

CHECKING THE WITNESS.

The Testimony of a Careful Old Man in the Presence of a Shrewd Young Attorney.

The young lawyer was determined that if vigilance should accomplish anything the case should be decided in favor of his client, and so when the careful old man went upon the stand for the defence, the attorney leaned forward, prepared to fight every inch of the way.

"Mr. Johnson, the plaintiff," said the careful old man, "said that if I would buy the house he would get Mr. Gimpson to relinquish his release. He said he thought Mr. Gimpson would agree to go. I guess—"

"Never mind what you guess. We don't want any Loresay or guessing. Your Honor (to the Court). I object to this witness's testimony. He is guessing at what he says. We want facts."

"Excuse me," said the old man; "I was about to say I guess at nothing, and insisted on the understanding being established in my presence. So the two men got together, with me on hand, and listen to what they said. I understand—"

"Objected to as incompetent. Your Honor, we don't want to know what this man understands was done. We want what he knows was done. We want—"

"One moment," said the careful old man. "I was about to say that I understand ordinary conversation with some difficulty, and so that there might be no error I insisted that they yell out their propositions in loud tones, which they did until you could hear them in the middle of the town. I am informed—"

"Your Honor!" cried the young attorney, "is our time to be taken up listening to hearsay evidence? He does not know. He was informed that such and such was so and so. What we must have is what he knows about the trade and whether or not he—"

"I am informed on real estate values, having been a real estate agent all my life," the old man said, "and I knew what the worth of that lease was to the holder of it. Knowing of the facts I would fix his damages at \$78.32. I believe—"

"Objected to as a conclusion and as incompetent. What any man believes is not necessarily good proof. I don't want to know what you believe, but what you know. We must insist on your telling what you know and not what you surmise or what you conjecture, or what you think, or what you imagine. A court room is not a place for exploiting what a man believes, but what he is sure of. I think the Court will support me in saying that we don't want to know what this man believes." And the young lawyer looked confidently at the Justice.

"I was going to say," said the witness, "that I believe that is all."

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