

(or if necessary, by a competent clerk,) suitable books for the benefit of the concern, which books shall, at all times, be open for inspection by any one or more of the partners.

"*Art. 4.* All moneys due the said firm shall be collected, and all moneys owing by said firm, shall be paid by either Gault or Emory, whose duty it shall be to produce vouchers thereof.

"*Art. 5th.* All work done by either of the two last named partners, shall be for the benefit of the whole concern, unless it be by the consent of all the parties.

"*Art. 6th.* Should there at any time appear or come to the knowledge of any one of the firm, any work or other matters connected with said firm, it shall be his duty to make the same known as soon as possible thereafter. It shall also be the duty of either of said firm to make contracts for work in the name of the firm, but when convenient shall consult the other partners.

"*Art. 7th.* The said Emory & Gault shall pay their whole attention to the business of the concern, and have the whole control of the same for the term of this partnership, (unless by disagreement, the third be called, and then a majority shall rule,) and shall receive for their services one dollar and seventy-five cents per day, each, to be paid out of the profits arising in said business, and the remainder to be divided, share and share alike, between all the partners. If in case of a loss, then the parties are to sustain the same in like manner, share and share alike.

"*Art. 8th.* The time and duration of this partnership shall be limited to three years from the date of this instrument. For the faithful performance of all the within named duties, we have hereunto set our names and affixed our seals this first day of January, eighteen hundred and thirty-eight.

CHARLES WOOD, [*Seal.*]

JNO. B. EMORY, [*Seal.*]

CYRUS GAULT, [*Seal.*]"

After setting out this agreement, the bill proceeds to state and charge, that the complainant, Charles Wood, soon after its execution, removed to the city of Richmond, in the state of Virginia, where he has since resided. That said Emory &