

**Biographic Sketch of John Surratt, Jr.**

John Surratt was born on April 13, 1844 in the Washington, D. C. district of Congress Heights. Surratt was the youngest child of John and Mary Surratt.

Surratt, who intended to become a priest, enrolled at St. Charles College in Maryland, where he met Louis Weichmann who would become first a good friend, and later his chief nemesis.

Soon after John's father died in August, 1862, Surratt became postmaster of the small Maryland town of Surrattsville, first settled by his family. By 1863, Surratt was working as a Confederate secret agent, carrying messages to Confederate boats on the Potomac River and sending messages about Union troop movements in the Washington area south to Richmond.

**John Surratt's Role in the Conspiracy**

Dr. Samuel Mudd introduced John Surratt to John Wilkes Booth on December 23, 1864 in Washington. Surratt joined the Confederate conspiracy to abduct President Lincoln and participated in the March 15 meeting with other conspirators at Gautier's Restaurant on Pennsylvania Avenue, where plans were laid for a March 17 kidnapping.

On the night of April 14, 1865, Surratt--by his own account--was in Elmira, New York on a spying mission for General Edwin Lee. He fled to Canada upon learning of the President's assassination. He remained in Canada until after his mother's execution on July 7, 1865.

**John Surratt on Trial**

In September, 1865, Surratt crossed the Atlantic, settling first in England, then later in Rome, where he joined the Papal Zouaves. While visiting Alexandria, Egypt in late 1866, Surratt was identified as the wanted Lincoln assassination conspirator and arrested.

Surratt was brought back to the United States for trial in a civilian--not a military--court. The trial began on June 10, 1867. After listening to testimony from 170 witnesses, the trial ended on August 10 with a hung jury. The federal government eventually dropped all charges against Surratt and he was released from custody in the summer of 1868.

**Surratt's Activities After His Trial**

In 1870, Surratt began a much-heralded public lecture tour to discuss the Lincoln conspiracy. In a December 6, 1870 speech at a courthouse in Rockville, Maryland, Surratt admitted his involvement in the scheme to kidnap Lincoln, but denied any knowledge of the assassination plot. Surratt's next announced speech on the tour, scheduled for Washington, was cancelled under pressure from citizens outraged by his attempt to profit from the President's death.

In 1872, Surratt married and took a job at the Baltimore Steam Packett Company. Surratt was the last surviving person with close ties to the Lincoln Conspiracy. He died of pneumonia on April 21, 1916.

 

**Biographic Sketch of Edman Spangler**

Edman Spangler was born in York, Pennsylvania on August 10, 1825. During the Civil War, Spangler worked at Ford's Theatre in Washington as a carpenter and scene shifter. Witnesses described Spangler as "a very good, efficient drudge" who was "harmless" and a "heavy drinker" that lacked "self-respect." He usually slept in the theater. Through his work at Ford's, Spangler met actor John Wilkes Booth. Spangler often tended to Booth's horse when he was at the theatre.

**Edman Spangler's Role in the Conspiracy**

On April 14, the day of Lincoln's assassination, Spangler helped prepare the State Box for the president. He removed a partition separating two boxes, creating a larger one for Lincoln and the other members of his party. While working on the box, Spangler allegedly made derogatory remarks--such as "Damn the President!"--about Lincoln. (On the other hand, a defense witness testified that Spangler smiled and clapped along with other theater workers when the president arrived at Ford's.)

Sometime between nine and ten o'clock, Booth appeared at the rear of the theatre and called for Spangler. Booth asked Spangler to hold his horse. Spangler in turn asked Joseph Burroughs (better known as "Peanuts") to watch Booth's horse. When Peanuts told Spangler that he "had to go in to attend my door," Spangler said he should hold the horse anyway and "if there was any thing wrong to lay the blame on him."

Immediately after the shooting of Lincoln, Spangler hit Jacob Ritterspaugh, another Ford's employee who followed Booth out the rear door and observed him head down an alley on his horse. Ritterspaugh testified that when Spangler slapped him on his mouth he said, "Don't say which way he went." Spangler was convicted almost entirely on the testimony of Ritterspaugh. Defense witnesses were offered to contradict Rittersbaugh's testimony. James Lamb testified that after Booth's exit, when Ritterspaugh returned to the stage, he said, "That was Booth! I'll swear it was Booth!" According to Lamb, Spangler responded by slapping Ritterspaugh and saying, "Shut up. What do you know about that? Hold your tongue." The words attributed to Spangler in Rittersbaugh's testimony would probably constitute aid in furtherance of Booth's escape, while Lamb's version (supported by another defense witness) would probably not be a crime.

