December Term 1863

This sale is the alternative, where the property cannot be advantageously divided. The change from Real to personal Estate takes place according to and the authorities where the sales finally ratified: the same rule applied to the interest of the infants as to the wife's dower. If it did not it would not remain Real Estate after the death became of age. If it did then they would it remain so would it be necessary in that case to transfer it by deed. I think there cannot be the least doubt of the testimony legal. It is therefore this 11 day of March 1859 adjudged and ordered that Virginia Sellemans share of the Real Estate as within mentioned be paid over to her surviving husband Wm T Selleman

Nicholas Brewer Circuit Judge

And thereupon the Court pass the following order on the report of the Auditor in

Circuit Court for Montgomery County,

In Equity March Term 1859

Ordered this 11 March 1859 that the within account be ratified and confirmed as to the share of Virginia Plummer and that the same within a due proportion of interest be paid to her surviving husband Wm T Selleman,

Nicholas Brewer Circuit Judge

And afterwards to wit on the 9th day of June 1859 the Complainants except Virginia Plummer and the defendant by John G England and Richard T Bowie their Solicitors filed in Court here the following prayer to wit.

Gustavus Jones and Elizabeth his wife
Martha Plummer Hulda Plummer by
Wm Brown her guardian, Virginia Plummer
by Martha Plummer her next friend Thomas
N Hammond and Emma his wife.

vs

Thomas G Plummer

The Complainants (except Virginia Plummer who is since dead) and the defendant in the above cause pray an appeal from the final decree or order of Court filed in the above cause on the 11th March 1859, and all preceding orders and decrees including the decree for the sale of the premises dated Aug 4th 1857 to the Court of Appeals of Maryland.

John G England
Richard T Bowie
for Appellants.

It is thereupon ordered by the Court here that a transcript of the Record and proceedings in the filed aforesaid, with all things thereunto relating be transmitted to the Court of appeals of Maryland. and the same is transmitted accordingly

State of Maryland Montgomery County sct

Intestimony that the foregoing has been truly taken and copied from the Record and proceedings of the Circuit Court for said County. Wherewith I hereunto set my hand and affix the seal of said Circuit Court for said County this 13 day of June A D 1859.

(seal)

James G Henry Clk
Circuit Ct Mo Co, Md