

THE WRITING IN THE AIR.

Deaf and Dumb Actors in a Legal Drama at the Court of Judge Goldfogle.

Leopold Schwartz Sues George Lindemann for Misrepresentation and Fraud, and Both Men Being Mutes They Testify with Their Hands and Fingers.

Deaf and dumb litigation was the order of the day at Judge Goldfogle's court yesterday afternoon, and for two hours the dignified Court saw more digital hieroglyphics carved on the impalpable air than ever decorated the tombs of the Ptolemies. The witnesses moved and carved and twisted and stabbed, and the interpreters talked back in like language, each after the manner of his kind. On diverse occasions the interpreter and the witness would put their noses together, flourish their fists and apparently call each other all the unheard names in their language. At such times the Judge would bend

forward with his judicial brow corrugated like the elbow of a stovepipe, uncertain whether the unspeakable givers of good and perfect testimony were indulging in airy pervasage or important evidence. At other times one or the other of the lawyers would spring to his feet with a wild and delirious objection, which invariably wasted itself upon the bosom of the air. The witnesses and interpreter would continue their frenzied pantomime in spite of everything. The chief actors in this judicial drama were George Lindemann, Leopold Schwartz and Moritz Schoenfeld. Some time ago—it

may have been one year and it may have been forty, in the absence of antiscular evidence—Lindemann began to issue a long-felt want somewhere up in the tenement district. It was called the *Truthensamen* *Wegblatt*, whatever that may have meant. It became evident from the start that the paper's name was too heavy for its advertising and pretty soon it became afflicted with a heavy financial list to starboard. Then Lindemann cast about him for a purchaser. After dallying with sundry would-be purchasers for a while he encountered Leopold Schwartz. Schwartz is a shrewd kind of man as men go, and after a great deal of energetic pantomime he agreed to purchase the paper for \$150, two-thirds down and the balance within a year. With much earnestness and both hands, Lindemann is said to have told Schwartz that the paper was blessed with 800 subscribers. It came out in the evidence, however, that Lindemann told Schwartz no such thing. He merely said that he had sent out 800 sample copies. At any rate, when Schwartz took hold of the paper he found that he had a string on only 60 subscribers. Then he assigned to one Moritz Schoenfeld, and that is where the chief witness comes in. Schwartz also claims that Lindemann collected \$60 after he had disposed of the paper. The total receipts taken in by Schwartz was \$5 for advertising and \$1.75 subscription money. All of which goes to form the plot of yesterday's drama.

It was exactly 3 o'clock when Lawyer Van Wagoner, of the defense, came into court

with his client. He was followed a moment later by Lawyer Samuel D. Levy, Moritz Schoenfeld and a bald-headed interpreter. When Judge Goldfogle called time there was a fair scattering of people in the room and everything was so quiet that two or three persons could have heard one pin drop. The others could not hear anything at all. Out among the audience—or, more properly, spectators—there were great goings on, and at one time it looked as though half a dozen games of "thumbs up" were taking place simultaneously. After opening the case with a short argument, Lawyer Levy called Moritz Schoenfeld to the witness-stand. Schoenfeld is a little fellow and is very intense. So is the interpreter. When the latter took his position half way between the lawyer and the witness a curious state of affairs was developed. Schoenfeld can neither hear nor speak, his digital conversation being carried on in German according to his own plans and specifications. In fact, all his signs were compiled and erected according to his own ideas of the fitness of things, and nobody but his interpreter could understand him. Now the interpreter was quite as peculiar in his way, as Schoenfeld. He could speak English fluently, and talk correct German with his fingers, but could not have heard Gabriel's trumpet sounding the final doom. Here was a pretty how do do. The difficulty was greatly abridged, however, by his wonderful ability to read from the movements of the lips. Accordingly Lawyer Levy struck an attitude immediately in front of

