

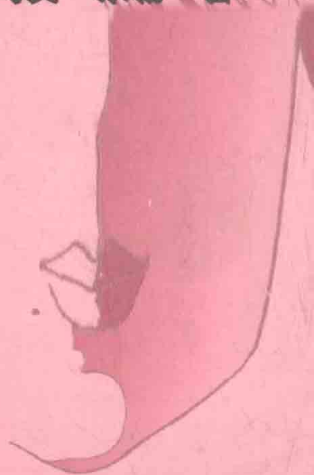
学生趣味英语读物 (英汉对照)

THE SLEEPING PRISONER

判案系列 ②

沉睡 不醒 的囚徒

[美] 马文·米勒 著



中国对外翻译出版公司

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【美】马文·米勒

王恩冕

译注



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Order in the Court

LADIES AND GENTLEMEN OF THE JURY:

This court is now in session. My name is Judge John Dennenberg. You are the jury, and the trials are set to begin.

You have a serious responsibility. Will the innocent be sent to jail and the guilty go free? Let's hope not. Your job is to make sure that justice is served.

Read each case carefully. Study the evidence presented and then decide: 10

GUILTY OR NOT GUILTY??

Both sides of the case will be presented to you. The person who has the complaint is called the *plaintiff*. He or she has brought the case to court. If a crime is involved, the State is the accuser. 15

The person being accused is called the *defendant*. The defendant is pleading his or her innocence and presents a much different version of what happened.

IN EACH CASE, THREE PIECES OF EVIDENCE WILL BE PRESENTED AS 20

EXHIBITS A, B, AND C. EXAMINE THE
EXHIBITS VERY CAREFULLY. A *CLUE* TO
THE SOLUTION OF EACH CASE WILL BE
FOUND THERE. IT WILL DIRECTLY POINT
5 TO THE INNOCENCE OR GUILT OF THE
ACCUSED

Remember, each side will try to convince you
that his or her version is what actually happened.
BUT YOU MUST MAKE THE FINAL DECISION.

The Case of the Flying Toy

LADIES AND GENTLEMEN OF THE JURY:

When a person invents something, that invention can be legally protected. The inventor fills out an application, and if the invention is found to be original, the United States Patent Office sends the 5 inventor an official document called a patent. This prevents other people from using the inventor's idea.

The case you are asked to judge today involves a patented toy called SPIRALWIZ. This unusual 10 flying toy has been sold worldwide by Backwards Industries, Incorporated.

Last year, Andrew Dobbs, who is the owner of a small plastics company, began selling an identical toy. He named it FLYFLIP. 15

Backwards Industries, the plaintiff, has asked the court to stop Andrew Dobbs from selling FLYFLIP because it is a copy of their invention. But Mr. Dobbs, the defendant, claims that his grandfather invented FLYFLIP 30 years ago, long 20 before Backwards Industries had the idea.

A scientist for Backwards Industries has given the following testimony:

5 "My name is Dr. Robert Franklin. You might think that all scientists are nerdy people who walk around carrying test tubes and never have any fun, but at Backwards Industries we're not like that. In fact, my job is to sit around all day and think up ideas for new toys. I invented SPIRALWIZ for Backwards Industries.

10 "SPIRALWIZ is one of the most unusual floating toys ever invented. When you fling it in the air, it travels straight ahead. Then it rises skyward, flips upside down, and floats gently back into your hand."

15 EXHIBIT A is a photograph of this amazing toy. As proof that SPIRALWIZ is an original invention, Backwards Industries also submitted EXHIBIT B. This is the patent issued to the scientist from Backwards Industries who claims to have invented
20 SPIRALWIZ.

Andrew Dobbs challenges Backwards Industries. In claiming that the toy was an old idea of his grandfather's, he offers the following testimony:

25 "As a boy, I remember Gramps telling me about his idea for a toy that would fly back into the hands of the person who threw it. He was working on it for a long time. Then he surprised me one day when he brought home this fantastic gadget.

