

大学生英语阅读系列丛书

COURT, LAWYER AND LAW

法庭内外

——法律英语文章选读

主编 吴红云



87
3

Court, Lawyer and Law

中国人民大学出版社

大学生英语阅读系列丛书

法 庭 内 外

——法律英语文章选读

主 编	吴红云	
主 审	张锦芯	
编 者	吴红云	杨 敏
	杨海燕	庞建荣

中国人民大学出版社

图书在版编目 (CIP) 数据

法庭内外: 法律英语文章选读/吴红云主编

北京: 中国人民大学出版社, 1999.5

(大学生英语阅读系列丛书/李守京主编)

ISBN 7-300-03074-2/H·213

I. 法…

II. 吴…

III. 法律-英语-高等学校-课外读物

IV. H319.4: D

中国版本图书馆 CIP 数据核字 (1999) 第 08169 号

大学生英语阅读系列丛书

法庭内外

——法律英语文章选读

主编 吴红云

出版发行: 中国人民大学出版社

(北京海淀路 157 号 邮编 100080)

发行部: 62514146 门市部: 62511369

总编室: 62511242 出版部: 62511239

E-mail: rendafx@263.net

经 销: 新华书店

印 刷: 北京鑫鑫印刷厂

开本: 850×1168 毫米 1/32 印张: 9.125

·1999 年 6 月第 1 版 1999 年 6 月第 1 次印刷

字数: 223 000

定价: 14.00 元

(图书出现印装问题, 本社负责调换)

《大学生英语阅读系列丛书》编委会

主 编 李守京

顾 问 罗舜泉

委 员 (按姓氏笔划排列)

王晓露 田育英 任林静

吴红云 张卫平 张勇先

赵艳萍

使 用 说 明

很多前辈学者的成功经验表明，大量阅读英文书籍是从根本上提高英文水平的必由之路。大量的课外阅读能帮助学生巩固课上所学的语言知识，并扩大词汇量；大量的课外阅读能帮助学生提高理解能力，加快阅读速度；大量的课外阅读能开阔学生的眼界，使学生更多地了解英语国家的文化。更重要的是，只有通过大量的阅读才能逐步形成语感。总之，量的积累能导致质的飞跃。大阅读量对提高英语水平所起的作用是精读课和做试题都无法取代的。为了满足广大学生和英语爱好者学习的需要，我们编写了这套系列阅读丛书。

本系列丛书针对非英语专业大学生的需要编写而成。既可为他们提供课外阅读的资料，又可为他们进入专业阅读阶段的学习打下基础。还可以供社会上其他中级水平的英语学习者自学之用。本着既富趣味性，又兼顾知识面的原则，本丛书第一批共推出八册，题目分别为：体育大世界，特殊的历史时刻，人与环境，法庭内外，媒体文萃，文化与交际，世界政坛焦点漫谈，经济文选等。每册书中既有该领域的奇闻轶事及趣谈供读者赏析，又有初步的理论与专业术语供读者学习。按专业分类选编的目的旨在提高每册书中同一领域单词的复现率，有利于读者扩充词汇，并能满足综合性大学各专业学生及社会上各行业读者学习专业外语的不同选择。

我们编写本阅读系列丛书的意图是引导读者既学习语言又学习阅读技巧。为此，本丛书以学习理论为指导，安排全书的编写体例。

首先，目录为英汉对照，使读者对每册书的内容一目了然。

其次，每篇文章之前设导读语，提示该篇主题或要点，引导读者阅读之前对阅读内容进行预测。在阅读过程中验证所做出的推断、养成积极思维的良好阅读习惯。这一习惯的养成对于提高阅读理解能力和阅读速度，起着至关重要的作用。

