

Author's Note



The opening scene in this novel—the deathbed statement of John Bingham about the mysterious midtrial disclosure of Mrs. Mary Surratt—is drawn from *Bingham of the Hills*, a largely unread 1989 biography of Bingham by Erving E. Beauregard. Beauregard describes the scene in a single paragraph and attributes it to a family story related to him by the grandson of Bingham’s physician. I came upon the passage while researching a book about the Andrew Johnson impeachment trial (*Impeached*); it stuck in my mind for several years and would not be dislodged. I read widely about the Booth conspiracy and became dissatisfied with the standard portrayal of Booth as the crazed, vindictive assassin. The conspiracy was too big to fit in that frame. Because the provenance for Bingham’s deathbed scene is by no means sturdy, and because Bingham never disclosed what Mrs. Surratt told him, a fictional treatment allowed me the freedom to explore the Booth conspiracy in the speculative fashion warranted by the known facts.

The character of Jamie Fraser is inspired by the physician who attended John Bingham but is an entirely fictional charac-

ter. Speed Cook also is inspired by an actual person: Moses Fleetwood Walker, who came from Steubenville, Ohio, and was the last black man to play in the big leagues until Jackie Robinson officially broke the color barrier. More about Walker is in David Zang's book, *Fleet Walker's Divided Heart: The Life of Baseball's First Black Major Leaguer*. The various Surratts and Booths portrayed in the book, along with Bessie Hale and the widows of Lafayette Foster and Ulysses Grant, all were alive in 1900, when Cook and Fraser set off to unravel the secrets of the Booth conspiracy—all, that is, but the fetching Eliza, John Wilkes Booth's illegitimate daughter. Although it is entirely plausible that Booth sired a child out of wedlock, and although a courtesan named Nelly Starr did attempt to kill herself after the Lincoln assassination, Eliza is an entirely fictional character. Also, Lafayette Foster *was* second in line for the presidency in April 1865, a fact that seems to have interested virtually no one over the years. Until now, that is.

I am grateful to a number of people for helping this novel along, beginning with my extraordinary agent, Will Lippincott, who supported me on this departure from my previously beaten path. I am most fortunate that John Scognamiglio, my editor at Kensington, saw some potential in this book and has been an insightful reader. I also thank the early readers who have helped improve all of my books, and did so again: Solveig Eggerz, Joye Shepperd, Catherine Flanagan, Phil Harvey, Robert Gibson, Frank Joseph, Kathy Lorr, Leslie Rollins, Susan Clark, Tom Glenn, Alice Leaderman, and Linda Morefield.

I have heard it said that when a man writes a book, his principal purpose is usually to impress some woman. For me, it's always the same woman—my wife, Nancy. She says she likes this one. I hope so.

Chapter 1



“I’ve been recalling Mrs. Surratt,” the old man said. “A perfect she-lion, she was.” His blue eyes glinted briefly, then faded to a vague, watery look.

Leaning over the bed, Dr. Jamie Fraser placed his stethoscope against the old man’s narrow chest. The heartbeat was feathery. Fluid rasped in the lungs. Always slender, John Bingham seemed to have shrunk further. Nothing in particular was killing the most distinguished man ever produced by Cadiz, Ohio. After eighty-five years of life, he was wearing out. In 1900, not many in eastern Ohio lived long enough to wear out. Bingham had been tougher than he looked. Emma Bingham, who shared the big house on Main Street with her father, hovered on the other side of the bed.

“Mrs. Surratt?” the doctor ventured. “She was the one involved in killing Lincoln?”

The old man shook his head slightly. “Jamie,” he breathed. “Someday you must learn about the world around you. It was the greatest crime of our age. It ranks with the murder of Julius Caesar.”

“Of course you’re right, sir, but as soon as I sit down with a worthy book or magazine, I inevitably receive a message that some thoughtless creature like Mrs. McDade over in Hopedale has gone into labor, and off I go.”

“Or some old duffer like me takes his own sweet time about dying.”

“Rest, sir,” Fraser said in his warmest professional tone, “that’s what you need. Spring is coming, though there’s not much feel of the season out there. By the time the tulips are up, you’ll be back out on your front porch, admiring the butterflies and greeting your friends.”

“That’s a poor lie,” the old man said, “to a man who soon will meet his maker.” He turned his eyes back to the doctor. “There’s no risk I’ll meet Mrs. Surratt.”

