

ORIGINALISM, FEDERALISM, AND THE AMERICAN CONSTITUTIONAL ENTERPRISE: A HISTORICAL INQUIRY

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She clasped her hands around her immense belly and took slow, deep breaths until the pain passed..In spite of her nature, Agnes could not find forgiveness in her heart this time. Words of absolution clotted in her throat. Her bitterness dismayed her, but she could not deny it.. "We don't sell no pizza," Angel said, because lately they had received a few calls for a new pizzeria with a phone number one digit different from theirs.. Tom removed the lid. No beer, one head. Simon Magusson's severed head lay faceup on the ice, mouth open as though he were standing in court to object to the prosecution's line of questioning.. Better still, he was able to have the girl to the accompaniment of her father's voice, which was even kinkier than doing her in the parsonage. When Junior rang the bell, Seraphim had been in her room, listening to a tape of a sermon her father was composing. The good reverend usually dictated a first draft, which his daughter then transcribed. For three hours, Junior went at her mercilessly, to the rhythms of her father's voice. The reverend's "presence" was deliciously perverse and stimulating to his sense of erotic invention. When Junior was finished, there was nothing sexual that Seraphim could ever do with a man that she had not learned from him.. The pubescent physician returned with three colleagues, who crowded behind the privacy curtain to proclaim that none of them had ever seen any case remotely like this before. The oldest-a myopic, balding lump-insisted on asking Junior probing questions about his marital status, his family relationships, his dreams, and his self-esteem; the guy proved to be a clinical psychiatrist who speculated openly about the possibility of a psychosomatic component.. Initially, lying drowsily in the sumptuous comfort of Pratesi cotton sheets with black silk piping, Junior assumed that he was in a twilight state between wakefulness and sleep, and that the singing must be a lingering fragment of a dream. Although rising and falling, the voice remained so faint that he didn't at once identify the tune, but when he recognized "Someone to Watch over Me," he sat up in bed and threw back the covers.. As a young man, he had performed first in nightclubs catering to Negroes and in theaters like Harlem's Apollo. During World War II, he'd been part of a USO troupe entertaining soldiers throughout the Pacific, later in North Africa, and following D-Day, in Europe.. Otter hesitated and said, "Yes." He hadn't heard the cop get out of the chair and cross the dark room. Difficult. More walls than not, in both rooms, were lined with bookshelves and file cabinets. Here he kept numerous case studies of accidents, man-made disasters, serial killers, spree killers: proof undeniable that humanity was a fallen species engaged in both the unintentional and calculated destruction of itself.. By "all of that," he meant the groceries that she and Joey often sent along with the pies, the occasional mortgage payment they made for someone down on his luck, and the other quiet philanthropies.. "You can learn em." As they moved around the base of the oak from one vantage point to another, people stopped by to reassure Agnes, although never with a word, as though to speak would be to jinx the climb. Maria placed a hand on her arm, squeezed gently. Celestina briefly massaged the nape of her neck. Edom gave her a quick hug. Grace slipped an arm around her waist for a moment. Wally with a smile and a thumbs-up sign. Tom Vanadium, thumb and forefinger in a confident OK. Lookin' good. Hang in there. Signs and gestures, maybe because they didn't want her to hear the quivers and catches in their voices.. The window didn't face the street. It overlooked a five-foot-wide passageway between this house and the next. The police might not spot him leaving.. He had recently learned about the demigods of classic mythology in one of the selections from the Book-of-the-Month Club.. Nothing in his reading offered a satisfactory explanation for what had been happening to him. None of the women filled the hole in his heart, and all of the Bartholomews were harmless. Only the needlepoint offered any satisfaction, but though Junior was proud of his craftsmanship, he knew that a grown man couldn't find fulfillment in stitchery alone.. "It's not scary," said Mary. "I just step into another place for a little, and then back. It's just like going from one room to the next. I can't get stuck over there or anything." She looked at Barty. "You know how it is, Dad." Wally drove slowly, carefully, with all the responsibility that you would expect from an obstetrician, pediatrician, and spanking-new fianc?. The trip home to Pacific Heights took twice as long as it would