

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 13
SENATE BILL 55

AN ACT TO PROVIDE FOR THE APPOINTMENT, COMPENSATION, AND
DUTIES OF A COURT REPORTER FOR THE FOURTH JUDICIAL DISTRICT.

The General Assembly of North Carolina do enact:

Section 1. The Resident Judge of the Fourth Judicial District, which is composed of the counties of Duplin, Jones, Onslow and Sampson, is hereby authorized and empowered to appoint an official court reporter for one or more or all of the counties in his district who shall serve at the will of the Resident Judge, and whose appointment may be terminated by 30 days' written notice thereof.

The appointment of such reporter or reporters shall be filed in the office of the Clerk of the Superior Court of each county in said district in which said reporter is to officiate, and the same, or a certified copy thereof, shall be recorded by said clerk on the minute docket of his court.

Before entering upon the discharge of the duties of said office, said reporter shall take and subscribe an oath in words substantially as follows:

"I,, do solemnly swear that I will, to the best of my ability, discharge the duties of the office of court reporter in and for the County of in the Fourth Judicial District, and will faithfully transcribe the testimony offered in said courts as the presiding judge may direct, or as I may be required to do under the law, so help me, God." Said oath shall be filed in the office of each of the Clerks of the Superior Courts of the counties in which said reporter is to officiate, and recorded and indexed on the minute dockets of said courts.

If on account of sickness, or for any other cause, said reporter is unable to attend upon any of the regular courts of said district, and for conflict and special terms, the Resident Judge may appoint a reporter pro tem for said court or courts, and said appointment shall appear upon the minutes of said term, and said reporter shall take and subscribe the oath referred to above, which oath shall be filed with the clerk. In lieu of appointing a reporter pro tem for each of said courts, the Resident Judge may, in his discretion, appoint a reporter pro tem for a stated period whose duty it shall be to report any and all courts in the county or counties designated in the appointment, which the regular court reporter is for any cause unable to report.

The compensation for such reporter and reporter pro tem shall be fixed by the Resident Judge of the said district at a sum not to exceed one hundred twenty-five dollars (\$125.00) per week, and in addition to the said compensation the reporter or reporter pro tem, when engaged in duties prescribed by the Resident Judge, shall receive

a per diem allowance of a sum up to nine dollars (\$9.00) per diem for his expenses incurred away from his county of residence, such per diem allowance to be also fixed by the Resident Judge. Such reporters and reporters pro tem shall be allowed a mileage allowance of seven cents (7¢) per mile one way, from the residence of such reporter or reporter pro tem to the courts in said district.

The duties of the office of court reporter or reporter pro tem in said district, in addition to reporting cases tried, shall be prescribed by the Resident Judge of said district.

The testimony taken and transcribed by said court reporter or said court reporter pro tem, as the case may be, and duly certified, either by said reporter or the Presiding Judge at the trial of the cause, may be offered in evidence in any of the courts of this State as the deposition of the witness whose testimony is taken and transcribed, in the same manner, and under the same rule governing the introduction of depositions in civil actions.

Sec. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 3rd day of March, 1961.