

chapter 68, section 4, it was directed that cases in which the state was a party should be preferred.

Changes in the work of the court developed gradually, for the most part. By an act of 1818, chapter 204, the jurisdiction was increased by the allowance of appeals from the Orphans Courts. Cases at common law still came up sometimes on formal writ of error, that method being used, indeed, in the greater number of cases for ten years or more after 1806. After that it gradually disappeared from use, and by 1840 its use, though still optional, had become rare.<sup>7</sup> The transcripts of records were still manuscript papers down to about the thirties of the last century, when we begin to find printed records in a few scattered cases. The first one printed seems to have been that in the case of C. & O. Canal Co. v. B. & O. R. R. Co.<sup>8</sup> Richard W. Gill, clerk of the court, prepared and presented to the Maryland State Library in 1839 a volume of "Copies of Records Printed for the use of the Court of Appeals"; and it contains thirty-five records in all, of cases since 1831. The reported cases of the same period fill six volumes, 4 Gill & Johnson to 9 Gill & Johnson, and nearly fill a seventh, 10 Gill & Johnson. This means that in far the greater number of cases there was only a single manuscript record. Of those printed, only one copy seems to have been provided for the court.

The rules of court adopted on each shore in 1806,<sup>9</sup> required that at the second term after an appeal, that is, one term before argument, coun-

7. Evans, *Maryland Practice*, 1839, 424.

8. 4 Gill & Johnson, 1.

9. Rule 2.