

GENERAL RULES,

PROMULGATED MAY 1ST, 1871.

RULE NO. 21.

TWO COUNSEL.

1. Only two counsel shall be permitted to argue for each party, plaintiff and defendant, in a cause.

TWO HOURS.

2. Two hours on each side shall be allowed in the argument of a cause, and no more, without special leave of the court, granted before the argument begins. But the time thus allowed may be apportioned among counsel on the same side, as they choose: *Provided always*, a fair opening of the case shall be made by the party having the opening and closing argument.

BRIEFS.

3. Counsel will not be heard unless a printed brief or abstract of the case be first filed, together with the points made, and the authorities cited in support of them, arranged under the respective points.

4. The brief filed on behalf of a plaintiff in error or an appellant shall also contain a statement of the errors relied upon, and in case of an appeal an abstract of the pleadings and proofs, exhibiting clearly and succinctly the issues presented.

5. Each error shall be separately alleged and particularly specified; otherwise it will be disregarded.

6. When the error alleged is to the charge of the court, the part of the charge referred to shall be quoted *totidem verbis* in the specification.

7. When the error alleged is to the admission or rejection of evidence, the specification shall quote the full substance of the evidence offered, or copy the offer as stated in the bill of excep-

tions. Any alleged error not in accordance with these rules will be disregarded.

8. Counsel will be confined to a discussion of the errors stated, but the court may, at its discretion, notice any other errors appearing in the record.

9. The same shall be signed by an attorney or counsellor of this court.

10. If one of the parties omits to file such a statement, he cannot be heard, and the case will be heard *ex parte* upon the argument of the party by whom the statement is filed.

11. Twenty printed copies of the abstract, points, and authorities required by this rule shall be filed with the clerk by the plaintiff in error or appellant six days, and by the defendant in error or appellee three days, before the case is called for argument.

12. When no counsel appears for one of the parties, and no printed brief or argument is filed, only one counsel will be heard for the adverse party; but if a printed brief or argument is filed, the adverse party will be entitled to be heard by two counsel.

Ordered, That the second paragraph of the twenty-third rule be amended so as to read as follows, viz.:

2. In all cases where a writ of error shall delay the proceedings on the judgment of the inferior court, and shall appear to have been sued out merely for delay, damages at the rate of 10 per cent., in addition to interest, shall be awarded upon the amount of the judgment.