

CONSTRUCTION OF ACTS AND STATUTES.—*Continued,*

- and the intent of the testator being manifest upon the face of the will that the land should not pass, the Act of 1825, ch. 119, does not apply. *Boyle vs. Barker*, 42.
3. That Act applies to devises of lands or real property in general terms, without words of perpetuity, or limitation, and gives the entire estate and interest of the testator, unless by devise over, or by words of limitation or otherwise, a contrary intention is indicated. *Ib.*
 4. Mere petulance and rudeness, and sallies of passion, are not sufficient to constitute "cruelty of treatment," within the meaning of the Act of 1841, ch. 262; there must be a series of acts of personal violence or danger of life, limb, or health, to authorize a divorce *a mensa*. *Bowic vs. Bowic*, 51.
 5. The Act of 1785, ch. 72, which authorizes the real estate of a deceased debtor to be sold to pay his debts, when the personalty is insufficient, does not require that such debtor should die *seized* of the real estate proposed to be sold; the words of the Act are, if he "shall leave real estate which descends," &c. *Robertson vs. Parks*, 65.
 6. Though the Act of 1841, ch. 163, does not apply to the Court of Chancery, or require objections to the jurisdiction to be made at any particular stage of the case, yet its policy and the manifest justice of the provision, may have influence when a question not free from difficulty is presented. *Gough vs. Crane*, 119.
 7. Under the Act of 1841, ch. 262, and its supplements, alimony is an incident to the power of granting divorces, and cannot be awarded to the wife except as a consequence of the exercise of such power. *Dunnoch vs. Dunnoch*, 140.
 8. But the Act of 1777, ch. 12, sec. 14, giving the Chancellor as full authority in cases of alimony as the Ecclesiastical Courts have in England, is not repealed by the Act of 1841, ch. 262. *Ib.*
 9. The Act of 1841, ch. 163, is confined in its operation to the Appellate Court, and the Court of Chancery may, *sua sponte*, refuse relief if it appear from the proceedings that it has no jurisdiction, though the defendant does not make the objection by the pleadings. *Ib.*
 10. To avoid a deed under the Insolvent Acts of 1812, ch. 77, and 1816, ch. 221, it is not enough that the grantee was insolvent at the date of its execution, and that the grantee knew of such insolvency; but it is indispensable that the undue preference should be given "with a view, or under an expectation at the time, of taking the benefit of the insolvent laws." *Falconer vs. Griffith*, 151.
 11. The 1st sec. of the Act of 1834, ch. 293, is local in its operation, and confined to the City and County of Baltimore, and its proviso prevents its application to cases where the grantee had not notice of the insolvent condition of the grantor. *Ib.*
 12. The 2d sec. of the Act of 1845, ch. 139, condemns transfers though made at the request or on the demand of the creditor; but allows them to stand, unless made with a view and under an expectation of taking the benefit of the insolvent laws, as required by the Acts of 1812 and 1816; and where this intent is denied by the answer, the plaintiff must prove it. *Ib.*