

that ancestor, can never be returned. The case, presented in this aspect, appears to me to be utterly destitute of equity; and if there were no other objections to the relief prayed by the bill, and the jurisdiction of this court was undoubted, I should refuse to grant it; and being of this opinion, without considering the other questions raised in the argument of the defendant's solicitors, I shall pass a decree dismissing the bill.

I. D. JONES for Complainants.

WOOLFORD and CRISFIELD for Defendant.

THE TRUSTEES OF THE METHODIST
PROTESTANT CHURCH, &c.

vs.

THE MAYOR AND CITY COUNCIL
OF BALTIMORE.

JULY TERM, 1847.

[JURISDICTION.]

UPON a bill to enjoin the defendants from collecting a tax imposed by the street commissioner 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 decisions 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.

THE CHANCELLOR :

The bill in this case was filed on the equity side of Baltimore County Court, and subsequently transferred to this court, under the provision of the act of assembly for that purpose.

It seeks to restrain, by injunction, the Mayor and City Council of Baltimore and their agents, from proceeding to collect a tax and assessment, which had been imposed upon the property of the complainants, as and for a benefit which, in the judgment of the street commissioners of the city of Baltimore, had been conferred upon their property by the widening of "Little Ais-