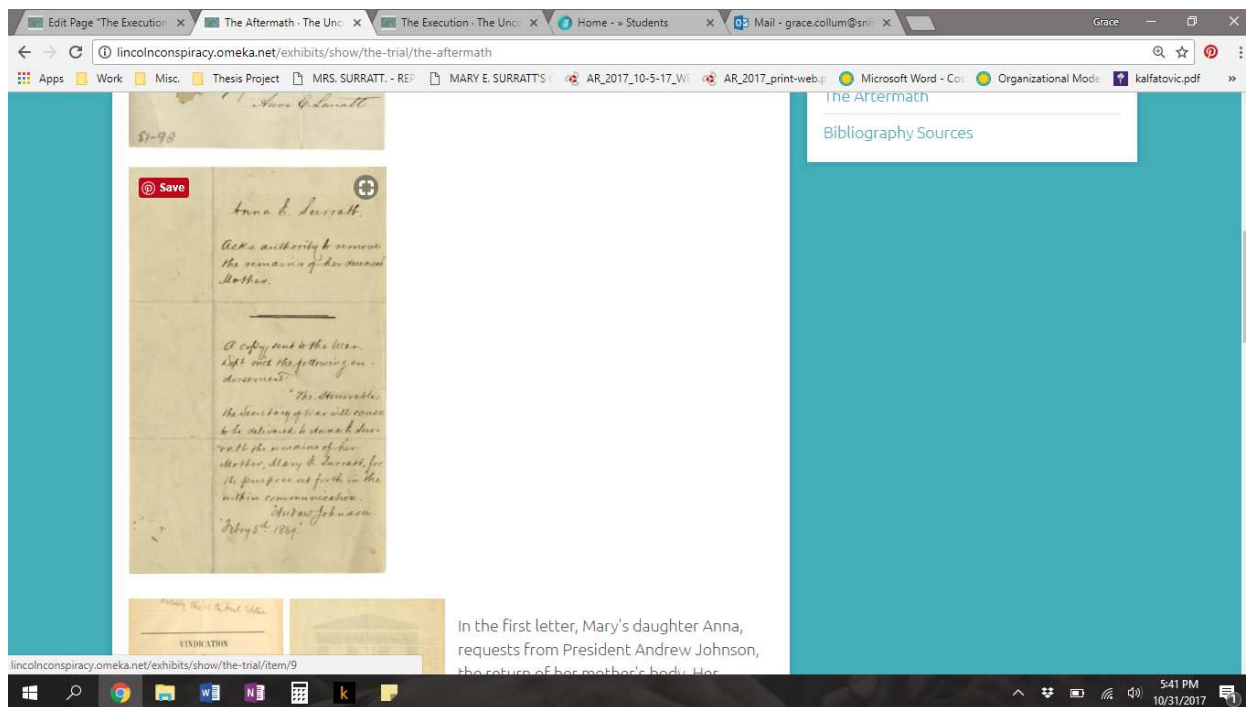
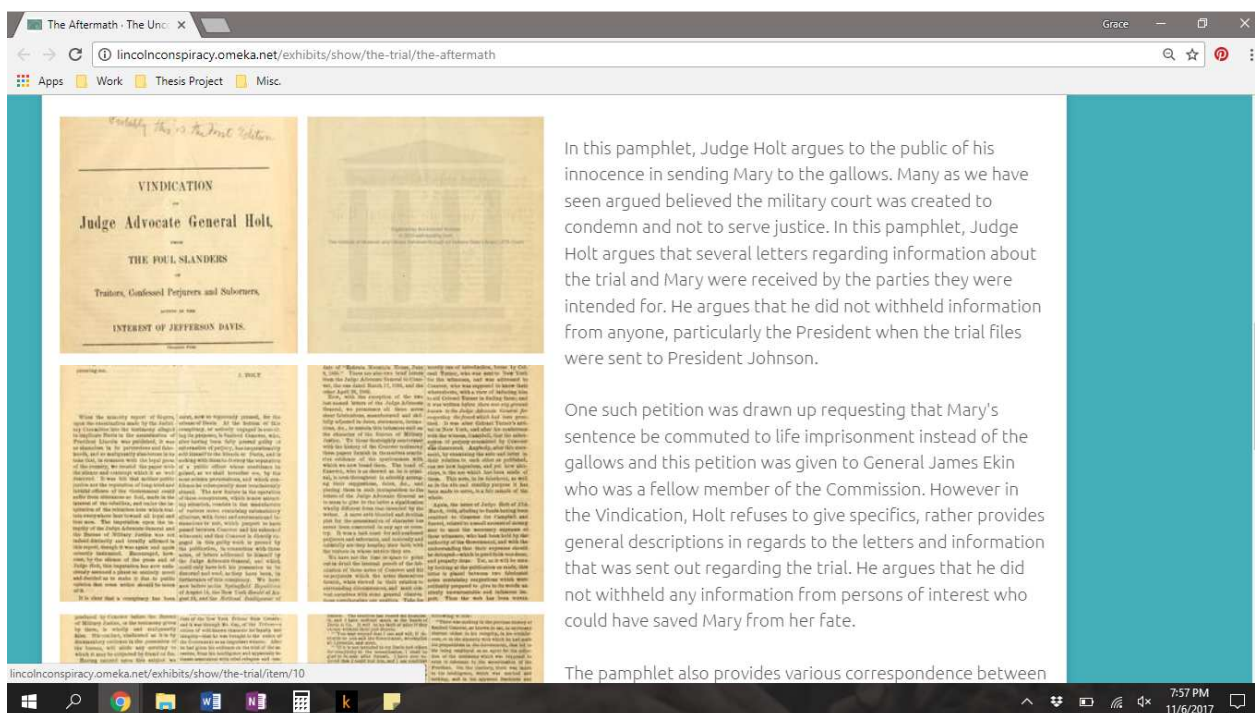
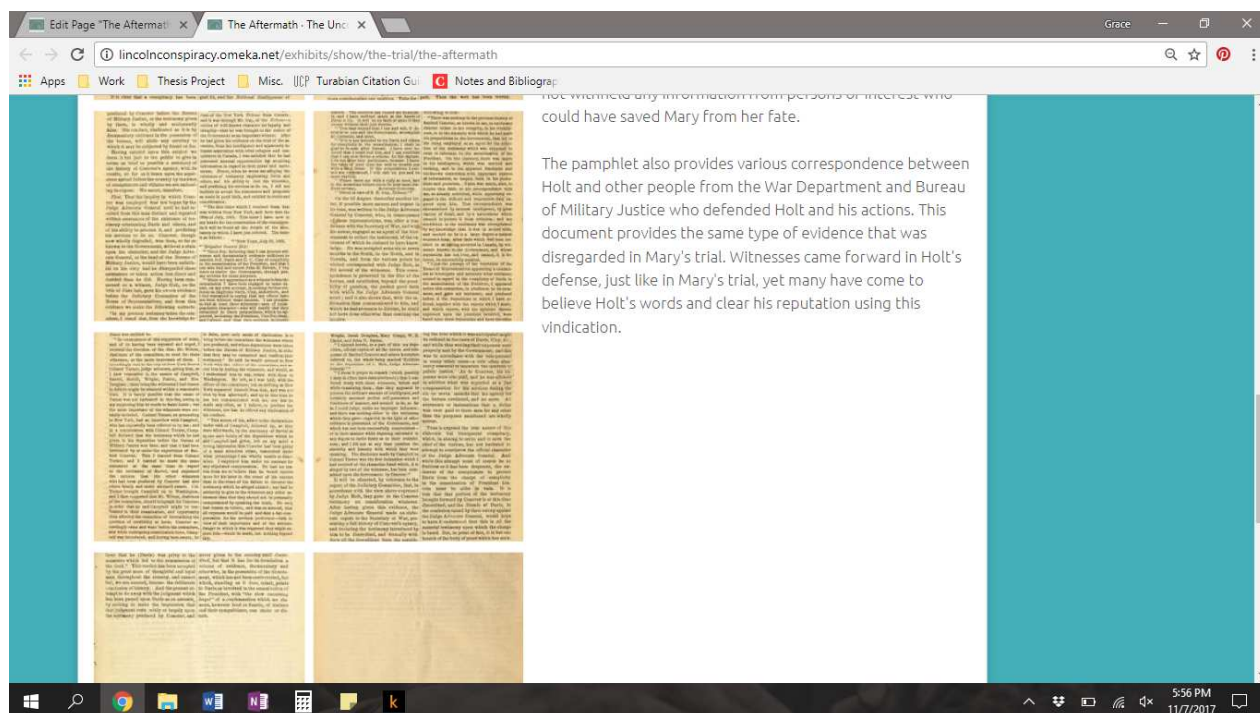


