

CHAPTER 117.

AN ACT for the Amendment of the Law.

SEC. 1. *Be it enacted, by the General Assembly of Maryland,* That in no case wherein a judgment may hereafter be rendered in any county court, and which may be removed to the court of appeals, by appeal or writ of error, shall the appellant or plaintiff in error, or the appellee or defendant in error, be permitted to urge or insist upon any point or question which shall not appear by the record to have been raised or made in the county court, and upon which that court may have rendered judgment; and the court of appeals shall not reverse or affirm any such judgment on any point or question which shall not appear to have been presented to the county court, and upon which that court may have rendered judgment.

Court of appeals restricted.

SEC. 2. *And be it enacted,* That on an appeal to the court of appeals, from a decree of the court of chancery, or any county court acting as a court of equity, in which an account or accounts may have been stated and reported to such court by its discretion, the appellant shall not be permitted to urge or insist upon any exception to any account so reported, unless it shall appear by the record that such exception was taken or made in the court from whose decree such appeal shall be made; and the court of appeals shall not reverse any decree or any exception which shall not appear to have been taken or made as aforesaid, in the court from whose decree the appeal may be made.

As to accounts.

CHAPTER 119.

AN ACT respecting last Wills and Testaments.

Be it enacted, by the General Assembly of Maryland, That in every will which may be made after the first day of April, eighteen hundred and twenty-six, whereby any lands or real property shall be devised to any person or persons, and no words of perpetuity or limitation are used in any such devise, the devisee or devisees shall take under and by virtue of such devise, the entire and absolute estate and interest of the testator or testatrix, in such lands or real property, unless it shall appear by devise over, or by words of limitation, or otherwise, that the testator or testatrix intended to devise a less estate and interest, and provided such will shall be in all respects executed and proved in the manner prescribed by law.

Devise absolute exception is expressed.