lin v. Waters, 8 Gill, 327, for in *finally disposing* of a case the Court will look at exceptions tendered by a party who does not appeal, Benson v. Atwood, 13 Md. 20, just as where the verdict on a new trial would be a mere matter of figures on written evidence, and nothing on that point would be left for the jury, nor the appellant benefitted by the result, the Court, without assuming anything the jury ought to pass upon, will decide the question of amounts and let the judgment stand, *ibid.* and cases there cited.

Record—Supervision of court—Diminution—Signing and sealing.—It appears from Sowerwein v. Jones, 7 G. & J. 335, that a party may except to any decision or declaration of law by the Court in the progress of the cause, by which the jury are influenced or the counsel controlled, and see Allegre v. Md. Insurance Co. 6 H. & J. 415; Neill v. Hughes, 10 G. & J. 7.[20] He must except, however, at the time, for if he submits to a ruling of the Court, he cannot in a subsequent stage *of the cause take an **131** exception to it, Hagan v. Handy, 18 Md. 177; Cecil Bank v. Heald, 25 Md. 562; Boone's Lessee v. Purnell, 28 Md. 607. It will appear from what has been said that the statement of facts in the exception ought to be full and true,[21] for if the character of the evidence offered is not stated in the record or bill of exceptions, its rejection is no cause for reversal, Cumberland C. & I. Co. v. McKaig, 27 Md. 258, or if the statement of an offer of evidence is too indefinite to enable the Appellate Court to judge of its pertinency, the presumption is that the inferior Court decided rightly, Hurtle v. Stahl, 27 Md. 157; and if the statement of the evidence is not true, the judge may refuse to seal the exception for he cannot be required to attest a falsity. The Court has a general supervision over the statement of facts and the evidence by which they are proved, and may consequently exclude whatever may be irrelevant, though the party may except to the decision that the matter excluded is irrelevant, but more than the substance ought not to be set out, Stewart v. Mason, 3 H. & J. 527 *n;* Walsh v. Gilmor *supra.*[22] But the exception must in terms set out what the Judge's direction was; it is not enough to state that he declined to direct the jury in the way suggested or requested by the counsel, without showing what his direction was: *mis-direction* and not *non-direction* is the proper subject of a bill of exceptions, McAlpine v. Mangnall, 3 C. B. 496. In Levy v. Taylor, 24 Md. 282, it was held that an agreement to submit certain portions of a record (which were read subject to exception,) for the opinion of the Appellate

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[20] As to form of bills of exception, see Blake v. Pitcher, 46 Md. 453.

[21] Blumhardt v. Rohr, 70 Md. 328, 339; McLaughlin v. Mencke, 80 Md. 83; Heiskell v. Rollins, 82 Md. 14; Joseph Co. v. Schonthal Co., 99 Md. 382; Parks v. State, 113 Md. 338.

[22] Where the court deems it unnecessary that all the evidence at the trial should be incorporated in the bills of exception, it may decline to sign the bill prepared by appellant's counsel which does incorporate all the evidence. Davis v. State, 38 Md. 15.

In cross appeals in mandamus proceedings all the exceptions on both sides should be contained in one record. Whitridge v. Pope, 110 Md. 486; Code 1911, Art. 5, sec. 42.