

‘Call to RESET’ ep. 3 March 14<sup>th</sup>, 2021  
*“The Law is Silent”*

By Dahni © 2021, all rights reserved

Happy Spring Forward Day! Yes, it is Daylight Saving Time Day. If you lost an hour of sleep due to the time change, look at it this way— You are one hour closer to the beginning of spring, six days from today!

So here we go again, another freaking history lesson, again? History is important as it shows us where we are. We live in the present. We do not live in the past, but we need to know who WE are and where WE came from.

Now I may read all or most of what follows, but I wrote it or I will quote it. It is important to me to get this information correct and to you. Maybe I will somehow include some post-podcast show notes (a transcript), for you to reference later?

Remember the riots in major cities and especially NY City from last time in episode 2? It was a direct, but likely an unintended consequence from the Conscription Act. Which by the way, the Congress wrote and the president signed. It became quite clear that not only was the conflict with the southern states, but the northern states as well. The Conscription Act took over the states and placed it under the control of the military (martial law). So did the Lieber Code – rules of engagement and occupation of an invading country (the U.S.A.), into another country (the U.S.A.).

If it weren’t for the movie ‘Gangs of NY’, I may never have discovered the truth about those times and how worse it was, than the movie showed. I am a visual learner, but words spoken can paint pictures and our imagination can fill in the details. But why were we never taught these things in school? I never was. People are people and this beloved city then and now was almost nearly destroyed not from without, but from within. An articulate poet living there at the time awoke to a city, smoldering with smoke and ash and could only write three words—

**“Black, Black, Black!”**

Note: On the podcast today, I incorrectly attributed these words to Henry David Thoreau, but he died in 1862. The poet could have been Walt Whitman, but I cannot source this. I apologize for the error.

When peace was restored, people did not want to remember or be reminded of THEIR evils, the evils of THEIR own doing. It is very similar today in tearing down statues, ‘cancel culture’ and trying to remove history too painful and too evil for a civilized society?

Well, Lee surrendered and that took the fire out of the Confederacy. Then President Lincoln was assassinated. Then, the conspirators were captured, and John Wilkes Booth was killed. Washington D.C. was in crisis mode. Now remember, the entire country was still under martial law, under military control.

The Conscription Act had not been canceled, only the draft was ended. The Lieber Code was still in effect, no peace treaty was ever signed and no president (commander and chief), has ever canceled it!

Then came the trial of the conspirators. Then entered Mary Surratt, Mrs. Mary Elizabeth Jenkins Surratt. She was the mother of John Surratt and Anna Surratt. Her son John, was a southern secessionist, a spy and in hiding, being implemented and wanted in the conspiracy, to assassinate President Lincoln.

Today's episode is brought to you by, a new concept in watching another movie, 'The Conspirator' directed by Robert Redford. I do not know how accurate this movie is or how much it was embellished or how many artistic licenses were employed, just to make it interesting to watch? Those, I have no time for or interest in researching to prove or disprove. But I am interested in facts.

#### And the Facts Are:

1. Mary Surratt ran a boarding house where she and her daughter Anna lived, her son John stayed when he was in town, and boarders included several conspirators and among them, John Wilkes Booth, the actor that pulled the trigger, shot and killed, the first president, ever assassinated in the U.S.A.
2. Mary Surratt was a widow and she kept a boarding house. She was a Roman Catholic and she went to church every day. She was a mother that attended to her 20-year-old son John, as best as she could. She was a mother of a single daughter that I am reasonably confident that she would have wanted to see her daughter married or provided for.
3. Mary Surratt was arrested, charged with conspiracy and remained in a military prison until tried.
4. Then President Andrew Johnson signed an order that a military tribunal and not a civil court of law would try the conspirators.
5. The U.S. Attorney General, defended the President's order amidst concerns that it should have been a civil trial.
6. Johnson's order and the Attorney General's defense of it were unnecessary, as the acts of President Lincoln and specifically the Conscription Act and the Lieber Code, were still in force and effect, having NEVER been cancelled. To this day, they have neither, never, ever been cancelled, only the draft. WE were all born under martial law and we are still under martial law (military control by the Commander and Chief, the President of, the U.S.A.)!
7. Whether Mary Surratt was arrested and imprisoned for her part in the conspiracy or to force or to induce her son John to come out of hiding and turn himself in, in defense of his mother, may never be fully known?
8. None of the conspirators including Mary Surratt), were ever allowed to speak. Only their defense counselors could speak on their behalf. This is not ordinary in a civil trial! The choice to speak was never given!