Spangler was questioned the day after the authorities, then arrested on April 17 and charged with being an accomplice to Booth.

**Edman Spangler on Trial**

At the 1865 Conspiracy Trial, in addition to the key Rittersbaugh testimony, prosecution witnesses reported seeing Booth on the evening of the assassination, standing at the back door of the theatre and holding his horse and calling for "Ned" Spangler. John Sleichmann, a property man for the theatre, testified that he saw Booth enter the back door of the theatre and ask Spangler, "Ned, you'll help me all you can, won't you?" According to Sleichmann, Spangler replied, "Oh, yes." Joseph Stewart, a theatergoer with a front orchestra street who ran after Booth across the stage yelling, "Stop that man!," testified that he was "satisfied" that Spangler was the person he saw near the rear door who was in a position to block Booth's exit if he had been so inclined. Finally, John Miles, a Ford's employee, testified when he asked Spangler who it was he saw holding Booth's horse before his escape, Spangler replied, "Hush, don't say anything about it."

Spangler's defense attorney, Thomas Ewing, argued that while the prosecution evidence might suggest Spangler agreed to assist

Booth on April 14, it failed to prove that Spangler was aware of Booth's guilty purposes in requesting his assistance.

The Military Commission found Spangler guilty and sentenced him to six years in prison.

Spangler served a year-and-a-half of his sentence at Fort Jefferson in the Dry Tortugas before being pardoned by President Johnson in March, 1869. After his release from prison, Spangler accepted Dr. Samuel Mudd's offer of five acres of farmland near Mudd's home in Maryland. He lived there from 1869 to 1875, when he died.



**Biographic Sketch of Samuel Arnold**

Samuel Arnold was born in Washington D. C. on September 6, 1834. The Arnold family later moved to Baltimore. Arnold attended St. Timothy's Military Academy, where he was a classmate of John Wilkes Booth.

**Samuel Arnold's Role in the Conspiracy**

In the late summer of 1864, Booth recruited Arnold, then unemployed and bored, to join the conspiracy to kidnap Lincoln and take him to Richmond. On March 15, 1865, Arnold met Booth at Gautier's Restaurant in Washington to plan the kidnapping, scheduled for two days later. When Lincoln cancelled plans to attend a play at the Campbell Hospital on March 17, the abduction plans fell through and Arnold returned to Baltimore.

A March 27 letter from Arnold to Booth was discovered by investigators during a search of Booth's hotel room after the assassination. On April 17, authorities arrested Arnold in Old Point Comfort, Virginia, where he worked as a clerk.

**Samuel Arnold on Trial**

In the 1865 Conspiracy Trial, prosecutors introduced Arnold's March 27, 1865 letter to Booth. In his letter, Arnold wrote that "None, no, not one were more in favor of the enterprise than myself." Arnold's attorney, Walter Cox, argued that Arnold "backed out from this insane scheme of capture" and it was "abandoned somewhere about the middle of March." Arnold, he argued, left Washington for Maryland about March 20 and that there "is no evidence that connects" Arnold with the "dreadful conspiracy" of assassination. Cox told the Commission that Arnold's participation in the "mere unacted, still scheme" of abduction was "wholly different from the offense described in the charge."

The Military Commission found Arnold guilty and sentenced him to life in prison. President Andrew Johnson pardoned Arnold on March 1, 1869.

After his release from prison, Arnold wrote a detailed confession of his role in the plot to kidnap Lincoln. His statement was published in Samuel Bland Arnold: Memoirs of a Lincoln Conspirator by Michael W. Kauffman. Arnold died on September 21, 1906 of tuberculosis.

**Letter from Samuel Arnold to John Wilkes Booth, March 27, 1865**

*After John Wilkes Booth shot President Lincoln investigators searched Booth's hotel room in Washington. They discovered in a trunk a letter contained in an envelope marked "Important" and signed with Booth's initials. The letter was from a "friend" named "SAM," presumably Samuel Arnold. The full text of the letter follows:*

Hookstown, Balto. Co.

