

Who Killed the Judge?

A Mystery of Crime

One raw morning in March the janitor of the court house of B—— entered the judge's private room for the purpose of making the fire, and was frightened almost out of his wits at finding the honorable dignitary lying motionless on the floor.

The janitor was about to retreat and raise the alarm by ringing the court house bell, when he bethought himself that the judge might have but a fit, and that he could render him the needed assistance. Therefore, he hastened forward and tried to lift the prostrate man, who lay on the floor with one hand partially hidden in his bosom, while the other, lying near his head, held his penholder, the gold pen of which had its nib broken. But as the judge was a large man, given over to some extent to obesity, and the janitor a cadaverous fellow, who had been denominated "Bones" by the attaches of the court house, he found his attempt useless, and soon gave it up as futile.

The stare in the judge's eyes and ghastly hue of the skin told the janitor that life had departed, and a moment after this discovery the court house bell was spreading wonderment throughout the town.

At the time an unusually interesting court was in session at B——, presided over by Judge Blakely. A large number of criminal cases had been disposed of, and but few remained which were of more than passing importance. The session just drawing to a close had attracted many people from the rural districts, and the several hotels were nightly taxed to their utmost capacity. Attorneys from a distance were in attendance, and many friends of the prisoners still remained in town.

Therefore, the wild ringing of the court house bell, fully three hours before the opening of Court, startled everybody who heard it. There was catastrophe in its unwonted tones, and, while Jabez Throck, the janitor, still held the rope, he heard the patter of a multitude of feet in the stone corridor below. Releasing the rope, he planted himself at the top of the stairs and forbade the crowd surging up, saying that the judge was dead, and that the coroner was needed.

The report of the judge's death now spread like wildfire, and the court house was speedily surrounded by the most excited crowd ever seen in B——.

After some delay, caused in a great measure by the extraordinary excitement, the coroner, a slow but precise man, announced himself ready for business, and, accompanied by the sheriff, several surgeons and the janitor, proceeded to the Judge's room, the door of which was locked behind them in order to keep intermeddlers out.

Judge Blakely was found in the manner in which the janitor had left him, and the examination was begun.

The surgeons, who had come beforehand to the conclusion that apoplexy had taken the judge off, were forced to abandon such ideas, for a brief examination told them that an assassin had been there. A crushed skull over the left ear, and four dagger stabs in the region of the heart were proofs of the murder. Lying in its accustomed place by the coal stove was seen one of the instruments of death—a short, iron poker to which adhered both hair and blood. But the dagger was still missing.

The assassin, whoever he was, had first struck the judge from behind with the poker while he sat in his great arm chair at his desk, as the position of chair and body indicated, and then dealt the blow with the dagger.

In bearing off the sharp instrument of death, it was at first believed that the murderer had left no clew behind, but after the surgical examination a discovery was made that startled every one.

Lying upon the desk, and almost entirely concealed beneath a mass of legal documents, was a piece of legal cap, upon which was traced, in a spasmodic hand, these words:

“Jason Bowers did this!”

Below this brief but startling sentence, which seemed at once to affix the identity of the assassin, was what appeared to be an attempt of the writer to fix a signature, but after a “J” the pen made a long mark, which the beholders could follow across the desk to the very walnut edging.

It seemed that death had suddenly stricken the writer in the act of signing his name, and the broken pen in the judge’s lifeless hand pointed almost positively to the writer.

There was such a man as Jason Bowers. He was not a resident of B——; for some time past he had been an inmate of the county jail—held there on a charge of forgery. On the day prior to the night of the judge’s murder, this Bowers man had been acquitted by the jury selected to try him, and at the moment of the commission of the crime he was a free man. He had never been heard to say aught against the judge more than to remark that he thought that in the charge to the jury he (the judge) had favored conviction. At home the young man had not borne an irreproachable character, having been engaged in affairs of questionable honor; but the trail for forgery was his first appearance before a criminal court.

Upon the evidence of the writing on the paper which was pronounced by all to be in the late judge’s chirography, and beyond doubt the last work of his life, the sheriff resolved to take Jason Bowers into custody if he was still in town. The young man was not difficult to find, as he was in the crowd below, and on the charge of malicious murder he was forthwith arrested and lodged in jail.

We now come to the most mysterious part of our narrative.

At the coroner’s inquest but little light was thrown upon the crime.

Jabez Throck, the janitor, said that he found the outer doors of the court house locked from the inside, and that he had been obliged to enter through the coal cellar, of which he alone carried the key. It was not an uncommon thing for the deceased to remain in his room till 12 at night, during a session of court, and that upon such occasions he locked the court house when he left for home. Upon the janitor's testimony, the theory that the murderer had been concealed in the building was started, but this was injured by various county officers, who swore that they had locked the iron doors leading into their offices immediately after the adjournment of court, which gave the murderer no place for concealment but the stone corridors.

The court house was on the second street running parallel with the river, and one of the town sewers connected it with the stream. There was a bare possibility that a small man might have obtained ingress into the building by the sewer, but an examination of the mouth dissipated this theory. The court room was situated on the second floor. The murderer, to reach the judge's apartment, was compelled to cross the court room, which, when wrapped in darkness as it was when the murder was committed, was no easy task for one unacquainted with the arrangement of the furniture, etc. If the assassin had traversed the room just described, he had failed to displace a single chair, several having been left in the aisles, as the sheriff testified; and the mode and manner of his exit were also left in the dark.

There was nothing to point to the evil-doer save the piece of paper already twice mentioned, and by the major part of B——'s inhabitants it was regarded as conclusive. Jason Bowers was abjured to confess, but to the surprise of all he protested his innocence, and declared that at the proper time he would prove an alibi.