Fraser dropped into the chair on his side of the sickbed. “They hanged her, didn’t they? Was there any injustice in it?”

Bingham showed a trace of a smile. “Barely the beginning of justice.” He stirred and frowned. “Can my head be higher?”

Emma stacked pillows and bolsters behind him, her narrow face yellow in the kerosene light. Fraser preferred the brightness of his new gaslights, but the old man probably couldn’t afford the innovation. Mr. Bingham’s treasures from Japan had long since vanished, sold to support his two daughters and grandson. When the patient leaned back on the imposing structure of supporting cushions, his head was nearly upright. He asked for a cup of broth. Expelling a quick breath that might have been exasperation, Emma left.

“There was a week that summer,” he began, “a hellish one. We had in hand the verdicts for all eight of those wretches in Booth’s conspiracy. But the judgments, you see, couldn’t be announced until President Johnson approved them.” He coughed shallowly and closed his eyes. After a small sigh, he resumed, his eyes bright again. “It was hot. Washington is the veriest in-

ferno in summer. That prison held the heat perfectly, like sitting inside a brick oven.

“I was called to Mrs. Surratt’s chamber, a complaint of her daughter. After hearing the girl out—she was rather hysterical, a pale whelp of the original she-lion—I informed her I couldn’t help. It was something about food, nothing to do with me as prosecutor.”

Fraser nodded, pleased by Bingham’s sudden energy and the subject of his conversation. Bingham rarely talked about his public career. He preferred to inquire about other people’s business or to hold forth on current affairs. Fraser knew the basics about the old gentleman that everyone in Cadiz knew. He had prosecuted the Lincoln conspirators, securing convictions of all eight and death sentences for four. He wrote the Fourteenth Amendment to the Constitution, led the effort to impeach President Andrew Johnson, and for twelve years was the U.S. Ambassador to Japan. Fraser wished he knew more about the Lincoln case.

The old man picked up his story. “Mrs. Surratt sat there, perfectly composed in that heat, monstrous in her lack of remorse. All that was missing were snakes sprouting from her head. She told the daughter to leave us. ‘Mr. Bingham,’ said she, ‘the verdicts are in, are they not?’ I assured her I could make no statement on the matter. ‘We are to be hanged,’ she said, ‘are we not?’ Again, I said I could say nothing. ‘I don’t think that very Christian of you,’ she went on. ‘I suppose we will be told soon enough.’ ”

Bingham paused, his eyes straying into the middle distance. He shifted toward Fraser. “Then began the most remarkable exchange.” The old man shook his head. “What she told me. You must understand, I was no babe in arms. I was in Congress during vicious times before the war. As Judge Advocate General, I prosecuted our disloyal men. I knew the horrors of the bloodiest war man has fought, of the horrors of which the

human spirit is capable. And yet that woman unsettled my very soul.

“Afterward, I went to Stanton.” Fraser knew about Edwin Stanton, from nearby Steubenville, who had been Lincoln’s rock, the redoubtable Secretary of War. “I never saw that great good man so vexed as when I related Mrs. Surratt’s confession.” Bingham’s eyes drifted again to the far wall. The memory seemed to seize his entire attention.

“Finally, we agreed,” Bingham added slowly. “Her confession was too . . . terrible. To reveal it would be to risk the survival of the republic.”

Fraser wasn’t sure he heard correctly. “Sir, the survival of the republic?” He used a coaxing tone. What could Bingham mean? What secret part of the assassination plot, what beyond the murder of the martyr-president had held the power to destroy the nation?

Bingham’s eyelids slowly descended. His jaw went slack. He sagged back onto the massed pillows and his breath became shallow. Disappointed that the story had petered out, Fraser reminded himself that sleep was good for Mr. Bingham.

With a clatter, Emma placed a tray on a nearby table. Her father didn’t stir. Fraser placed his stethoscope in his black bag and rose to leave.

The next evening, Emma met the doctor at the door with a fretful look. As Fraser peeled off his coat, damp from a punishing sleet, she explained that her father slept much of the day, taking only a piece of dry toast and some water. Reverend McGregor from United Presbyterian had stopped in, but the old man had not known him. Fraser took her hands. “Let me have a look,” he said quietly. She led him into the sickroom.

The weak blue eyes opened when he called the old man’s name.

“Hello, Jamie,” he said. “Nice to see you.” With a quick move-

ment, Emma placed a balled-up handkerchief to her mouth. She sat again on the hard chair across the bed from the doctor. “Dear child,” Bingham said to her, “our Savior will watch over me. And I have no pain.”

