My Dear Sir Philad.a April 8.th 1829

according to your request in our Conversation on the morning of the 6.th I repeat by this note that I cannot assent to any payment being made out of the Estate of the late Chief Justice Tilghman (without excepting the rents of the Walnut Street house) until a decision is had upon my claim under or in consequence of the agreement which were made at the time of my marriage. —

I am very sorry that I am obliged to adopt this course especially as it affects Col. John Tilghman & his wards; but if payments are made to any branch of the family, they cannot without giving offence, be refused to all; and it is indispensable that I should neither do, nor assent to, any act which by possibility could redound legal inference to my disadvantage. —

I have further to regret that so much time has elapsed without a legal decision on the subject being obtained. It is and has been so evidently my interest to have the matter brought to an immediate conclusion, that it is unnecessary for me to advert to circumstances beyond my control which have disappointed my desires and my just hopes that the question would have been long since decided —

Yours truly

E. S. Burd Esq. — B. Chew Jr.

Under these circumstances, you perceive, I am compelled to withhold the pittance you desire for your two wards. —

I have however suggested to Mess.rs Rawle & Binney a course to be pursued, for the purpose of bringing Mr. Chew's claim to an issue — which merits their approbation. — & in this course Mr. Chew acquiesces — It is to effect a sale of the Northern Liberty property (comprehending about 18 acres of land) in the course of this spring for cash — which is perhaps the best mode of selling it — & then let a suit be brought against the Executors for some one distributive share of the money —

It is proposed to bring the suit in the U. S. Court — In this mode the validity of his claim can be tested —

Should any other course, better & speedier be thought of in the mean time, it will receive my entire approbation — I am very much puzzled about the mode of selling the Maryland Estate —

Yours very respectfully

E. S. Burd

Col. John Tilghman