

## The Legal News.

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### THE SUPREME COURT.

A difficulty, as most of our readers are aware, interposed in the way of swearing in the newly appointed Judge of the Supreme Court, and of proceeding with business at the last session of the Court. The difficulty arose from the absence of the Chief Justice, who was in Europe. This, and Mr. Justice Taschereau's resignation, left the Court without a quorum, which according to section 3 of the Supreme Court Act, must consist of five Judges: "The Supreme Court shall be composed of a Chief Justice and five Puisné Judges, any five of whom, in the absence of the other of them, may lawfully hold the said Court in term." And Mr. Justice H. E. Taschereau could not be sworn in to supply the vacancy, because section 9 says: "The said oath shall be administered to the Chief Justice of the said Courts before the Governor General, or person administering the Government of the Dominion, in Council, and to the Puisné Judges of the said Courts by the Chief Justice." The presence of Chief Justice Richards, therefore, became necessary to solve the difficulty, and he was accordingly telegraphed for.

### STENOGRAPHY IN THE COURTS.

"An old Stenographer" has addressed to us a letter on the subject of stenographers' fees, and the use of stenography in the courts, to which we willingly give place in the present issue. From this communication it appears that an accusation is made against certain stenographers of improper or exaggerated charges, that is to say, of charging for more work than has actually been done. This is a matter which has no connection whatever with the rate of remuneration fixed by the Court. It would be strange indeed that the rate should be cut down because the quantity is commonly exaggerated. That would be only punishing those who are honest and holding out a direct incentive to dishonesty. Overcharging should not be tolerated for a moment. The verification of sten-

ographers' accounts should be entrusted to a proper officer, and on his certificate only should the amounts be collectable. This is a mere matter of detail, much easier than the account keeping for telegraphic messages, which are also charged by the word. Anything like wilful overcharging should involve the exclusion of the offender from similar employment in the future.

We think our correspondent is right, when he says that the subject of stenography in the courts requires mature consideration with a view to legislative regulation. Thus far the system has been experimental, and with the experience of the past few years, some valuable improvements might perhaps be suggested in the course of a fresh consideration of the question. We have heard it proposed that stenographers should be officers of the court, paid by salaries, and should be empowered to curtail and abridge the notes of evidence. Doubtless, a great deal of useless matter may be found in the examinations of witnesses as conducted at present, and the printing of this for the purposes of appeals adds largely to the cost. But, on the other hand, it is possible for the Court to arrive at a much safer conclusion from the entire and unabridged examination than could be based upon any summary, even if made by lawyers, and the stenographers, be it remembered, need not be lawyers nor even law students. If stenography were commonly understood and practised, and the judges were sufficiently conversant with the art to take notes themselves, the power of abridgment might usefully be allowed. Under such a condition of things the notes taken by the judge who tried the case might be transcribed, if asked for, by secretaries engaged for the purpose. Where the judge's decision was accepted as final, and no intimation of appeal was given, there would be no practical end served by transcription at all. It might be too much at present to exact an acquaintance with short hand from all lawyers appointed to the bench. Yet the art seems to be gaining ground in mercantile establishments, and it is regarded as indispensable in many railway companies' offices. A great many clergymen write their sermons in this abbreviated style, and read their manuscripts with ease in the pulpit. In some printing establishments the notes of reporters have been