have taken in clear weather on a night without a pledge of troth.. "Doesn't look so spooky to me." She turned the knave of spades so the baby could see it. "Does he scare you, Barty?" "That would be John George Haigh," Agnes said, checking Barty's diaper before nestling him tenderly in the crook of her arm.. "When your hands are bigger," Tom agreed, "I'm sure you could. In fact, one day I'll teach you." "This is for Zelda," Junior said, ramming forward across the threshold with the knife.. "Nothing of the kind." Agnes smiled at Barty and wiggled her finger in his grip. "They've always been my salvation. I don't know what I'd do without them." So the practice of their lore and the teaching of it had become perilous. Those who undertook it were often those already outcast, crippled, deranged, without family, old-women and men who had little to lose. The wise man and wise woman, trusted and held in reverence, gave way to the stock figures of the shuffling, impotent village sorcerer with his trickeries, the hag-witch with her potions used in aid of lust, jealousy, and malice. And a child's gift for magic became a thing to dread and hide.. Holding a shaker in each hand, Tom walked them forward, causing them to diverge slightly at first, but then moving them along exactly parallel to each other.. Lying on his side in bed, clothed and shod, knees drawn up, arms folded across his chest, hands pressed under his chin, like a precocious fetus dressed and waiting for birth, Junior tried to recall the chain of logic that had led to this long and difficult pursuit of Bartholomew. That chain led three years into the past, however, which to Junior was an eternity, and not all the links were still in place.. She thought all that, but she closed her eyes and said: "I'll be okay. Give me a second here, all right?".. excited, shrieking. Branch to branch, the flapping of wings is leathery, demonic. The only other sounds are the thud. At a point where deep water met the shoreline, Junior drove off the road and onto the strand. He parked twenty feet from the water, facing the lake, and switched off the headlights and the engine.. The moment that the roof of the car vanished beneath the water, Junior hurried away, retracing on foot the route he had driven. He didn't have to go all the way back to Vanadium's place, only to the dark house where he'd left Victoria Bressler. He had a

date with a dead woman. In the living room stood a Christmas tree, and under the tree lay prettily wrapped presents. Junior enjoyed opening all of them, but he didn't find anything he wanted to keep. Prosser-fifty-six, a widower, an accountant-had a thirty-year-old daughter, Zelda, who was an attorney in San Francisco. Junior had driven to Terra Linda previously, to research the accountant; he already knew Prosser had no connection to Seraphim's fateful child. For all his brilliance, however, he was still a boy who loved to run and jump and tumble. Who swung from the backyard oak tree in a rope-and-tire swing. Who was thrilled when given a tricycle. Who giggled in delight while watching his uncle Jacob roll a shiny quarter end over-end across his knuckles and perform other simple coin tricks. "I wish my Rico could have met your Harrison, too," Maria told Grace, referring to the husband who had abandoned her. "Maybe the reverend could've done with words what I couldn't do with my foot in Rico's trasero." Of firm but pliable rubber, custom-formed to his disfigured foot, a shoe insert filled the void left by his missing toe. This simple aid ensured that virtually all footwear was comfortable, and by November, Junior walked with no discernible limp. Agnes dropped to one knee before the boy and held him gently by the shoulders. "Let me look." "I've got hundreds of files on cases like that," said Jacob, "and much worse. If you're interested, I'll get you copies of some." Traumatized by the violence in her mother's bedroom, not fully aware of what happened to Wally, Angel had been tearful and anxious. A thoughtful physician gave her a glass of orange juice spiked with a small dose of a sedative, and a nurse provided pillows. Bedded down on two pillow-padded chairs, wearing a rose-colored robe over yellow pajamas, she gave herself as fully to sleep as she always did, sedative or not, which was every bit as fully as she gave herself to life when she was awake. The hilly streets of the city, ignoring all traffic lights and stop signs, pegging the speedometer needle at its highest mark, as though he might eventually be air-cooled by sufficient speed. He wanted to slam through unwary pedestrians, crack their bones, and send them tumbling. "Thirsty," Agnes rasped. Her voice was Sahara sand abrading ancient stone, the dry whisper of a pharaoh's mummy talking to itself in a vaulted sealed for three thousand years. and humble. They managed to worry up tuition