obtained upon the said writing obligatory doth still remain in its full power and effect, not reversed annulled, discharged or satisfied: And the said Sarah the executrix further saith, that the said Archibald the testator in his life time court, on the day of seventeen hundred and at Baltimore county aforesaid by his certain writing obligatory with the seal of the said Archibald the testator in his life time sealed, and as his deed delivered, bearing date the day and year last aforesaid for a just and true debt, had granted himself to be held and firmly bound to a certain John Davidson, in the sum of to be paid, to the said John Davidson, when he the said Archibald the testator should be thereto required, with a condition to the said writing obligatory underwritten, that if the said Archibald, the testator, his heirs executors or administrators should well and truly pay, or cause to be paid unto the said John Davidson, his certain attorney executors administrators or assigns, the just and full sum of with legal interest interest for the same, then the said writing obligatory to be void else to remain in full force and virtue in law, and the said Sarah the executrix in fact saith, that the said Archibald the testator in his life time did not pay to the said John Davidson, or to his certain attorney executors administrators or assigns, the said sum of in the Condition aforesaid specified with legal interest for the same, but that the said sum of and the legal interest thereon did remain due and unpaid, to the said John, at the time of the death of the said Archibald the testator, and the said writing obligatory then was in its full force and effect, not satisfied, discharged or cancelled, wherefore the said John, for recovery of his debt aforesaid after the death of the said Archibald the testator, in the General Court of the Western Shore of the State of Maryland, held at the city of Annapolis on the second tuesday of in the year seventeen hundred and eighty before Robert Hanson Harrison Esquire and his companions, Justices of the same Court, did implead the said Sarah the executrix in due form of law, upon the writing obligatory aforesaid, as executrix of the testament and last will of the said Archibald, the testator, by the name of Sarah Buchanan late of Baltimore county executrix, of the last will and testament of Archibald Buchanan late of the same county, deceased of a plea of debt for the said sum of in which, same plea, it was so far proceeded, in the same Court, that afterwards court, on the second tuesday of May in the year seventeen hundred and eighty six, the said John, in the said Western Shore General Court, and by consideration of the same Court, did recover against the said Sarah, the executrix, as well the said debt of as also the sum of of tobacco, by the same Court unto the said John adjudged, as well for his damages sustained by means of detaining that debt as for his costs and charges by him about his suit in that part and behalf laid out and expended, to be levied of the goods and chattels, which were of the aforesaid Archibald the testator, at the time of his death in the hands of the said Sarah the executrix remaining to be administered, if so much thereof in her hands she had, and if so much thereof in her hands she had not, then the costs of suit aforesaid, to be levied.

levied of the proper goods and chattels of the said Sarah the executrix, whereof the said Sarah is convict, as by the records and process thereof, in the same Western Shore General Court remaining, it doth fully appear: which same Judgment so as aforesaid had and obtained upon the said writing obligatory doth still remain in its full force and effect not reversed, annulled, discharged or satisfied: And the said Sarah the executrix further saith, that she hath fully administered, all and singular the goods and chattels, which were of the said Archibald the testator, at the time of his death, and that she hath not any goods or chattels, which were of the said Archibald the testator, at the time of his death in her hands to be administered, now had on the day of the impetration of the writ original of him the said Dye, so much, nor at any time after, except goods and chattels to the value of the aforesaid several sums of so as aforesaid against him the said Archibald in his life time, by the said John Hammond recovered, and also so as aforesaid against her the said Sarah the executrix, by the said Charles Wallace. Charles Wallace and John Muir and John Davidson respectively recovered as aforesaid, which goods and chattels aforesaid, with the execution of the several Judgments aforesaid of the said John Hammond, Charles Wallace, Charles Wallace, and John Muir and John Davidson so as aforesaid obtained, are bound and chargeable, and this she is ready to verify, wherefore she prays Judgment, if the said Thomas his action aforesaid thereof against him to have or maintain ought and so forth, Saith this, that the said Sarah the executrix will verifie, that Archibald in the aforesaid Judgment obtained as aforesaid by the said John Hammond, and the said Archibald in the aforesaid several writings obligatory in this plea aforesaid mentioned, and Archibald the testator in the records of the said several Judgments above pleaded, named, are one and the same person and not other or different, and that Sarah the executrix in the same records of the said several Judgments named and Sarah the now Defendant are one and the same person, and not other or different and so forth, and with this also, that the said Sarah the executrix will verifie, that the Judgment obtained against the said Archibald the testator above alledged by the said Hammond, and the several writings obligatory herein before mentioned and alledged to have been made and passed by the said Archibald the testator in his lifetime to the said Charles Wallace, Charles Wallace and John Muir and John Davidson respectively and the said Judgment obtained as aforesaid by said Hammond above pleaded and the said several writings obligatory, whereof the several Judgments aforesaid were respectively had and obtained by the said Charles Wallace, Charles Wallace, and John Muir and John Davidson against her the said Sarah the executrix in form aforesaid, were the same respectively and not other or different So forth. —

And the said Thomas Cockey Deye saith, that he by any thing by the said Sarah Buchanan executrix as aforesaid above in pleading alledged ought not to be precluded from his action aforesaid thereof against her the said Sarah Buchanan executrix as aforesaid had, because he saith, that the plea aforesaid by the said Sarah Buchanan executrix as aforesaid in manner and form aforesaid above pleaded, and the matter in the same contained, are not sufficient in law to preclude him the said Thomas Cockey Deye from his action aforesaid thereof against her the said Sarah

Buchanan