

to have written out. I would say, let either party have the right to demand a stenographic reporter, the fee for mere shorthand to be taxed as to that party's costs, and then let either party have the right to require the notes written out in whole or part, the fee to be paid by the party demanding the copy; the fee to be paid before delivery. It ought to be in the power of the Court to order stenographic notes taken and transcription made on its own motion, if deemed proper and necessary: in such cases the fees to be taxed as general costs in the suit, and paid, on the order of the Court, out of any money or deposit to cover costs. Some favour the idea of the stenographer being made an officer of the United States, and paid a salary, say, of \$1,000 here, out of the Treasury of the United States, the Court being authorized to compel his attendance to take notes in such cases as it may be made to appear it is necessary. In case of appeal or writ of error the stenographic report of evidence, proceedings, charges, &c., should go up as an authentic record. I enclose our State law on stenographers, which works well.—Very respectfully, GABRIEL C. WHARTON, United States District Attorney."

"Omaha, Nebraska, 26th December, 1881.—DEAR SIR,—Yours of the 22nd December is received. I favour the appointment of stenographers in United States Courts. I think the compensation should be \$1,500 in most of the districts, and \$2,000 or \$2,500 in the larger districts, embracing New York City, Philadelphia, and St. Louis. The appointment should be made by the judges. A Bill, prepared by N. G. Strife in this city, and sent to Senator Van Wyck with the request that he introduce it in the Senate, in the main meets my approval. It also was examined and approved by Judges McCreary and Dundy.—Respectfully yours, G. M. LAMBERTON, District Attorney."

"Portland, Maine, 25th December, 1881.—DEAR SIR,—I have the honour to acknowledge the receipt of your letter of the 22nd instant in regard to the appointment of stenographers in the United States Circuit and District Courts. In Maine the statute provides for the appointment of such an officer in the Supreme Judicial Court by the presiding judge. Their compensation is fixed at \$5 per day, and 10c. a page for longhand copies furnished the parties to the suit—copies paid for by such parties. Copies furnished the Court gratis. These stenographers have employment a great part of the year. In the United States Circuit and District Courts in this State about one hundred days a year may be counted upon as the minimum time consumed in trials before the court and jury. We have sometimes hired stenographers in cases of importance, paying \$5 per diem, and liberally for copies. The service of a stenographer will save much time and greatly facilitate business. The stenographer, I think, should be appointed as commissioners are, and hold office during the pleasure of the Judge so authorized to appoint. He should be required to attend all trials when requested by the Court, or furnish a satisfactory substitute; the United States to pay him a salary of \$1,000 per annum: copies to be furnished the Court gratis, and to parties who request copies at 10c. a page.—Respectfully, WILBER F. LUNT, District Attorney."

"Indianapolis, Indiana, 26th December, 1881.—DEAR SIR,—Your circular letter of the 22nd December, 1881, asking my opinion as to the propriety of providing for an Act of Congress for the appointment of stenographers in the Federal Courts was received and considered. I think there should be legislation on the subject-matter. An Act of Congress, properly guarded so as to prevent abuses, &c., I think would receive the support of the Bench and the Bar. The employment of stenographers expedites the business, shortens trials, and saves considerable time. It insures accuracy, and an orderly and dignified conduct of Court business. It is also a check upon lawyers and Judges, who are necessarily more careful and considerate of themselves and others, and their rights and limitations, when they know that their very words are taken down. Our State Legislature has provided in this behalf for the State Courts. It may be of some use to you in the premisses to read our State laws upon the subject. I call your attention to the Acts of the 7th March, 1873, and the 10th March, 1875, concerning the appointment of shorthand reporters, which you will find in Vol. I, Statutes of Indiana, Davis's Revision of 1876, pp. 769–770, &c., and to the Act approved the 14th April, 1881, Acts of 1881, Indiana, page 599. I think the provision of our State law as to the appointment of reporters judicious. Of course the majority of cases may not require a reporter. The appointment of a shorthand reporter in a given case is left to the discretion of the Judges, saving where both parties to the suit agree, and then the Court must employ a reporter. In my own judgment, the fees of the reporter should be fixed by law, and taxed as costs, saving that each party should pay the reporter so much per folio for longhand transcripts, if requested to be furnished. I would suggest that you do not overlook in your Bill proper provision for reporting United States' cases, both civil and criminal, and the payment therefor, so that there might be no hitch with the accounting officers; and also for the reporting, whenever necessary, of evidence before the grand jury and United States Commissioners, or such provision for grand jury investigation can properly be made so as to obviate any legal question.—Very respectfully, CHARLES L. HALSTEIN, District Attorney."

"Milwaukee, Wisconsin, 23rd December, 1881.—DEAR SIR,—I have the honour to acknowledge receipt of your favour of the 22nd. We have felt the need of a law such as you suggest in this district very frequently, and there can be no doubt it would meet with general approval. The District Judge has several times expressed regret, in my hearing, that he had no authority to employ a stenographer. It seems to me that, as far as this district is concerned, the statute authorizing the Circuit or District Judge to employ a stenographer whenever in his judgment the condition of business pending in his Court or district is such as to render the services of such stenographer necessary, at a compensation not to exceed \$10 a day, or at that rate for not less than a day, would accomplish the object. There is no difficulty now in obtaining the services of a reporter at \$10 per day in this part of the country, and I presume that the same is true elsewhere. The law should provide that copies of the testimony and proceedings shall be furnished to either party at a cost not exceeding that allowed by the statutes of the State where the service is rendered,