第三，本丛书在词汇控制方面别具特色。既控制生词量，又指导学生掌握使用字典的分寸。各分册以大学英语教学大纲词表为准，将四级以外的单词控制在千分之七左右。对于超出四级的单词，作如下处理：凡是根据理解的需要必须懂的生词，均以斜体标出，并收入书后的词表，方便记者查阅；凡是不影响全文理解或者不构成重要信息的生词，以及根据上下文的提示或构词法知识可以猜出的生词，则不做斜体处理，亦不收入词表。遇到这类生词，读者应先设法猜测词义，猜不出时尽可以忽略，不必费时费力查字典。这种安排旨在向读者传递这样一个信息，即：培养阅读能力的关键是学会针对不同的阅读目的采取不同的阅读方法。课外阅读属于泛读，目的是获取信息，重在扩大阅读量，不必依照精读课的习惯字字推敲，因而也不必频繁地放下书本去查字典，因为那样不仅会影响阅读速度、打断阅读时的雅兴，而且字字斟酌费时费力，所查出的词义又不可能全部记住，造成事倍功半的结果。

第四，为了体现泛读与精读方法上的不同之处，本丛书中每篇文章后只附少量阅读理解题目，提示应掌握的文章要点与理解重点，引导读者注重扩大阅读量，而不必过分追究细节。

以阅读与学习理论指导阅读丛书编写工作的作法尚属尝试。由于我们水平有限，编写中难免有失误与疏漏之处，敬请读者与英语界前辈及同仁批评指正。

本丛书由中国人民大学外语系英语阅读系列丛书编写组编写。编委会成员有：主编：李守京教授，顾问：罗舜泉教授，编

委（按姓氏笔划顺序）：王晓露副教授，田育英副教授，任林静副教授，吴红云副教授，张卫平教授，张勇先副教授，和赵艳萍副教授。编写过程中，得到中国人民大学外语系大学英语教研室和研究生英语教研室的大力支持，外语系郭欣同志承担了部分录入工作，特此鸣谢。

英语阅读系列丛书编委会

1999 年春，于北京

前 言

在许多英语学习者看来,法律英语是词句讲究、专业性强、属于法律专业人士攻读的领域。但“法律”在我们日常生活中几乎是无处不在、无时不有。很难想象,一个对法律英语一无所知的人,能用英语进行很好的交流。不少英语学习者学习英语十载有余,而英语水平仍然停留在“有耳不能听、有口不能说”的阶段,原因之一就是所接触的词汇面太窄、阅读面不宽。如 charge (指控)、trial (审判)、trademark law (商标法)、copyright (版权)、patent (专利) 在我们日常交际中,都属于常用词汇,但从我们课堂英语教材里却不易学到。为了扩大英语学习者的阅读面,使他们通过大量英语阅读,拓宽自己的知识面、增强语感,并提高交际能力,我们编写了《法庭内外》一书。

该书共分为三部分:侦探案例篇、法律轶闻篇、美国法律介绍篇。文章由浅入深,循序渐进。

侦探案例篇均源于英语侦探杂志,故事情节引人入胜,可读性强。读者在阅读故事情节的同时,不知不觉地开始接触少量的法律术语。如:jailed for life (终身监禁)、defense attorney (辩护律师)、attempted murder (蓄意谋杀) 等等。

法律轶闻篇中的大量篇幅直接选自 Internet,语言新颖活泼。读者在轻松地读笑话、了解律师工作与生活的同时,能进一步拓宽自己的法律术语及知识。

美国法律包罗万象、涵盖面广,本书不可能囊括美国法律所有方面。书中第三部分的选材并非以某一法律的重要性来决定取舍,而比较注意“控制”语言的难易程度。

本书编写过程得到人大法律系何家弘教授、外语系罗舜泉教授及美籍教师 Candice Siewert 的热心指点，在此深表谢意。

由于编者均非法律专业教师，该书编辑中的偏颇和错误在所难免，希望读者不吝指教。

编者

1999 年春

Contents 目录

第一篇 侦探案例篇

1. Finsbury Park Murder
芬斯伯雷公园谋杀案 (1)
2. Buried Treasure
埋藏的珍宝 (11)
3. Who Did Kill the 4-year-old Girl?
谁杀害了 4 岁女孩? (22)
4. Two-Gun Paraplegic Did the Police's Job
干“警活”的双枪残疾者 (30)
5. The Crimes of Catherine Wilson
凯瑟林·威尔逊谋杀案 (43)

