

By DOUD.]

[SENATE FILE No. 242.—JUDICIARY.]

A BILL

FOR AN ACT TO PROVIDE AN ADDITIONAL METHOD FOR TAKING OF DEPOSITIONS IN CIVIL AND CRIMINAL CASES.

Be it enacted by the General Assembly of the State of Iowa :

SECTION 1. That in addition to the methods now authorized by law for the taking of depositions in writing, such depositions may be taken in short-hand before any short-hand writer, and the short-hand notes extended and certified as hereinafter provided.

SEC. 2. If depositions are taken before an official short-hand reporter of any court in this State, his certificate thereto must state such fact, and in addition shall show that his transcription of his notes is full, true and complete. If taken before a short-hand writer other than an official court reporter, such statement shall be verified by the oath or affirmation of the party taking the same.

SEC. 3. Any short-hand writer who may be selected to take depositions as herein provided may administer oaths.

SEC. 4. The short-hand notes of the testimony taken shall be extended, and this transcription shall be certified as now required by law with the addition hereinbefore provided, and except the witness shall not be required to subscribe the same or the short-hand notes that may be taken, and such short-hand notes, together with the transcription thereof shall be returned as now provided by law.

SEC. 5. The compensation for the taking of depositions before a short-hand writer shall be as now provided by law, and the provisions of chapter 1 of title XXII of the Code so far as it relates to the taking of depositions except as herein modified shall apply to depositions taken by the method herein provided.

BY JUDICIARY COM.]

[SUB. FOR SENATE FILE No. 242.]

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provisions*

A BILL

FOR AN ACT TO PROVIDE FOR TAKING IN SHORT-HAND DEPOSITIONS NOW
AUTHORIZED BY LAW.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The judge of any court of record is hereby authorized in his discretion to ap-
2 point a competent short-hand writer to take depositions in short-hand in any cause or pro-
3 ceeding in which depositions are now by law authorized to be taken. Such appointment
4 shall be made in writing upon the application of any party in interest, and upon such notice
5 to other persons as the judge shall deem reasonable and proper. The person so appointed
6 shall have the same powers within the scope of his appointment as are now possessed by of-
7 ficers authorized to take depositions. The appointment shall be attached to the depositions
8 taken by virtue thereof and returned with the same to their proper custodian.

SEC. 2. The short-hand notes of every deposition so taken shall be extended by the re-
2 porter taking the same, and the transcript thereof signed by the witness and certified to by
3 such reporter, before the deposition can be read in evidence; *provided*, That the signature of
4 the witness to the transcript may be dispensed with by a written stipulation of the parties
5 or their attorneys; *and provided, further*, That nothing herein contained shall be construed as
6 prohibiting the taking of depositions in short-hand, otherwise than as herein provided, by
7 stipulation of the parties or their attorneys.

SEC. 3. The compensation for taking depositions, and the provisions of chapter 1, title
2 XXII, of the Code, so far as the same relate to the taking of depositions, except as herein
3 modified, shall apply to depositions taken in the manner herein provided.

[SUB. FOR SENATE FILE No. 242.

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from 242*

A BILL

FOR AN ACT TO PROVIDE FOR TAKING IN SHORT-HAND DEPOSITIONS NOW AUTHORIZED BY LAW.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The judge of any court of record is hereby authorized, in his discretion, to
2 appoint a competent short-hand writer to take depositions in short-hand in any cause or pro-
3 ceeding in which depositions are now authorized by law to be taken. Such appointment
4 shall be in writing, upon the application of any party in interest, and upon such notice to
5 other persons as the judge shall deem reasonable and proper. The person so appointed
6 shall have the same powers within the scope of his appointment as are now possessed by
7 officers authorized to take depositions. The appointment shall be attached to the deposi-
8 tions taken by order thereof, and returned with the same to their proper custodian.

SEC. 2. The short-hand notes of every deposition so taken shall be extended by the
2 reporter taking the same, and the transcript thereof signed by the witness and certified to
3 by such reporter, before the deposition can be read in evidence; *provided*, that the signa-
4 ture of the witness to the transcript may be dispensed with by a written stipulation of the
5 parties or their attorneys; *and provided further*, that nothing herein contained shall be con-
6 strued as prohibiting the taking of depositions in short-hand otherwise than as herein pro-
7 vided, by stipulation of the parties or their attorneys.

SEC. 3. The compensation for taking depositions, and the provisions of chapter 1, title
2 XXI, of the Code, so far as the same relate to the taking of depositions, except as herein
3 modified, shall apply to depositions taken in the manner herein provided.