said Gray had any interest in the property described in said Bill which your Respondent does not deem it material to ascertain he has no right as a Shareholder in said unincorporated Association to protest against the execution of said consolidation and compromise which your Respondent states was in pursuance of and in strict conformity to the powers and objects set forth in the deed of trusts and Articles of Association subscribed by said Gray. Your Respondent therefore agrees with and unites in the prayer that said articles of consolidation may be specifically performed and said Trustees be decreed forthwith to execute the necessary deed of conveyance and to accept and distribute the stock coming to the members of said Santa Clara Mining Association while existing as an unincorporated Association according to the terms & principles of said articles of consolidation.

In Testimony whereof the undersigned President of said Corporation hath hereunto affixed the Seal of the said Corporation and hath hereunto subscribed his name as President thereof.

Seal of Nuchanta Clara Mining Company Baltimore

Robert Clinton Wright
President of the Santa Clara Mining Association of Baltimore

At the foot whereof is thus endorsed Court
Agreed to be received without oath
R. J. Brent for Complainant

And thereupon the following Submission for a Decree was filed in Court here in said cause, to wit:

John S. Wright vs Gordon &c } Mr Turner
This cause is submitted on Bill and answers.
R. J. Brent for Complainant

June 9th 1856.

And the said cause so standing was continued under curia advisari vult, until the second Monday in September next. At which said second Monday of September term, in the year aforesaid came again into Court here the parties aforesaid as before. But the cause the Court here is not advised of its judgment to give of and upon the premises day therefore is further given to the said parties to hear thereof its judgment until the second Monday in November next for that the Court here as yet is not &c. And now here this day the second Monday of November term, in the year last aforesaid came again into Court the parties aforesaid as before. And thereupon afterwards Court, on the twenty ninth day of November in the year aforesaid all and singular the premises being by the Court here seen heard and fully understood and mature deliberation being thereupon had the Court passed and filed in said cause the following Decree, to wit:

John S. Wright vs John Hanson Thomas and others } In the Circuit Court for Baltimore City
Nov Term 1856
This cause standing ready for hearing and

being submitted the Solicitors for the parties were heard and the proceedings read and upon consideration thereof this Court is of opinion that it cannot grant the relief asked nor pass such Decree as is prayed for in the Bill of complaint filed in the said cause consistently with the principles and rules that govern Courts of Equity unless John B. Gray mentioned therein be first made a party to said cause and an opportunity be thus afforded to him to be heard in reference to his alleged rights, interests and pretensions referred to in said Bill. It will therefore pass an order staying over this cause to enable the Complainants to make the said Gray a party to these proceedings. The Solicitors however of the said Complainant being here in Court and they through their said Solicitors declining to avail themselves of the privilege that would be afforded by such order and thus to make said Gray a party to these proceedings. It is thereupon this 29th day of November 1856 by the authority of this Court Adjudged Ordered and Decreed that the Bill of Complaint be and the same is hereby dismissed and that the Complainants pay the Defendants their costs of this suit to be taxed by the Register but without prejudice to any other suit that the Complainants may hereafter bring in relation to any of the matters of Equity in controversy in this suit.

Jno. Geo. Webb

Whereupon the said Complainant by his Solicitor aforesaid prays an Appeal from the Decree aforesaid to the Court of Appeals of the State of Maryland and files in Court here in said cause the following prayer of Appeal to wit:

John S. Wright vs John Hanson Thomas and others } Circuit Court of Baltimore City
Mr Turner
Enter an appeal in the above cause and transmit the record &c.
Robert J. Brent for Complainant

Which appeal is by the Court here granted. Whereupon afterwards to wit, on the twenty second day of January in the year of our Lord Eighteen hundred and fifty seven the said Complainant by his Solicitor aforesaid files in Court here in said cause the following Appeal Bond to wit:

Know all men by these presents, That we John S. Wright Robert J. Brent and James E. Lawn of Baltimore City State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of Two hundred Dollars to be paid to the said State or its certain Attorney to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators jointly and severally firmly by these Presents, Sealed with our seals and dated this 22nd day of January in the year 1857. Whereas by a Decree of the Circuit Court for Baltimore City passed in a cause wherein the said John S. Wright is Complainant and the Santa Clara Mining Company and others are Defendants the Bill of said Complainant was dismissed with costs, and whereas said Complainant is about to appeal to the next