"We went out in the yard and he showed me
30 how it worked. We took turns throwing the toy in

the air. We played with it the whole afternoon. But Gramps had no idea of ever selling it as a product. He just worked on his ideas for the fun of it. In fact, the next day he was busy working on another invention, musical gum that plays a 5 tune as you chew it."

While no one else saw Gramps' toy, Andrew Dobbs claims that his grandfather kept careful records. He had notebooks for all his inventions and they were stored in the attic when the old 10 man died.

Mr. Dobbs located his grandfather's notes. EXHIBIT C is the last page of the notebook that shows a drawing of the toy. You will observe that the sketch is identical to SPIRALWIZ that Back- 15 wards Industries claims to have invented.

No one saw a working model of Gramps' toy besides Andrew Dobbs. But Mr. Dobbs offers the testimony of a friend who knew of his grandfather's experiments. 20

"My name is Charlie Watson. Gramps Dobbs was a good friend of mine. I know, I know. . . . You think it's funny that I called him Gramps when we weren't even related. But that's what everybody called him. I spent a lot of time with him when he 25 was working on that crazy toy idea.

"Every day, for three weeks, I drove him to a remote field on the outskirts of town. Gramps didn't want anyone to see him working on his invention. To reach the field, we had to drive down 30

a long, bumpy road that few people in town knew.

“I never bothered Gramps while he was trying to get the toy to work. I just went digging in the road, looking for unusual rocks for my geology
5 collection. The road was covered with stones and rocks of all kinds. I used to find a lot of garnet and tourmaline.

“I clearly remember the last day we went to the field together. I was busy examining a large boulder
10 when Gramps ran over to me very excited. He said he finally got his flying invention to work.

“But Gramps wouldn’t show me the toy. He was very secretive about all his inventions.

“As we drove home, Gramps began writing in
15 his notebook. He wouldn’t even show me what he was writing. Then he slammed the notebook shut. He said, ‘I’m glad that’s finished. It took a long time to get that toy to work. Now on to my next invention.’ ”

20 “A lawyer for Backwards Industries claims the drawing in EXHIBIT C is a fake. He has stated:

“Except for the sketch on the last page, the notebook contains no written description of the invention—or statement that it even worked.
25 There are no other drawings in the notebook.

“In fact, in this notebook, Grandfather Dobbs wrote about his experiments that failed. He never wrote that he could get the toy to work properly. And it seems strange that he would not show the
30 invention to his friend, Charlie Watson. Could he

have been ashamed that he had failed to get his toy to work?

“No, old Mr. Dobbs never got his flying toy to work. In fact, we believe his grandson Andrew Dobbs really drew the sketch himself. He knew 5 he would have to stop selling FLYFLIP if Backwards Industries could prove to the court that the invention was theirs.”

LADIES AND GENTLEMEN OF THE JURY:

You have just heard the Case of the Flying Toy. 10
You must decide the merit of Backwards Industries' claim. Be sure to carefully examine EXHIBITS A, B, and C.

Was Grandfather Dobbs the original inventor of the flying toy? Or was the drawing in his notebook 15 a fake?

