

MR. CRANKSHAW'S SUGGESTIONS.

To the Council of the Bar of Montreal :

The length of depositions taken by stenography is a constant source of annoyance ; first, to lawyers and litigants, by reason of the expensiveness of the evidence and the impossibility of calculating beforehand the cost of stenography in a case ; and, secondly, to the Honorable Judges (in Appeal as well as in the Superior Court), whose labors might be considerably lessened if the evidence were placed before them in narrative form, as shewn by the following comparison :—

EVIDENCE AS NOW TRANSCRIBED.

Q. I think you were formerly the Secretary of the Mutual Fire Insurance Company, of the County of Joliette, the Plaintiff in this case ; were you not, Mr. Dickson ?

A. Yes, I was.

Q. Have you the Minute Book of the said Company with you here in Court ?

A. Yes, I have.

Q. You are in charge, at the present time, of the office of the said Company (Plaintiff), are you not ?

A. I am.

Q. And you have the custody of the books of the said Company, have you not ?

A. Yes, I have.

Q. Have you here in Court with you all the books of the said Company ?

A. No, I have not all the books of the Company here with me. I have a portion of them here ; I have the Minute Book of the Company here in Court.

THE SAME IN NARRATIVE FORM.

I was formerly the Secretary of the Company (Plaintiff). I am now in charge of the said Company's office, and have the custody of its books.

I have not all the Company's books here, but only a portion of them ; I have the Company's Minute Book here.

So far all efforts to have the evidence thus transcribed in narrative form have failed, for the simple reason that, the stenographer being paid by the length of the depositions as transcribed, he has a decided objection to condensation in any way. The only practical remedy is the appointment of Official Court Stenographers on salary. Such an idea is not a new one in Montreal ; but, hitherto, there has seemed to be a difficulty as to how the salaries are to be raised ; and the object of the present communication is to point out what seems to me to be a very easy means to that end.

At present, every inscription for *Enquete* and *Merits* must be accompanied by a deposit of ten dollars by the Plaintiff's Attorney ; and the Defendant's Attorney on opening his *Enquete* is required to deposit a like sum, thus making a total deposit of twenty dollars, towards stenographic fees in each *Enquete* and *Merit* case. This deposit, however, is far from being sufficient, in many cases, to cover the actual cost of stenography, which often runs up to as much as \$40, \$100, and even \$150 in a single case.

My suggestion is, that with each inscription either for *Enquete*, or *Enquete* and *Merits*, the Plaintiff's Attorney should pay in, say \$8.00, and that the Defendant's Attorney should pay in a like sum at the opening of his *Enquete*,

thus making a total payment of \$16, to be carried to the Stenographers' Salary Fund. That this sum of \$8.00 should cover the cost of depositions to the number of six witnesses ; but that whenever a plaintiff or a defendant, as the case may be, shall examine more than the limited number of six witnesses, he shall stamp the deposition of every witness, beyond that limited number, with a \$2 stamp, to be also carried to the Stenographers' Salary Fund. Under such a system, the cost of stenography in a case would be a matter that could be calculated ; and even in a large case of 50 or 60 witnesses, it could be kept within the reasonable bounds of about \$100, while in ordinary cases, with twelve or a less number of witnesses, it would be only \$16.

Now, it appears that there are some 3000 cases a year taken out in the Montreal Superior Court. Of these about one-third are contested, and require the services of a stenographer, either at *Enquete*, or *Enquete* and *Merits* ; but taking 800 as a safer estimate, these, at \$16 each, would give \$12,800 to meet the salaries. There might be four English and four French Stenographers appointed to do the work of reporting the evidence in the Montreal Superior Court ; seven of these officials to be paid a salary each of \$1,500 a year, and the eighth (either a Frenchman or an Englishman, as might be decided), at a salary of \$2,000 a year, to be placed in the position of chief, taking his full share with the others in the actual work of reporting, but taking also the responsibility of superintending and regulating the members of the staff in the proper discharge of their duties, as in the case of the Official Staff of Reporters of the Parliamentary Debates at Ottawa.

Let each stenographer be required to take full shorthand notes of the evidence (by question and answer as at present), and give a transcript in narrative form, and let him be required to index and file his notes, so that, at any time, either party in a case may obtain a full transcript of the whole or any part of the evidence, on payment, however, to the stenographer, of ten cents per 100 words for any such FULL transcript.

Applicants for these official positions should, of course, be submitted to an examination, testing not only their speed as shorthand writers but also their general education, and particularly their special fitness for law reporting.

Trusting that the foregoing may meet your approval, and that you will take steps to obtain the introduction of some such improvement as is herein indicated,

I am, Gentlemen,

Yours, very respectfully,
JAMES CRANKSHAW.

The Montreal stenographers may count upon the hearty support of the Canadian Shorthand Society in every possible way