“Will you have tea, Father? Some toast?”

“If I must.”

Emma smiled and patted his arm. “I’ll get them while Jamie keeps you company.”

As she left, Fraser drew his stethoscope from his black bag.

“Must you?” Bingham asked.

“It is,” Fraser answered, “what I am supposed to do.”

“Emma’s idea is better. Keep me company. How did Mrs. McDade fare?”

Fraser reported the delivery of a new daughter to the McDades of Hopedale. For the last year, births had not been entirely happy events for the doctor. His mind always returned to the death of his wife, Ginny, in their own house. Grieving for their little son, who lay cold and still in his arms, he had been slow to notice Ginny’s weakening, her bleeding mostly internal. Her life slipped away while he—her physician-husband—feverishly applied packing and douches to no good end. He had sent the midwife for old Doc Marcotte, but it was too late. He lost them both. Fraser still gave thanks to God for every birth, but he could never suppress his resentment over the careless way He took Ginny and his baby.

The catastrophe strengthened Fraser’s tie with Bingham. The old man took the new widower in hand. For two days, he shielded Fraser from the well-meaning people who came to call. Then Bingham made him wash and shave, dress decently, and face the world. Combining stern words with a vibrant sympathy that dwelt in those deep-set eyes, the old man brought Fraser back from the darkness.

Not all the way back, though. Part of Jamie remained in that

room with Ginny and the baby—helpless, blundering, stupid, unmanned by innocent death.

After Fraser described the raw mid-March weather to Bingham, they fell into silence. The doctor could not restrain himself.

“Sir,” he began, “last night you mentioned an interview you had with Mrs. Surratt, just before her hanging. I read a bit about the case this morning and remembered your description of her as so fierce. A she-lion, you said. She was portrayed far differently at the time.”

“I suppose you were looking at Townsend’s little volume? Ah, she fooled a great many, even old Gath.” He smiled slightly. “But she knew she hadn’t fooled me. So on that day she didn’t even try.”

“You mentioned a confession,” Fraser said, “the one you discussed with Mr. Stanton. Well, sir, I was . . . I wondered if perhaps now, after so many years, it would be well to get it out? Why, after all, did she confess if not to have it known?”

“Ah, Jamie, you’re exactly right. She wanted it known. Even from the grave, she meant to continue her evil mischief against our poor nation. That was why Stanton and I would never reveal it.” After a pause, Bingham said, “I gave my word. Stanton took the secret to the grave. So shall I.”

A few days later, to honor John Bingham’s passing, a thousand people and more crushed into the Harrison County courthouse, a great stone temple that crowned the central hill of Cadiz. Businesses closed and every lawyer and Union Army veteran from three counties streamed into town. The mourners overflowed into side rooms and corridors where they could neither hear nor see.

The service was long, as befitted a man of such distinction. The condolence messages had poured in, beginning with one from President McKinley, a cousin of some description. Rev-

erend McGregor would not be satisfied with less than an hour's oration, having delivered a speech almost as long during the family service that morning. Seated at the front as a pallbearer, Fraser found himself wondering, uncharitably, about the black-clad figures of the two Bingham daughters. Small and slim like their father, they had his haunted, sunken eye sockets. Yet they somehow had missed his spirit and grace. On him, the great eyes conveyed a depth of soul; on them, they called to mind the raccoon family.

For fifteen years, since returning from Japan, the old gentleman was a paternal presence Fraser had not known before. Bingham had been a good friend to Fraser's father, Captain Robert Fraser of the 30th Ohio, who returned from the Civil War an empty husk. He had fallen to fever in the swamps near Vicksburg and never really recovered. Recurring bouts of illness sapped his body and spirit for the few more years he had, pretending to run the family's dry goods store.

Fraser, born months after his father marched off to war, had tried to imagine his father as a vital leader of men. As a boy, he gazed at the daguerreotype of the handsome captain of the 30th Ohio. Now, Fraser resembled the man in that frame, tall and sandy haired, with broad shoulders, not at all like the distantly remembered parent with a wracking cough and no energy.

