County, Maryland. At the same time Complainant filed with the Commissioner, as Evidence Exhibit "A" herewith returned. – There being no other witnesses present to be Examined, and the Complainant desiring no further time for the production of his Evidences, the Commissioner closed the said Commission and herewith returns the same under his hand and seal this 22d day of August in the year Eighteen hundred and Sixty three,

W. B. Nelson Comr. (Seal)

Cost Commr. – Commr. fee $4. witnesses attendance 75¢ – W. B. Nelson Comr. (Seal)

Interlocutary Decree

Israel Switzer
vs
Thomas Lung

In Circuit Court for Frederick County.

July Term 1863

The Defendant having been duly summoned to appear to the bill of Complaint and having failed to appear thereto,–

It is thereupon this 18th day of August in the year 1863 by the authority of this Court adjudged ordered and decreed that the complainant is entitled to relief in the premises, But because it doth not certainly appear to what relief he is entitled, it is further adjudged, ordered and decreed that a commission issue to such person as shall be named to take testimony to support the allegations of the bill.

M. Nelson

Decree

Israel Switzer
vs
Thomas Lung

No. 3090 Equity

In the Circuit Court for Frederick County.

This cause standing ready for hearing and being submitted without argument the proceedings were read and considered.–

It is thereupon this 6th day of November 1863 by Madison Nelson Judge, and by the authority of this Court, adjudged, ordered and decreed that unless the defendant shall on or before the 17th day of November inst pay or bring into this Court to be paid unto the Complainant the sum of four hundred and fifty four dollars with interest from the 24th day of March 1856 until paid, or brought in as aforesaid together with the Complainants costs of this suit to be taxed by the Clerk, the mortgaged premises in the proceedings mentioned or so much thereof as may be necessary for the purpose be sold. That John D. Switzer of Carroll County be and is hereby appointed Trustee to make such sale; and the course and manner of his proceedings shall be as follows; He shall first file in the Clerks office of this Court a bond to the State of Maryland, Executed by himself with a Surety or sureties to be approved by the Court or the Clerk thereof in the penalty of one thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any future order or decree in the premises, He shall then proceed to make sale of the mortgaged premises having first given at least three weeks previous notice inserted in some newspaper printed in Frederick County, and such other notice as he may think proper of the time, place, manner and terms of sale; which terms shall be as follows the one third Cash and the balance in Equal instalments in one and two years from the day of sale; the whole to bear interest from the day of sale and the payments thereof to be secured by the bond of the purchaser with a Surety or Sureties to be approved by the Trustee or the said Trustee may sell the said premises for Cash to be paid on the day of sale or the ratification thereof by the Court,– and as soon as may be convenient after any such sale the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth thereof and of the fairness of such sale annexed, And on the ratification of such sale by the Court and–