

ch. 195; and were completely organized, as such, accordingly, on the first Monday, or fifth day of April, 1819. This bill moreover proceeds, as is stated by the Chancellor in delivering his opinion, to set forth the rights of these plaintiffs; and their object in filing this bill. Whereupon they prayed for relief and an injunction. Which injunction was granted accordingly. On the 7th of March, 1823, Robert and John Oliver put in their joint and separate answer; and obtained an order, in the usual form, for a dissolution of the injunction at the ensuing term; when the motion was brought before the Court.

JOHNSON, C., 21st April, 1823.—An injunction issued in this case to prevent the sale of the property of the Cape Sable Company, taken in execution under a judgment obtained by Robert and John Oliver against the company, in Anne Arundel County Court. To the bill filed, on which the injunction was ordered, the Olivers have answered; and, at present term, the motion to dissolve the injunction was elaborately argued. Since the argument the case has been maturely considered. It is a cause of a novel description, demanding full reflection, not only from the character of the case, but from its importance in respect to the amount of the property in controversy.

In the year 1812 an agreement was entered into between John Gibson, Richard Caton and others, and a company was formed to search for coal in Anne Arundel County; and, to enable the company to carry their objects into execution, Gibson, by a deed, executed on the 21st of June, 1833, conveyed several tracts of land to Charles Carroll in trust. By the agreement and deed all the interest in the land, and the works then or thereafter erected, and in the profits and emoluments were divided into sixty shares; twenty to Gibson; thirty-nine to the other persons, mentioned in the deed, and the remaining share to Gibson, to be disposed of for the common interest. Twenty-five out of the thirty-nine shares to *Richard Caton, and the residue to the children and grandchildren of C. Carroll, whose daughter was the wife of Caton. **608**

Gibson, on the 20th of May, 1815, conveyed his interest to Addison Ridout and Joseph Jubere in trust for Gibson and wife during their lives and the life of the survivor; and after the determination of those estates, to the use of the other complainants in the bill mentioned. John Gibson and wife are dead, the former died in 1819, the latter in 1822, by which the beneficial interest in the premises became vested in the complainants as disclosed by the bill.

By an Act of the General Assembly of Maryland, passed in the year 1818, the company was incorporated by the name of the Cape Sable Company. As so large a portion of the stock of this com-