

Rule 6. P. G. L., (1860,) art 5, sec. 2.

11. In no bill of exception shall any patent, deed, will or other documentary evidence be inserted at length, but shall only be stated briefly, according to its import and effect, unless the nature of the question raised and decided render it necessary that it should be inserted *in extenso*; nor shall any document be more than once inserted at large in any transcript to be sent to the court of appeals. And it shall be the duty of the judges of the courts below to require exceptions to be prepared in accordance with this rule. Either party, however, shall have the right to have any or all of such documentary proof inserted at length, it being stated in the exception at whose instance the same is so inserted, that costs may be awarded as the matter so incorporated may be deemed proper or not by the court of appeals, to have been set out in full.

Davis v. State, 38 Md. 51. Blake v. Pitcher, 46 Md. 462.

Rule 7.

12. In making up the transcript of records to be transmitted to the court of appeals, the clerks of the courts below shall omit from such transcripts the formal heading and commencement of the record, stating only the titling of the cause, and the time of the commencement of the suit or proceedings; they shall also omit all writs, or original process for appearance, where the party has appeared; all entries of continuances and imparlances; all entries of motions and rules to declare or plead; all entries of applications for continuances, for commissions, or for warrants of resurvey, and the affidavits in support thereof, together with the rulings of the court on such applications; all entries of motions or rulings of security for costs, together with the proceedings and rulings thereon; all entries of empanneling, swearing, and names of jurors, and all other merely incidental motions and rules made in the progress of the cause; all pleadings withdrawn, waived or superseded by amendment; all commissions to take testimony and the formal returns thereto, and all warrants of resurvey, the clerk stating the time of issue and return of such warrants; all replevin, *retorno habendo*, and appeal bonds, and affidavits filed on taking appeals; all formal entries of motions for new trials; and the rulings thereon, together with the affidavits and other evidence used on such motions, the clerk