for art school, but Celestina worked as a waitress to pay for her studio apartment and other needs. In retrospect, he realized meditation didn't suit him. It was a passive activity, while by nature he was a man of action, happiest when doing. Third, Celestina had a daughter. Not a boy named Bartholomew. Seraphim's baby had been a girl. Named Angel. This confused Junior as much as it stunned him. The detective was driven by this string theory of his, and maybe he also saw visions or even heard voices, like Joan of Arc. Joan of Arc with out beauty or grace, Joan of Arc with a service revolver and the authority to. They introduced themselves as Knacker, Hisscus, and Nork, but Junior didn't bother to associate names with faces, partly because the men were so alike in appearance and manner that their own mothers might have had difficulty figuring out which of them to blame for never calling. Besides, he was still tired from his recent ramble through the hospital-and unnerved by the thought of some baleful-eyed Bartholomew prowling the world in search of him. SHORTLY BEFORE one o'clock, the Hackachaks descended in a fury, eyes full of bloody intent, teeth bared, voices shrill. "And there's more," said Vinnie Lincoln, as round as Santa Claus and cherry-cheeked with pleasure at being able to bear these gifts. "The policy contained a double-indemnity clause in the event of death by accident. The complete tax-free payout is one and a half million." When Agnes and Paul returned from a honeymoon in Carmel, they discovered that Edom had finally cleared out Jacob's apartment. He donated his twin's extensive files and books to a university library that was building a collection to satisfy a growing professorial and student interest in apocalyptic studies and paranoid philosophy. Perhaps hoping to discover which runaway freight train or exploding factory would smear him across the landscape, Jacob pushed aside his dessert plate and shuffled each deck separately, then shuffled them together until they were well mixed. He stacked them in front of Maria. Holding the pistol, fully extending his right arm in execution style, the gunman approached the fallen minister. A mere silhouette against the fluorescent glare, Vanadium stepped it the hall. The bright light seemed to enfold him. The detective shimmered and vanished the way that a mirage of a man, on a fiercely hot desert highway, will appear to walk out of this dimension into another, slipping between the tremulous curtains of heat as though they hang between realities. "I suppose anyone could fill some empty gelatin capsules with the syrup," said Parkhurst. "But-" "Roll your own, so to speak. Then he could palm a few of them, swallow 'em without water, and the reaction would be delayed maybe. At last: the humiliating backless gown, the precious drugs, even a pretty nurse who seemed to like him, and then oblivion. She didn't hear gunfire this time, either, but the hard crack of splintering wood attested to the passage of at least two more bullets. Yet, uncaught, the quarter would have dropped to the floor. Junior would have heard it ring off the tiles. Which he hadn't. He pressed his right ear to the door, held his breath, heard nothing, and addressed the top lock first. Quietly, he slid the thin pick of the lock-release gun into the key channel, under the pin tumblers. For a while he enjoyed being challenged to figure the number of seconds elapsed since a particular historical event. Given the date, he did the calculations in his head, providing a correct answer in as little as twenty seconds, rarely taking more than a minute. On the morning in August that Agnes came home from Dr. Joshua Nunn's office with the results of tests and with a diagnosis of acute myeloblastic leukemia, she asked that everyone pack up and caravan, not to deliver pies, but to visit an amusement park. She wanted to ride the roller coaster, spin on the Tilt-A-Whirl, and mostly watch the children laugh. She intended to store up the memory of Barty's laughter as he had stored up the sight of her face in advance of the surgery to remove his eyes. "Whatever you're paying here, that's what you'll pay for the new place," Lipscomb said. On Joey's side, there was no family to provide help. His mother had died of leukemia when he was four. His dad, fond of beer and brawling--like father not like son--was killed in a bar fight five years later. Without close relatives willing to take him in, Joey went to an orphanage. At nine he wasn't prime adoption material--babies were what was wanted--and he'd been raised in the institution. "Vomiting. I'm told it was an exceptionally violent emetic episode." "He spewed like a fire hose," Vanadium said matter-of-factly. The telephone rang, putting an end to their chat, but Agnes would remember the substance of it later that year, on the day before Christmas, when