

PRACTICE.—Continued.

39. It is the duty of the Court, for its own safety, and for the benefit of all concerned, to have all its proceedings translated into the English language. *Ib.*
 40. The auditor having awarded to each claimant a dividend on the whole amount of his claim, including interest up to the day of sale, the report was confirmed, and the proceeds directed to be applied accordingly, with interest on the commission and dividends in proportion as it had been or might be received. *Brown v. Wallace*, 557.
 41. All proceedings, exhibits, and proofs must be marked filed before they can be noticed by the Court. *Addison v. Bowie*, 575.
 42. The surveyor of the county may be ordered to survey the lands in controversy; to take the depositions of witnesses; and to return plots. *Andrews v. Scotton*, 596.
 43. Locations made under an order of survey, which are not counter-located, are admitted. *Ib.*
 44. The mode of selling land under a decree; in such sales the Court is the vendor, and retains a lien to secure the payment of the purchase money. *Ib.*
 45. If the purchaser fails to pay, he may be proceeded against summarily; be sued upon his bond; and the land may be re-sold at his risk; but the sale, as reported, may be first ratified, and the purchaser must have been after that, first called on by an order to pay or shew cause. *Ib.*
 46. With the consent of all concerned, the sale may be at once confirmed. *Ib.*
 47. The grounds upon which a sale may be rejected, or set aside. *Ib.*
 48. The Court sells nothing more than the interest of the parties to the suit; and therefore the purchaser can call for no inquiry into the validity of the title. *Ib.*
 49. 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 doing so, and no objection is made, the sale may be ratified. *Ib.*
 50. The surveyor's fees are a part of the costs; but if he fails to have them taxed and included in the decree, as affirmed by the Court of Appeals, this Court can give no relief. *Ib.*
 51. No such practice prevails, or can be allowed here, as that of opening the biddings, as in England. *Ib.*
 52. Commissions adjusted and allowed as between a former and a present trustee. *Ib.*
- See DEBTOR AND CREDITOR, 10, 17, 23, 33-46, 49, 50, 62, 65, 66, 67.
 INJUNCTION, 6.
 LUNATIC, 2.
 PLEADING, 3, 4, 5.

SALE.

1. Personal property, of which a partition cannot be made, may be sold, and the proceeds of sale divided. *Crapster v. Griffith*, 1.
2. Although no trustee can himself purchase, yet a plaintiff, creditor, or mortgagee, may purchase at a sale made by a trustee; and the pur-