March 27, 1865

 Dear John: Was business so important that you could not remain in Balto. till I saw you? I came in as soon as I could, but found you had gone to W—n. I called also to see Mike, but learned from his mother he had gone out with you, and had not returned. I concluded, therefore, he had gone with you. How inconsiderate you have been! When I left you, you stated we would not meet in a month or so. Therefore, I made application for employment, an answer to which I shall receive during the week. I told my parents I had ceased with you. Can I, then, under existing circumstances, come as you request? You know full well that the G—t suspicions something is going on there; therefore, the undertaking is becoming more complicated. Why not, for the present, desist, for various reasons, which, if you look into, you can readily see, without my making any mention thereof. You, nor any one, can censure me for my present course. You have been its cause, for how can I now come after telling them I had left you? Suspicion rests upon me now from my whole family, and even parties in the county. I will be compelled to leave home any how, and how soon I care not. None, no not one, were more in favor of the enterprise than myself, and to-day would be there, had you not done as you have—by this I mean, manner of proceeding. I am, as you well know, in need. I am, you may say, in rags, whereas to-day I ought to be well clothed. I do not feel right stalking about with means, and more from appearances a beggar. I feel my dependence; but even all this would and was forgotten, for I was one with you. Time more propitious will arrive yet. Do not act rashly or in haste. I would prefer your first query, “go and see how it will be taken at R----d, and ere long I shall be better prepared to again be with you. I dislike writing,; would sooner verbally make known my views; yet your non-writing causes me thus to proceed.

 Do not in anger peruse this. Weigh all I have said, and, as a rational man and a friend, you can not censure or upbraid my conduct. I sincerely trust this, nor aught else that shall or may occur, will ever be an obstacle to obliterate our former friendship and attachment. Write me to Balto., as I expect to be in about Wednesday or Thursday, or, if you can possibly come on, I will Tuesday meet you, in Balto., at B----. Ever I subscribe myself,

Your friend,

SAM

 

**Biographic Sketch of George Atzerodt**

German-born George Atzerodt immigrated to the United States with his family in 1843, at the age of eight. The family settled in Maryland. Atzerodt eventually opened a carriage repair business in Port Tobacco. An acquaintance in Port Tobacco would later, at Atzerodt's trial, describe him as "a good natured kind of fellow" who was "a notorious coward."

During the Civil War, Atzerodt helped Confederate agents--including John Surratt--cross the Potomac River. Surratt invited Atzerodt to Washington, where he stayed for a time at Mary Surratt's boarding house until he was evicted for drinking alcohol in his room.

**George Atzerodt's Role in the Conspiracy**

Through the Surratt's, Atzerodt met John Wilkes Booth, who persuaded him to participate in his plan to kidnap President Lincoln, and hold him in Virginia in exchange for Confederate POWs. Atzerodt met Booth and other conspirators at Gautier's Restaurant on Pennsylvania Avenue to discuss the President's abduction. In a confession (excluded from trial) given on May 1, 1865 to Maryland Provost Marshal James McPhail, Atzerodt admitted his willingness to join the kidnapping conspiracy.

After the kidnapping plan changed to one of assassination, Booth, according to the prosecution, assigned Atzerodt the job of killing Vice-President Andrew Johnson. On the morning of April 14, Atzerodt (using his own name) checked into room 126 of the Kirkwood House in Washington, the same hotel in which the Vice President was staying. At ten o'clock, when he was supposed to begin making his move against Johnson, Atzerodt was attempting to build up his courage by drinking at the hotel bar. He never got any further, and spent the next several hours wandering aimlessly around the streets of Washington.

Atzerodt had aroused suspicion by asking a bartender about the Vice President's whereabouts. The day after Lincoln's assassination, a hotel employee contacted authorities concerning a "suspicious-looking man" in "a gray coat" who had been seen around the Kirkwood. John Lee, a member of the military police force, visited the hotel on April 15 and conducted a search of Atzerodt's room. The search revealed that the bed had not been slept in the previous night. Lee discovered under a pillow a loaded revolver and, between the sheets and the mattress, a large bowie knife. He also found in Atzerodt's rented room a map of Virginia, three hankerchiefs, and a bank book of John Wilkes Booth.

