October Term 1869.

and that said David died in said city in the year eighteen hundred and forty-four, leaving a will, of which a copy as from the Records of the Register of Wills office of said City is filed with the Bill; and that said testator left issue the persons so described in the Bill; and that of said issue, Augustus Barnum has died, and also Ephraim Kirby Barnum and Frances McSaughlin, and that the Complainants are the only children and issue of said Augustus deceased. This Defendant admits that the testator left the real and personal property mentioned in the Bill, but for a detail thereof, she refers to the answer filed by her Co-defendants Andrew McSaughlin and Zenas Barnum and others, to said Bill. And this Defendant further answering — denies that a sale ought to take place of said property as prayed by the Bill, and that this Court may lawfully decree such sale, or that the Complainants have any interest present or future or contingent, in said property, and any which entitles them to be complainants in manner as they now are — or to any account or relief. And this Defendant answering — alleges and claims, and prays to be considered part of this her answer, all that the said answer of her Co-defendants in this cause sets forth as to the rentings and rents of the City Hotel property, real and personal, mentioned in the Bill, and this Defendant prays that in like manner all that is alleged in any respect in said answer be deemed her answer,

October Term 1869

and as part of this answer. But this Defendant further answering says, and as to all liability as Trustee for rents or otherwise under said — will, and as to said real and personal property of any kind or to any extent, she objects that by a decree of the Circuit Court for Baltimore City, she was on the eighth day of January in the year eighteen hundred and fifty seven, discharged from her said trust, and was succeeded therein by Andrew McSaughlin. And this Defendant further answering states that she resides in Baltimore City, dwelling in said City Hotel, and in that respect enjoying, as she claims for her life, the benefit of the provision made in her behalf by the codicil of said will of David — Barnum. And this Defendant accordingly prays to be hence dismissed with her costs in this behalf most unreasonably incurred, &c.

Charles F. Mayer Solr for Deft.

Ann H. Barnum.

And afterwards, to wit; on the seventeenth day of September, in the year aforesaid, the said George Stannard and Eliza his wife, appeared in Court here by Edward Otis Hinkley and John J. Morris Esquires their Solicitors.

And afterwards, to wit; on the twenty fourth day of October, in the year aforesaid, the said Complainants by their solicitor aforesaid, filed in said cause the following — Petition, to wit:

David Barnum & Augustus K. Barnum, Infants, by their next friend, Andrew McSaughlin and others	Circuit Court for Baltimore City,