At the same time Complainants filed with the Commissioner Exhibit "A." as evidence which is herewith returned. — There being no other witnesses present to be Examined and the Complainants desiring no further time for the production of their evidences the Commissioner closed the said Commission and herewith returned the same under his hand and Seal, this Second day of June in the year of our Lord Eighteen hundred and Sixty three.

W. P. Nelson Com^r. (Seal)

Costs of Commission. Commissioner's fees $8. Witnesses attendance 1.50

Decree. James Bartgis & others vs Robert Bartgis & others } No 3091 Equity In the Circuit Court for Frederick County in Equity.

July Term 1863.

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

It is thereupon this 27th day of August A.D. 1863, by M. Nelson Judge of the Circuit Court for Frederick County in Equity, and by the authority of this Court, adjudged, ordered and decreed that the real estate in the proceedings mentioned be sold; That Hiram Bartgis of Frederick County be and he is hereby appointed Trustee, to make such Sale; and that the course and manner of his proceedings shall be as follows; He shall first file in the office of the Clerk of said Court, a bond to the State of Maryland, executed by himself with a Surety or Sureties to be approved by the said 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 said real property, having 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, one third of the purchase money to be paid in cash on the day of Sale and the balance in Six and twelve months from the day of Sale, the deferred payments to be secured by the notes of the purchaser, with a Surety or Sureties to be approved by the trustee and to bear interest from the day of Sale, —

And as soon as may be convenient after 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 the fairness of such sale annexed. And on the ratification of such sale by the Court, and on the payment of the whole purchase money and not before, the said trustee, by a good and sufficient deed, to be executed and acknowledged according to law, shall convey to the purchaser of said property, and to his, her or their heirs the property to him or her sold, free clear and discharged of all claim of the parties to this cause, and of any person or persons claiming by, from or under them.

And the said trustee shall bring into this Court the money arising on such sale or sales and the notes which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commission to said trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity, wherewith he shall appear to have discharged his trust.

M. Nelson