

Instruction of trial court not objected or excepted to below, not subject to review on appeal. *Moore v. State*, 149 Md. 300.

Conduct of court and counsel not objected to at time cannot be considered on appeal. *Brawner v. Hooper*, 151 Md. 594.

Question of variance not raised at trial cannot be considered on appeal. *White v. Parks*, 154 Md. 202.

To first and fourth notes to this section, page 211, vol. 1, of Code, add *Asphalt Block & Tile Co. v. Klopfer*, 152 Md. 533.

To first note under heading "Special Exceptions," page 210 of vol. 1 of Code, add *Kent County v. Pardee*, 151 Md. 72; *Lansburgh v. Fish & Oyster Co.*, 153 Md. 318.

11.

This section has no effect on right of appellant to test ruling on demurrer. This section applies to prayers. Omissions of prayers, testimony and exceptions from record. *Victory Sparkler Co. v. Francks*, 147 Md. 371.

To second note to this section, page 213, vol. 1, of Code, add *Caltrider v. Weant*, 147 Md. 344; *Kahn v. Carl Schoen Silk Corp.*, 147 Md. 519; *DeCrette v. Mohler*, 147 Md. 113; *Baltimore v. Terio*, 147 Md. 334; *Kent County v. Pardee*, 151 Md. 73; *Askin v. Moulton*, 149 Md. 145; *Cohen v. Herbert*, 145 Md. 205; *Taxicab Co. v. Hamburger*, 146 Md. 129; *Kelso v. Rice*, 146 Md. 275.

See notes to sec. 10.

An. Code, 1924, sec. 12. 1912, sec. 10. 1904, sec. 10. 1888, sec. 10. Rule 5. 1927, ch. 224.

12. 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.

The bill or bills of exceptions shall be headed at the beginning, Plaintiff's (or Defendant's, as the case may be) Bill (or Bills) of Exceptions, and beneath that, if there should be more than one exception, shall appear the subheading Exception 1. Then shall follow the proper statement of the facts necessary to set forth the ruling excepted to, as otherwise herein provided, it being sufficient to set forth the interposing of the objection and the ruling made thereon without a further statement in the bill that exception was taken to such ruling. Should there be more than one exception, the next exception shall immediately thereafter follow, in a separate paragraph under the subheading Exception 2, in which shall in like manner be set forth the ruling objected to; and so on in the case of each bill of exceptions, which bills shall be arranged and numbered consecutively in the same order in which they occurred during the course of the case. Only one signature by the court shall be necessary, which signature shall be affixed at the end of all the bills, and shall be construed as indicating the approval by the Court of all said bills, and which signature