

of a writ of sequestration, to enforce a decree, when no such question was presented in the case in which the decree was obtained.

Where a *chese in action* is in the hands of a third party, who is willing to abide by the order of the court, or who admits it to belong to the person against whom the writ of sequestration has issued, the court will consider it liable to sequestration, and will order it to be paid into court.

But where the amount or title of the party whose property is sequestered, is disputed by the person holding the *chese in action*, the court cannot make an order upon him; it is only in a *clear and simple case* that a sequestration can be enforced by order.

A writ of sequestration was laid in the hands of a party who denied that the money belonged to the party against whom the writ issued, and set up a deed from such party, conveying the *choses in action* to him in trust, and his proceedings in the Superior Court of Baltimore city for the administration of the trust. HELD—

That under these circumstances, it would be wrong in this court to authorize the institution of proceedings at law or in equity to enforce the sequestration.

If the Superior Court had jurisdiction over the subject matter of the trust, however irregular the proceedings may have been, they cannot be regarded as *coram non iudice* and void, nor can the irregularities be revised by this court.

The decision of a court of competent jurisdiction, when coming incidentally in question or offered as evidence of title in another court, is conclusive of the question decided, no matter how irregular or informal the proceedings may be, or what mistakes or errors the court may make in the matter adjudicated.

[The facts of this case are fully stated in the opinion of the Chancellor, delivered on the 9th of March, 1854.]

THE CHANCELLOR :

The complainants in this case, obtained on the 13th of May, 1851, a decree against Royston Betts for a large sum of money, and on the 6th of September following, they filed their petition in which, as to such portions of said decree as by the terms thereof were then due and unpaid, they prayed that writs of sequestration might issue to the sheriffs of Baltimore city and Alleghany county, to sequester the property and effects of the defendant in their respective bailiwicks.

The writs were ordered on the same day, and that directed to the sheriff of Baltimore city was returned, laid on the 16th of September, 1851, in the hands of the agents of several insurance companies, and also in the hands of William J. Ward, Esq. Subsequently, on the 22d of April, 1853, the complainants filed