

SHORT-HAND REPORTERS.

cases where the evidence has been taken in long-hand by the judge.

6. Your committee find that where the system of short-hand reporting in the courts has been adopted, the advantages of the system may be thus classified :—

(1.) It largely promotes the despatch of business, by lessening the time occupied in the trial of causes. The Judge is not called upon to take more than a mere summary of the evidence for the purposes of his charge to the jury, or his own finding, and he is enabled to give greater attention to the demeanour of the witnesses, and the substance of their evidence. The witness can tell his story or answer questions more promptly, and is not interrupted while important parts of his evidence are being written down in the Judge's notes ; and he is not, as in Chancery cases, compelled to wait and hear his evidence read over—sometimes questioned as to its accuracy—before being signed by him. The experience of learned judges and counsel in cases where short-hand reporters have been employed shows that fully one-third of the time usually devoted to the trial of a cause is saved by the employment of a short-hand reporter.

(2.) It ensures an accurate record of the evidence and proceedings at the trial. In many cases, owing to the rapidity of human utterance, and the inability to write down rapidly the evidence in long-hand, or because the learned Judge may not consider some facts material, an accurate record of the evidence is not preserved ; and counsel at the trial have no means of knowing what the Judge's notes of the evidence contain until moving in term, after the opportunity of rectifying imperfections has passed away.

(3.) It avoids disputes as to the statements of witnesses, and enables a witness to make a consecutive statement of what he knows, without the danger of losing the thread of his narrative by waiting for the Judge to write down *in extenso* his statement of facts ; and it denies to an untruthful witness the time he would otherwise have to reflect upon the answers he should give while undergoing cross-examination.

(4.) It largely diminishes the burdens which are of necessity imposed upon suitors, witnesses, and jurors, by lessening the time they are compelled to attend court by fully one-third, thus saving witness' fees, and enabling the parties, sooner to return to their ordinary avocations.

(5.) It also largely diminishes the expenses

of the courts and jury-fees by lessening the duration of the courts.

(6.) In criminal cases it puts the Appellate Court, or the Executive, in possession of a full and complete record of the proceedings and evidence at the trial of the parties in whose behalf new trials may be moved for, or the prerogative of clemency invoked.

7. Your committee believe, in view of the facts hereinbefore stated, that the proposed system of short hand reporting will prove a measure of economy of time and money, as well as a means of expediting the administration of justice.

8. Your committee therefore suggest that the Government be requested to give effect to these recommendations by establishing a system of short-hand reporting in connection with the courts, and your committee recommend the following as the basis of the system :

(1.) That a staff of short-hand reporters be employed to attend with the Judges at each Court of Assize and Chancery sitting, to take full reports of the evidence and other proceedings at the trial—except the addresses or arguments of Counsel.

(2.) That of this staff two short-hand reporters be employed to attend at Osgoode Hall and the Toronto Assizes, to take notes of evidence at trials or *viva voce* judgments in term, and special examinations and such other business as may, from time to time, be assigned to them by the Judges.

(3.) That the short-hand reporters be appointed by the Law Society, and their duties regulated by a Committee of Benchers specially appointed for that purpose, and that they be subject to such general rules as may, from time to time, be promulgated by the Courts.

(4.) That the salaries of such short-hand reporters be fixed at fair and reasonable rates, and the reporters be allowed a fee of ten cents a folio where copies of the evidence are demanded by the parties to the suit, and to be paid for by said parties.

(5.) That short-hand reporting be made a department of legal education, and that prizes be offered by the Law Society for proficiency in stenography, with a view of training skilled legal reporters for the future carrying on of the system.

9. With reference to the ways and means of providing for the expenses of the proposed system, your committee have to make the following statements :

(1.) They find from the public accounts of the province of Ontario that there has been col-