Figure 29 A and B: Letter from Anna Surratt to President Johnson requesting the return of her mother's body. The second page is President Johnson's response to Anna's request, granting her the return of her mother's body.





Figures 30 A and B: This pamphlet is the Vindication of Judge Advocate General Joseph Holt. In this ten page document, Holt argues his innocence stating that he did not withheld information from the President regarding Mary's trial.

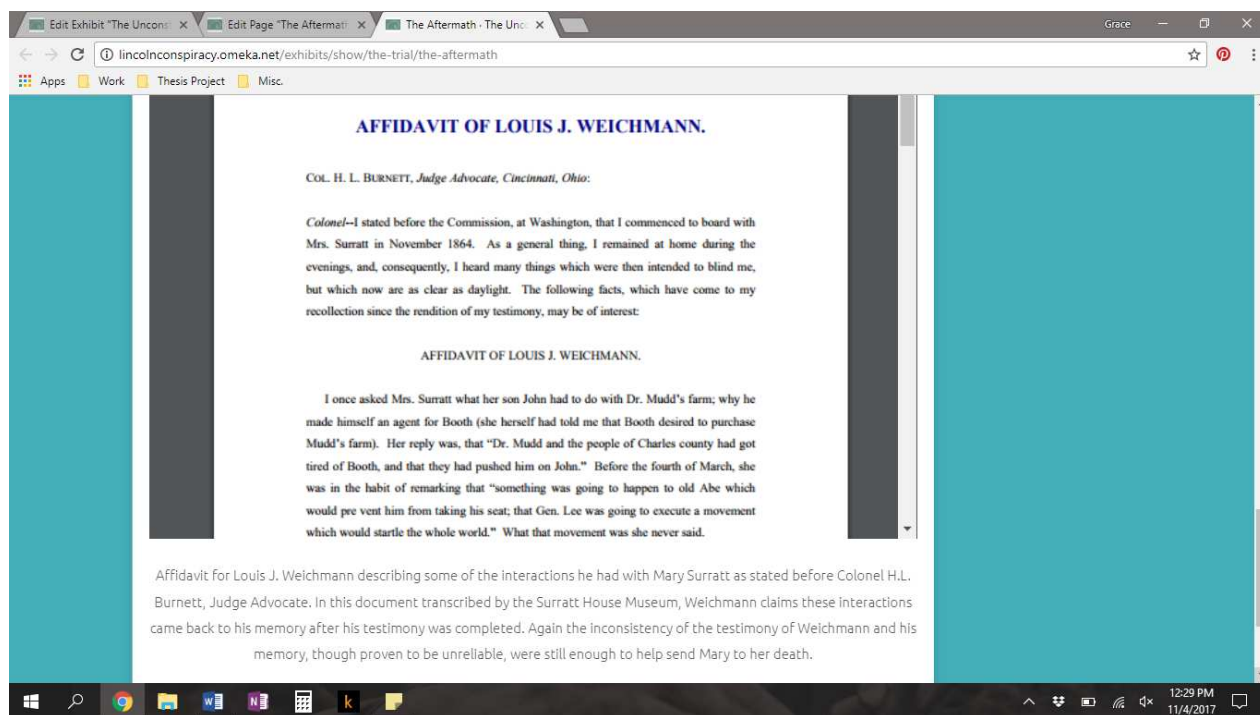


Figure thirty one: Affidavit of Louis J. Weichmann. In this document, Weichmann testifies some memories and events came back to his recollection after he testified.

