

that no injustice is done the parties interested ; and that they have an opportunity of being heard, before their rights are decided upon. But if after this is done, the court is satisfied that justice requires the ratification of a sale made by a trustee of this court, there is no principle which forbids it, though the trustee may not have observed those formalities, which were prescribed for him.

It was said by Chancellor Hanson, in a case which appears to have been very carefully considered, that with respect to sales made under the authority of the court, he thought himself bound to act as if the property were his own, or held by him in trust ; and that reasons which would induce him, as proprietor, or trustee, to set aside a sale made by his agent, would influence him as Chancellor. *Lawson vs. the State, 2 Bland, 641, note.* Whether this is the true rule or not, need not be determined here, for although the court may not have so large a discretion, in repudiating the contract of its agent, as is suggested by the Chancellor in that case, it may be safely assumed, I think, that though its agent may not have conformed in all respects, to the regulations prescribed for him by the court, it may, nevertheless, if justice to all parties can be done, ratify his act.

It has been already remarked, that the sales which are now impeached, were public, and fair, and that the terms have been complied with ; and hence it follows, that if they are vacated, it must be upon grounds exclusively affecting what are called the model arrangements, by which the trustee was to be governed.

The first objection of this description is, that the sale was not made at the time and place mentioned in the printed advertisement, found among the proceedings.

The time, as advertised, was the 21st of April, 1829, and the place at the court-house door, in Easton ; whereas the sales actually made, were made on the 2d of May following, and the place, St. Michaels. It is in proof, however, that a large company were present, and it may reasonably, I think, be inferred, that on the day fixed by the advertisement, the sale for some