an undue and improper preference under the provisions of our insolvent system, they have failed to make out such a case, upon the evidence, as would entitle them to the relief they ask for.

But the plaintiffs have no such standing; the title to property or claims transferred or conveyed to a favored creditor, contrary to the provisions of our insolvent system, being by the 1st section of the act of 1812, ch. 77, expressly vested in the trustee of the insolvent, who alone is competent to sue for its recovery, for the benefit of the creditors generally. *Kennedy* vs. *Boggs*, 5 *H. & I.*, 410. *Harding* vs. *Stevenson*, 6 *H. & I.*, 264. In addition, however, to the prayer, that the transfer of the policy to Dilley may be declared void, the bill asks that he may be removed from his office of trustee and a receiver appointed, to make distribution rateably among the creditors.

My impression, however, is very decided, that this court has no jurisdiction over the subject of the appointment of insolvent trustees, that it is confided exclusively to the courts of law, over whom, in the exercise of this authority, this court can exercise no power of revision or control. *Glenn & Kennedy* vs. *Fowler*, 8 *Gill & Johns.*, 340. It may be that under certain circumstances, this court might exercise an ancillary jurisdiction, and interpose its authority for the prevention of injury, until the proper court could inquire into the subject, and apply the appropriate remedy; but it seem impossible to maintain that the Chancery Court, after the courts of law have acted by the appointment of a trustee, may, upon the allegation, 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. *Alexander* vs. *Stewart*, 8 *Gill & Johns.*, 226. For these reasons, I am of the opinion the bill must be dismissed.

S. T. Wallis and J. Glenn for Complainants.
Wm. F. Frick and Thos. J. McKaig for Defendants.

[The decree in this case was affirmed on appeal.]