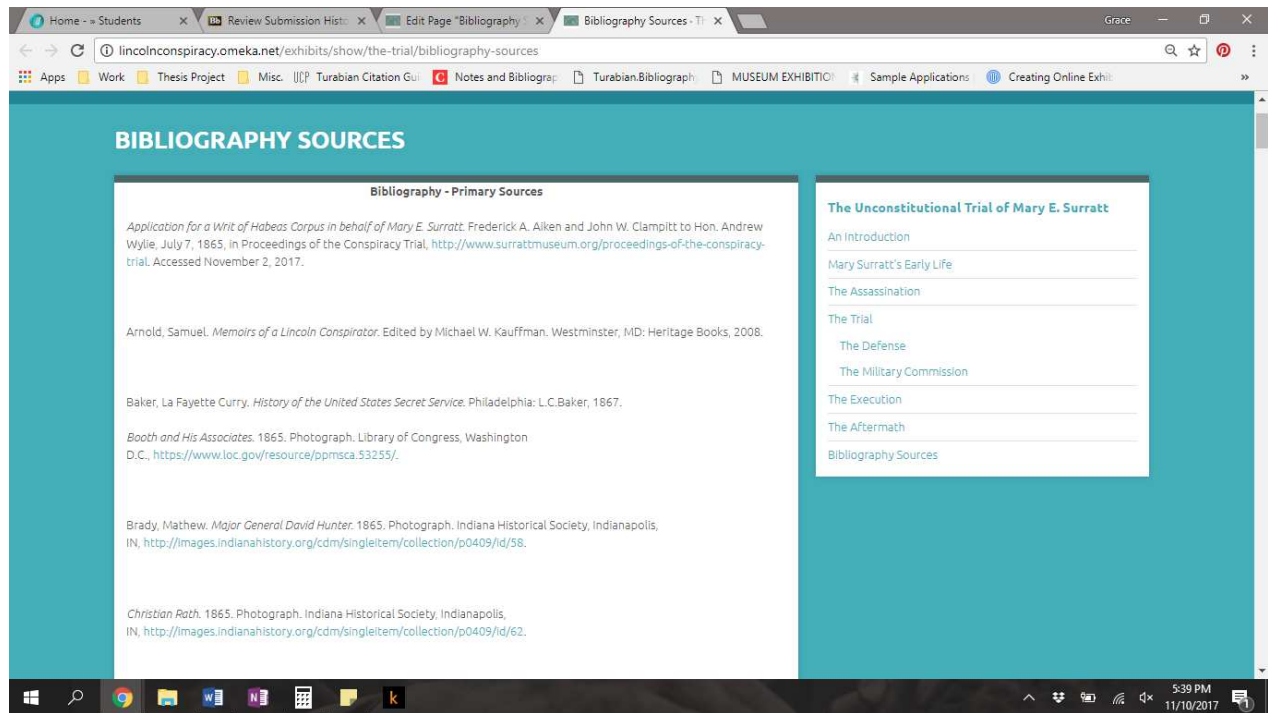


Figure thirty two: Bibliography

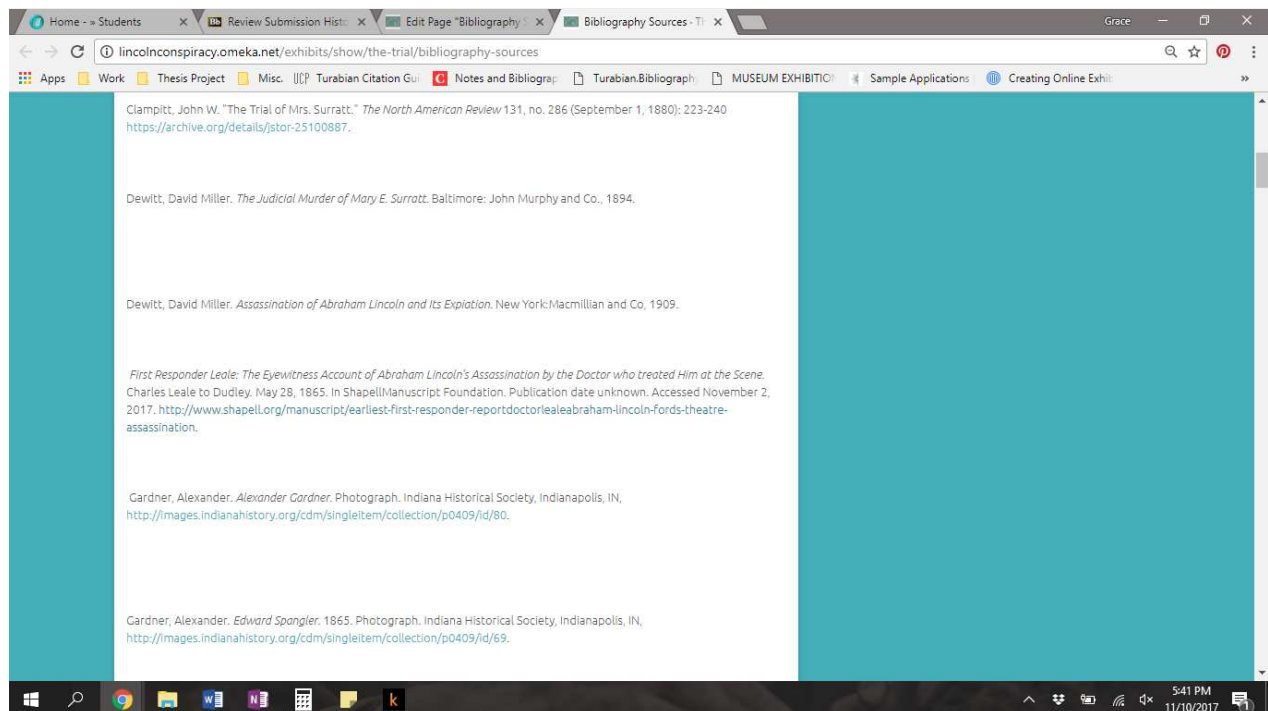


Figure thirty three: Bibliography continued

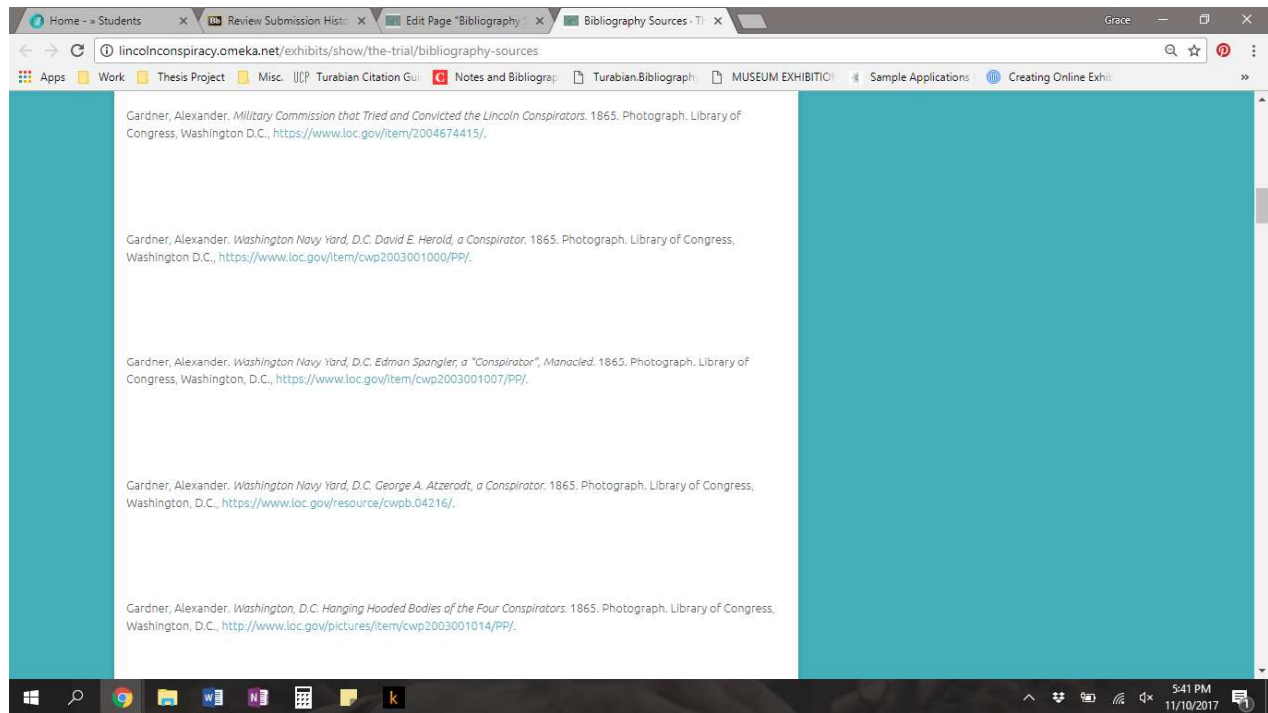


Figure thirty four: Bibliography continued

