

to take verbatim notes of the trial. Our practice is to hand to the party employing us a transcript of our notes by nine o'clock on the morning following the day on which the trial takes place, so that, if, as is frequently the case, the trial lasts more than one day, our notes may be used by counsel as the case proceeds. Very often we give transcripts of portions of the evidence on the same day as it may be taken, while the case is actually proceeding. Our experience and that of our clients is, that by using the type-writer for transcription in lieu of longhand we turn our work out much quicker, and in a much more readable manner, than was possible under the old practice. We also bind our reports up in book form, in a strong but inexpensive cover. In the case of *Malpas v. Malpas*, the latest *cause célèbre* here, which occupied the attention of the Divorce Court here for twenty days, we were engaged by the petitioner's proctors to supply transcripts of our notes day by day as the case proceeded, and these were frequently referred to in the course of the trial. We might also mention that His Honour Mr. Justice Higinbotham, who presided at that trial, took his notes in shorthand, as is his invariable practice. Again, within the last fortnight, we did the same thing in connection with the case of *Capper v. the Red-cross Preserving Company (Limited)*, which lasted eight days. In fact, as in England, although the parties themselves have, under the present system in this colony, to pay the shorthand-writer's fees, yet so much importance is attached to his services that they are constantly called into request. The remuneration received by us is as follows: Two guineas per day for taking notes, and one shilling per folio of seventy-two words for transcription. Practically the only difference between the course adopted here and that in the London Bankruptcy Court is, that there the shorthand-writers have an official position, which we have not, and also that here the Judges take up much valuable time in taking down the testimony of witnesses, which, of course, in the London Bankruptcy Court is rendered unnecessary in those cases in which the official shorthand-writer is engaged.

Those of our American correspondents to whom we have mentioned the matter tell us that it is a generally-recognized fact, that where the shorthand-writer is a part of the regular paraphernalia of the Court one-half to one-third of the time of that Court is saved, carrying with it, of course, a corresponding saving to the taxpayers in the cost of maintaining the Court, to litigants in expediting their cases, and to jurors and witnesses in a similar manner and equal ratio.

We beg to offer you the following suggestions as the basis on which to frame a law for the employment of official shorthand-writers for your Courts:—

1. The Government may appoint a competent shorthand-writer for each Judge of every Court in which it is thought necessary that a shorthand-writer should be appointed.

2. It shall be the duty of the official shorthand-writer to take an accurate shorthand note of the testimony, the objections made, the rulings of the Court, and all other proceedings on the hearing of a case, except the arguments of counsel; and, if requested by either party so to do, he must, within a reasonable time after the trial of such case, transcribe his notes, and verify and file the transcript in Court.

3. The certified transcript shall be *prima facie* a correct statement of such testimony and proceedings.

4. The official shorthand-writer shall receive, as compensation for his services, a salary from the Government of £250 per annum for taking shorthand notes, and shall be authorized to make an additional charge to the party requiring the same of 1s. per folio of seventy-two words for a transcript of the whole or any portion of his notes, such charge to be allowed on taxation.

5. The official shorthand-writer shall not be required to transcribe his notes until the fee for so doing shall be tendered to him or deposited in Court.

6. On entering a cause for trial the plaintiff shall pay into Court, in addition to the usual fees, the sum of 15s., which shall go towards the payment by the Government of the shorthand-writer's salary.

7. The presiding Judge, on the trial of any criminal case, may make an order requiring the testimony to be taken down by the official shorthand-writer, and transcribed within such time as may be designated by him; and in such cases the fees of the shorthand-writer for transcription shall be paid by the Government, on the certificate of the Judge making the order.

8. No person shall be appointed to or be retained in the position of official shorthand-writer to any Court without first being examined as to his competency by the Attorney-General, or such other persons as he may appoint; and no person shall be appointed to or be retained in such position upon whose qualifications the examining party shall not have reported favourably.

9. The test shall be as follows: The party examined must write, in the presence of the examining persons, at the rate of at least 140 words per minute for five consecutive minutes, upon matter not previously written by him; and shall transcribe the same into longhand-writing with accuracy forthwith, in the presence of the said examiners. If he pass the said test satisfactorily, the examining persons shall furnish the successful applicant with a certificate, which shall be filed in the records of the Court.

10. The shorthand-writer must attend to the duties of his office in person, except when excused for a good and sufficient reason by order of the Court.

#### *Alternative Rules.*

1. Same as above.

2. In lieu of the words "It shall be the duty of the official shorthand-writer to" read, "The official shorthand-writer must, at the request of either party in any case, or of the Court."

3. Same as above.

4. The official shorthand-writer shall receive, as compensation for his services, the sum of £2 2s. per day for taking notes, and 1s. per folio of seventy-two words for transcribing the same; such sums to be paid by the parties requiring the transcript, and to be allowed on taxation.