

except as to the authority to sell the goods of the deceased, are co-extensive with those of the general administrator.

Chancery has no power to appoint a receiver *after* the grant of letters *pendente lite* by the Orphans Court, and if such receiver has been previously appointed, his powers cease upon the grant of such letters, and he will be discharged and directed to deliver over the property to such administrator.

It has been the usual practice for administrators *pendente lite* to give bonds, and there is no doubt of the legal validity of such bonds.

The general rule is, that an appeal will not lie from a merely practical order of this Court, preparatory to the final hearing, and by which the rights of the parties are not affected.

The Act of 1880, ch. 185, gives by implication an appeal from orders *appointing* receivers, but does not give the right of appeal from orders *discharging* receivers, and the legislature has never, in terms or by any fair implication, given such right. The power of appointing receivers is a high power, never exercised where it is likely to produce irreparable injustice, or where there exists any other safe or expedient remedy.

But if there is any reasonable doubt upon the question of the right of a party in interest to appeal from an order discharging a receiver, and directing him to account and pay over the property, it is clear no such right of appeal exists in the receiver himself.

A receiver has no rights whatever; he is but an officer of the Court; his appointment determines no right, and in no way affects the title of the property; his holding is the holding of the Court for him from whom the possession is taken, and he has no more right to ask for a revision of the order removing him than an entire stranger to the cause.

He is appointed on behalf of all parties, and not of the plaintiff or one defendant only, and when the title to the property has been ascertained, the receiver will be considered the receiver of the party so entitled.

The fact that a receiver has entered an appeal from the order discharging him, and filed an approved appeal bond, will not prevent this Court from enforcing by attachment its order of removal.

Whether an appeal will lie or not in any given case is exclusively a question for the Appellate Court to decide.

[The facts of this case are so fully stated in the several following opinions of the Chancellor, as to require no additional statement.]

THE CHANCELLOR:

Upon the petition of Richard C. Warford, filed on the Equity side of Baltimore County Court, on the 6th of November, 1850, a writ *de lunatico inquirendo*, issued to the Sheriff