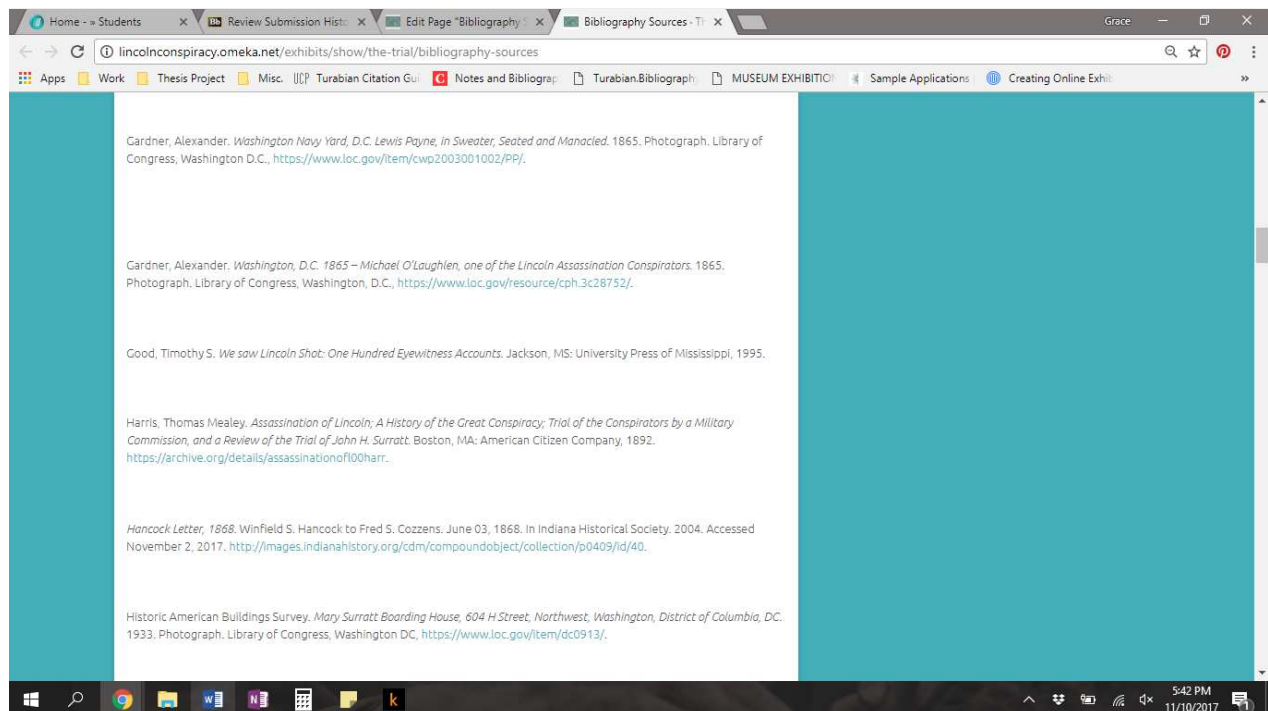


Figure thirty five: Bibliography continued

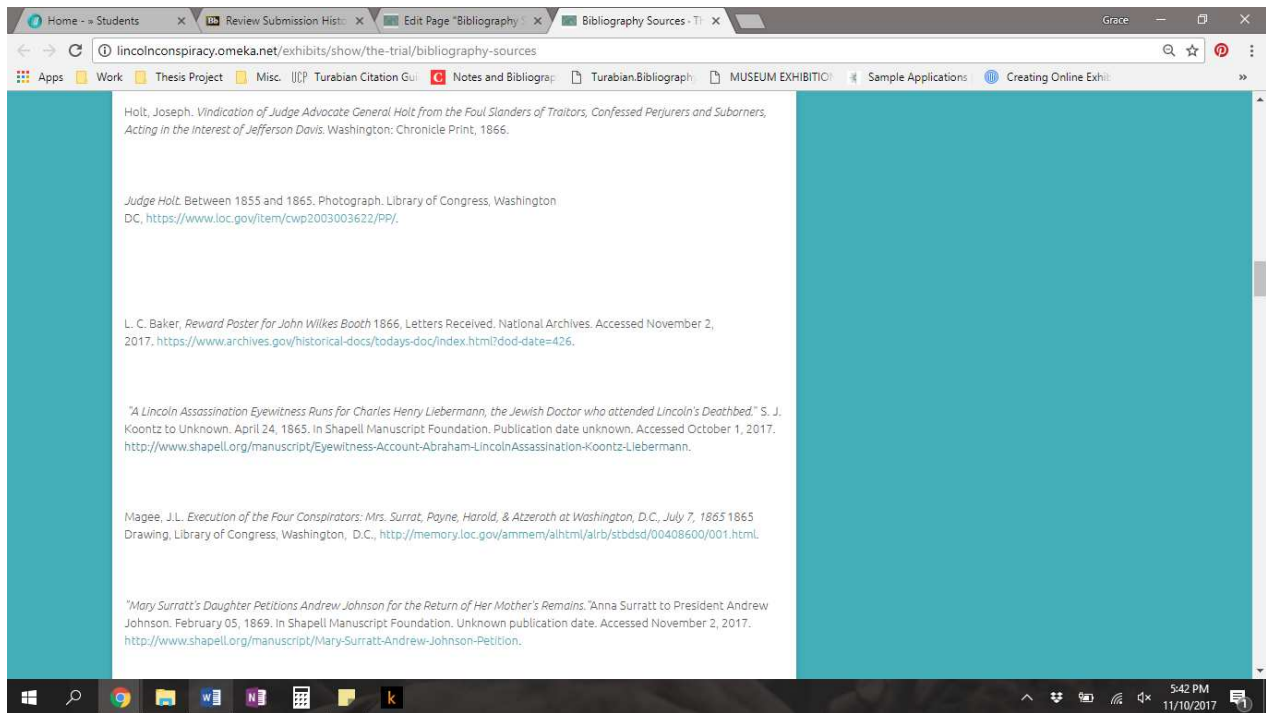


Figure thirty six: Bibliography continued

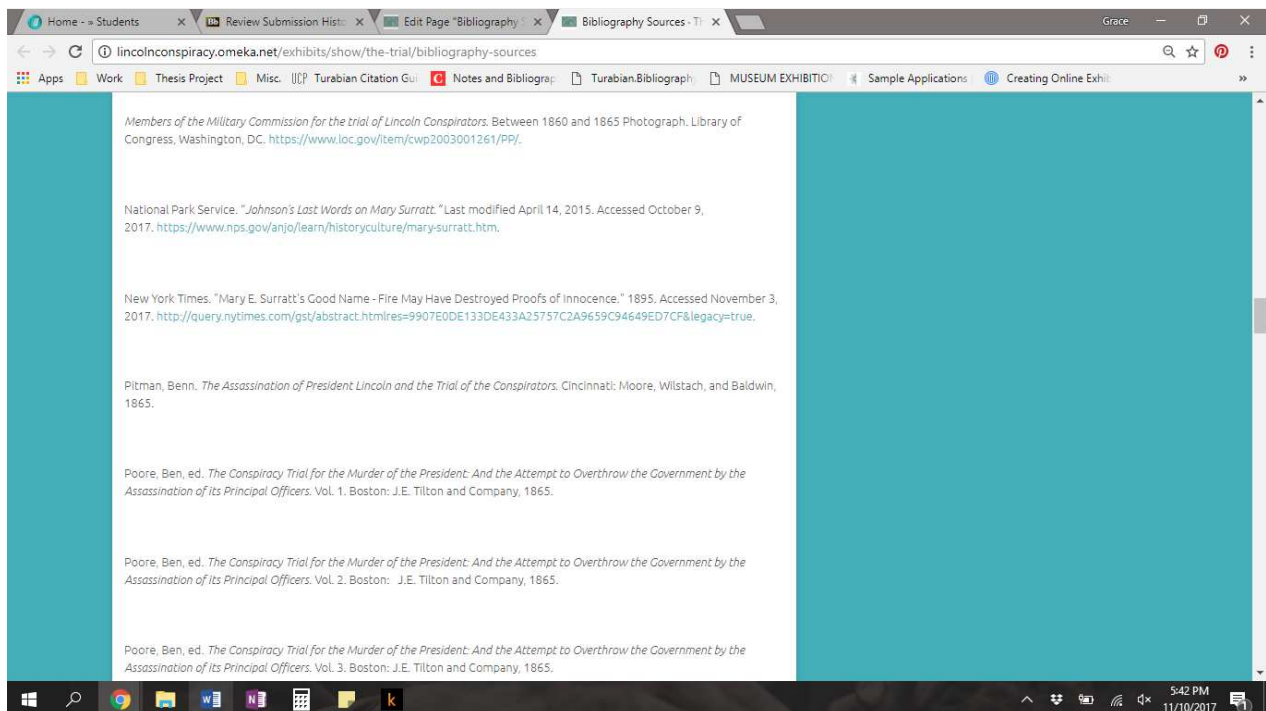


