was appointed administrator *pendente lite* of the personal estate of the lunatic by the Orphans Court of Baltimore City; and by his petition, filed on the 1st of March, 1853, he prayed that the order of the 9th of February, 1853, might be rescinded, the receiver discharged, and an account taken, &c. Upon the hearing of this petition, the Chancellor delivered the following opinion.]

THE CHANCELLOR:

Upon the petition of certain parties claiming to be interested in the estate of the deceased Rachel Colvin, formerly a lunatic, and whose estate and person were in the care and custody of trustees appointed by this Court, as shown by the proceedings in the cause, an order passed on the 9th of February last, appointing Benjamin H. Ellicott receiver, with certain powers as in the said order are specified and defined. The same party, by an order in lunacy, had been appointed committee of her estate, the Court, for reasons stated on a former occasion, having thought it expedient to commit the care of her person to other parties.

The lunatic is now dead, and there being a contest likely to be protracted, in regard to the validity of a certain paper writing, or writings, purporting to be her will, the Orphans Court of Baltimore City have granted letters of administration *pendente lite* to Richard C. Warford, who has accepted the trust and given an approved bond for the faithful performance of the duties of the office.

The administrator thus appointed and qualified, by his petition filed on the 1st of the present month (March, 1853), prays that the order of the 9th of February may be rescinded, the receiver discharged, and an account taken, to the end that he may be compelled, as committee and receiver, to bring into Court all moneys collected and received by him in both capacities. Upon this petition, an order passed for a hearing, and the questions presented by the petition have been argued by counsel, upon its allegations, the answer thereto, and certain depositions and facts introduced by agreement of parties.