

half of the century the court had one copy of the record and one copy of the brief of facts and points of counsel as an extra aid to it, in addition to the full oral argument which was the main dependence of the judges.

Until 1826, there was no limit placed upon the length of oral arguments, on either shore; in that year a limit of six hours for each argument was fixed by rule of court on the Western Shore, where the amount of business was much the larger, and that limit remained until 1851. On the Eastern Shore a limit of five hours was adopted at the June term, 1849, immediately after three days of argument by five counsel in all, in a case of *Maslin v. Thomas*.<sup>10</sup> Of course these limits left counsel abundant time for the fullest presentation of a case, and the utmost of enlightenment to the court; and doubtless such men as Pinkney, Winder, Taney and Wirt usually gave the court the fullest presentation and enlightenment possible as they traced the way through the facts and principles to be considered. But long argument was not always long enlightenment, even with these men. Wirt said of Pinkney in 1824:<sup>11</sup>

On a great occasion in Annapolis I heard him speak for three days. On the first day, two or three hours were in his best manner; the rest of that day, and the whole of the following two, were filled up with interminable prolixity of petty commentary upon one or two hundred cases. The Court, bar and everyone were tired to death.

The times tended to make dramatic performances of lawyers' arguments, and there was no little straying beyond relevancy in performing the part

10. 3 Gill, 18.

11. Kennedy, *Life of Wirt*, II, 179.