

for more than three weeks, she postponed the sale thereof, in consequence of the inclemency of the weather, until the 17th of December, 1850, when the same was set up at public sale, on the premises, and the whole tract, containing 1085½ acres, was sold to Mrs. Mary Hall, for \$13 62½ per acre, being in all \$14,489 95, she being the highest bidder therefor.

To this sale, Albert A. Berry, a creditor to a large amount of said William T. Wootten, deceased, filed objections, *because*

1st. The whole tract was put up for sale, and sold together, whereas it was capable of advantageous division, and if so divided would have sold for much more.

2d. Sufficient and reasonable notice was not given of the time, place, manner, and terms of sale, by advertisement in papers, or otherwise.

3d. Many persons desirous of purchasing parcels thereof, were kept from the sale by a report that the whole was to be sold in a lump.

4th. The widow's dower should have been first assigned, so that purchasers might know in what parcel she would hold the same.

5th. The sale made was done collusively, and with the view of being purchased at a depreciated value, for the benefit of the family of the deceased, and the injury of exceptant and his other creditors.

6th. The land only sold for \$13 62½ per acre, being not one-third of its fair value, when if the same had been offered in parcels, it would readily have brought from \$30 to \$40 per acre.

Depositions were taken in support and in opposition to these exceptions, the purport of which sufficiently appears in the opinion of the Chancellor.]

THE CHANCELLOR :

This case is submitted upon exceptions to the sale reported by the trustee, Mrs. Margaret Wootten, and the depositions and arguments, in writing, of the solicitors of the parties, have been read and carefully considered by the Court.