grand-father of this Defendant, (and of Complainants and of some of the other Defendants,) was in his lifetime seized and possessed of the real and personal estate mentioned and referred to in said bills, and in the proceedings therein referred to, and that being so seized, he departed this life, leaving his last Will and testament, which was duly admitted to probate, and the children therein mentioned, and also this Defendant; that Richard Barnum, therein named, was the father of this Defendant, and that said Richard departed this life leaving his last will and testament, dated 14th October, 1866 and codicil dated 26 October 1866, executed in due form of law to pass real estate, by virtue of which your Defendant became the sole heir and legal representative of said Richard Barnum; a copy of said will and codicil under seal, is herewith filed as a part of this answer, marked Exhibit I.R.B.

This Defendant further answering saith, that he denies the allegations of said bill, (and pronounces the same to be false and untrue,) which alleges that Richard Barnum died without any lawful issue surviving him, but, on the contrary, this Defendant alleges and claims to be, and insists that he is the only child and lawful issue of said Richard Barnum; and for that reason Complainants made him a party to this suit, and that Complainants and Defendants knew him to be such; Complainants knew said allegations to be false and untrue when they made it,

and it was made for the purpose of aspersing the memory of this Defendant's father and mother, and to tarnish the character and reputation of this Defendant, and for the express purpose of possessing themselves with other Defendants, of this Defendant's portion of his said grand-father's estate, which he is entitled to in common with Complainants and Defendants, in pursuance of law and decision of Court of Appeals.

This Defendant denies that Complainants and Defendants are entitled to any part of his portion of estate derived from his grand-father, the said David Barnum, as such grand-child, but on the contrary, this Defendant insists and claims to be entitled to one-fourth of said estate, and of the rents and profits of the same, and such other estate as he is entitled to by law, and that Complainant and other Defendants all entitled to the remainder.

This Defendant further answering saith, that he knows not, nor hath he been informed, save by Complainants' bills, anything relative to the matters and things therein alleged, and not herein admitted or denied by him.

This Defendant admits, that the property referred to, cannot be divided among the parties interested therein and entitled thereto; that said property should be decreed to be sold; that an account of the rents, incomes and profits should be rendered; that unless the property is at once sold, which is prayed may be, one or