

Case No. 4,092a.
[Hempst. 49.]¹

DROPE v. MILLER.

Superior Court, Territory of Arkansas.

April, 1827.

EQUITY—ISSUE FOR JURY.

Issue directed out of chancery to ascertain whether a partnership, asserted by complainant and denied by defendant, was formed as alleged.

[This was a bill in equity by William Drope against John Miller.] Order to try disputed facts.

Before JOHNSON and ESKRIDGE, Judges.

OPINION OF THE COURT. In this case it is alleged by the complainant that he formed a partnership in trade with the defendant, in April, 1819, which fact is denied by the defendant. It is, therefore, ordered that a jury come at the next term on the law side of this court to ascertain by their verdict, whether there was or was not a partnership in trade formed by said Drope and Miller, in April, 1819, and that the verdict of the jury be immediately certified to this court as a court in chancery.

¹ [Reported by Samuel H. Hempstead, Esq.]