Barty took a walk in the rain and changed forever his. "I'm not saying there's anything wrong with it, you understand," Neddy whispered with a sort of fierce conciliation, "but I'm not gay, and I'm not interested in teaching you the piano or anything else. Besides, after the stories Renee told about you, I can't imagine why you think any friend of his ... hers would get near you. You need help. Renee is what she is, but she's not a bad person, she's generous and she's sweet. She doesn't deserve to be beaten, abused, and ... and all those horrible things you did. Excuse me." "Will I love you tomorrow, you mean, and the day after tomorrow, and on forever? Of course, forever, Wally, always." "You must've slipped this one in my pocket when you first came in here," Nolly deduced. "You'll be out of ICU tomorrow, I bet. You'll have a phone, I'll call. And I'll come soon as I can." After wiping her floury hands, Agnes took the book from him and, examining it, could find nothing wrong. She flipped back a few pages, then a few forward, but the lines of type were crisp and clear. "Show me where, honey." Knuckle over knuckle, snared in

the web of thumb and forefinger, vanishing into the purse of the palm, secretly traversing the hand, reappearing, knuckle over knuckle, the coin glimmered as it turned. When she didn't at once accept his generosity, he said, "All my life, I've lived just to get through the day. First survival. Then achievement, acquisition. Houses, investments, antiques ... There's nothing wrong with any of that. But it didn't fill the emptiness. Maybe one day I'll return to medicine. But that's a hectic existence, and right now I want peace, calm, time to reflect. Whatever I do from here on . . . I want my life to have a degree of purpose it's never had before. Can you understand that?" Soundlessly, reluctantly, Agnes pulled the bedroom door nearly shut, and went down to the kitchen, where she sat alone, drinking coffee and nibbling at mysteries. Of all the gifts that Barty opened on Christmas morning, the hardback copy of Robert Heinlein's *The Star Beast* was his favorite. Instantly enchanted by the promise of an amusing alien creature, space travel, an exotic future, and lots of adventure, he seized every opportunity throughout the busy day to crack open those pages and to step out of Bright Beach into stranger places. "Maybe because we didn't want to be called witches," said Obadiah with a smile, "and give folks one more reason to hang us." Junior had seen the silvery coin snapping off the cop's thumb and spinning upward. Now it was gone, as though it had vanished in midair. When he came to himself, sick and weak from the poison and with an aching skull, he was in a room with brick walls and bricked-up windows. The door had no bars and no visible lock. But when he tried to get to his feet he felt bonds of sorcery holding his body and mind, resilient, clinging, tightening as he moved. He could stand, but could not take a step towards the door. He could not even reach his hand out. It was a horrible sensation, as if his muscles were not his own. He sat down again and tried to hold still. The spellbonds around his chest kept him from breathing deeply, and his mind felt stifled too, as if his thoughts were crowded into a space too small for them. Here, now, came the anaconda smile. "Did you argue about the baby, Enoch? Maybe she wanted it, and you didn't. Guy like you--a baby would cramp your style. Too much responsibility." On a positive note, the apartment was heated by a gas furnace. A leak, a spark, an explosion, and he would never have to see poor Agnes in her misery. During the preparation of the cards, Barty had fallen asleep in his mother's arms, but with the revelation of his name on the ace, he had awakened again, perhaps because with his head resting on her bosom, he was alarmed by the sudden acceleration of her heartbeat. She asked Edom to stay in the main house, so Barty wouldn't be alone while she visited Maria Gonzalez for an hour or two. He was pleased to oblige, settling down to watch a television documentary about volcanoes, which promised to include stories about the 1902 eruption of Mont Pelee, on Martinique, which killed 28,000 people within minutes, and other disasters of colossal proportions. Uncommon dexterity is essential for anyone who hopes to become a highly skilled card mechanic, but it is not the sole requirement. A capacity to endure grim tedium while engaging in thousands of hours of patient practice is equally important. The finest card mechanics also exhibit complex memory function of a breadth and depth that the average person would find extraordinary. Undeterred, the girl said, "Not magic. But maybe I can't learn to do that one, ever." "You must be thinking of someone else," she said, pushing a wad of bills into his hand. "Me, I'm a jellyfish in high