The search of Atzerodt's room, needless to say, made him in the eyes of authorities a prime conspiracy suspect. Atzerodt's arrest came on April 20 at the home of his cousin, Hartman Richer, in Germantown, Maryland.

**Atzerodt at Trial**

At trial, Atzerodt's attorney, Captain William E. Doster, argued that Atzerodt's cowardice made it unlikely that he played any significant role in the assassination conspiracy. "I intend to show," Doster told the Commission, "that this man is a constitutional coward; that if he had been assigned the duty of assassinating the Vice President, he could never have done it; and that, from his known cowardice, Booth probably did not assign to him any such duty." Doster presented defense witnesses who described Atzerodt as a "notorious coward" and as a man "remarkable for his cowardice."

The prosecution, through its witnesses, showed that Atzerodt had met frequently with Booth in front of the Pennsylvania House in Washington. John Fletcher, an employee of J. Naylor's livery stable testified that on April 14 Atzerodt showed up at the stable with co-defendant David Herold, bringing with them a dark-bay mare. Fletcher testified that at ten o'clock at night (when Atzerodt should have, presumably, been launching his attack on the Vice President), Atzerodt invited him out for a drink at the Union Hotel. Fletcher described Atzerodt as "very excited-looking." He said that Atzerodt told him, "If this thing happens tonight, you will hear of a present."

Another witness told of Atzerodt's late night check-in (after midnight) on the night of Lincoln's assassination at the Pennsylvania House, his leaving again and returning around two, and then his checking out of the hotel between five and six in the morning.

The Commission found Atzerodt guilty and sentenced him to death. After his conviction, Atzerodt offered a confession to Reverend Butler, a minister who came to his cell to offer him comfort. According to Butler, Atzerodt admitted attending a meeting in mid-March to plan the abduction of Lincoln. Atzerodt said he first learned of Booth's plan to assassinate the President less that two hours before the shooting. Atzerodt claimed that Booth wanted David Herold to assassinate Vice President Johnson because, Booth thought, Herold had "more pluck" than he did. Atzerodt said Booth's chosen role for him was to "back up" Herold and "give him more courage."

Atzerodt, along with three other convicted conspirators, was hanged in Washington on July 7, 1865. Atzerodt offered his last words as the trap sprung, "May we all meet in the other world. God take me now."

**The Confession of George Atzerodt**

*The text below is that of a confession made by George A. Atzerodt on May 1, 1865 to Maryland Provost Marshal James McPhail.*

*The confession is was recorded in note form by a detective on McPhail's staff.*

*The confession is jumbled and rather confusing, but what emerges is Atzerodt's admission of willingness to participate in the plan to kidnap Lincoln, but also his insistence that he played no role in the assassination conspiracy. The confession is noteworthy also for its suggestion that Dr. Samuel Mudd played a significant role in the conspiracy. The confession, based on defense attorney W. E. Doster's objection,was not entered into evidence in the military trial.*

James Wood sometimes called Mosby boarded with Mrs. Murray an Irish woman on the corner of 9 & F St. in a three story house, front on the upper end of the P.O. and South End of Patent Office - with basement entrance on the left side going up 9th St. from Avenue. He was a little over six feet, black hair, smooth round face, gray coat black pants, & spring coat mixed with white & gray. Saw him last time on Friday evening about 5 o'ck with Booth. He sent for letters to the post office with James Hall. He was brought from New York. Surratt told me so. He said he had been a prisoner in Balte, near the depot. He was arrested for whipping a negro woman. Mosby was Wood's nick name - did not know him by any other name than mentioned. Gust. Powell now arrested in Old Capitol was one of the party. He went also by name of Gustavus Spencer, Surratt and Spencer came from Richmond, together just after it had fallen.

James Donaldson, a low chunky man about 23 or 24 years of age, small-potted, dark complexion (not very) deep plain black suit; only saw him one time & this was Wednesday previous to the murder, he was having an interview with Booth and told him to meet him on Friday eve & he replied he would and left and went up Penn. Avenue towards the Treasury building. I was under the impression he came on with Booth.

Arnold, O'Laughlen, Surratt, Harold, Booth, and myself met once at a saloon or restaurant on the Aven. bet 13 & 14 St.