EXHIBIT A

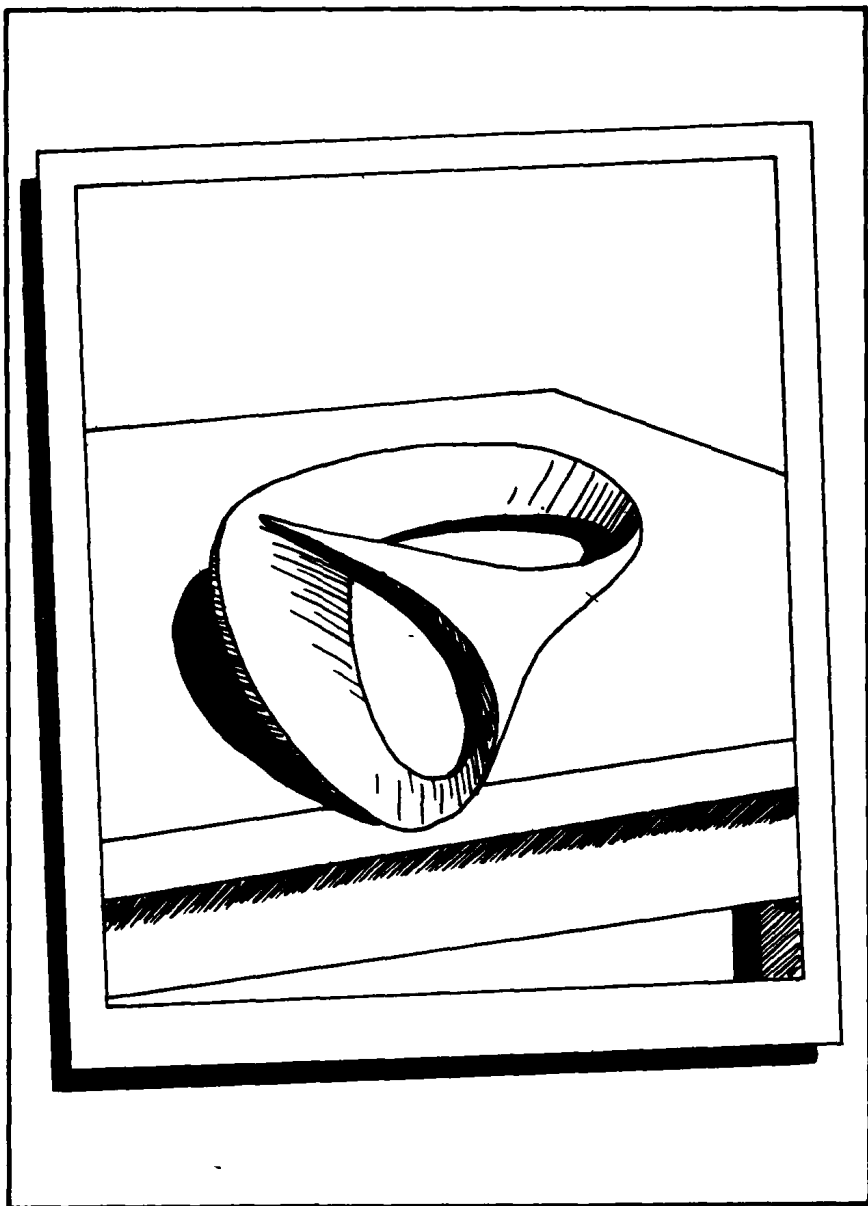


EXHIBIT B

United States Patent Office

138,644

FLYING TOY

Robert Franklin, Freethrow, CA, assignor to
Backwards Industries, Inc., Freethrow, CA

Filed July 17, 1985, Ser. No. 21,655



Fig 1.