heels." Briefly, Junior felt humiliated. He wanted to drag the detective out of the car and stomp on his smug, dead face. "God bless us, every one," Agnes repeated with all her extended family, and after a sip of the wine, she made an excuse to check on something in the kitchen, where she pressed hot tears into a cool, slightly damp dishtowel to prevent the telltale swelling of her eyes. Looking up at the mirror above the sink, he saw reflected not the self-improved and fully realized man that he'd worked so hard to become, but the pale, round-eyed little boy who had hidden from his mother when she had been in the deepest and darkest end of one of her cocaine-assisted, amphetamine-spiced mood swings, before she traded cold reality for the warm coziness of the asylum. As if some whirlpool of time was spinning him backward into the hateful past, Junior felt his hard-won defenses being stripped away. In his smooth whiteness, Junior felt a pressure on his eyes, and then came visual hallucinations, disturbing his deep inner peace. He felt someone peel up his eyelids, and Bob Chicane's worried face--with the sharp features of a fox, curly black hair, and a walrus mustache--was inches from his. Kneeling at her side, Junior placed the decorative pillow over her lovely face and pressed down firmly while Frank Sinatra finished "Hello, Young Lovers," and sang perhaps half of "All or Nothing at All." Victoria never regained consciousness, never had a chance to struggle. This ended any hope of romance, and he was disappointed. A less self-controlled man might have seized a nearby bronze vase--fashioned to resemble dinosaur stool--and stuffed her into it or vice versa. Clearly, the musician recognized him, which seemed unlikely, even extraordinary, considering that they'd never spoken to each other, and considering that Junior must be only one of thousands of customers who had passed through that lounge in the past three years. Celestina often thought of his wife and twin boys--Rowena, Danny, and Harry--dead in that airliner crash six years ago, and sometimes she was pierced by a sense of loss so poignant that they might have been members of her own family. She grieved as much over their loss of Wally as over his loss of them, and as blasphemous as the thought might be, she wondered why God had been so cruel as to sunder such a family. Rowena, Danny, and Harry had crossed all waters of suffering and lived now eternally in the kingdom. One day they would all be rejoined with the special husband and father they had lost; but even the reward of Heaven seemed inadequate compensation for being denied so many years here on earth with a man as good and kind and big of heart as Walter Lipscomb. Having used his body as a clapper in the bell of the Dumpster, Junior had struck a loud reverberant note that tolled like a poorly cast cathedral bell, echoing solemnly off the walls of the flanking buildings, back and forth through the fogbound night. Worrying is what mothers do best. Celestina was her mother, as far as Angel was concerned, and the child was not yet of an age to be told, and to understand, that she had been blessed with two mothers: the one who gave birth to her, and the one who raised her. Junior realized he was on the verge of babbling, and with an effort, he silenced himself. Even Agnes was briefly unnerved to the extent that she said, "Enough of this. It's not fun anymore." Considering Junior's actions on his last night in Spruce Hills, eleven months ago, he must be cautious now. Without incriminating himself, pretending ignorance, he hoped to learn if his carefully planned scenario, regarding Victoria's death and Vanadium's sudden disappearance, had convinced the authorities--or whether something had gone wrong that might explain the quarter at the diner. Agnes discovered that watching her child be totally consumed by a new enthusiasm was an unparalleled delight. Through Barty, she had a tantalizing sense of what her own childhood might have been like if her father had allowed her to have one, and at times, listening to the boy exclaim about the space-faring Stone family or about the mysteries of Mars, she discovered that at least some part of a child still lived within her, untouched by either cruelty or time. In a monotone that gave new meaning to deadpan, the detective added: "I'm the only one who was there who doesn't have a dry-cleaning bill." A fine carpenter can wield a hammer with an economy of movement and accuracy as elegant as the motions of a symphony conductor with a baton. A cop directing traffic can make a rough ballet out of the work. However, of all the humble tasks that men and women can transform into visual

poetry by the application of athletic agility and grace, clambering into a Dumpster holds the least promise of beautification.

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