The Saml. Thomas registered on the morning of the 15th April at Penn Hotel, I met on my way to hotel, he was an entire Stranger to me. I left the Hotel alone on the morning of 15th of April. A Lieut. in room No. 51 will prove this. Surratt bought a boat from Dick Smoot & James Brawner living about Port Tobacco, for which they paid $300.00 and was to give one hundred Dolls. extra for taking care of it till wanted. Booth told me that Mrs. Surratt went to Surrattsville to get out the guns (Two Carbines) which had been taken to that place by Herold. This was Friday. The carriage was hired at Howard's.

I same a man named Weightman who boarded at Surratt's at Post Office. he told me he had to go down the Country with Mrs. Surratt. This was on Friday, Also.

I am certain Dr. Mudd knew all about it, as Booth sent (as he told me) liquors & provisions for the trip with the President to Richmond, about two weeks before the murder to Dr. Mudd's.

Booth never said until the last night (Friday) that he intended to kill the President.

Herold came to the Kirkwood House, same evening for me to go to see Booth. I went with Herold & saw Booth. He then said he was going to kill the President and Wood , the Secy. of State. I did not believe him. This occurred in the evening about 7 1/2 o'clock. It was dark. I took a room at Kirkwood's. Both Herold & I went to the room left Herold's coat, knife, & pistol in room and never again returned to it. Booth said during the day that the thing had failed and proposed to go to Richmond & open the theatre. I am not certain but I think I stayed one night at Kirkwood's (Thursday) we were to try and get papers to Richmond from Mr. Johnson.

Booth spoke of getting the papers. He would get them out of the Theatre. Wood & Booth were apparently confidential with each other. Plenty of parties in Charles County knew of the kidnapping affair.

One of the men named Charles Yates, knew all about it, he went to Richmond during the winter he was to row the Presdt & party over.

Thos. Holborn was to meet us on the road and help in the kidnapping. Bailey & Barnes knew nothing of the affair unless Booth told Bailey & he told Barnes. Booth had met Bailey on "C" St. with me. I did not meet Booth or any other of the party in Baltimore on or about the 31 of March.

Boyle also killed Capt. Watkins near Annapolis last month, was one of the party, in the conspiracy.

I repeat I never knew anything about the murder.

I was intended to give assistance to the kidnapping. They come to Port Tobacco (Surratt & Booth) several times and brought me to Washington. The pistol given me I sold or received a loan on it Saturday morng after the murder from John Caldwick at Matthews & Wells, Store, High St. Georgetown. The knife I threw away just above Mrs. Canby's boarding house the night of the murder about 11 o'clock when I took my horse to stable. I had the horse out to help to take the President. I did not believe he was going to be killed, although Booth had said so. After I heard of the murder I run about the city like a crazy man.

I have not seen Arnold for some time, but saw O'Laughlen on Thursday evening, on the Avenue at Saloon near U.S. Hotel. He told me he was going to see Booth.

Wood did not go on the street in day time for fear of arrest. When he first came to Washington he boarded at Surratt's. This was in Feby. He (Wood) went with Booth last of February to N. York.

Booth we understood paid the way. I know nothing about Canada. Wood told me he had horses in Virginia. Saml. Arnold and Mike O'Laughlen ought to know where the horses and pistols were bought.

Sam and Mike have a buggy and horse kept at stable in rear of Theatre. Booth had several horses at same place. I think the horses property was in Surratt's name. I sold one of the horses & paid part of the money to Booth and part to Herold, who said he would see Booth about it. The saddle and bridle belonging to Booth is at Penn House, where I left it. I overheard Booth when in conversation with Wood say, That he visited a chambermaid at Seward's House & that she was pretty. He said he had a great mind to give her his diamond pin. Herold talked about powders & medicines on Friday night at Mrs. Condby's. Wood, Herold, Booth, and myself were present. This was a meeting place because Wood could not go out for fear of arrest.

Kate Thompson or Kate Brown, as she was known by both names, put up at National & was well known at Penn House. She knew all about the affair. Surratt went to Richd with her last March and Gust. Howell made a trip with her to same place. This woman is about twenty yrs of age, good looking and well dressed. Black hair and eyes, round face from South Carolina & a widow.

