words down, nor to adduce evidence to show that he did not use the words attributed to him. At present an authenticated copy of the shorthand transcription should stand on no higher footing than an authenticated copy of the Judge's notes, for which it is a substitute. Such last-mentioned copy is not, strictly speaking, evidence at all; but in subsequent stages of the same cause, whether in the same or in an Appellate Court, it is treated as a correct account of what took place.

While the matter is in its experimental stage it would be sufficient to provide, by rule of Court, that a Judge in any case might direct notes of the evidence to be taken by a shorthand reporter, and that a transcription of these notes might be used in substitution for the Judge's notes of evidence for any purpose for which the Judge's notes might be used. I think also that at present no permanent appointment should be made under section 35 of the Supreme Court Act, as suggested in the memorandum of the Hon. the Minister; but that reporters should be employed from time to time as required. Lastly, I think it would be highly unjust to suitors to saddle them with any part of the cost of shorthand reporting; all they should be called upon to pay for is for a longhand copy of the evidence, and only if they ask for it. The suitors' fees now are exceedingly high, and they already pay not only for the whole establishment of the Supreme Court, but for more than half the salaries of the Judges.

Apart from the reporting of evidence shorthand reporters would be of comparatively little service. It might be handy occasionally if a precise note were taken of the ruling of the Judge on disputed questions, of his directions to the jury on points of law, and of any objections to his ruling which counsel ask to be noted. In order to do this accurately, however, the reporter ought, if his report is to be treated as authoritative, to have some legal knowledge. Where also there is a trial before the Judge alone, or an argument in *Banco,* and the Judge delivers an oral judgment, a good shorthand report of the judgment may be useful. An ordinary newspaper report, however, taken in shorthand, and corrected by the Judge, is generally sufficient for every purpose. For what is known as law-reporting—that is, reporting legal arguments and decisions—an official shorthand reporter would be practically useless. The law reporter has to pack in a small compass the essence of the argument on both sides, to copy out the judgment, and then, in a head note, to extract as far as possible the legal principles involved in the decision. In this task he would not be in the least assisted by the shorthand-writer, and the task is one which it would be hopeless to expect any shorthand-writer to perform.

With respect to the suggestion in the memorandum of the Hon. the Minister, that Judges and others would be more careful of what they said if everything said was taken down, I would remark that, so far as Judges are concerned, any specially foolish utterance is, as a rule, noted by the newspaper reporters and appears in print the next day. If this does not deter Judges from making inept remarks, they will not be deterred by the knowledge that such remarks will be embalmed in the records of the Court.

Dunedin, 22nd September, 1885. JOSHUA STRANGE WILLIAMS.

No. 10.

His Honour the CHIEF JUSTICE to the Hon. the MINISTER of JUSTICE.

SIR,— Judge's Chambers, Wellington, 9th October, 1885.

With reference to your letter, stating the intentions of the Government with regard to a proposal for the appointment of shorthand-writers to take notes of evidence given and other matters passing in the Supreme Court, and asking for any suggestion I might wish to make on the subject, I have the honour to inform you that, in my opinion, the proposal to make the shorthand-writer's note conclusive proof of the evidence given would not unlikely be productive of injustice to suitors in many instances.

The advantages of having such a report are apparent, not, certainly, as superseding the taking of notes by the Judges and counsel respectively, but as an assistance to the Court and counsel. The whole question is one of expense. I should suppose that to obtain the services of competent reporters a very large annual outlay would be necessary.

I have, &c.,

JAMES PRENDERGAST,
Chief Justice.

The Hon. the Minister of Justice.

No. 11.

The Hon. the MINISTER of JUSTICE to S. C. RODGERS, Esq.

SIR,— Wellington, 7th November, 1885.

I am endeavouring to inaugurate, on a limited scale, in New Zealand a system of stenography in the Supreme Court, viz., one stenographer for each of our five Judges.

I have drawn a short Bill for Parliament, and introduced the measure last session; but, partly owing to want of time for consideration, and partly a want of sympathy on the part of some of the members of the legal profession, the Bill did not proceed.

The reason I write to you is, that I see your name mentioned in the Bureau of Education, No. 2, 1884—Teaching, &c., of Shorthand; and thought, from your apparently vast experience and labours on the subject, that you probably would not be unwilling to afford me such information relating to the Acts authorizing the system of stenography in the Courts, to its working, and such other information, reports, &c., as might occur to you to be of special service to me in trying to establish a similar system.