

that he considered the bidder or purchaser as a contracting party, on the one side, dealing with the court as the contracting party on

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After that the Chancellor received what, on first sight, he supposed a private sealed letter, but under the cover, containing no letter, he found enclosed a petition with thirty-two signatures, several of which he could not read, stating, in effect, as an objection to the sale, that it was not made as expected; that the land was sold entire; that if sold in parcels it would have commanded more money; and that the signers wished and intended to become purchasers, provided the land had been laid off in parcels so as to suit them. The said petition also contained expressions highly injurious to the characters of the trustees and the purchaser; and at the same time plainly declared, that the petitioners would apply for legislative aid, unless the Chancellor would set aside the sale as *fraudulent and villanous*.

Although the petition came in so questionable a way, and was so insulting to the Chancellor, calculated as it plainly appeared, to intimidate him from the free exercise of his own judgment, and to control even his conscience; although he considered it as an attempt eventually to interrupt or defile the pure stream of justice, he sent the petition, such as it was, to the Chancery office, to be there filed, and to stand as an objection to the sale.

It has always been his practice, when an objection is made to a sale, to wait until the day appointed by his conditional order of ratification; and upon application, on or after that day, to appoint a time for hearing the objection, if any there be made. No application has been since made by any of the signers of the petition, or by any person in their behalf.

But on this day an application has been made by the trustees, on their own account, and in behalf of the purchaser; and the Chancellor thereupon proceeded to an examination of all the papers, in order that he might determine on what is proper to be done. Amongst these papers he finds several instruments of writing, by which a considerable number (about one-half) of the persons whose names are subscribed to the petition, have prayed, in effect, that they may not be considered as petitioners against the sale. Not one of the others has come forward, either in person or by a solicitor or agent, or by writing, to support the petition. On the other hand, the party most interested in the sale has filed a petition, stating that the sale has been with his perfect approbation; and most powerful reasons are assigned by him wherefore it was so approved.

But let it be considered who are the persons in contemplation, of either law or equity, interested in the sale. Not surely a person who was neither the mortgagor nor a mortgagee, nor claiming under either mortgagor or mortgagee, nor claiming under the state of Maryland. Not surely the man who conceives himself interested merely because he wished to become a purchaser, and who was disappointed because the land was not laid off in such parcels as to suit his convenience. In short, it was only a mortgagee, or the state, which was truly interested in the sale. One mortgagee, and the principal one, as aforesaid, has expressed entire approbation. No objection has been made on the part of the state, or of any other truly interested person, although notice has been duly given. And upon the whole, the Chancellor perceives no reason wherefore the sale should not be immediately ratified; protesting however, contrary to a point made by the trustee, that if a reasonable objection had appeared, he would have considered it as immaterial by whom made. Having the control of sales, he deems it his duty to avail himself of any information whatever, and never, knowingly, will he ratify a fraudulent, unfair, or unreasonable sale. He will, however, always make a distinction between volunteer objectors and ob-