Hotel pending this suit, and by so doing destroy to a very great extent, its value as a house of public entertainment, and thus inflict a material injury upon all the parties in interest, the notoriety of such action in this case would materially damage the value of property, and to that extent all the parties interested.

Again, the City Hotel as a first class house, with a fame and reputation as such, second to none in the country, has become a public institution in this city and a public necessity, and to embarrass its management by the interposition of a receiver and injunction, would work a great inconvenience to both the local and travelling public.

I am therefore of opinion, that the orders for the appointment of a receiver and granting an injunction, now prayed in the bill of revivor and petition of Complainants, should be refused, and their motion to bring money into Court overruled, and will sign orders in conformity with these views.

There is one other matter arising in the history of this case which calls for some notice by the Court.

The case on the motion to appoint a receiver was set down for hearing, argued on the 8th and 9th of July, and submitted with the distinct announcement by the Court, and so understood and accepted, that while the Court, for the convenience of Complainants' Solicitors, would hear and take notes of the argument, yet, in view of the pressing nature of the —

business then before it, to be disposed of before the end of the summer term, the Court could not possibly enter upon an examination of the case, nor decide it until after the commencement of the September term.

On the last day of, and after the argument had closed, the Complainants filed their petition for an injunction, and an order on the Trustee of the estate of Andrew McLaughlin to bring the money held by her into Court.

This petition was not laid before the Court until the 11th of July, when the order of that day was passed, setting the matter of the petition down for hearing, provided a copy be served. &c, service of copy was admitted and returned.

On the 15th July, Complainants filed another paper, the substance of which is to insist that so much of the petition of the 9th of July as asked for an injunction, should be acted on by the Court as an ex parte proceeding, and the injunction at once granted or refused; the same paper also disclaimed acquiescence in the order of the 11th of July.

For reasons already given in this opinion, the parties all being before the Court, I considered that the petition presented no case for the summary action of the Court, and that before the Court should act, the Trustee appointed by this Court, against whom the petition went, should be permitted to answer and be heard upon the matter of it.

But if there could, by any possibility, be any doubt of this, that doubt instantly disappears