第二篇 法律轶闻篇

6. 12 Lawyer Jokes
律师笑话 12 则 (56)
7. Brief Introductions to 15 Young Lawyers
15 位青年律师简介 (64)
8. Stories Told by the Lawyers (1)
律师自述 (1) (76)
9. Stories Told by the Lawyers (2)
律师自述 (2) (88)
10. Attorney's Note

美国律师的忠告	(99)
11. Selected Newspaper Reports about O. J. Simpson Case	
辛普森案报刊文章选读	(111)
12. Selected Newspaper Reports about U.S. President Clinton's relationship with Monica Lewinsky	
克林顿总统绯闻案报刊文章选读	(121)

第三篇 美国法律介绍篇

13. The Constitution — the Supreme Law of the U. S.	
美国最高法律—宪法	(131)
14. The Police and Law Enforcement in the U. S.	
美国的警察与执法	(140)
15. Administrative Law (1)	
行政法	(154)
16. Administrative Law (2)	
行政法	(164)
17. Bankruptcy Law	
破产法	(173)
18. Consumer Protection Law	
消费者保护法	(186)
19. Criminal Law (1)	
刑法	(195)
20. Criminal Law (2)	
刑法	(203)
21. Entertainment Law	
娱乐法	(211)
22. Family Law	

家庭法	(223)
23. Insurance Law	
保险法	(236)
24. Intellectual Property Law	
知识产权保护法	(249)
25. International Law	
国际法	(260)
Glossary	
生词表	(271)

第一篇 侦探案例篇

1. Finsbury Park Murder

芬斯伯雷公园谋杀案

Scan the story and try to answer the following questions within 15 minutes: How did the detectives know that Warren was involved in the murder? Why did Warren's lover suspect him? What testimony did different witnesses give?

The witness said that between 1 and 2 a.m. she and her daughter were woken by what sounded like a scream of pain. This seemed to come from the house opposite, and it was followed by another ^{尖叫} shriek, which was not so loud.

^{尖叫} Further light was thrown on events earlier that evening by Samuel Lever, who worked at the Finsbury Park Empire¹. He had met Ball in a *pub* on the night of the murder and had been invited to Prah Road for a drink.

When they arrived, Ball shouted, "Lizzie, bring in a bottle of

beer."

"Who is the female?" asked Lever.

"Oh, she is my niece, who is keeping house for me while my wife is away," Ball had replied.

A young man then entered the room. He was aged 19 or 20, his hair was brushed back and he wore a *lounge suit*. Ball said the man was a sailor who was staying the night. At Ball's request the seaman played the piano for about five minutes and then left the room, said Lever.

Asked by the *coroner* if he had anything to say, Ball replied: "I can only say, as I have said all through², that I have had nothing to do with the case."

After the inquest was *adjourned* he was placed in *custody*, charged with being an accessory after the fact of Lucy Nightingale's murder³...and within days the police made two further arrests.

In an incredible turn of events the young seaman known to have visited Ball's home had given Lucy Nightingale a photograph of himself⁴. This was found in the house, and it enabled police to recognize him when he was spotted in West India Dock road. Promptly arrested, Harold Horatio Morgan, a 19-year-old ship's cook, was charged with the murder.

Warren admitted having gone to Parah Road on the Saturday but denied having been there since. He also asked to be medically examined. He had so little use in one arm, he said, that he was practically a one-armed man and would have been incapable of committing the murder.

Detectives then interviewed Warren's lover, 28-year-old Olive Evelyn Parton, whom he had picked up when his ship docked at

Cardiff, persuading her and his shipmate Morgan to accompany him to London.