9. Mary Surratt's defense attorney argued that the burden of proof was upon the prosecution. Neither the presumption of innocence nor evidence "beyond a reasonable doubt" was ever provided by the prosecution. Only circumstantial evidence was given less than required to convict, under any normal military or civil trial.
10. The prosecution even admitted that evidence against Mary Surratt was circumstantial and NOT— beyond a reasonable doubt, but he argued for her conviction anyway.
11. Mary Surratt was convicted, for her part in the conspiracy, to assassinate the president.
12. Mary Surratt's attorney, Fredrick Aiken sought and obtained a writ of habeas corpus (produce the body), before a civil court for trial.
13. President Andrew Johnson denied this writ of habeas corpus.
14. All those tried and convicted were to be executed, including Mary Surratt.
15. Many people wanted Mary Surratt a woman and whose part in the conspiracy perceived as less evil and less vile wanted her imprisoned for life and that execution was too extreme.
16. President Andrew Johnson denied any stay of execution for Mary Surratt and in signing her death warrant declared: she, Mary Surratt, "***Kept the nest,***" he said, ***that hatched the egg.***"
17. Mary Surratt always maintained her innocence. Was she innocent or was she guilty? I do not know.
18. Mary Surratt at age 42, was the first woman ever executed by, the United States government.
19. Mary Surratt's daughter Anna petitioned President Johnson for her mother's body to be exhumed from the prison yard and moved for proper burial by her family. The petition was granted, but only after about a month later.

Now I am going to do 'show and tell' about a very graphic and rare photograph. It is a picture of the death warrant for David Herold, Lewis Powel, Mary Surratt, and George Azterodt being read aloud by General John F. Hartranft, before witnesses and the condemned to death, just before they were hung.

Mary Surratt and the three others were hung on a very hot and humid day (reported to be 92<sup>o+</sup>, July 7<sup>th</sup>, 1865, at approximately 1:30 P.M. They were led to gallows at 1:15 and climbed the stairs, seated and then waited for the sentence to be read.

Mary Surratt wore a black full-length longed sleeve dress, a black bonnet and a black veil over her face. As she approached the foot of the stairs she either started to faint or fall because of the heat or at the sight of the gallows? But two soldiers, one on either side helped her to climb the stairs and seat her. She was afforded the first position on her right of the gallows. It was thought the right side and first chair was more respectful than the others, but really, what difference did it make, they were all to die anyway? Someone stood behind her and held an umbrella to shield her from the hot sun.

After reading the sentence, the prisoners were made to stand. Their arms were tied behind their backs. Their legs and ankles were tied. Hoods were placed over their heads.

The nooses were tightened around their necks. They stood at the drop for 10 seconds. The captain clapped his hands and four soldiers removed the supports, the condemned fell and their bodies swung for 25 minutes, before they were cut down.

*“She [Mary Surratt] was cut down and placed in a square wooden box or coffin, in the clothes in which she died...the rope made a clean cut around her neck fully an inch in diameter, which was black and discolored with bruised blood. The cap was not taken off her face, and she was laid in the coffin with it on, and thus passed from the earth Mary E. Surratt...”*

excerpt from: ‘The Trial of the Assassins and Conspirators’, by T. B. Peterson & Brothers



Close-up: The death warrant for the four is being read aloud by General John F. Hartranft

<https://rarehistoricalphotos.com/execution-lincoln-conspirators-1865/>

And now comes the title for this, ep. 3— “The Law is Silent!”

Whether or not the prosecutor of this conspiracy trial quoted this abbreviation or the full phrase to follow, to Mary Surratt’s attorney, Fredrick Aiken, I may never know and it matters not. But watching this movie, ‘The Conspirator’, the term, “The Law is Silent,” will forever be seared in my memory. It is the abbreviation of a Latin term. I will do my best to pronounce it.

## Inter Arma Enim Silent Leges

Inter.Arma a=nim Silent Leh-gis – US translation 1

Inter.Arma eh=nim Silent Lee-gees – US translation 2

Then there is yet another pronunciation from the UK (United Kingdom)

Pronounce words with authority. Latin is almost a dead language anyway, but its meaning is—

### ***“In times of war the law falls silent”***

What war? The Civil War? Did Congress ever declare a war? War against what country by what country? I thought Robert E. Lee had surrendered and this took the fire out of the Confederacy?

“In times of War,” are the “Extraordinary occasions” of our Constitution. “In times of War,” the ordinary occasions are suspended. Civil law is under military control. We were each born under martial law and we are still today, under martial law (under military control). And why is this so? Because none have EVER cancelled the Acts of President Abraham Lincoln, from 1860-1863, 1864, after his assassination in 1865 or ever since to the present day, time and hour, in 2021!

Before closing this out, I want you to know two things:

1. Everything about our Constitution is, about limits! These limits are to limit our government from interfering with your Life, Liberty, and your Pursuit of Happiness. The servants in the government of the People, by the People and for the People are, bound to the Constitution to protect, preserve and defend the rights of the people that have authored and ordained the Constitution! Even war is limited! Just like it cannot rain every day or the sun cannot shine on us every day, war is limited! But from 1860-2021, in essence, the so-called Civil War has never seemed to end. This does not seem limited to me! What is going on? ***“The Law is Silent, in Times of War!”***
2. The idea of, “In times of War the Law is Silent,” is just one of four things which are connected to each other. This is a mathematical axiom (accepted as true).

***Things = to the same things are = equal to each other***

Next time in ep. 4, we will explore—

***“The Law of Emergency!”***

Until we meet again, have a wonderful day! Hope is coming! Our ‘Call to RESET’ is at hand!

Dahni  
1 of WE



‘Call to RESET’ ep. 3 March 14<sup>th</sup>, 2021—“The Law is Silent”  
By Dahni © 2021, all rights reserved