of Eighty) seven pounds nineteen shillings and three pence. The defendants further answering) they admit that they caused the said will to be proved and took upon themselves the execution thereof. And the said Joseph Donaldson for himself further answering) saith that since the death of the said Thomas Usher he as the surviving) partner and obligee of the said Thomas Usher deceased hath paid the said Complainant in different payments to the amount of one thousand two hundred and sixty nine pounds in part satisfaction of the debt and interest due on the said bond and this defendant hath also assigned and transferred to the said John Salmon in notes, Bonds, specialties and book accounts due by sundry) persons to this Defendant to be recovered or received by him and to be applied in discharge of the said Bond to the amount of eleven thousand nine hundred and sixty seven pounds twelve shillings and eleven pence with a considerable sum of Money due for interest thereon, and this defendant hath also lodged in the hands of the Complainant (Military) Certificates from the State of Virginia for nine thousand and twenty eight pounds nine shillings and nine pence Maryland Currency) bearing) interest as by an account thereof herewith produced and lodged in this honourable Court to which the said Joseph Donaldson begs leave to refer will appear. The Defendants Thomas Usher, Joseph Donaldson, Samuel Johnston (and Joseph Usher further answering) say they admit that as executors of the said Thomas Usher deceased and out of his separate Estate there hath been no other payments made to the Complainant on the said Bond and admit that should there not be sufficient personal estate belonging to the said partnership to answer the said debt due to the Complainant that the real estate of the said Thomas Usher deceased in the hands of the surviving) devisees so far as the same will extend is liable for the payment of the said debt and Interest thereon in an equal degree with the other Bonds and specialties of the said

Thomas Usher which yet remain unpaid subject to the Dower of Catherine Usher his Widow, but these defendants severally) say) that they do not know or believe that the Complainant ever applied to the said devisees to pay or satisfy) the Complainant the principal and Interest due on the said bond, nor do these Defendants remember or believe that the Complainant ever applied to them jointly) or severally as Executors aforesaid to render an account of the personal estate of the said testator which hath come to their hands or to the possession of either of them or to pay the Complainant as far as they) had assets in their hands to be administered of the estate of the said Thomas Usher deceased, nor did they) refuse to render an account of the administration of the effects of the said testator or to pay and apply the same to the discharge of the principal sum of Money and interest due on the said Bond, and the said Joseph Donaldson for himself further answering) saith that the Complainant often applied to this defendant as the surviving) partner and obligee as he apprehends for payment of the said bond and Interest thereon which by reason of the great number of Goods on hand and the outstanding debts due to the said partnership he could not discharge and the Defendants Thomas Usher and Joseph Usher for themselves further answering say that they) as devisees of the said Thomas Usher deceased were never applied to for the purposes in the Complainants Bill mentioned, and therefore could not refuse to comply) therewith but these Defendants humbly apprehend that the surviving) partner is answerable for the payment of the Complainants demands as well as the other partnership debts due by) the same so far as the effects belonging) to the said partnership will extend and submit to this honourable Court whether the separate estate of the said Thomas Usher devised to these defendants and the other devisees ought to be sold for the payment of the said partnership debts untill it appears that the same cannot be paid out of the partnership effects. The Defendants