

firm in connection with the partners, and is a necessary party to a bill calling for a settlement of the partnership.

The allegation that one of the partners "is about to receive, if he has not already done so, a large sum from J. W. and H. W. or one of them as a consideration for arresting proceedings against them, and for a transfer of all his interest in the partnership," is too uncertain to make it necessary that H. W. who was not a partner, and but for this alleged transfer had no interest in the litigation, should be required answer.

---

[The bill in this case was filed on the 22d of May, 1849, by Joseph White, and alleges, in substance, that in February or March, 1835, complainant and his father, John C. White, of the city of Baltimore, and his brother, Campbell P. White, of the city of New York, formed a partnership in the former city, under the firm of John C. White and sons, for the purpose of distilling spirits, (a partnership similar to which had existed many years previously in the same business, between the said John C., Campbell P. and Robert White, and had been dissolved by the withdrawal of Robert,) during the continuance of which large gains and profits were made, which were employed partly in the extension of their business, and partly in the purchase of property and erection of buildings. That complainant attended to the manufacturing department of the business, while the accounts of the partnership were entrusted exclusively to his brother, Henry White, or his brother, John White, in the latter of whom complainant had at that time unlimited confidence, and the accounts of the firm being at all times subject to his control, he became fully acquainted with the profits thereof, and of the share of the assets due each partner. That in March, 1835, there belonged to the firm certain real estate in the city of Baltimore, the title whereof stood in the name of the senior partner, John C. White, but was held by him as the property, and for the benefit, of the partnership. That said John White, though not a member of the firm, was yet, as the eldest brother of the family, regarded by the firm, and all its members, as its confidential adviser, and was entrusted with the full control of its affairs, and its books and property, and did, in fact, by consent of all, entirely regulate its books and affairs, and dispose of its means in such manner as he judged proper, all of which