

cause, that would otherwise be omitted, to be incorporated in the transcript, the clerk stating at whose instance the same is inserted, that costs may be awarded, as the matter so directed to be incorporated may be deemed material or not by the court of appeals.

Rule 12.

33. Whenever deeds, records or other documentary evidence are used in any equity cause, the purport and substance only of such deeds, records or other instruments shall be stated, and they shall not be set out in full in any case, except where some question arises upon the construction or validity thereof; and transcripts of records in equity causes shall be prepared in accordance with this rule. Any party to the appeal, however, shall have the right to direct any or all of such documentary proof to be inserted at length, the clerk stating at whose instance the same is so inserted, that costs may be awarded as the matter so incorporated may be deemed proper or not, by the court of appeals, to have been set out in full.

P. G. L. (1860,) art. 5, sec. 26. 1832, ch. 302, sec. 5. 1861, ch. 33.

34. On an appeal from a court of equity, no objection to the competency of a witness, or the admissibility of evidence, or to the sufficiency of the averments of the bill or petition, or to any account stated and reported in said cause, shall be made in the court of appeals, unless it shall appear by the record that such objection was made by exceptions, filed in the court from which such appeal shall have been taken.

Ringgold v. Ringgold, 1 H. & G. 13. Buchanan v. Deshon, 1 H. & G. 280. Oehler v. Walker, 2 H. & G. 323. Maccubbin v. Cromwell, 2 H. & G. 443. Wells v. Beall, 2 G. & J. 458. Diffenderfer v. Winder, 3 G. & J. 311. Evans v. Iglehart, 6 G. & J. 171. Lyles v. Hatton, 6 G. & J. 122. Boteler v. Brooke, 7 G. & J. 143. Boteler v. Beall, 7 G. & J. 389. Union Bank v. Cochran, 7 G. & J. 138. Callis v. Ridout, 7 G. & J. 7. Berrett v. Oliver, 7 G. & J. 191. Nesbitt v. Dallam, 7 G. & J. 494. Miller v. Allison, 8 G. & J. 35. Caldwell v. Boyer, 8 G. & J. 136. Claggett v. Hall, 9 G. & J. 80. Key v. Knott, 9 G. & J. 342. Fitzhugh v. McPherson, 9 G. & J. 51. Hardesty v. Jones, 10 G. & J. 414. Oliver v. Palmer, 11 G. & J. 427. Gardiner v. Hardy, 12 G. & J. 380. Ringgold's Case, 1 Bland, 5. Binney's Case, 1 Bland, 99. Berry v. Pierson, 1 Gill, 234. Cross v. Cohen, 3 Gill, 269. Dugan v. Gittings, 3 Gill, 138. Sindall v. Campbell, 7 Gill, 76. Thomas v. Doub, 1 Md. 327. Eyles v. Crabbs, 2 Md. 137. Trump v. Baltzell, 3 Md. 295. Ware v. Richardson, 3 Md. 505. Young v. Mackall, 4 Md. 369. Gibbs v. Gale, 7 Md. 87. Long v. Long, 9 Md. 356.