Thomas Whelan Jr. admr. of George J. Whelan, C. Smith Keech admr. of Austin C. Smith C.S. Keech admr. C.T.A. of G. Caleb Smith Wm. Smith & Henry Clay Smith
vs
Mary Cook admrx of John Cook Anna V. Cook, Claudius Stewart & Orella E. Stewart

Be it Remembered, That now here, on the first Monday in October, being the First day of the said month, in the year of our Lord one thousand eight hundred and sixty six the Judge of the seventh Judicial Circuit of Maryland, in pursuance of the directions of the Act of Assembly in such case made and provided, transmit to the Court of Appeals here the Record of Proceedings of a cause which was lately depending before him in the Circuit Court for Howard County between Thomas Whelan Jr. admr. of Geo. G. Whelan, and others plaintiffs and Mary Cook, admrx of John Cook et al, defendants, and wherein the said Circuit Court gave Decree for the said Mary Cook, admrx of John Cook, and others, against the said Thomas Whelan Jr. admr. of G. G. Whelan and others, and from which said Decree the said Thomas Whelan, admr. and others appealed to the Court of Appeals here, the tenor of which said Record of Proceedings is in form following, to wit:

State of Maryland
Howard County to wit:

At a Circuit Court of the seventh Judicial Circuit of the State of Maryland, began and held at the Court House in Ellicotts Mills in, and for said County, on the Third Monday of March, it being the 19th day of said Month in the year eighteen hundred and sixty six.

Were Present The Hon.
Jno. E. Smith Judge
Edward McCauly Sheriff
W. W. Watkins Clerk

Among other, were the following proceedings to wit:

Mary Cook
Claudius Stewart
Orrilla Stewart his wife
vs
Anna V. Cook

Be it remembered that heretofore to wit: On the 20th day of April in the year of our Lord one thousand eight hundred and fifty nine. Mary Cook, Claudius Stewart and Orrilla E. Stewart his wife by their Attorney Wm. H. G. Dorsey Esquire files here in Court their Bill of Complaint following to Wit:

To The Honorable Nicholas Brewer Judge of the Circuit Court for Howard County:

The Bill of Complaint of Mary Cook, Claudius Stewart and Orrilla E. Stewart his wife of Howard County

humbly shows unto your Honor that, a certain Thomas Cook late of Howard County, deceased was in his life time seized, and possessed of a large real and personal estate in said County, and being so seized and possessed thereof some time in the year 1858, departed this life, and by his last will and testament devised, and bequeathed the one fourth part of his estate real, and personal to his son John Cook after first deducting therefrom the sum of twenty five hundred dollars being the amount which he had before given or paid for the said John Cook, and your Orators further allege that the said John Cook has since departed this life intestate, and without children, leaving your Orators Mary Cook, and Orrilla Stewart, who has intermarried with your orator Claudius Stewart, and the defendant Anna V. Cook his only heirs at law. And that your Orators Mary Cook, and Orilla E. Stewart, are each entitled to a one third part of the undivided fourth part of the real estate of the said Thomas Cook, so devised by him to John Cook, as aforesaid, and that the other third of said fourth part of said real estate belongs to Anna V. Cook, And your Orators further charge, that it will be for the interest, and advantage of all parties concerned to sell the said undivided fourth part of the said real estate of the said Thomas Cook, devised to the said John as aforesaid and to divide the proceeds thereof between the parties in the proportions before stated. To the end therefore that the said Anna V. Cook may answer the premises, and that a decree may be passed for a sale of the said one fourth part of the said real estate, and the proceeds of said sale be distributed between the said Anna V. Cook and your Orators in the proportions hereinbefore stated and that your Orators may have such further and other relief as their case may require. May it please your Honor to grant unto your Orators the writ of Subpoena against the said Anna V. Cook commanding her to appear in this Court at some certain day to be therein named to answer the premises, and abide by, and perform such decree as may be passed therein, and as in duty &c.

Wm. H. G. Dorsey
Solr. for Complainants

Mr. Watkins, file this bill, and issue as prayed
Wm. H. G. Dorsey
Solr. for Complts.

Thereupon on the 20th day of April in the year of Our Lord one thousand eight hundred and fifty nine. Anna V.