I did not see Surratt for seven or eight days before the murder nor have I seen him since.

Miss Thompson or Brown had two large light trunks, one much larger than the other. Young Weightman at Surratts' ought to know about this woman. This remark made by me in Baltimore on the 31 of March alluded to blockade running & privateering altogether & Booth said he had money to buy a steamer & wanted me to go in it.

I was to be one of them. In this way I was going to make a pile of money.

Booth said he had met a party in N. York who would get the Prest. certain. They were going to mine the end of the pres. House, near the War Dept. They knew an entrance to accomplish it through. Spoke about getting friends of the Presdt. to get up an entertainment & they would mix it in, have a serenade & thus get at the Presdt. & party.

These were understood to be projects.

Booth said if he did not get him quick the N. York crowd would. Booth knew the New York party apparently be a sign. He saw Booth give some kind of sign to two parties on the Avenue who he said were from New York. My Uncle Mr. Richter and family in Monty. Co. Md. knew nothing about the affair either before or after the occurrence & never suspected me of any thing wrong as I was in the habit of visiting and working in the neighborhood & staying with him. My father formerly owned part of the property now owned by Richter. Finis.



**Biographic Sketch of Dr. Samuel Mudd**

The conviction of Dr. Samuel Mudd proved to be--along with the death sentence for Mary Surratt--the most controversial action of the Military Commission that tried the Lincoln assassination conspirators. Critics suggested that Dr. Mudd was but a country doctor, in the wrong place at the wrong time, doing what doctors are trained to do: treat patients--in Mudd's case, a man who had just killed the President. An examination of the evidence makes clear, however, that Mudd lied to the Commission and concealed his knowledge of the conspiracy.

The son of a large plantation owner, Samuel Mudd attended Georgetown College, then graduated from the University of Maryland, where he studied medicine. Mudd married and set up practice on a farm five miles from Bryantown, Maryland.

Mudd, an advocate of slavery, supported the Confederacy during the Civil War. He often expressed his dislike--even hatred--for Lincoln and his policies.

**Dr. Samuel Mudd's Role in the Conspiracy**

About four o'clock on the morning following the Lincoln assassination two men on horseback arrived at the Mudd farm near Bryantown. The men, it turned out, were John Wilkes Booth--in severe pain with a badly fractured leg that he received from his fall to the stage after shooting the President--and David Herold. Mudd welcomed the men into his house, first placing Booth on his sofa, then later carrying him upstairs to a bed where he dressed the limb.

After daybreak, Mudd made arrangements with a nearby carpenter to construct a pair of crutches for Booth and tried, unsuccessfully, to secure a carriage for his two visitors. Booth (after having shaved off his moustache in Mudd's home) and Herold left later on the fifteenth, after Mudd pointed the route to their next destination, Parson Wilmer's.

When a military investigator tracking Booth's escape route, Lt. Alexander Lovett, reached Mudd's home on April 18, Mudd claimed that the man whose leg he fixed "was a stranger to him."

Lovett returned to the Mudd home three days later to conduct a search of Mudd's home. When Lovett told of his intentions, Mudd's wife, Sarah, brought down from upstairs a boot that had been cut off the visitor's leg three days earlier [see above photo]. Lovett turned down the top of the left-foot riding boot and "saw the name J Wilkes written in it." Mudd told Lovett that he had not noticed the writing. Shown a photo of Booth, Mudd still claimed not to recognize him.

**Dr. Samuel Mudd on Trial**

Much of the prosecution testimony concerning Samuel Mudd related to his relationship with Booth and other conspirators prior to the assassination. Several witnesses testified that they saw Mudd with John Wilkes Booth on November 13, 1864 in Maryland. Mudd helped Booth buy a horse from a nearby horsetrader. Mudd and Booth met again--most likely several times--after their initial visit. On December 23, Louis Weichmann was walking with John Surratt near the National Hotel in Washington when Mudd, walking with Booth, called out "Surratt! Surratt!" According to Weichmann, the three men later excused themselves for private conversation over what was claimed to be Booth's interest in purchasing real estate in Maryland.

Attorney Marcus Norton testified that in March, when he was in Washington to argue a case before the Supreme Court, a man he now recognized as Mudd excitedly burst into his room at the National Hotel. He apologized for his entry, saying that he thought the room belonged to a man named "Booth"--who actually had rented the room directly above Norton's.

