

NORTH CAROLINA GENERAL ASSEMBLY  
1963 SESSION

CHAPTER 658  
SENATE BILL 488

AN ACT AMENDING ARTICLE 11, CHAPTER 7, OF THE GENERAL STATUTES  
RELATING TO THE OFFICIAL COURT REPORTER FOR THE THIRTIETH  
JUDICIAL DISTRICT.

The General Assembly of North Carolina do enact:

Section 1. That Article 11, Chapter 7, of the General Statutes, as the same appears in the 1961 Cumulative Supplement to Recompiled Volume 1B thereof, be and the same is hereby amended by adding at the end of said Article a new Section to be numbered Section 7-92.4 and to read as follows:

"Sec. 7-92.4. Official Court Reporter for Thirtieth Judicial District. The Resident Judge of the Thirtieth Judicial District, which is composed of the counties of Cherokee, Clay, Graham, Haywood, Jackson, Macon and Swain, is hereby authorized and empowered to appoint an official court reporter for each, or 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 thirty days' written notice thereof.

"The notice of 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 Thirtieth 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 upon a weekly basis and actual expenses incurred away from his county or residence while engaged in his official duties. Such reporter or reporter pro tem shall receive a mileage allowance of seven cents (7¢) per mile to and from the residence of such reporter or reporter pro tem to the courts in said district. The bill for such actual expenses and mileage shall be inspected and approved for payment by the Presiding Judge.

"Each county in which a reporter serves shall be responsible for the salary, expenses and mileage of such reporter with respect to services performed in that county. Each week in which a court sits shall be deemed a whole week for purposes of computing and paying the compensation of a reporter.

"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 this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after July 1, 1963.

In the General Assembly read three times and ratified, this the 4th day of June, 1963.