answering) admit that the said Executors caused the said will to be proved and took upon themselves the execution thereof, but are altogether strangers to what sums of Money have been paid by the said Joseph Donaldson the surviving partner aforesaid or the other executors of the said Thomas Usher deceased since his death but for the particulars thereof these defendants beg leave to refer to the answers of the said surviving partner and executors to the [illegible] Complainants said bill, but these defendants admit that should there not be sufficient personal estate belonging to the said partnership or otherwise 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 Debt and Interest due thereon in an equal degree with the other creditors of the said Thomas Usher deceased which yet remain unpaid subject to the dower of Catherine Usher his widow and the mother of these defendants. These defendants further answering say that they do not know of any application made to them or the other devisees aforesaid by the Complainant to pay or satisfy him for the principal and Interest due on the said bond or what application he made to the said Executors for an account of the personal estate of the said testator or whether they refused the Complainant to render the said account to him or to apply the same to the discharge of the said principal Money and interest due on the said bonds. But these defendants submit to this honourable Court whether the separate Estate of the said Thomas Usher devised to these defendants and others as aforesaid ought to be sold for the payment of the said partnership debts until it appears that the same cannot be paid out of the said partnership effects without that that any other matter or thing material or necessary for these defendants to make answer unto and not hereby or hereby sufficiently answered, confessed or avoided, traversed or denied is true

All which these defendants are ready to maintain and prove, wherefore these defendants by their said Guardian pray to be hence dismissed with their Costs in this behalf most wrongfully sustained. — James McCullock Guardian for Elizabeth Usher Sarah Usher and Samuel Usher

Baltimore County, to wit, on the tenth day of April in the year of our Lord one thousand seven hundred and ninety before us the subscribers by virtue of a Commission from the high Court of Chancery of this State to us directed bearing date the fourth day of February last past came James McCullock the guardian of Elizabeth Usher, Sarah Usher and Samuel Usher the minor children of Thomas Usher deceased and on his Corporal Oath taken on the holy Evangelists of Almighty God doth say that what is contained in the above answer so far as concerns his own acts and deeds is true and what concerns the acts and deeds of any other person or persons he believes to be true. Sworn before us by virtue of the Commission aforesaid before

Isaac Van Bibber

True Copy Test — Samuel Hanway Howard Reg[ister] for [illegible]

John Salmon
vs
The Executors and Devisees of Thomas Usher

In Chancery May Term 1790

And the said cause thus standing ready for hearing and the Bill, answers and several exhibits aforesaid being read and appearing as set forth. Whereupon and upon due Consideration thereof, it is ordered, adjudged and decreed by the honourable Alexander Contee Hanson Chancellor with the Consent of the Attornies as well on behalf of the Complainant as on the part and behalf of the Defendants in this cause this thirtieth day of July seventeen hundred and ninety, that the real estate of the said Thomas Usher deceased shall be set up and exposed to sale and sold subject to the right (if any) of Dower by the Defendants the executors of the said Thomas Usher at