For years, Fraser's mind held only the piercing gaze of that young soldier in the gilt frame. After losing Ginny and the baby, that image faded. In its place came a long-suppressed memory of a slender man whose gentle gaze made Fraser feel awkward when it fell on him. On cold days, the man sat by a wood stove in the store, a blanket over his legs, while Jamie's mother sold sheets and towels, cloth and thread, ready-to-wear jackets and work pants, even delicate items for ladies. Sometimes an old man or two sat with his father, but the boy didn't. He ran errands for his mother or hurried off with friends, escaping the invalid who seemed to haunt the store. The revived

memory hurt. Fraser had been too young to know the Union soldier, and too ashamed to know the ailing husk who came in his place.

Bingham showed a special interest in young Jamie, smoothing his way when he became Dr. James Fraser. In Cadiz, being John Bingham's doctor was a sure ticket to medical and social acceptance. Sometimes Bingham had remembered the vital Captain Fraser, who shared his passions for ending slavery, for the Republican Party, and for the novels of Sir Walter Scott. That man had driven Bingham to political meetings, sometimes using his bulk to shield the fiery young congressmen from those who feared the end of slavery would mean the end of the nation. For Fraser, it was like hearing about a stranger.

When the memorial service concluded, the crowd began to shuffle by Bingham's coffin in a ragged file. At either end of the open casket, uniformed veterans of the Grand Army of the Republic stood at attention. Fraser stepped quickly out of the building. He needed air.

Looking over the hills under a cloud-mottled sky, he felt the hint of a warmer season. The shops and houses marched downhill in each direction, fading after a few blocks into tidy farms. He thought again, with a surge of emotion, of what he had lost. First his father, later his mother, then Ginny and the baby, now Mr. Bingham. He felt empty. Yet the story of Mrs. Surratt's confession lingered in his mind. Why had the old man told him about it without revealing what her confession was?

"Care for a nip?" Charles Nugent, a fellow pallbearer, nudged him. "Still cool, ain't it?"

"That's a kindness," Fraser said, accepting a metal flask of corn whiskey. After taking a swallow, and a second one, he added, "That's got some backbone."

"John preferred it that way."

"Charles, you were as close a friend as Mr. Bingham had."

“We got on. He wasn’t quite the saint that Reverend McGregor would have him, but I’ve never known as fine a man.”

“Nor I,” Fraser said quickly. “But I’ve wondered, in the times you were together, did he talk much about the Lincoln trial, about Mrs. Surratt?”

“Oh, now and again, when something would come out from some Democrat still angry about the war, trying to stir up the flames again. You know how they say the trial was unfair or that the Surratt woman was innocent. He might pass a remark on it.”

“Did he ever say he knew something about her that these other people, these ones doing the complaining, didn’t know?”

“Not that I recollect. You know, Jamie, I don’t believe John lost a minute’s sleep over that case. Not so I could see. He was proud of sending those villains to the gallows. I think he would’ve liked to hang all of them.”

Fraser nodded. He hunched his shoulders against a cold gust. “I should get back inside.”

To Fraser’s eye, close to half the crowd had filed past the coffin, gazing respectfully at the old man in whom they took such pride. Fraser assumed a formal stance at the spot where the line turned away from the coffin, the point where some broke their silence and murmured to a neighbor. Cheeks were damp, hard features clenched against strong feelings. Mr. Bingham had touched many. Fraser was stirred by the visible grief.

A man with a café-au-lait complexion stood at the coffin. During the ceremony, the colored mourners had gathered in a side room. Bingham stood high in the area’s small Negro community. His opposition to slavery before the war had propelled him into the fight for the rights of the freed slaves after it. If the colored mourners were reaching the coffin, Fraser thought, the line must be nearing its end.

The man wore a black woolen suit that would look well on any lawyer or merchant. His collar was high, starched, and a

brilliant white. A silver watch chain dangled across his waistcoat. When he turned toward Fraser, his eyes were glassy, but his movements were sure. He looked familiar, but Fraser couldn't place him. His hair had early flecks of gray, as did his thick mustache. He passed close to Fraser, leading several other Negro mourners.

Turning back to the line, Fraser was surprised to find white people still inching toward the coffin. The rest of Harrison County's colored weren't even in view yet. The man in black had been far ahead of his turn.

The Union Army veterans, wearing the faded uniforms they had cherished for thirty-five years, took charge of the burial. Fraser thought of the American soldiers again fighting and dying, this time in the Philippines, halfway around the world.

The veterans bore the coffin to the hearse and escorted it to the hillside cemetery, where they fired a three-volley military salute. Fraser lingered at the graveside after the ceremony, then drove his gig to his silent, empty home.