

## ARTICLE V.

**Appeals.**

The Act of May 10, 1861, ch. 17, suspends the operation of the proviso to the 33d section of this Article until the 10th day of May, 1862. And the Act of 1862, ch. 249, continues the suspension until November 1, 1863.

The Act of June 10, 1861, ch. 33, repeals section 26, and enacts as follows :

SEC. 1. 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 has been made by exceptions, filed in the court from which such appeal shall have been taken.

The Act of 1862, ch. 154, repeals section 12, and substitutes the following :

2. The Court of Appeals shall in no case decide any point or question which does not appear by the record to have been tried and decided by the court below; but no prayer or instruction shall be deemed defective by reason of any assumption therein, of any fact by the said court, or because of a question of law having been thereby submitted to the jury; unless it appears from the record that such objection was taken at the trial.

## ARTICLE VIII.

**Armories.**

The Act of June 24, 1861, ch. 79, repeals section 5 of this Article.