

**JURISDICTION**—*Continued.*

That proceedings *subsequently* instituted by Albert and wife, in Baltimore County Court, as a Court of Equity, and a decree thereby obtained, giving them such preference, were violations of said injunction, and that this court had a right to prohibit, by injunction, the execution of such decree, and to treat the same as a nullity. *Ib.*

3. The Court of Chancery has no jurisdiction to decide that a return to a writ of *feri facias*, or *venditioni exponas*, is defective. The court, out of which the writ issued, alone having cognizance of the question of the sufficiency of the return. *Nelson et al. vs. Turner*, 73.
4. Upon a bill to enjoin the defendants from collecting a tax imposed by the street commissioners of the city of Baltimore, upon the property of the complainants for widening a street: the acts of assembly, and ordinances of the city, having given the right of appeal to all persons considering themselves thereby aggrieved, from the decision of the commissioners to Baltimore City Court, which remedy the complainants failed to take. **HELD**—  
That this court has no jurisdiction, and the injunction was dissolved. *Methodist Church vs. M. & C. C. of Balt.*, 78.
5. The Chancery Court has no jurisdiction over the subject of the appointment of insolvent trustees; this is a power confided exclusively in the courts of law, over which, in the exercise of this authority, this court can exercise no power of revision or control. *Powells vs. Dilley*, 119.
6. Under some circumstances, this court may exercise an ancillary jurisdiction, and interpose its authority for the prevention of injury, until the proper court can inquire into the subject, and apply the appropriate remedy. *Ib.*
7. But after the courts of law have acted by the appointment of a trustee, the Chancery Court cannot, upon allegations that they have appointed an improper person or taken insufficient security, set aside such appointment, and take upon itself, the administration of the estate of the insolvent, by an officer of its own. *Ib.*
8. The jurisdiction of this court, to reform and correct a settlement made by a parol agreement between two parties, and to enforce its specific execution, is indisputable, where a mistake in such settlement, has been, even by parol proof, clearly made out. *Hall & Gill vs. Clagett*, 151.
9. The jurisdiction of chancery, in regard to legacies, is undoubted, and is exercised as a matter of trust. *Lark vs. Linstead*, 162.
10. The objection to the jurisdiction of this court may be taken either by way of exception, or by an amended answer. *Hughes vs. Jones*, 179.
11. In this case the objection to the jurisdiction was not made until the trial on the merits. The case had been once referred to the Auditor by an order passed *with consent of parties*, under which order, accounts were stated, and a large mass of evidence taken at great expense, and the delay had been so great, that if the complainant should now be turned round to his remedy at law, he would be defeated by the plea of limitations. **HELD**—