

tribute any part of the sum paid to complainant on account thereof. That he has also declared that the accounts of the firm since 1835 commenced with fraudulent balances, and were themselves fraudulent and void. That, not content with these declarations, the said Campbell P. filed a bill in the equity side of the Circuit Court of the United States, praying for relief against the conveyance made in 1835 by John C. White to John White, and also insisting upon other frauds committed by said John White, in combination with Henry White, the said Campbell filed his other bill in this court, in which he alleges the said Henry and John are largely indebted to said firm, copies of both of which bills are exhibited. That said Campbell P. has recently stated that during certain years in which John White pretended the firm had made no money, he has now discovered by the books they had made over \$160,000. That notwithstanding these disclosures, and bills for the relief against the frauds of John White, the said Campbell P. White, as complainant, is informed, and verily believes, is about to obtain, if he has not already done so, large amounts of money from the said John White, and Henry White, or one of them, as a consideration for his arresting the proceedings so instituted by him, and for a transfer of all his interest in the partnership aforesaid.

The prayer of the bill is, that the agreement of May, 1848, and also a deed of the 12th of May, 1848, made in pursuance thereof, and the deed of the 7th of March, 1835, may be decreed to be null and void, and delivered up to be cancelled. It also asks from him discovery in relation to the several charges against John White, and that said Campbell P. White may state the amount he has received or agreed to receive from the said John White and Henry White, or either of them, and which the said John White and Henry White, or either of them have agreed to pay him, in consideration of his agreement to dismiss his bills of complaint above referred to, and of the transfer of his interest in the partnership assets and profits.

The defendant, Henry White, filed a demurrer to this bill, because the complainant hath not in and by his said bill made or stated such a case as doth or ought to entitle him to any