

JUDGE ONCE

Tom Skelly was walking his dog, “Trouble”, at midnight, in late October. It was chilly and the wind was picking up. Tom had zipped up his light coat and now he turned up his collar. A stroke of lightning illuminated Market Street eerily and a cloud burst right over him. Despite being named “Trouble”, the dog was docile and sweet, except about lightning. While Tom adjusted his coat collar, “Trouble” slipped through the construction fence around the new West Chester County Courthouse. It was due to open officially on November 3rd. Tom hollered for “Trouble” as he approached the massive double doors of the Courthouse, one of which was half a foot ajar. When he neared the opening, he heard a sound between a wail-like bark and a screech from a large bird. He paused for a moment, thinking he should call the police because this was getting out of hand, but again he heard the awful barking. This reminded him, sharply, that “Trouble” was not really his dog, but belonged to his wife, one of her few connections to her first marriage. He couldn’t go home without the dog. He felt the police would hold onto the dog until morning at least because it had no collar or tags. Taking a deep breath, Tom got the door open a bit more with some difficulty and slipped inside the building. He guessed the security systems were not hooked up yet so his presence would not become a public spectacle.

Jet black. It seemed as if he were blind. Gradually, his eyes adjusted to the dark. Tom noticed that there was some kind of minimal lighting built into the floor and in a band where the walls met the ceiling. It had a yellowish glow like light seen from a distance at sea. Still, it wasn’t enough to move around safely in the vestibule given all the construction debris. Tom heard the dog barking off to his left, on

the first floor. He walked in short steps toward the sound which seemed to be muffled as if on the other side of a door. The floor was uneven, maybe the tile or carpet was not done. He reached a wall which he took to be the outside wall of a courtroom. Like a blind man, he felt his way to his left along the wall. Feeling more assured, Tom tried to move a little more quickly along the wall because the dog seemed more excited now. Without any warning, he tripped over something on the floor and went down heavily banging his head on some piece of construction equipment, a sawtable or something. As he stood, he felt dizzy and his forehead was bleeding steadily though not dangerously. Without the dog's barking, Tom lost his bearings. He didn't know which way to go. He heard a furious lightning storm outside and soon the dog's fear caused it to bark again. Tom guessed he was within six feet or so of the door behind which the dog had become trapped. Trying not to fall, Tom babysteped to the wall while clawing the air for obstacles. Feeling further to his left, Tom discovered a door jamb and the handle. He also discovered a metal plate which had elevated block lettering, "COURTROOM ONE". There was also a light switch which he immediately flipped, to no effect. He tried to open the door to the courtroom but it wouldn't open. "Trouble" was barking on the other side of this door and he didn't understand how the dog had gotten in but he couldn't. Tom backed up a bit, thinking to check if there was another door further down the wall which "Trouble" had used to get in. Just as he was ready to move off, he saw a thin beam of very faint light inch across the hallway floor. The door was now open about one inch and the light was spilling out as a thin strip on the floor. Tom opened the door wider and saw that the interior of the courtroom was also dark except for the ceiling and flooring light strips, and some very muted wall

lights, better than the hallway, but not by much. Tom did not see or hear the dog now. He had been sure “Trouble” was right on the other side of this door. The blood on his head was just sticky now though the ache was steady. The marginally better light allowed the Tom to see several feet. He located and flipped a bank of eight light switches. Nothing happened, except that one of the dimmed down wall fixtures went completely dark. As he was listened intently, the door he had come in, shut with a thud and a click. Tom involuntarily stepped back because this was so unexpected. He immediately tried to open the door but it was stuck, or somehow locked. Tom had been very vocal in his opposition to this Courthouse and he had learned about its details to make his opposition substantial. He knew this building was equipped with the latest security technology to prevent and or isolate violence with self-locking doors, windowless courtrooms, two separate stairways, and two separate elevator systems. The doors didn’t even use keys, just keypads. Beyond the many new features in the Courthouse, one thing in Courtroom One drew quite a bit of public discussion. There was a lot of sentiment about the fate of the old Courthouse and its many historical nuances: lintels, woodwork, etc. One item that was slated to be moved to and built into this new Courthouse was the massive, wooden bench of Judge Once. This jurist was on the first County Court in the late 1600s and was reputed to have lived up to his name. Any defendant would get a fair hearing on the facts by Judge Once, with juries of local white, male landowners most likely to follow his instructions. However, it was a very unlucky defendant who showed up a second time in front of Judge Once, even if acquitted on the earlier charges by law, by fact or by luck. Judge Once sat on the trial court bench for over thirty years and he sentenced more men (and women) to be hanged than any judge

anywhere in America ever. When the 1887 Courthouse was being built, Judge Once's family was still powerful enough in the County to require that his entire courtroom, flooring, paneling, fixtures, and his bench be incorporated in the then new Courthouse. Although none of Judge Once's family survive to the present, a tough fight was waged by those who admired his judicial talents enough to move all or some of his furnishings and his bench to this new Courthouse. The battle over the inclusion of the bench in the new Courthouse evolved into a contest between people opposed to death sentences completely and those in favor of continuing capital punishment. In the end only one item ever used by Judge Once was moved to the new Courthouse, the hand-crafted bench and desk at which he sat to preside over trials and to pronounce sentence. Legend has it that Judge Once had sentenced to death the son of the joiner who had constructed the bench/desk for him years before. Allegedly, this son joined with others to steal horses not work wood. This hallowed or damned piece of woodwork was installed in Courtroom One just one week ago. Whether it was the polish used by the workman or not, Tom noticed as he stood in Courtroom One trying to figure out what happened to "Trouble", that Judge Once's bench seemed to glow with a reddish hue, wooden yes, but deeper maroon, the color of just spilt blood. Tom was surprised he could even see the bench given the low light in the courtroom and his twenty foot distance from it. Tom heard a metallic click behind him and he turned to see "Trouble" darting toward him. He picked up the dog who was still dripping wet. The dog started to lick the blood off Tom's face.

