

Case No. 2,516.

CATLETT ET UX. V. FAIRFAX.

[2 Cranch, C. C. 99.]<sup>1</sup>

Circuit Court, District of Columbia.

April Term, 1814.

EQUITY PRACTICE—ENFORCING DECREE AGAINST EXECUTOR.

In Alexandria, an execution de bonis propriis, is the proper process against an executor, upon a decree in equity for the balance of his administration account.

This was a motion to quash an execution against the defendant, de bonis propriis, on a decree in equity against him as executor of the will of Lord Fairfax, for the balance due upon the settlement of his administration account, to the plaintiff's wife, daughter of the testator.

E. J. Lee, for the plaintiff, stated that the execution in this form was according to the practice in the court of chancery in Virginia, and produced a certificate, to that effect from Mr. Henning, the register of that court.

Motion overruled. (THRUSTON, Circuit Judge, absent)

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]