Figure thirty seven: Bibliography continued

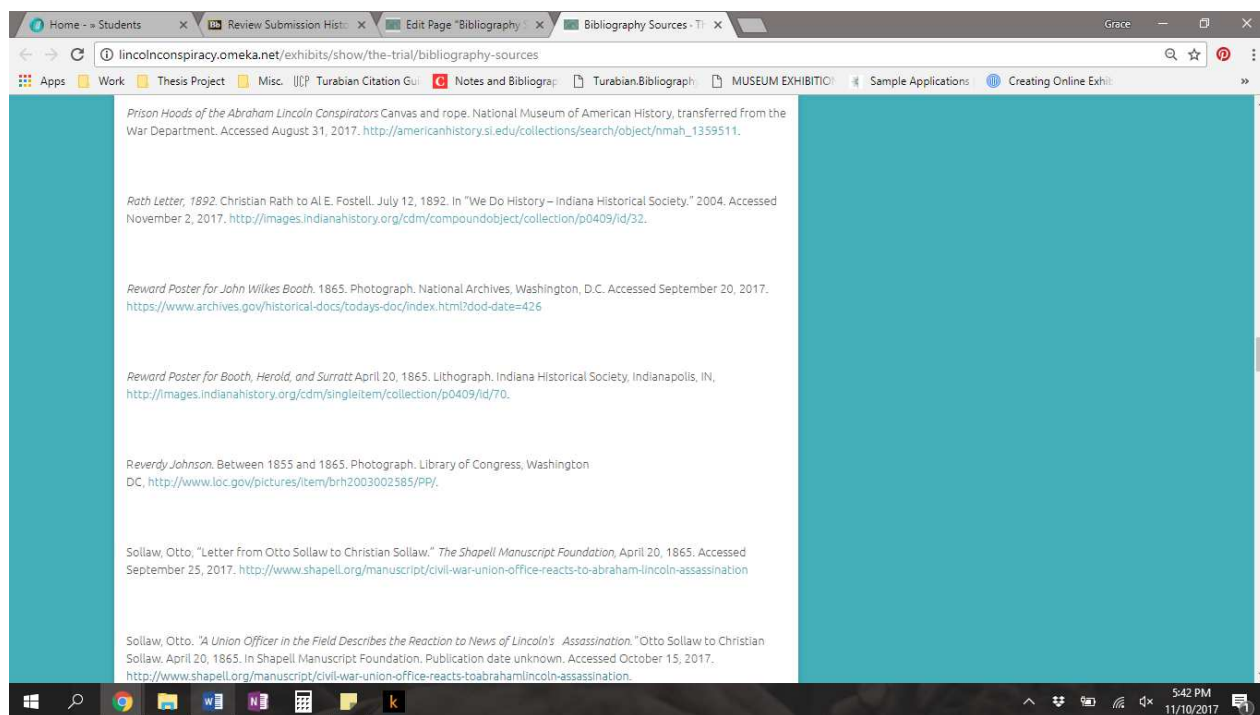


Figure thirty eight: Bibliography continued

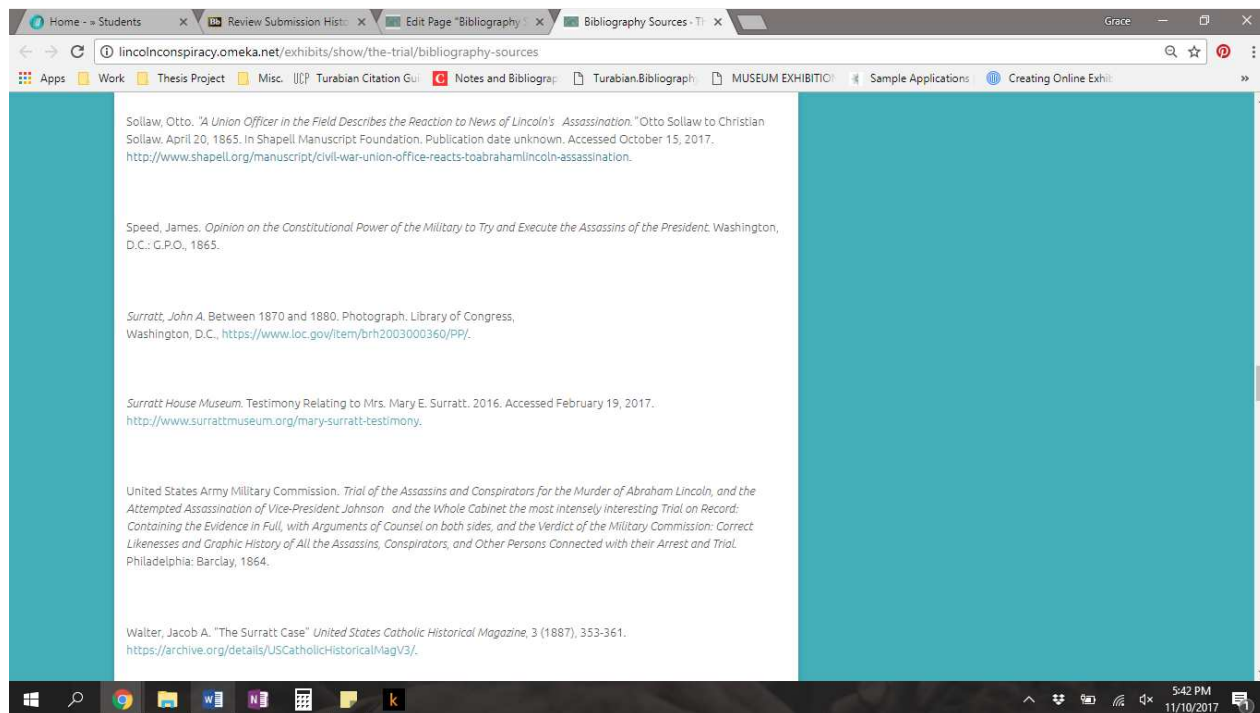


Figure thirty nine: Bibliography continued

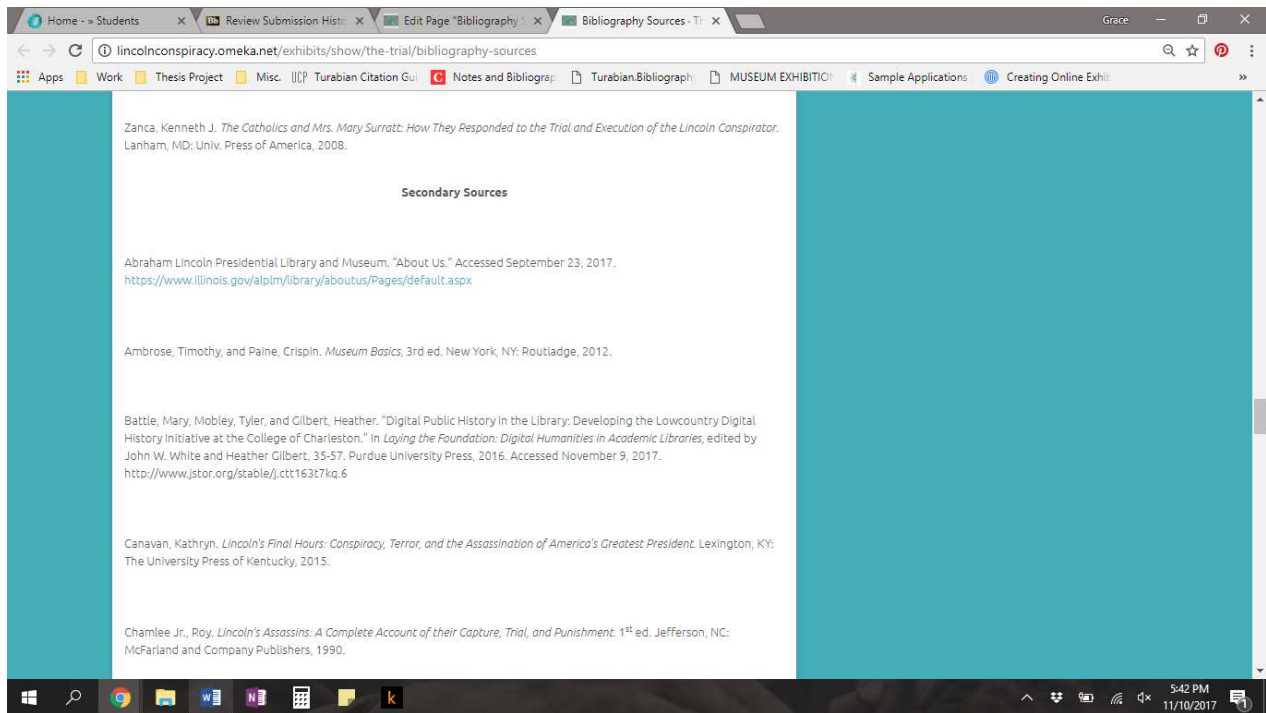


