

No. 68

AN ACT

Amending the act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; prescribing their powers and duties, and when such reports shall be evidence of the facts reported; prescribing their compensation and allowances for expenses, when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed, and when by the parties to such proceedings; and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth, authorizing the appointment of stenographers by examiners, masters, referees, commissioners, and auditors; authorizing the appointment of assistant stenographers; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation;' approved May fifteenth, one thousand eight hundred and seventy-four; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation,' approved May eighth, one thousand eight hundred and seventy-six, and repealing 'An act defining the duty of court stenographers in the several counties in this State,' approved June tenth, one thousand eight hundred and eighty-one,' approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven; but such repeal not to revive any law repealed by the said act of twenty-fourth of May, one thousand eight hundred and eighty-seven;" changing liability for payment of costs in furnishing copies of notes of testimony requested by defendants.

Official
stenographers.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 2, act of
May 1, 1907,
P. L. 135,
amended May 5,
1911, P. L. 161
further amended

Section 1. Section 2, act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; prescribing their powers and duties, and when such reports shall be evidence of the facts reported; prescribing their compensation and allowances for expenses, when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed, and when by the parties to such proceedings; and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth, authorizing the appointment of stenographers by examiners, masters, referees, commissioners,

and auditors; authorizing the appointment of assistant stenographers; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation;' approved May fifteenth, one thousand eight hundred and seventy-four; repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth, prescribing their duties and fixing their compensation,' approved May eighth, one thousand eight hundred and seventy-six, and repealing 'An act defining the duty of court stenographers in the several counties in this State,' approved June tenth, one thousand eight hundred and eighty-one,' approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven; but such repeal not to revive any law repealed by the said act of twenty-fourth of May, one thousand eight hundred and eighty-seven;'' amended May 5, 1911 (P. L. 161), is amended to read:

Section 2. The law judges of each of the several courts of oyer and terminer and general jail delivery, and of the courts of quarter sessions of the peace, shall employ the official stenographer or stenographers of the courts of common pleas of the particular county, to report the proceedings of the said court, whenever requested so to do by any defendant or defendants, or his, her or their counsel, before or during the trial of any case in any of said courts: Provided, further, That in all cases tried in the several courts of oyer and terminer and general jail delivery, the defendant or defendants shall be furnished with a copy of the notes of testimony taken at his, her or their request, which said notes shall be paid for by the county in which said case is tried, *except, however, that where the court finds that the defendant or defendants making the request are able to pay for the copies, the costs thereof shall be paid by such defendant or defendants and shall be taxed as costs and paid to the county.*

Employment of
in criminal
courts.

Providso.

Section 2. The act is amended by adding, after section 2, a new section to read:

Section 2.1. In the event that such defendant or defendants are eventually found to be not guilty and the defendant or defendants shall have paid the cost of furnishing the copies of notes of testimony, then, such payment shall be refunded to him, her or them by the county.

Act of May 1,
1907, P. L. 135,
amended by add-
ing a new sec-
tion 2.1.

APPROVED—The 1st day of June, A. D. 1959.

DAVID L. LAWRENCE