James Christie against William Graves & Simon Wilmer Ext.rs of Richard Graves.

The State of Maryland hath sent to the Sheriff of Kent County a certain writ close in these words, to wit: "The Eastern Shore, to wit: The State of Maryland to the Sheriff of Kent County Greeting: Whereas James Christie Gentleman, lately in our late Provincial Court before William Hayward Esq.r and his Companions then the Justices of the same Provincial Court, by writ and by the Judgment of the same Court had recovered against Richard Graves late of Kent County Gentleman, as well a certain debt of Seven hundred and eighty eight pounds two shillings & six pence Sterling money of Great Britain and also the quantity of five hundred and ninety three pounds of Tobacco, which to the same James Christie in the same Provincial Court were adjudged for his Damages which he had sustained as well by occasion of the detention of the said Debt, as for his Costs and Charges by him about his suit in that behalf expended; whereof the said Richard Graves is convicted as it manifestly appeareth upon Record: And whereas afterwards that is to say, in our General Court holden for the Eastern Shore of this State on the second Tuesday in April in the year Seventeen hundred and eighty seven at Talbot Court house in Talbot County the said James Christie of the Debt, Damages Costs and Charges aforesaid not being satisfied, it was considered by the Judges of the same General Court that the said James Christie should have his Execution against the said Richard Graves for the debt, damages costs & charges aforesaid and also for the sum of twenty four pounds, three shillings and four pence current money, & the quantity of Two thousand and sixty three pounds & four fifths of a pound of Tobacco, which to the said James Christie in our same General Court by the Judges thereof were adjudged and awarded for his additional costs & charges which he the said James Christie hath sustained by reason of the delay of the Execution of the said Judgment, according to the form of the statute in such case made and provided, whereof the said Richard Graves is likewise convicted, as by the record and proceedings as well in the rendition of the Judgment aforesaid, as in the adjudication of the Execution of the same Judgment in the same Court now remaining appeareth upon Record: And whereas on the behalf of the said James Christie in our General Court before the Judges thereof we have understood that, since the rendition of the aforesaid Judgment and the award of execution thereupon, the said Richard Graves at Kent County aforesaid duly made his last will & Testament in writing and thereby constituted and appointed his son William Graves and his daughter Mary Crockett the Exors thereof and afterwards there &c.a; between which said Mary Crockett & a certain Simon Wilmer of Kent County aforesaid a Marriage hath since been had and solemnized in due form of law; and that although Judgment be given and execution adjudged in form aforesaid against the said Richard Graves for the Debt, Damages, Costs and several Charges aforesaid Execution nevertheless of the said Judgment for the said James Christie yet remaineth to be done: Whereupon the same James Christie hath besought us to grant him a proper remedy in this behalf; and we being willing that what is just in this part should be done, To therefore command you that by good and lawful men of your Bailiwick, you make known unto the said William Graves and Simon Wilmer and Mary his wife, that they be and appear before the Judges of our General Court at their Court to be holden for the Eastern Shore of this State at Easton, in Talbot County the second Tuesday in April next, to shew cause if any for themselves they have why the said James Christie ought not to have his Execution against them

for the Debt, Damages & Costs, and several Charges aforesaid, of the Goods & Chattels which belonged to the said Richard Graves at the time of his death, in the hands of the said William Graves & of the said Simon Wilmer & Mary his wife, to be administered being to be made and levied according to the form and effect of the recovery aforesaid & if unto them it shall seem expedient and further to do & receive all and singular those things which our Judges aforesaid shall then and there consider in this behalf concerning them: And have you then & there the names of those by whom you shall make the same known unto them, and this writ. Witness the honourable Samuel Chase Esq.r chief Justice of our said Court, the 11th day of September Anno Domini 1792.

James Earle jun.r Clk."

Issued the 22d day of March 1793.

At which said day, to wit, the second Tuesday in April in the year One thousand Seven hundred and ninety three, before the Judges of our said General Court, at Easton aforesaid comes here the said James Christie by Nicholas Hammond his Attorney and the Sheriff of Kent County aforesaid, to wit: Philip Reed Esq.r, now returns that he by virtue of the writ aforesaid to him directed by Thos. Maxwell & Thos. Granble good & lawful men of his Bailiwick, hath given notice to the said Simon Wilmer & Mary his wife, and by James Stevenson & Joseph Briscoe other good & lawful men of his Bailiwick hath given notice to the said William Graves that they should be & appear before the Judges of the said General Court on this day at Easton in Talbot County to shew cause in form aforesaid &c.a according to the tenor and exigence of the same writ. And the said William Graves & Simon Wilmer & Mary his wife being so warned & on this same day solemnly called come here into Court by William Tilghman their Attorney: whereupon the said James Christie by his said Attorney prays his Execution against them the said William Graves & Simon Wilmer & Mary his wife for his Debt Damages Costs & several Charges aforesaid to be administered to him &c.a And the said William Graves & Simon Wilmer & Mary his wife pray leave to imparle &c. and to them it is granted &c.a And thereupon day is given as well to the said William Graves & Simon Wilmer & Mary his wife as to the said James Christie by the Court here until the second Tuesday in Sept.r then next following &c.a to wit, to the said William Graves & Simon Wilmer & Mary his wife to imparle & then to plead &c.a On which said day, to wit, the second Tuesday in September in the year aforesaid before the Judges aforesaid at Easton aforesaid come again into Court the respective parties aforesaid by their Attorneys aforesaid; and the said William Graves & Simon Wilmer & Mary his wife pray further leave to imparle thereto &c.a and to them it is granted &c.a And thereupon day is given to the respective parties aforesaid by the Court here until the second Tuesday in April then next following &c.a to wit, to the said William Graves & Simon Wilmer & Mary his wife to imparle & then to plead &c.a And now here at this day, to wit, the second Tuesday of April in the year Seventeen hundred & ninety four, before the Judges aforesaid, at Easton aforesaid, comes into Court the respective parties aforesaid by their Attorneys aforesaid and thereupon the said James Christie by his Attorney aforesaid prays his Execution against them the said William Graves & Simon Wilmer & Mary his wife for the Debt, Damages Costs & several Charges aforesaid to be adjudged to him &c. And the said William Graves & Simon Wilmer & Mary his wife by their Attorney aforesaid, being solemnly called to plead to the said writ of Scire facias say nothing in Bar or preclusion of the Execution aforesaid whereby the same James Christie against them the said William Graves & Simon Wilmer & Mary his wife remains therein undefeated: Therefore