Figure fourty: Bibliography continued

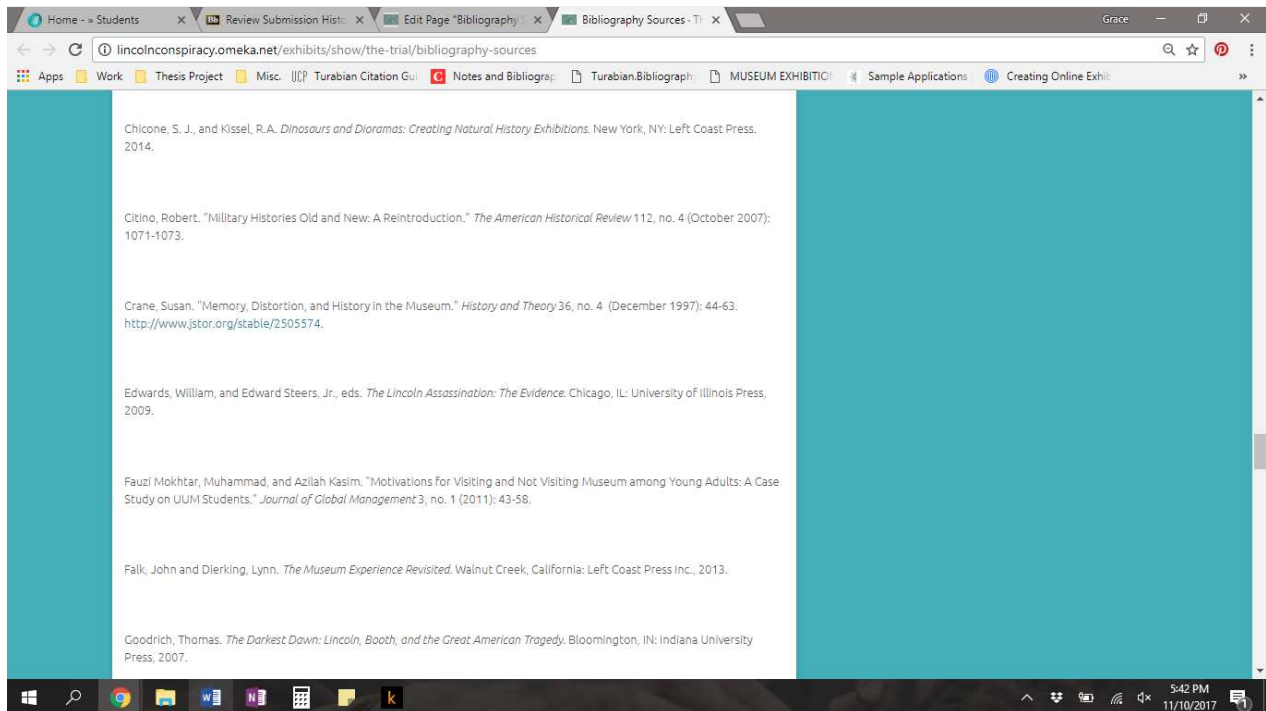


Figure forty: Bibliography continued – Secondary sources

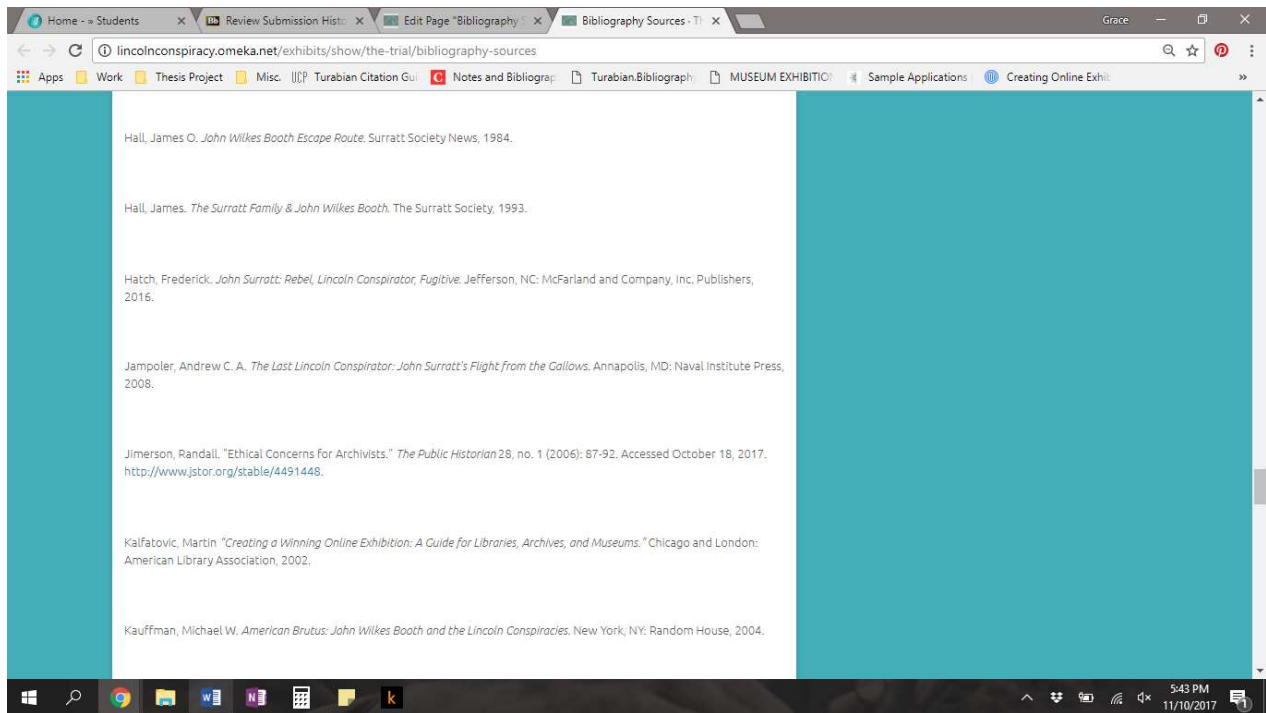


Figure forty-one: Bibliography continued

