sel should furnish the court with a brief of the facts upon which the questions of law were to arise, and a statement of those questions. The statement of questions was apparently what came to be called "points." The rule left the furnishing of notes of argument still voluntary; in 1834 it seems to have been merely voluntary, for at the June term of that year a rule was passed on the Western Shore,

> That in all cases where notes are filed on the part of the appellant or appellee, they shall be accompanied by the parties' copy of the record to which such notes relate, as without it the courts are unable to act thereon.

The files of the court contain few notes of that time or of earlier years, but the papers of cases in the forties almost invariably contain notes, sometimes called "points," submitted by counsel. And after a few years, that is to say, in the late forties, it became a regular practice to print a copy of the points in each case, counsel commonly directing the clerk to have the printing done. Finally, a rule passed on the Western Shore in 1848 required that thereafter counsel on each side should "at or before the second term, prepare and file with the clerk a full statement or abstract of the case and the points." And the clerk was prohibited from placing a case on the trial docket before this was done. Since that time briefs have always been required, but then, and for many years after, the briefs consisted of short, orderly statements of the arguments on the points, each sometimes only a single sentence in length, and all covering only a page or two of print. Only one copy was furnished as yet. So that during the first