Barnum, deceased, the aforesaid premises — vested in absolute estate in his children, subject only to the leasing powers therein expressed, which as they pretend, were to be exercised for the benefit of said children; and that the said Augustus Barnum, the father of your Orators, in his lifetime by deed conveyed and assigned unto the said Andrew McLaughlin, all his interest and estate in said premises, and therefore they deny all right and title of your Orators in and to said premises, or to the rents and profits thereof. But your Orators are advised and insist, that all said pretences of the said surviving Trustee and of the said Lessees, are unfounded in fact and against Equity. And further, that if by reason of any groundless pretences as aforesaid, the said surviving Trustee has omitted to collect and receive of and from the said Lessees such part of the rents and profits of the premises aforesaid as represented or was supposed to represent that estate or interest in said premises, which is now claimed to be the right of your Orators, then the said surviving Trustee and the said Lessees remain accountable to your Orators, for such rents and profits as may have remained uncollected as aforesaid; and your Orators being wholly ignorant of the actual state of the account between the surviving Trustee and the Lessees, pray the same parties may make full discovery in relation to such matters. And your Orators are advised and charge more specifically, that they are entitled to one undivided fifth part or one full Child's part

of the premises aforesaid, with one-fifth part of the rents, issues and profits of said premises, accrued due since the death of their father, the said Augustus Barnum, deceased, that is to say, from the month of October, in the year eighteen hundred and fifty-three, — and that by reason of the death of the said Ephraim Kirby Barnum without — Children as aforesaid, and as representing their deceased father as aforesaid, they are entitled to one undivided fourth part of one other undivided fifth part of said premises with a further proportion of the rents, issues and profits of the premises aforesaid, since the day last aforesaid.

And Your Orators charge, that it will be greatly to the advantage of your Orators and all others interested in said premises, that the same be sold under the direction of this honorable — Court for distribution amongst the said parties, and for these reasons, amongst others, to wit: for that the same premises are incapable of advantageous partition in specie — amongst the said parties; and for that a considerable part of said property consists of furniture of a very perishable character; and for that the increased and increasing years of the said surviving Trustee, render it impracticable for her to give such attention to the preservation of the said premises and the leasing and collecting the rents and profits thereof as the same require; and by reason of the tender years of your Orators and the residence of the said Eliza Stanard and her husband George Stanard, in the State of Louisiana