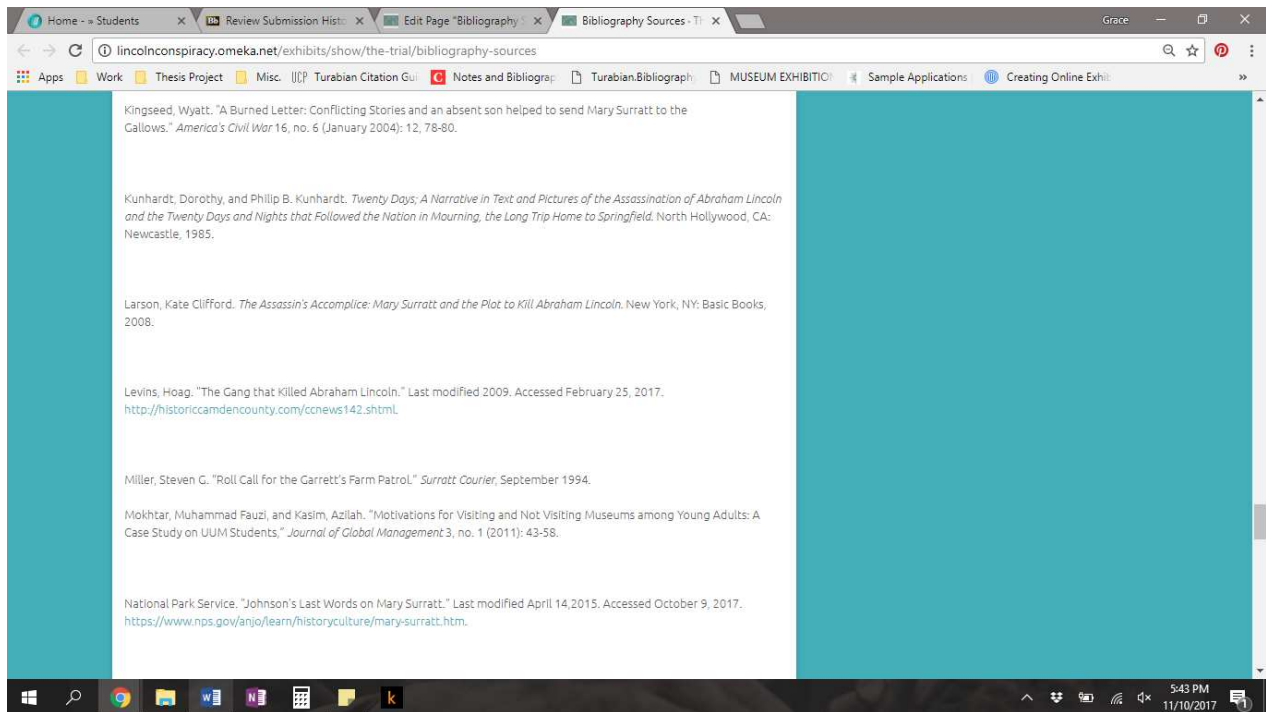


Figure forty-two: Bibliography continued

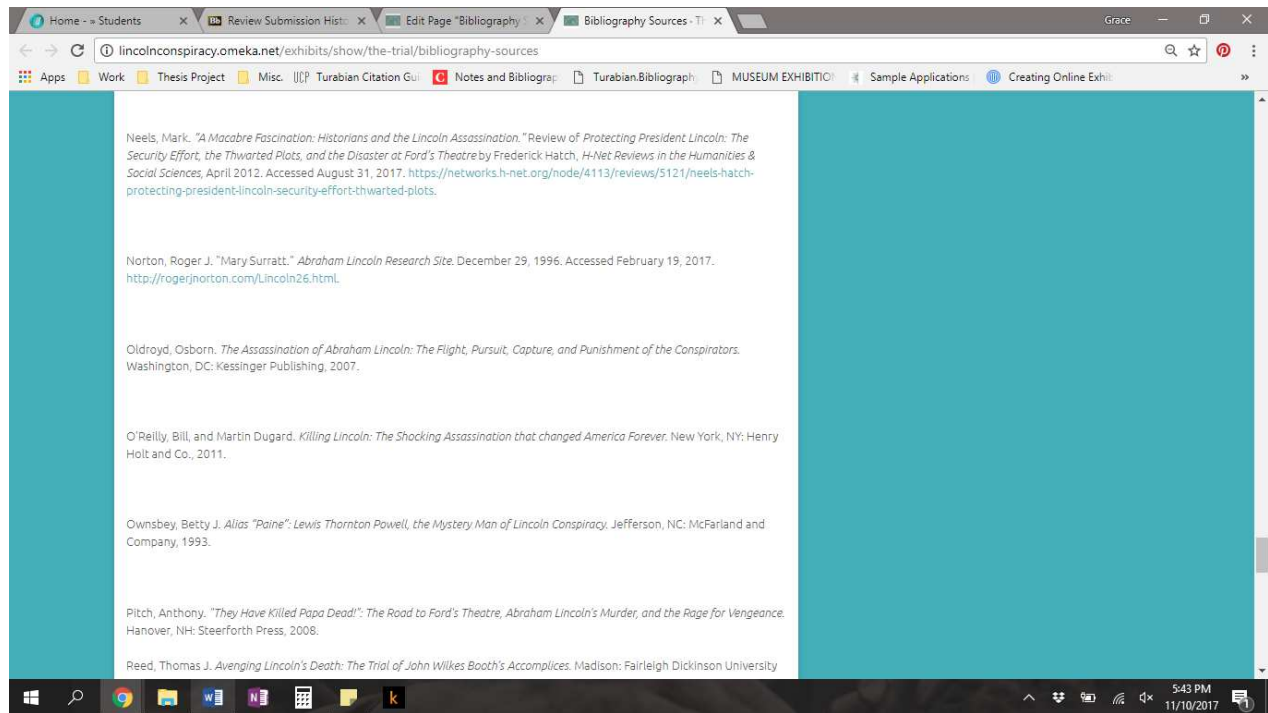


Figure forty-three: Bibliography continued

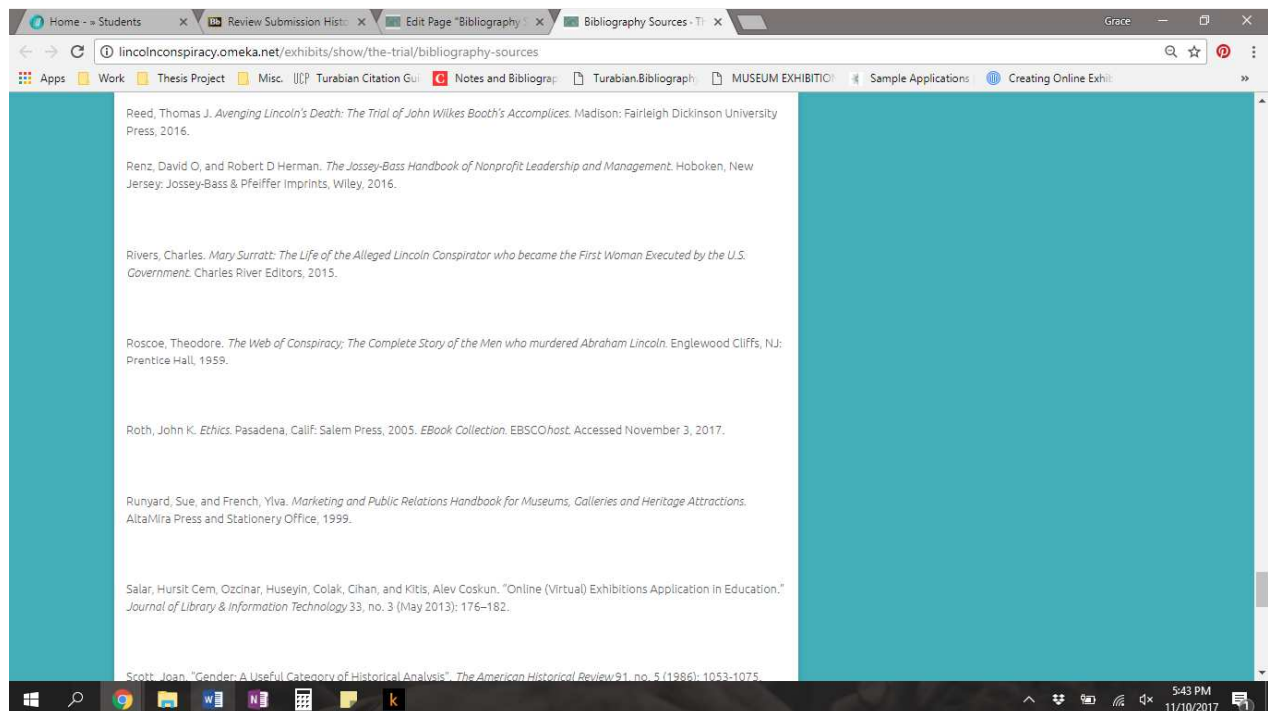