Numerous witnesses told of John Surratt and other alleged conspirators visiting Mudd's farm--in Surratt's case, "dozens of times"--in the months before the assassination.

A minister, William Evans, testified that he saw Mudd go into the home of Mary Surratt in early March of 1865. Evans also said he saw Booth with a man closely resembling David Herold at that time.

The evidence concerning Booth's prior dealings with Booth strongly suggested, of course, that Mudd lied to investigators when he denied having recognized Booth when he treated his broken leg on April 15. Alexander Lovett told the Commission that Mudd appeared suspicious from the start of his investigation: "When we first asked Dr. Mudd whether two strangers had been there, he seemed very much excited, and got pale as a sheet of paper and blue about his lips, like a man frightened at something he had done."

Mudd had a hard time explaining how he could have failed to recognize Booth on the early morning of April 15--or how, after a series of many interviews with investigators, he would come to admit "on reflection" that Booth was the man he had spent hours with the previous November. His attorneys tried to show that the only prior encounter with Booth had been the one in November and that all other later meetings were fabrications of prosecution witnesses. Mudd's defense attorney, Thomas Ewing, also had difficulty explaining why, after word of Booth's role in the assassination reached Bryantown, Mudd's suspicions were not overly aroused by a broken-legged visitor who, during his brief stay the Mudd farm, shaved off his moustache.

Prosecutors confronted Mudd with statements he allegedly made about Lincoln and the federal government. Daniel Thomas testified that he heard Mudd state in early 1865--whether jokingly or not, he couldn't tell--that "the President, Cabinet, and other Union men" would "be killed in six or seven weeks." (The defense countered with a witness who suggested that Thomas's testimony was false and that he hoped to collect part of the $10,000 reward that would follow Mudd's conviction. According to the defense witness, Thomas "never tells the truth if a lie will answer his purpose better.") Mary Simms, a former slave of Mudd's, testified that during the War Mudd complained that Lincoln "stole [into office] at night, dressed in women's clothes" and if "he had come in right, they would have killed him." Another slave, Milo Gardiner, testified that he overheard a friend of Mudd's, Benjamin Gardiner, tell Mudd that "Lincoln was a goddamned old son of a bitch and ought have been dead long ago" and that Mudd replied "that was much of his mind."

Prosecutors also sought to show--although it stretched the bounds of relevance--that Mudd treated his slaves harshly. A witness testified that Mudd shot one of his slaves, Elzee Eglent, in the leg, when he refused to do something for him and that Mudd sometimes threatened to "send his slaves to Richmond." The defense countered with a former slave who said Mudd "treated me first-rate."

Defense Attorney Thomas Ewing argued to the Commission that it is no crime to fix a broken leg, even if it were the leg of a presidential assassin and even if the doctor knew it was the leg of a presidential assassin. Ewing argued that the prosecution must prove more: that Mudd actually furthered the conspiracy in some way. Prosecutors responded by arguing that the evidence showed more than the defense admitted. They contended that Mudd furthered the conspiracy by, for example, pointing out to Herold the route that he and Booth should take upon leaving his farm.

The Military Commission convicted Mudd and sentenced him to life in prison. His life was spared by a single vote.

While enroute to the federal prison in the Dry Tortugas, Florida, Mudd confessed to his military escort, George Dutton, that "he knew Booth when he came to the house with Herold." According to Dutton, Mudd said he lied "to protect himself and his family." He also confessed to having come to Washington in March to meet with Booth at the National Hotel.

George Atzerodt, in a confession offered shortly before his execution, saw Mudd as playing a significant role in the original plan to kidnap the President and take him to Richmond. "I am certain Dr. Mudd knew all about it," Atzerodt said. "Booth sent liquors and provisions for the trip with the President to Richmond about two weeks before the murder to Dr. Mudd's."

In 1867, an outbreak of yellow fever overtook the Dry Tortugas, claiming the lives of fellow conspirator and inmate Michael O'Lauglin, as well as the prison doctor. Mudd assumed the role as the new prison doctor.

President Andrew Johnson pardoned Mudd shortly before he left office in March, 1869. Mudd returned to Maryland. Mudd died of pneumonia in in 1883.