"Mr. Skelly, what are you going to do about the gun?" Tom spun around abruptly to face the Bench. As he did so his head throbbed and the dog fidgeted

wildly. The lighting in the Courtroom seemed to have changed. There was now a shaft of dusty light shining on the Bench, at which sat an old man in antique clothes, a man with a piercing gaze and a hard face. "I didn't know there was anyone in here but me, how can we get the door open, sir." Tom felt the need to be respectful to this person though he didn't know why. Louder now and somewhat intimidatingly, the man on the Bench again asked, "Mr. Skelly, what are you going to do about the gun?" Tom just looked at him mutely. "Mr. Skelly, I won't ask you a third time." Rousing himself from his stupor, Tom replied "that he registered the handgun and that he would keep it in a locked box under his bed". Tom was surprised he felt the need to share his plans with this stranger that he has met under very odd circumstances in a deserted courtroom. Tom wanted to walk closer to the older man who seemed somehow indistinct and blurry but he felt rooted to the floor unable to move at all. The dog was sleeping or catatonic. "Is your wife Rachel Skelly?," said the man on the Bench. "Yes, Yes, but the gun is mine alone," said Tom. The older man said, with a caustic tone of voice, "Between husbands and wives nothing is by one alone held." "She is not even here," said Tom. The old man responded "She will be, and soon by my reckoning." "What do you mean, how do you know her," replied Tom. "She shall appear in this Courtroom during her 44th year to answer for the murder of her son, Jeremy, age 19 at the time of his death," said the old Judge. Tom stated defiantly "My son, Jeremy, is only four years old and my wife Rachel only twenty-nine. Tom went on to say "This is ridiculous. I want to get out of here right now." With an ominous tone the Judge said "Mr. Skelly, Rachel shoots Jeremy with the gun you bought today because Jeremy is a drug addict and has beaten and threatened her to get money for

drugs.” “I don’t believe it, any of this. Jeremy is only four,” Tom said. “Who are you to make these accusations.” The old man said, “I’m a retired Judge recently returned to this Bench. Why do you need the gun Mr. Skelly? Are you a hunter? Are you a target shooter?” “No, I bought it to protect my family and our home,” replied Tom. The old Judge said, “I’ve explained that this gun is will have a sad future and history in your home. Tell me about Mr. Jackson.” Stunned, Tom Skelly visibly sags under the weight of this question. The Judge asks Mr. Skelly again. Mr. Skelly puts the dog down. “Trouble” whimpers but sits close. Tom now speaks quietly to the old man on the Bench, “I bought the gun because I’m afraid that Mr. Jackson is going to try to hurt my family.” “What reason does he have do so?” asks the Judge. “He thinks I tried to hurt him but he is wrong,” said Tom. “What happened?” asked the Judge. Tom replied nervously “Don’t you already know?” “Yes, I do,” said the Judge. “But you don’t really know and your ignorance will ruin several lives.” Tom said, “Mr. Jackson was changing a flat tire out on Boot Road one night last month as I drove past, his young son walked in front of my car and I hit him. I was terrified. Before I realized it, I was miles away. Mr. Jackson didn’t even see his son get hit, he had no idea what happened to him. The child was thrown onto the other roadway and was hit repeatedly by other cars. Mr. Jackson didn’t find out what happened to his son, Derek, until an hour later. I know somehow this will come back to me and I will spend years in prison but I am more fearful that as soon as Mr. Jackson finds out I killed his son, he will come to my house and kill my son. It’s what I would do.”

“You have never been before this Bench, Mr. Skelly,” said the Judge. “I have no authority to bind you over for trial for the death of the child but you should admit your

crime because you are going to punish yourself for it anyway. If you don't turn that gun in, Mr. Jackson will have rough justice for his son at the expense of your son and wife, though years from now."

"Why are you here tonight?" Tom said to the Judge. "This is the anniversary of the execution of the first innocent man upon my sentence. I must follow my wooden bench. I come to pay my respects to him and to the others that I sent improvidently to untimely deaths." The Judge continued, "Mr. Skelly, the dead can't force the living to do anything. They can only imbue feelings. When you leave here tonight, you will only retain your feelings, no facts. I sincerely hope that is enough to guide you. It was never enough to guide me all those years ago and many have suffered for it, including me. I wish you better."

The dog barked suddenly and Tom looked down at him. When Tom again focused on the Bench, it was empty, though the dusty light remained. Tom was now able to walk up to the Bench. Nothing seemed unusual except there was a thin, undisturbed layer of construction dust on the old leather seat of the Bench. Seemingly out of the blue though, Tom felt uneasy having that gun in his house.

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