amongst the proceedings in this cause, will more fully and at large appear.

And your orators now charge by way of reviver and supplement, that after the entering of their aforesaid appeal, and whilst the same was under rule argument in the said Court of Appeals, the said Andrew McSaughlin departed this life, leaving the Defendants, David McSaughlin, William McSaughlin, Augustus McSaughlin and Ephraim Kirby McSaughlin, and also Ann, the then wife of the said Zenas Barnum, his heirs at law. The said Ann being also one of the children of Frances McSaughlin, deceased, who was, in her lifetime, one of the children of the said David Barnum, the testator, and the wife of the said Andrew McSaughlin, deceased.

And that the said Andrew McSaughlin, deceased, left a last will and testament, whereof he appointed the said Zenas Barnum the sole Executor and Trustee for certain purposes therein expressed, as by a copy thereof marked Exhibit A. and filed herewith, and as part of this bill, will appear.

That the said Zenas Barnum duly proved said last will and testament before the Orphans' Court of Baltimore City, and obtained letters testamentary thereon, and possessed himself of the assets and estates of the said Andrew, deceased, which were of large values and sufficient to satisfy the demands of your orators, and all other creditors of said deceased, and that from the

time of the death of the said Andrew continuously to the time of his own death, the said Zenas Barnum retained the exclusive possession of the aforesaid premises, using and employing the same as and for the purposes of a City Hotel, and by such use and employment, deriving to himself large profits; and that on or about the fifth day of April in the year eighteen hundred and sixty-four, the said Zenas Barnum departed this life, leaving the said Ann Barnum surviving him, and leaving also a last will and testament, of which a copy to be marked Exhibit "B," is hereafter to be filed as part of this bill, and thereby he appointed certain Francis W. Bennett and Samuel H. Tagart, of Baltimore City, Executors thereof, and Trustees for certain purposes therein expressed, and that after his death, the said last will was duly admitted to probate before the Orphans' Court of Baltimore County, and letters testamentary thereon were duly granted by the said Court to the said named Executors, who in virtue thereof have possessed themselves of property and assets of their testator to a value more than sufficient to satisfy the claims of your orators and other creditors of the said testator against the same. And that the said Bennett and Tagart, immediately after the the death of the said Zenas Barnum, entered into possession of the aforesaid premises, and thenceforth used and employed the same as and for the purposes of a public Hotel,