

There Was Something About Mary

By PHIL BOESCH

For the first 89 years of this country's existence, no woman was ever executed for any crime. Then along came Mary Surratt.

Mary Surratt and Thomas Jones never knew one another, but they both knew the actor John Wilkes Booth. In downtown Washington, Mary ran a modest boarding house where Booth hung out with Mary's son John and other theater cronies. Thomas Jones lived a day's ride away.

The last anyone heard from Jones, he had a cheap booth on the midway at the 1892 Chicago World's Fair, where he hawked his seedy book about how he helped Booth hide out in the woods after the murder of Abraham Lincoln.

Twenty-seven years after the assassination, Thomas crawled out from under a rock to try to cash in on his brush with infamy. Folks at the World's Fair didn't take kindly to Tom's work. A newspaper column outlined briefly how angry veterans of the Army of the Republic trashed all the books. It seems Thomas didn't die from his beating, but after openly selling his tale as an accessory to the most infamous murder in U.S. history, Thomas Jones did disappear. Laying low suited him best.

At Mary Surratt's boarding house, they didn't like Lincoln much and they spoke their minds freely, as they were permitted to do in these United States. Booth's buddies drank a lot, and made noise about kidnapping the President; and then a few of them changed course and set out instead to kill him, the Vice President and the Secretary of State.

Everyone testified later that Mary had nothing bad to say about the President. Minding her own business, she cleaned house and always had a pot of stew on for her son's friends. The only witness who could recall Mary saying anything was certain she had nothing to do with Booth's plot.

As it unfolded, the killer assigned to Vice President Andrew Johnson got cold feet and ran; Secretary of State Seward and his family were slashed viciously in a bloody knife attack that left two dead and Seward barely alive. At about the same time, at Ford's Theater, hundreds heard a gunshot and then saw John Wilkes Booth leap from the second floor box to the stage below. Outside, Ed Spangler held Booth's horse like he'd been told.

As alarm spread rapidly with the news, Booth galloped south into the night and across the bridge into Maryland. Hours later and far from the city, Booth woke up Dr. Mudd, a country doctor friendly to Southern boys, to set the leg bone Booth broke in his jump to the stage. When the good doctor threw Booth out the next morning, suspecting who he was, the assassin stumbled in the woods upon a local named Thomas Jones. It was Thomas who hid Booth away for the next week, bringing him his daily bread with news of the man-hunt. Then, when the coast was clear, Thomas rowed the killer across the river to Virginia, so he could continue his escape to the south.

But the cavalry wasn't far behind. They got wind of Booth, cornered him in a barn, burned it down and shot him dead for the reward. Before the frenzied hunt for accomplices,



Keeping the Nest Like Mary



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aiders and abettors, Booth's friends scattered. Thomas Jones stayed quiet; John Surratt fled to Europe; his mother Mary stayed at home.

To "aid" is to give any kind of support or information. To "abet" is to encourage. Any assistance makes you an accessory. You can be on the wrong side of the law if you know anything and keep it quiet. The U.S. Criminal Code calls it "guilty knowledge." Aiders and abettors and accessories floated around Lincoln's murder as they do around most big crimes, because we know how difficult it is to move through modern times completely alone.

Eight of Booth's associates were tried and found guilty of conspiracy, including Ed Spangler and Dr. Mudd. Four of the eight were hanged, including Mary Surratt. Denying the court's recommendation of leniency for Mary, President Johnson said simply "she kept the nest that hatched the egg."

President Kennedy was murdered in 1963. They are out there still: accomplices, aiders, abettors and accessories of Lee Harvey Oswald and Jack Ruby, witnesses with guilty knowledge ... many identified by researchers and many not.

So we wait for the next Thomas Jones. He's been hiding under his rock long enough. He can surface without fear of prosecution now. There are no prosecutors with a budget or appetite to take on the Kennedy murder, not in Texas, not anywhere. With any credentials at all behind his story, the modern day Thomas Jones can get an agent or manager or publisher or lawyer, or all of the above, to push a book deal, a TV interview, an infomercial with a DVD. He can appear safely on the web instead of in a booth where the vets can jump him. He can get it out on Amazon, drive traffic to his own site, and sell, sell, sell. And with each copy sold, he can expose, a bit more, the ones who kept the nest for Oswald and Ruby.

Mary's son John ran away to Europe, to leave his mother facing the gallows alone. When they brought John back a few years later to stand trial in a civil court, a hung jury was unable to decide what he knew and when he knew it. They let him go, and so John lived. There was something about Mary. She kept the nest that hatched the egg, and for it, she became the first woman in American history to be executed.

The Boesch Law Group handles business, entertainment and personal litigation matters throughout Southern California. Among its high profile litigation, Mr. Boesch was lead trial counsel for Anna Nicole Smith in obtaining her federal court judgments, including the #1 Judgment in the Nation according to US Law Week. He successfully represented the Wall Street Journal against all major oil companies in the leading federal case on public access to court files; and is the author of three editions of the California Judges' Association's Media Guide on Cameras in the Courtroom.