

The exceptions, so far as they refer to the manner in which the property was sold, and the amount at which it was struck off to the reported purchaser, are not, in my judgment, sustained. Upon examining and carefully analyzing and collating the proof, I find nothing to raise a reasonable doubt either of the perfect fairness of the sale, or that the property sold at an under value. On the contrary, everything appears to have been conducted in such a way as to remove all suspicion of management or contrivance to dispose of the estate for less than it was worth; and looking to the evidence, I see nothing to warrant the charge that the price given was inadequate.

But though the party objecting to the sale in this case has, in my opinion, failed in showing anything affecting its *bona fides*, he has interposed one objection which, under the circumstances, appears to me to be insuperable. This objection refers to what the late Chancellor called the "mere modal regulations," for the government of the trustee in putting the property in the market. These regulations are prescribed by the decree, and it will be found, I think, upon an examination of the precedents, that a departure from them in any essential respect, without first attempting to dispose of the property in conformity with them, will always prevent a ratification of the sale, if objection be made. In *Andrews vs. Scotton*, 2 *Bland*, 643, it was said, "If a trustee who is directed by the decree to sell the tract of land entire, and at public sale, should sell it at private sale, and in parcels, or in any other manner different from the mode prescribed, and report satisfactory reasons for so doing, *and no objection is made*, the sale may be ratified." It would appear from this case that if the trustee undertake to sell the property in a mode not warranted by the decree, he must not only report satisfactory reasons for so doing, but even then the sale will not be ratified if objection be made; and in the same case it is said, that the Court, acting as proprietor, and as if the property were its own, will avail itself of information from every quarter from which it may be derived; from the original parties to the suit, or the creditors for whose satis-