A new judge took Blakely's place and the session was resumed. A new grand jury was summoned which indicted Jason Bowers for willful murder, and after the disposal of several grand larcenies the young man was put on trial for his life.

The district attorney, and a man who had won many eulogisms for his vigorous prosecution of criminal cases, was summoned to B—— to look after the interest of the state. After an investigation of the case he declared that the jury would deliver a verdict of "guilty" without leaving their boxes, and the trial was commenced.

It [is] called today "the great trial" at B——, though sixteen years have passed away, and the old court house has given place to a new one.

Jason Bowers exhibited no signs of guilt when placed on the prisoner's stand and confronted by the crowd in which his friends might have been numbered by pairs. It was known that he hoped to prove an alibi, though few believed his ability to do so.

"If, gentlemen," said the district attorney to the jury in opening the case, "we shall show that immediately after his acquittal of the charge of forgery the prisoner made threats against the deceased; that he was seen in the vestibule of the court house at the hour of 10 or thereabouts on the night of the murder; if at the time aforesaid he, standing on the stone steps, addressed one of the witnesses for the state in his own undisguised voice, so that the witness will swear positively concerning his identity, we shall present a case that will demand a conviction.

“But, if we shall further show, gentlemen, that the prisoner carried to his washerwoman, at daylight on the morning after the committal of the crime, a shirt, the right cuff and bosom of which contained blood stains; if, proceeding further, we shall show that when the prisoner was arrested there was found upon his person a dagger, whose blade fitted the several wounds in the deceased breast, and if we shall make known the fact that the prisoner, after his acquittal, declared that he could traverse the court room with ease after dark, and then if we offer in evidence the last words (written) of the deceased—words which he must have written after he had been left for dead by his murderer, we shall confidently expect a conviction, though we would wish to see the prisoner, if innocent, prove a satisfactory alibi.”

The attorney’s opening address created a profound impression; it seemed to seal the prisoner’s doom. If the prosecution could prove what they said they could, from whence would the alibi come?

The defense relied mainly upon proving an alibi, as the prisoner’s chief counsel stated in his response to the district attorney. They stated that the blood stains on the shirt, as well as the dagger on the prisoner’s person, would be accounted for. His supposed presence in the outer vestibule on the night of the crime would be swept away by the oath of the most respectable citizens of B——.

We will not enter upon the details of the trial. The prosecution introduced proof bearing upon several heads of the district attorney’s address. The man who swore to the prisoner’s presence on the court house steps was a person of undoubted veracity and well respected in B——. He had known Jason Bowers previous to his arraignment for forgery, and could not have been mistaken in the voice that addressed him on that night. The figure on the steps corresponded with the prisoner’s; but the face was concealed, as if purposely, by the slouching of the hat. The witness swore positively.

The prisoner’s shirt, accompanied by the washerwoman’s testimony, was exhibited in court. It produced a profound impression, for unobliterated stains of a dark color were visible on cuff and bosom.

The prosecution, ably and almost vindictively conducted, seemed to give the prisoner no chance of escape, and the defense was regarded frivolous before its turn came.

The fact that the doors leading into the court house were found to be locked on the inside by Jabez Throck, the janitor, on the memorable morning, was commented upon with proof by the defense. It was furthermore proved that every window was found fastened, likewise on the inside, after the discovery of the judge’s body.

The defense admitted the prisoner’s remark concerning his ability to traverse the court room with ease after dark, but said that he meant by it this his protracted trial had familiarized him with the room. The blood stains on the shirt were accounted for by saying that the prisoner had cut his wrist on the night of the crime, and in fact, when he was arrested his wrist was found to be bandaged by bloody linen.

The alibi which the defense had proposed to prove did startle every one.

One of the most respectable grocerymen in B—— testified that Jason Bowers had been continually in his store from 9 to half-past 10, inclusive, on the night of the murder, and several creditable witnesses deposed to having accompanied him from the grocery to the hotel, which was reached at a quarter to 11. This damaged the testimony of the witness who had sworn to having encountered Jason Bowers on the court house steps at 10 o'clock or thereabouts.

On cross-examination several of the prisoner's witnesses admitted that his manner was excited and strange; but the clerk of the hotel said that shortly after the prisoner's arrival he went up to his room. Did not see bandage on wrist then; had loaned the prisoner the dagger shown in court; the prisoner had returned it just before retiring, but had got it again before breakfast the following morning. The washerwoman, on cross-examination, said that the prisoner told her that he wished his shirt by noon, as he wanted to leave B—— at that hour; noticed the bandage on his wrist.

The defense also brought forward witnesses to prove that the prisoner had expressed to several his intention of leaving B—— at the hour mentioned; but he was prevented by his arrest for murder.

As the defense progressed the spectators looked perplexed. It was evident that a loophole for the prisoner's escape would be offered. The prosecution looked dumbfounded.

The judge's charge was elaborate in its details; his honor leaned to a belief in the prisoner's guilt, and the jury retired.

After an absence of four hours, during which time they sent for elucidation on several points to the court, the twelve returned with a verdict of—Not guilty!

No demonstrations of delight followed the announcement of the verdict. The accused bowed to the jury and was discharged.

That day he left B—— and died ten years later without unraveling, if he could, the secret of the judge's death.

Years afterward, when the old court house was demolished, a rusty dagger was found in the belfry, and the slats of the blind windows showed evidences of removal, as if to admit and let out a man!

The discovery renewed speculation on B——'s great murder; that was all.

The Indiana State Sentinel, July 10, 1878

The Junction City [KS] Weekly Union, December 7, 1878

The Mountain Democrat [Placerville, CA], January 4, 1879

The Record-Tribune [Holton, KS], March 20, 1879

The Red Cloud [NE] *Chief*, March 20, 1879

The Mountain Democrat [Placerville, CA] credits T.C. Harbaugh as the author of the story.