

## CHAPTER LXXXVII.

AN ACT TO PROHIBIT PERSONS WHO HOLD THE OFFICE OF JUSTICE OF THE PEACE FROM HOLDING THE OFFICE OF COUNTY ATTORNEY AT THE SAME TIME.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. Any person who may hold the office of justice of the peace shall be ineligible to hold the office of county attorney, and no person shall hold both said offices at the same time. Pertaining to holding office.

SEC. 2. This act shall take effect and be in force from and after its passage. When act to take effect.

Approved March 9, 1874.

## CHAPTER LXXXVIII.

AN ACT TO PROVIDE FOR THE EMPLOYMENT OF STENOGRAPHIC OR SHORT-HAND REPORTERS IN THE DISTRICT COURTS AND COURTS OF COMMON PLEAS IN CERTAIN DISTRICT COURTS IN THIS STATE.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. Each of the judges of the district court and courts of common pleas in the first, third, fourth, sixth, seventh and eighth and ninth judicial districts, Houston county of the tenth district, and the fifth judicial district except the counties of Steele, Dodge and Renville, in this state, is hereby authorized in his discretion to employ and appoint a competent short-hand writer to make, in short-hand writing, a true record or report of the proceedings and evidence taken upon the trials of issues of facts in the several courts held in his district, and when required by the court, or either of the parties Appointment of stenographic reporters in certain districts.

to any such trial, to transcribe such record or report into the words which shall be represented by the characters used by him in reporting such proceedings and evidence as the same shall occur. *Provided, however,* that no such reporter shall be appointed in any county whose board of county commissioners shall not first authorize such appointment.

Reporter to take oath.

SEC. 2. Before such reporter shall enter upon the performance of his duties he shall take and subscribe an oath that he will, to the best of his knowledge and ability, keep in short-hand writing a true, full and accurate record of all the proceedings taken and evidence given upon the trials of issues of fact in the district court, when required so to do by the judge of said court, and that he will make and file with the clerk of the court a true and full transcript of his record or report in each case, into the words represented by the signs or characters which he shall use in his short-hand writing. Such oath shall be filed in the office of the clerk of the district court in one of the counties in the district for which he is appointed.

Duty of reporter.

In reporting or recording the evidence of witnesses sworn and examined upon the trial of issues of fact, he shall record or report the questions put to the witnesses and the answers thereto given by the witnesses, in the words used by the questioners and the witnesses. He shall not be required to report or record the arguments of counsel, but shall record all objections and the grounds thereof, as stated by counsel, and also the decisions or rulings of the court thereon, and exceptions taken by counsel to such decisions or rulings, and shall immediately upon the completion of any trial file his report in such short-hand writing in the office of the clerk of the court where such trial was had, which report shall remain on file for the use of all parties interested, and in the performance of his duties he shall be subject to the orders and discretions [directions] of the court, and the judge may at any time discharge such reporter and employ and appoint another.

Force of such record.

SEC. 3. When the record or report of a trial shall have been so made, transcribed and filed, and approved by the judge before whom such trial was had, it shall have such force and effect as a record of the court, and as a case, or bill of exceptions, as the court may by general rule or order prescribe.

SEC. 4. The amount or rate of compensation to be

paid to such short-hand reporter shall be fixed by the judge who appointed him, and each county shall pay the compensation for his services during the time he shall be employed in the cases tried therein. The judge shall certify the time during which he shall be employed at any term in the county, and the amount to which he is entitled therefor. Upon the presentation of such certificate of the judge to the county auditor of the county, he shall draw his order in favor of such reporter, upon the county treasurer, for the amount so certified. But such compensation shall not exceed ten dollars per day while employed in court and fifteen cents per folio of one hundred words for the transcript, and *provided further* that when such reporter shall be required by either of the parties to an action to transcribe his record into long-hand writing the fees for such transcription as above provided for shall be paid by the party requiring the same. Fees of reporter.

SEC. 5. This act shall be in force from the time of its passage. When act to take effect.

Approved February 19, 1874.

## CHAPTER LXXXIX.

AN ACT TO PROVIDE FOR FILING THE OFFICIAL BONDS OF COUNTY OFFICERS IN THE OFFICE OF THE SECRETARY OF STATE.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That all official bonds of county officers which are now or which may hereafter be required to be filed and recorded in the office of the register of deeds of the county where such officers reside respectively, shall be forwarded by such register of deeds when so recorded to the secretary of state who shall file the same in his office and retain the same for the use of all parties interested therein. Bonds of county officials to be filed with secretary of state.

SEC. 2. No bond so filed in the office of the secretary of state shall be removed therefrom except upon the writ- How bond to be removed.