Maintain the said action therefore against them, because they say that a certain Charles Carroll in the life time of the said Mary Cox in the General Court for the western shore of the state of Maryland held at Annapolis on the second tuesday of October in the year of our Lord one thousand seven hundred and eighty nine and by the judgment of the same court then and there recovered against the said Mary Cox in her life time by the name of Mary Cox late of Baltimore County spinster otherwise called Mary Cox of Baltimore county in the state of Maryland the sum of five hundred and thirty five pounds thirteen shillings and six pence current money a certain debt and also six hundred and forty five pounds of tobacco for his damages which he sustained as well by reason of the detention of the said debt as for his costs and Charges by him about his said suit in that behalf expended; whereof the said Mary was then and there convicted as by the record and proceeding thereof still remaining in this court more fully appears: And the said John M'Clellan and James Cox say that the said Judgment so had and obtained was for a true and just debt and the said Judgment still remains in full force and effect and in no wise reversed, vacated, annulled or in any manner satisfied by the said Mary in her life time. And the said John M'Clellan and James Cox further say that the said Mary Cox in her life time to wit on the fourteenth Day of February in the year of our Lord one thousand seven hundred and Eighty five at Baltimore County aforesaid by her certain writing obligatory sealed with her seal acknowledged herself to be bound to one Daniel Dulany Esquire in the sum of three hundred and thirty nine pounds and two shillings sterling to be paid to the said Daniel Dulany when she the said Mary Cox should be thereto afterwards requested and to which payment well and truly to be made she the said Mary Cox bound herself and her Executors firmly by the said writing obligatory which said writing

obligatory

Obligatory was made by the said Mary Cox in her life time to the said Daniel Dulany for a true and just debt really due and owing from the said Mary Cox to the said Daniel Dulany and the said writing obligatory at the time of the death of the said Mary Cox now and still is in force wholly unpaid and unsatisfied and not cancelled; whereupon the said Daniel Dulany for the recovery of his said debt of three hundred and thirty nine pounds and two shillings sterling after the death of the said Mary Cox to wit, in the term of March in the year of our lord one thousand seven hundred and ninety one in Baltimore County court, before Benjamin Nicholson Esquire Chief justice of the said court and Otho Holland Williams Esquire and James Carroll Esquire Associate Justices of the said Court at Baltimore town in the County aforesaid impleaded the said John and James as Executors of the last will and testament of the said Mary Cox by the names of John M'Clellan and James Cox both late of Baltimore county executors of the last will and testament of Mary Cox late of the same county widow deceased otherwise lately called Mary Cox of Baltimore Town for the sum of five hundred and sixty five pounds three shillings and four pence Current money the same being the value of the said sum of three hundred and thirty nine pounds and two shillings sterling money in the said writing obligatory mentioned; and it was in such manner thereupon proceeded in the same court that the said Daniel afterwards to wit in the same March term in the year aforesaid in the same court before the justices aforesaid by the Condition of the same court, recovered against the said John M'Clellan and James Cox his said debt of five hundred and sixty five pounds three shillings and four pence current money aforesaid and also the sum of three hundred and sixty six pounds of tobacco and one shilling and ten pence half penny Current money for his damages which he had sustained by reason of the detention of the said debt as for his Costs and Charges by him the said Daniel about his said suit in that behalf laid out and expended which said debt damages and Costs of the Goods and Chattels which belonged to the said Mary Cox at the time of her death being in the hands of the said John and James to be administered to be levied if they had so much thereof in their hands to be

administered