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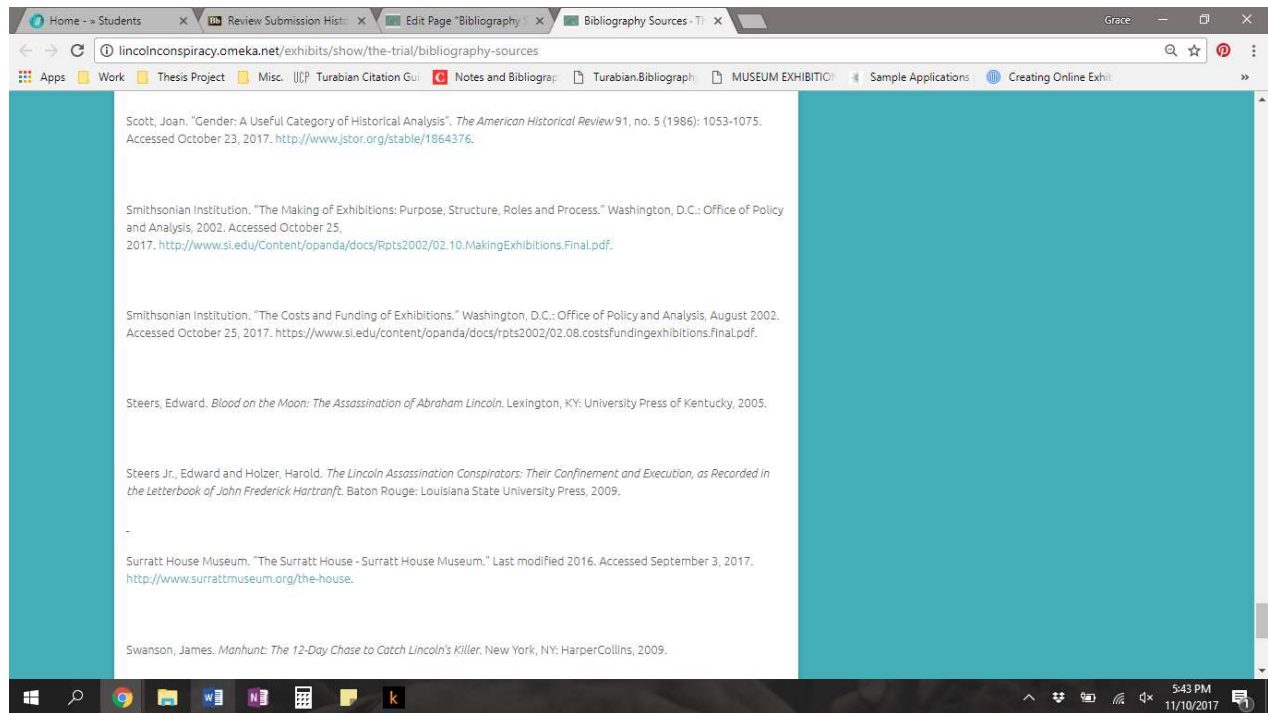


Figure forty five: Bibliography continued

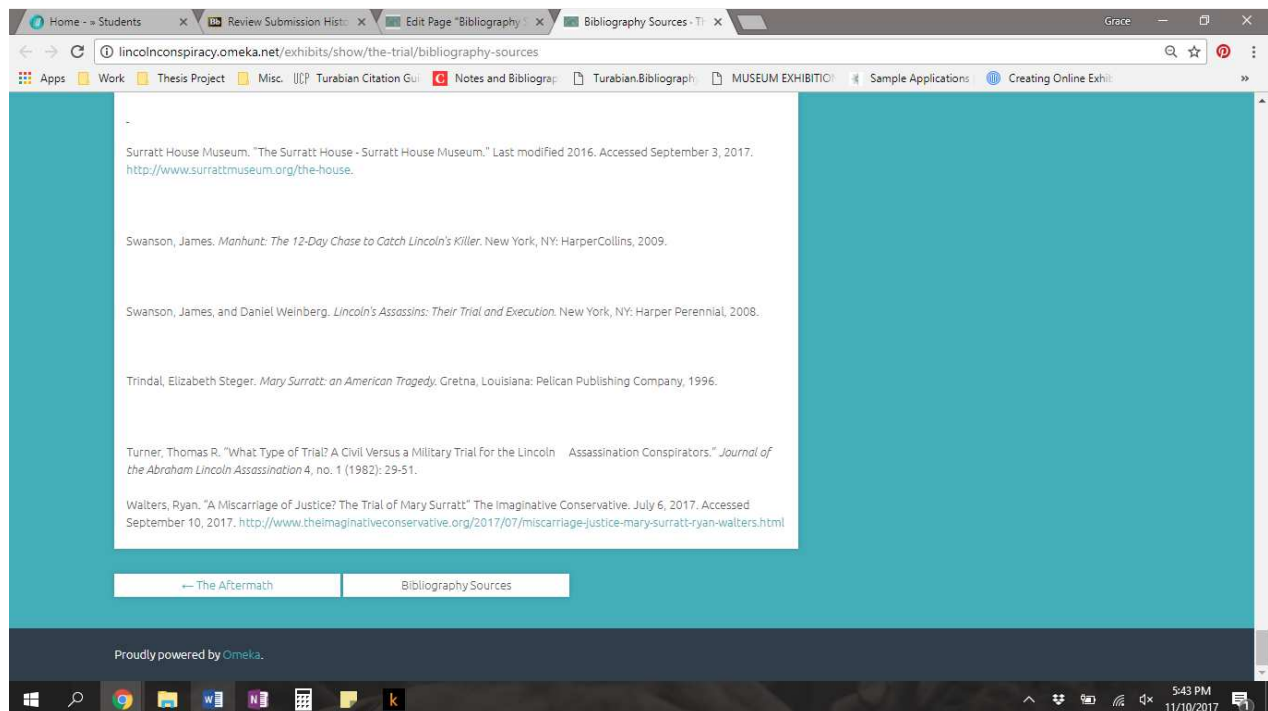


Figure forty six: Bibliography continued

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