A whole chain of events had combined to make Olive Parton suspicious of her lover. She said that on the night of the murder Warren had gone out with Morgan, leaving her in the room the couple had taken in Allison Road, Harringay. Morgan had called, saying that a woman in Parah Road had "done him out of thirty shillings," and he meant to get it back from her⁵. Warren had agreed to accompany him. Although the men said they'd be back within minutes when they left at about seven o'clock they didn't return until after 1:30 a.m.

Warren had then washed his shirt and he had a scratch on his chin. He claimed he had received this in a fight with a man, but to Olive it looked as if it had been made by a woman's fingernail.

He gave her three rings — one of which was *inscribed*. "L. O'C." — and she now handed these to Detective Inspector Mitchell.

Warren had shaved off his moustache that morning after the murder, she said, and when the three went out they saw a newspaper *placard* which announced: "Woman *strangled* at Finsbury Park."

Noticing Warren and Morgan smile at each other on seeing this, she said, "You have had nothing to do with that, have you?"

"Why should you think that we had anything to do with it?" asked Warren.

"It seems rather funny that you could come home in the early hours of the morning," she said.

"You'd better be careful about what you are saying," Warren

told her.

Morgan bought a paper, which the two men kept from her for some time. But when she read the report a day or two later she saw that the descriptions of two men wanted for questioning fitted Warren and Morgan. And on listening to their conversation, she heard the name Ball mentioned...

Both suspects, along with Ball, appeared in court when the inquest on Lucy Nightingale identified the three rings handed over by Olive Parton as having belonged to his wife, and Warren's landlady *testified* that on the night of the murder she had heard him come home at 2: 20 a.m. She also confirmed that Warren had shaved off his moustache later that day.

Morgan told the court that on the afternoon of Saturday, July 26th, he and Warren had met Ball in a public house. Ball had invited him to his home to play the piano, and while he was there he met a woman introduced to him as Ball's niece, Lizzie. He had intended to go to Limehouse to seek lodgings, but Ball had told him, "Don't go there, it's a rough place," and had offered him a bed for the night.

Morgan said that when the time came to retire for the night he asked Ball where he was to sleep and was told, "With the girl."

"Did he ask you for anything?" said the coroner.

"Yes, ten shillings," Morgan replied.

"Did he say what you were to give the girl?"

"He said I was to give her what I liked."

Morgan went on to say that Lizzie told him that men usually gave her two or three pounds. He threw two pounds on the bed and she picked up the money and put it in her stocking. They spent the night together, and the next day he went to see Warren in Allison

Road.

He denied telling his friend that the girl had “done him out of thirty shillings,” and that he was going to get it out of her, but he said that Warren had gone back to Ball’s house with him at about seven o’clock that evening. At Lizzie’s suggestion he and Warren had gone out with her for some supper. In the restaurant they met a man with *ginger* hair who appeared to know Lizzie, and who returned to the house with them, going upstairs with the girl.

It was then about midnight. Warren and Ball were chatting in the kitchen, said Morgan, and he himself must have dozed off⁶ for about 10 minutes in the back *parlor*. He awoke when Ball came into the room, followed by Lizzie who said she would sleep with “Old Doings,” as she called Ball. He remained downstairs drinking with Ball for about an hour while Lizzie and Warren were upstairs.

“Whilst in the kitchen did you hear anything?” asked the coroner.

“A shout, not very loud and short,” Morgan replied.

“Do you call it a shout or a scream?”

“It was more like a scream. It sounded as if it was a woman... it was then about one o’clock.”

Morgan went on to say that Warren came downstairs hurriedly half an hour later. “He asked if I was coming. I told him I was going to put my hat and coat on, and he told me to hurry up.”

Ball was still downstairs, and after they left the house Warren said: “I wonder if Ball went upstairs. I tied her up and put a pillow under her head.”

“What did you understand by that?” asked the coroner.

“I did not ask him anything,” replied Morgan.