

posed to hold and preserve the property until some person, whose title had been established elsewhere, should appear and demand it. The Court, says *Mr. Alexander*, in his *Chancery Practice*, after the death of the lunatic "will not administer the fund even for the benefit of creditors;" "they must pursue their remedies before the ordinary jurisdictions;" "nor will the Court adjudicate questions of right between opposing claimants;" and in these views he is fully supported by the authorities here and in England. So here, in the appointment of a receiver, impelled by the exigency of the case as disclosed by the petition, the Court did not mean to invite or entertain a controversy to be carried on in regard to the title to this property. It merely meant to preserve it in safety and intact until, by proceedings before the ordinary jurisdictions, the right to the possession should be ascertained, and upon reference to the terms of the order of the 9th of February, it will be apparent that this was its character.

But without intending to express a decided opinion upon this question, which is certainly not free from doubt, the point next to be considered is the order proper to be passed, now that administration has been granted, and the administrator is here asking to have the personal estate paid over to him, and for an account of it, since it has been held by the committee and receivers.

Nothing can be clearer than that if the estate had remained in the hands of the committee of the lunatic, and full letters of administration, or letters testamentary had been granted to any one, the right of such administrator or executor to the personal estate would have been incontestable. This, of course, is conceded. But it is said the property here is not in the hands of the committee, but in those of a receiver, and this Court having assumed jurisdiction of the cause by the appointment of the latter, no other Court of merely concurrent or co-ordinate jurisdiction can interfere; and the case of *Albert and Wife vs. Winn & Ross*, 7 *Gill*, 446, is referred to in support of this position.

This view of the case, however, would give a much more