

Enclosure F in No. 15.

[Extract from the Administration of Justice Bill, Victoria.]

THE following is the proposition of the Government in regard to this matter now under consideration by Parliament: "The Governor in Council may appoint from time to time as many fit and proper persons as are required who have obtained certificates from a board of experts, to be from time to time appointed by the Governor in Council for that purpose, that they are duly qualified to be shorthand-writers, and may remove any of such persons so appointed. The number of such persons shall be determined by the Governor in Council, and they shall be appointed in accordance with and shall be subject to the provisions of 'The Public Service Act, 1883;' and every such person, before entering on the duties of his office, shall take, before a Judge of the Supreme Court, the following oath: 'I swear that I will faithfully report all proceedings which I am required by law to report in any cause or matter:' and every Judge of the Supreme Court is hereby authorized and empowered to administer such oath, or cause the same to be administered, to every such person."

These shorthand-writers are to be officers of the Supreme Court, and their reports are to be received as *prima facie* evidence of proceedings. If a shorthand-writer wilfully misreports proceedings, or permits any one to tamper with his reports, he is to be guilty of a felony, and, on conviction, is to be liable to imprisonment for any period not exceeding ten years. The Judges are to prescribe the system of shorthand to be used, and the Governor in Council may fix the fees payable for a copy of the report. The shorthand-writer is to read from his notes, when requested by the Court or counsel so to do, any part of the evidence as the case proceeds.

No. 16.

[Extract from Introductory Notes to the Administration of Justice Bill, submitted in August, 1885, to the Victorian Assembly.]

"It is proposed in the Bill to enable shorthand-writers' notes to be taken in certain proceedings, which will, it is thought, expedite the business of the Court. It will be optional either with the Judge or the parties to take advantage of this provision. The Judge's notes are, by law, his private property, and it is not intended by this proposal to interfere with the Judge in taking notes as he may think fit; but it will be found desirable in many cases to have a fuller report of an authorized character than a Judge usually thinks it necessary to take on his notes; and this will now become almost an essential feature in cases which may probably be carried into the appellate tribunal, for the reason that the Judge who tried the cause will not be present to advise the appellate tribunal, and to give information with respect to the proceedings which transpired before him. The system of taking authorized shorthand-writers' notes obtains in England and in Scotland in the Bankruptcy Court and the Sheriff's Court, and the rules of our own Court of Insolvency have at present a provision of a similar kind, whilst the rules of the Vice-Admiralty Court admit of the employment of sworn shorthand-writers for taking the evidence of witnesses. The various codes of the United States make provision for such reports being taken in the Courts of that country, and the system is being largely adopted in Canada and other countries. An accurate report, it is thought, will prevent any conflict arising as to what really did take place before a Puisne Judge or in the appellate tribunal, which will of itself prove a saving of time, trouble, expense, and anxiety to suitors."

No. 17.

The Hon. the MINISTER of JUSTICE to Messrs. STOTT and HOARE.

GENTLEMEN,—

Department of Justice, Wellington, 30th April, 1886.

I have the honour to acknowledge the receipt of your letter of the 13th instant, with its enclosures, for which I beg you to accept my best thanks. The further information with which you have courteously furnished me will, I trust, greatly assist in promoting the initiation of official shorthand reporting in the Courts.

Thanking you again,

I have, &c.,

Jos. A. TOLE.

Messrs. Stott and Hoare, 80, Elizabeth Street, Melbourne.

No. 18.

EXTRACTS of Letters from Mr. THOMAS SCOTT, Shorthand Reporter to a Sheriff's Court in Scotland, to Mr. Wood, Reporter at Dunedin for "The New Zealand Law Reports."—Forwarded to the Hon. the Minister of Justice by His Honour Mr. Justice Williams.

"Now, regarding your questions on the method of taking and transcribing evidence—for in what are known as the inferior Courts here it is only the evidence that is taken. The debates in cases are only taken in the higher Courts when they are specially wanted and they are intended for publication. Where a case proceeds from day to day—which is very seldom, there being an interval of a day or so between the diets—the evidence is taken by the one official shorthand-writer, and he writes it out as best he can for the next day. This can be done where the leading of evidence has not extended over five hours, though it means hard work on the legal reporter's part. According to the average amount of business done in a Court in a year so will be the number of shorthand-writers. If I had, say, an average of two proofs (leading of proof in a case) a week all the year round, I