him and began his questions. After a few trivialities had been indulged in Lawyer Levy asked: "When did Lindemann collect this \$60?" The interpreter wheeled around upon the witness with the look of one who has had a heavenly vision. Then ensued a strange and wonderful colloquy. The interpreter cut a barrel out of the air with his left forefinger, knocked the bung out with his right fist, quaffed the invisible nectar of the gods and rested his case. The witness, who had taken all these motions in with a critical air, reached forth and grabbed a handful of ether, ranked it towards him, got a spiritual head in chancery and blacked a visionary eye. Then the interpreter turned around and, translating all these German gestures into English language, said: "He does not know when." Whereupon the Court beamed and the spectators were intensely satisfied. Continuing, Lawyer Levy gazed up his mouth into the suggestion of a green vermillion and plucked out the following question: "From whom did he collect the \$60?" The interpreter's method of conveying this idea to the witness was to saw a cord of wood with his left hand and to shoot the witness dead with a revolver composed of his thumb and forefinger. Schoenfeld pulled himself together, fanned his right ear vigorously, hummed his back and put his thumb to his nose. With indignation in one eye and a visible fine for contempt in the other, Judge Goldfogle

straightened up just as the interpreter turned around and said: "He dunno." Lawyer Levy then asked a lengthy but irrelevant question, whereupon Lawyer Von Wagoner sprang to his feet and made a valuable protest. "I object," he shouted. "Here, I say." (to the interpreter) "can't you hear." Then the knowledge that the interpreter was deaf to all his protests came over him, and he subsided with a grunt, while the counters and cross-counters with the witness continued. When the tempest of silent language had subsided Judge Goldfogle sustained the objection and the trial proceeded. "How much money did you take in while you had charge of the paper?" was Lawyer Levy's next question. This query was translated with two or three unimportant flourishes by the interpreter, and everybody expected a clear and concise reply. The answer was appalling. Schoenfeld hitched up his trousers sailor-fashion, twisted a corkscrew into a bottle of wind, pulled out the cork, drank the contents, threw the bottle at the Judge, expectorated in his hands and shook his fist at everybody with one vast, comprehensive sweep. "One dollar and seventy-five cents," meekly replied the interpreter. THE JUDGE SUSPICIOUS. "What did he say?" thundered the Judge, turning to the interpreter with fire in his eye. It was evident that the Judge had an idea in his mind that Schoenfeld was trifling

with justice by referring to bottled beer. So it went, hammer and tongs, until Lawyer Levy grew tired and handed the witness over to the tender mercies of the counsel for the defense, who failed to extract any additional information, beyond a few more bottles of beer, and the snatching bald of several more spiritual heads. While all this was going on a patriarchal-looking old man put an occasional finger in the digital pie, to the apparent great grief of the lawyers on both sides. Then to the surprise of everybody, when both sides had finished with the witness, Judge Goldfogle got right up before everybody and went through with some finger-work that astonished the natives. The witness smiled and talked back. A USELESS OBJECTION. "I object. I do not know what it was, but I object," said Lawyer Von Wagoner. Then with a smile of conscious superiority the Judge sat down again. The secret was not divulged during the subsequent proceedings. When Schoenfeld had retired, Lindemann, the defendant, was called to the stand. Lindemann looks like Frank Bush in one of his thrilling characterizations. He has all of Bush's motions, without his language. He also has the heart disease. On this account a friend who had accompanied him to court brought the lawyers to be calm in their deportment. The lawyers were calm enough, but for awhile it began to look as though Lindemann would have a severe attack of hysteria. He waved his hands vaguely about and seemed to be perishing

for a chance to unbosom himself. Lindemann was told to place his right hand on the time-worn Bible. For a moment it looked as if he would fall. He stood up, however, and placed his hand on the book. Then, looking at the interpreter, the Judge said slowly and impressively: SWEARING IN DARK SHOW. "Do you solemnly swear—in the presence of the ever-living God—that the evidence you will give in this action—between Leopold Schwartz and you as defendant—will be the truth—the whole truth and nothing but the truth—so help you God." Word by word the interpreter translated the oath, while Lindemann stood like a statue waiting for the end. When it came he raised his left hand and made a few solemn gestures to the God who reads all hearts. "He says that he swears," said the interpreter, "and that God will understand." Then the peculiar drama went rapidly on. Lindemann's attempts to talk were pitiable. His gestures were spasmodic and far more dramatic than Schoenfeld's. He swore that he had not told Schwartz that the paper had 800 subscribers and that he had no intention whatever of defrauding anybody. He was yet on the stand when the dingy old clock on the wall struck four. Those who could hear turned their faces in its direction, but the deaf and the dumb did not know that the court was adjourned until the Judge dismissed them with a wave of his hand. The case will be continued.