

extensive operation to the order of the 9th of February, and the petition on which it was passed, than was in the contemplation of the Court at the time, or is warranted by the statement and prayer of the petition itself. The prayer, which seems to have been founded upon the remarks of the Court of the 5th of February, is "that a receiver may be appointed to take possession of the estate of the said Rachel, until some one having right to the same shall appear, to whom it can be delivered, or until the further order of the Court. In the case of *Albert and Wife vs. Winn & Ross*, this Court, upon a bill first filed here, had possessed itself of the administration of the estate of Jones, and had forbidden, by injunction, the adoption of any measures in any other Court, or *in pais*, by his creditors, for the purpose of securing to themselves preferences in the payment of their claims, and after the injunction had been granted, and whilst it was in full force, Albert and Wife, his creditors, by a proceeding in the Baltimore County Court, on its equity side, attempted to secure to themselves a preference. It was this attempt, in violation of the previous injunction, which by a subsequent order this Court prohibited, which was the subject of contest in the Court of Appeals. And the order of this Court, restraining proceedings in the Baltimore County Court, was placed upon the express ground that by the first bill here, the entire administration of Jones's estate was brought before it for adjudication, and this was the view adopted by the Court of Appeals upon the appeal.

But that case is not at all like the present. Here, from the terms of the petition upon which the order of the 9th of February last was passed, and the language of the order itself, it is manifest it was intended to be provisional and temporary only, being merely designed to preserve the estate until some one properly authorized should appear to claim it, and the right so to claim was to be a question to be inquired into and determined elsewhere. This Court certainly, in passing that order, did not design to take to itself the administration of the estate of the deceased, which would, in my judgment, have