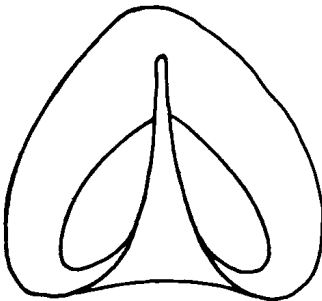


Fig 2

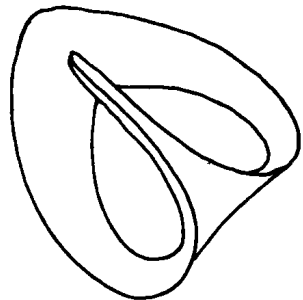
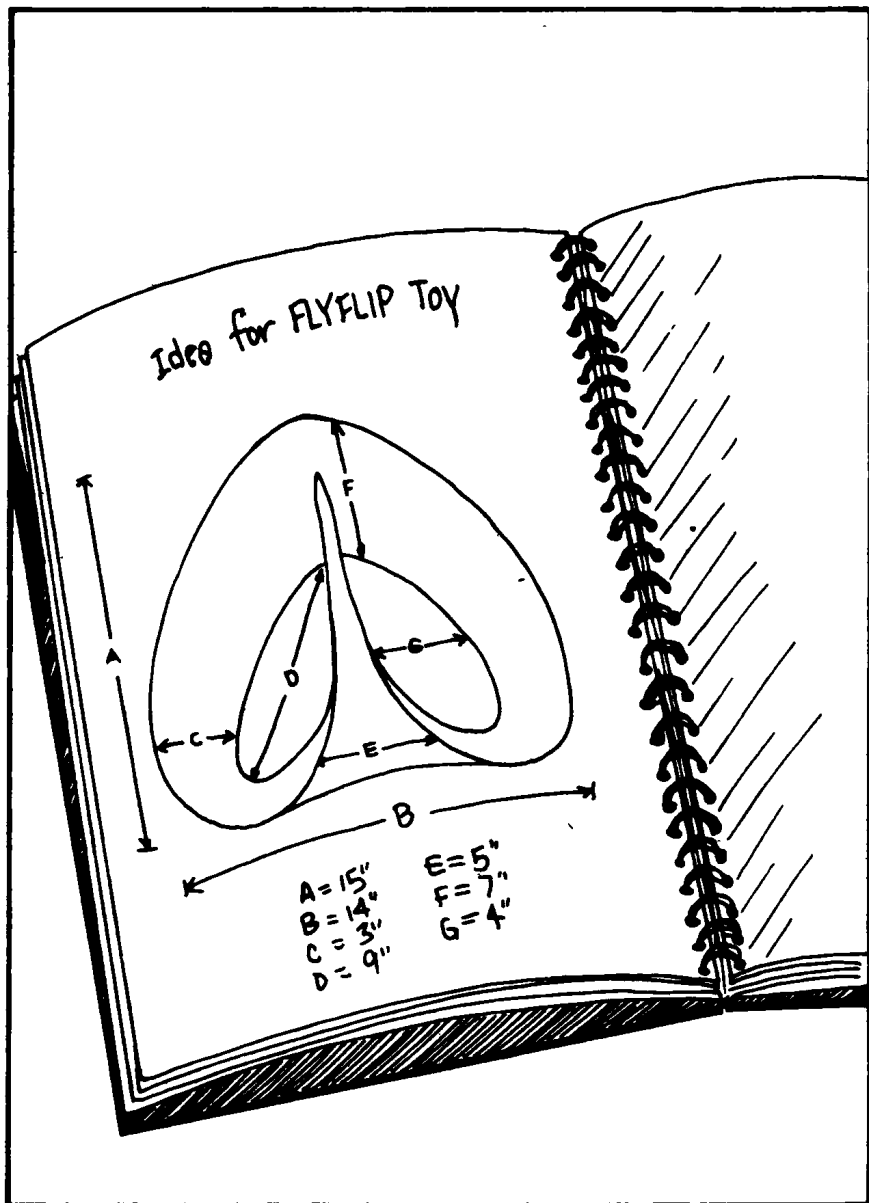


Fig 3

EXHIBIT C



VERDICT

THE DRAWING IN THE NOTEBOOK WAS A FAKE.

Charlie Watson testified that Grandpa Dobbs wrote the last page in his notebook while they were driving down a long, bumpy road. But the drawing and handwriting on the page are smooth
5 and even, as though they had been written at a desk. Andrew Dobbs had added the final page himself.

The Case of the Troublesome Twins

LADIES AND GENTLEMEN OF THE JURY:

For a person to be found guilty of a crime, there must be sufficient proof that he was the one who committed it.

5 Keep this in mind as you go over the facts of this very unusual case.

Farmer Foley, the plaintiff, accuses Bart Lee of breaking the lock on his chicken coop door. All the chickens escaped. He is suing Bart Lee for the
10 amount of money it will take to replace the chickens.

Bart Lee, the defendant, claims he is not guilty of the crime since Farmer Foley cannot say for certain whether it was he or his twin brother who
15 did it. If there is not enough evidence to point to either twin, then neither can be found guilty.

Farmer Foley has testified as follows:

"One rainy afternoon, April 19 to be exact, as I was sitting on the porch of my house, I saw a
20 figure sneaking onto the far side of my property. The person was holding something that looked like a large stick.

"As I rose from my rocking chair, I saw the