

stenographer. Trials are concluded in much less time: witnesses and jurors are not compelled to lose their time by prolonged attendance upon the Court; and Court expenses are in a large measure reduced. Wherever the system is tried with competent stenographers I am confident it will never be abandoned.—Hon. EDWARD PIERREPONT.

The stenographer is of far more importance in expediting the despatch of business in the Court of justice than any other accessory. It is a fact now fully conceded that causes which without stenography would require three days to try are now tried in one day. The satisfactory results thus far achieved are more than a compensation for the expense of an official stenographer.—Judge TAPPEN, New York.

We would as soon think of abolishing it as of abolishing telegraphs. I have yet to hear the first whisper of dissent. Jurors like it, for it saves their time; lying witnesses do not like it, because the questions are fired at them so fast that they have not time to stop to lie; lawyers like it, because they can try cases rapidly; the cause of truth requires it, because exactitude is reached.—A. OAKLEY HALL, New York.

I can try from one-third to one-fifth more causes at a circuit with a stenographer than without one. It is a matter of economy for the taxpayers of counties that stenographers be employed. It usually costs \$75 dollars per day to hold a circuit without a grand jury, saying nothing of the expenses of parties, witnesses, and lawyers; and three days' time, at least, can be saved in every two weeks' circuit with a stenographer.—Judge BALCOM, New York.

I consider the services of a competent stenographer quite invaluable at the circuit. I should hardly know how to hold a circuit without one. I think it saves much time, and is a great relief to a Judge, as he can have at any moment the precise words of a witness, and the precise terms of all questions presented for decision to the Court. This saves great trouble to a Judge, both in the trial and in the settlement of a case.—Judge SMITH, New York.

### Enclosure B in No. 12.

[Extract from "Browne's Phonographic Monthly."]

THE UNITED STATES COURTS.—(By E. D. York, St. Paul, Minn.)

THE opinion of various States District Attorneys was also obtained, and used in the endeavour to obtain favourable action on this subject. Some of their replies are as follows:—

"New York, 29th December, 1881.—DEAR SENATOR,—In reply to your favour of the 22nd December, there are certainly some of the circuits and districts where there ought to be official Court stenographers. If allowed, I think the appointments ought to be left to the Judges and ought to be during the pleasure of the Judges: in fact, with the possible exception of compensation, I think it would be safest to leave selection, term of office, and limit of duties to the discretion of the Court. It would be well to require the Judges to officially approve of the amounts of the bills of the stenographers. Competent men could be obtained in this district for from \$1,500 to \$2,000 per annum.—Very respectfully yours, STEWART L. WOODFORD, United States District Attorney for the Southern District of New York."

"Troy, New York, 26th December, 1881.—DEAR SIR,—In response to yours of 22nd December, asking my views in respect to the appointment of stenographers for the United States District Courts, I have the honour to say that three years' experience has led me to believe that the appointment of stenographers for these Courts would be a great saving to the Government by diminishing the length of trials and thus diminishing the expenses for juries, witnesses, bailiffs, and the like, and not only in the case on trial, but in every case awaiting trial. Second, as the Courts named are largely peripatetic, and the stenographer would almost universally be from home while attending to his duties, his pay should be, I think, \$10 a day. In nine-tenths of the criminal cases, and nearly all the equity cases, tried at the circuits no copies of the evidence would have to be called for; but, if parties desired copies of the evidence, the stenographer should be paid such a sum as you shall see fit to prescribe. Stenographers in our State are paid 10c. per folio for copies. Third, I think the appointment should be made by the District Judge, as he is authorized to hold both the Circuit and District Courts, and the great mass of the trials are held by him. The stenographer would be a district officer and not a circuit officer, and the District Judge would know best whom to appoint. I think the stenographer should hold for a fixed term, as he would become a better officer after acquiring experience, but should be removable upon the joint order of the District and Circuit Judge at any time.—Truly yours, MARTIN J. TOWNSEND, United States District Attorney for the Northern District of New York."

"Louisville, Kentucky, 27th December, 1881.—DEAR SIR,—Since the receipt of your letter I have spoken to the most prominent members of our Bar as to your suggestion to provide by an Act of Congress for the appointment of stenographers in the United States Circuit and District Courts. Every one agrees as to its propriety, and that you would be doing a great service to the lawyers and facilitate largely the trial of causes by introducing and securing the passage of such an Act of Congress. The opinion expressed here is that the stenographer should be appointed by the Court and hold his office, as do the clerks, during the will of the Court or Judge. As to compensation, we think it would be best left to a system of fees to be fixed by the Judge, so much per one thousand words taken down in shorthand, and an additional fee for the shorthand notes to be written out in full. Very often we have stenographers take down proceedings which we do not care afterwards