Beauchamp, 91 Md. 658; Worcester *v.* Ryckman, 91 Md. 39; Lewis *v.* Topman, 90 Md. 306; Mitchell *v.* State, 82 Md. 531; Burnett *v.* Bealmear, 79 Md. 40; Thorne *v.* Fox, 67 Md. 74; Jackson *v.* Salisbury, 66 Md. 459; McCollough *v.* Biedler, 66 Md. 283; Ecker *v.* First National Bank, 62 Md. 519; Lynn *v.* B. & O. R. R. Co., 60 Md. 416; McKnew *v.* Duvall, 45 Md. 501; Third National Bank *v.* Boyd, 44 Md. 63; Davis *v.* State, 39 Md. 386; Gabelein *v.* Plaenker. 36 Md. 64; First National Bank *v.* Jaggers, 31 Md. 52; Dorsey *v.* Garey, 30 Md. 499; Horner *v.* O'Laughlin, 29 Md. 470; Hutton *v.* Padgett, 26 Md. 231; Kunkel *v.* Spooner, 9 Md. 462; Manning *v.* Hays, 6 Md. 10; Tyson *v.* Shueey, 5 Md. 552; Coates *v.* Sangston, 5 Md. 131; Bridendolph *v.* Zeller, 5 Md. 63; Cushwa *v.* Cushwa, 5 Md. 54; Morgan *v.* Briscoe, 4 Md. 272; Middlekauff *v.* Smith, 1 Md. 337; Graham *v.* Sangston, 1 Md. 66; Milburn *v.* State, 1 Md. 26; Tuck *v.* Boone, 8 Gill, 189; Carter *v.* Cross, 7 Gill, 46; Sullivan *v.* Violett, 6 Gill, 190; Schleigh *v.* Hagerstown Bank, 4 Gill, 312; Bullit *v.* Musgrave. 3 Gill, 48; Leopard *v.* Chesapeake, etc., Canal Co., 1 Gill, 228; Keefer *v.* Mattingsly, 1 Gill, 186; Wolfe *v.* Hauser, 1 Gill, 92; Gray *v.* Crook, 12 G. & J. 236; Abell *v.* Harris, 11 G. & J. 372; Burgess *v.* State, 11 G. & J. 68; State *v.* Turner, 8 G. & J. 133; Nesbitt *v.* Dallam, 7 G. & J. 510; Syles *v.* Hatton, 6 G. & J. 136; Grahame *v.* Harris, 5 G. & J. 494; Sasscer *v.* Walker, 5 G. & J. 110; Davis *v.* Leah, 2 G. & J. 307.

The act of 1862, ch. 154, held inapplicable to a case originating before the passage of said act. Cecil Bank *v.* Barry, 20 Md. 297.

Prior to the act of 1825, ch. 117, it was the duty of the appellate court to notice all errors and objections apparent upon the record. Mundell *v.* Perry, 2 G. & J. 207.

Cited but not construed in Weber *v.* Zimmerman, 22 Md. 168; Warner *v.* Fowler, 8 Md. 30; Gittings *v.* Mayhew, 6 Md. 130; Pierson *v.* Trail, 1 Md. 144; Medley *v.* Williams, 7 G. & J. 70; Shilknecht *v.* Eastburne, 2 G. & J. 126.

For cases now apparently inapplicable to this section by reason of changes in the law, see Dunham *v.* Clogg, 30 Md. 292; Baltimore *v.* Poultney, 25 Md. 34 (distinguishing between the assumption of a fact in a prayer and an insufficiency of evidence to support a prayer).

As to appeals in equity, see sections 36 and 37.

See art. 33, sec. 25, and notes.

1904, art. 5, sec. 10. 1888, art. 5, sec. 10. Rule 5.

10. Bills of exceptions shall be so prepared as only to present to the court of appeals the rulings of the court below upon some matter of law, and shall contain only such statement of facts as may be necessary to explain the bearing of the rulings upon the issues or questions involved; and if the facts are undisputed, they shall be stated as facts, and the evidence from which they are deduced shall not be set out; and if disputed, it shall be sufficient to state that evidence was adduced tending to prove them, instead of setting out the evidence in detail; but if a defect of proof be the ground of the ruling or exception, then the particulars in which the proof is supposed to be defective shall be briefly stated, and all the evidence offered in anywise connected with such supposed defect shall be set out in the bill of exception; and it shall be the duty of the judges in the courts below to require exceptions to be prepared in acordance with this rule.

There is no need of a writ of error in order to bring up for review, rulings on demurrers. Kendrick *v.* Warren, 110 Md. 77.

Where the proof is supposed to be defective, the particulars of such defect must be briefly stated in the exception. B. & O. R. R. Co. *v.* Mali, 66 Md. 57.

This section violated in that the particulars in which the proof was supposed to be defective and all the evidence connected therewith, were not set out. Wilson *v.* Merryman, 48 Md. 342.

This section sufficiently complied with. Blake *v.* Pitcher, 46 Md. 462. See also Davis *v.* State, 38 Md. 51.