

the verdict shall have been recorded in the cause; and although, either before or after such verdict, the party excepting shall offer to withdraw such exceptions; and in such case, if the excepting party shall refuse or fail to draw or submit to the court such exceptions, the same may be drawn or submitted by the opposite party; and when ascertained and corrected, and settled by the court to conform to the evidence and to the points or prayers embraced in the exceptions, they shall be signed and sealed by said court, and avail as if drawn and signed in the usual manner; provided, that no exceptions taken by the party not appealing or suing a writ of error as aforesaid, shall be certified as aforesaid, if such party shall agree in writing, and file the agreement in the cause, not to avail himself at any future trial of the point or prayer made or involved in such exception, which agreement shall preclude the party from availing himself, at any future trial as aforesaid, of such point or prayer.

P. L. L., (1860,) art. 11, sec. 43.

78. Nothing contained in the two preceding sections shall debar the parties in any cause from waiving by consent, the right of having any of the exceptions on either side, as aforesaid, certified, as herein provided, to the court of appeals.

1888, ch. 363.

79. The circuit court is authorized and directed to appoint a stenographer for said court, to be present at the jury terms of said court, whose duty shall be prescribed by said court in such cases as the court shall deem proper to employ the services of a stenographer.

Ibid.

80. Said stenographer shall receive as compensation for the services rendered by him as said stenographer, such sum as the court may deem adequate for such services, which sum shall be levied for on the taxable property of Frederick county by the county commissioners of Frederick county, and shall be paid him by the collector of taxes of said county.

COUNTY COMMISSIONERS.

1862, ch. 62.

81. There shall be five county commissioners for Frederick county.