James Tilghman
against
Henry Ebert Adm.r
of Lodman Ebert.

The State of Maryland. Command was given to the Sheriff of Caroline County that he should take Henry Ebert late of Caroline County Administrator of all and singular the Goods Chattels Rights and Credits which were of Lodman Ebert of Talbot County deceased at the time of his Death who died Intestate as it is said otherwise called Lodman Ebert of Talbot County in the Province of Maryland if he should be found in his Bailiwick and him safe keep so that he should have his Body before the Justices of the Provincial Court to be held at Annapolis the second Tuesday in April then next to answer unto James Tilghman Esq.re of the City of Philadelphia of a plea that he should render unto him the sum of three hundred Pounds current Money which from him he unjustly detained and so forth. And that he should not thereof fail at his Peril and that he should have then and there that Writ. Witness Daniel of Saint Thomas Jenifer Esq.re one of the Justices of the said Court the first day of December in the fourth year of the Dominion &c. Annoque Domini 1774.

Issued the 2nd day of March 1775. James Tilghman. R Ghiselin Clk

At which aft. second Tuesday of April seventeen hundred and seventy five came the aft. James Tilghman by James Tilghman Junior his Attorney And the Sheriff of Caroline County aft. made return of the Writ aft. in the words following to wit. Cepi and Nar delivered March 17th 1775. so answers. Wm. Hopper. Shff.

And the aft. James Tilghman by his Attorney aft. declared ag.st the aft. Henry Ebert in manner and form following to wit.

Maryland Caroline County to wit. Henry Ebert late of Caroline County Administrator of all and singular the Goods Chattels Rights and Credits which were of Lodman Ebert late of Talbot County deceased at the time of his Death who died Intestate as it is said otherwise called Lodman Ebert of Talbot County in the Province of Maryland was summoned to answer unto James Tilghman Esq.re of the City of Philadelphia of a plea that he render unto him the sum of three hundred Pounds current Money which from him he unjustly detains and so forth.

And whereupon the same James Tilghman by James Tilghman his Attorney saith that whereas the aft. Lodman Ebert in his life time to wit on the twelfth day of July one thousand seven hundred and seventy two at Talbot aft. by his certain writing obligatory acknowledge himself to be held and firmly bound unto the same James Tilghman of Philadelphia in the aft. sum of three hundred Pounds to be paid to the said James Tilghman when afterwards he should be thereunto required Nevertheless the aft. Lodman in his life time or the aft. Henry after the death of the same Lodman to which said Henry Administration of all and singular the Goods Chattels Rights and Credits which were of the aforesaid

Lodman at the time of his death was at aft. after the death of the same Lodman in due form of Law committed although often required the aft. sum of Money have not paid nor hath either of them paid but the same to him the said James Tilghman of Philadelphia the same Lodman in his life time and the aft. Henry after the death of the said Lodman hitherto to pay hath altogether refused and the aft. Henry the said sum of Money to him the said James to render or pay still doth refuse and unjustly detain wherefore he saith he is the worse and hath damage to the value of one hundred and fifty Pounds current Money aforesaid and therefore he brings suit and so forth. And brings here into Court the writing obligatory aft. sealed with the seal of the aft. Lodman which the Debt aft. in form aft. testifies whose date is the same day and year

Pledges and so forth { John Doe and Richard Roe

James Tilghman 3d. for the Plaintiff.

Oyer of the Bond and condition is as follows.

Know all Men by these Presents that I Lodman Ebert of Talbot County in the Province of Maryland am held and firmly bound unto James Tilghman Esquire of the City of Philadelphia in the full and just sum of three hundred Pounds to be paid unto the said James Tilghman his certain Attorney Executors Administrators or Assigns to which payment well and truly to be made and done I bind myself my heirs Executors and Administrators firmly by these Presents sealed with my seal and dated this twelfth day of July Anno Domini one thousand seven hundred and seventy two.

The Condition of the above obligation is such that if the above bound Lodman Ebert do and shall well and truly pay or cause to be paid unto the said James Tilghman his certain Attorney Executors Administrators or Assigns the just and full sum of one hundred and fifty Pounds with legal Interest for the same then the above obligation to be void else to remain in full force and virtue in Law.

Lodman Ebert (Seal)

Signed Sealed and delivered in the Presence of Wm. Hemsley. }

At which aft. second Tuesday in April seventeen hundred and seventy five came the aft. Henry Ebert by Matthew Brown his Attorney and defended the force and Injury when and so forth. and prayed Liberty of Imparling thereof there untill the second Tuesday in September then next and he had it the same day was given to the aforesaid James Tilghman and so forth.

At which aft. second Tuesday in September seventeen hundred and seventy five came the Parties aft. by their Attorneys aft. And the aft. Henry Ebert by his Attorney aft. further defended the wrong and Injury when and so forth and said that the said James Tilghman ought not to have or maintain his action aft. against him because he said that he had fully administred all the Goods and Chattels which were of the said Lodman Ebert at the time of his death in his hands to be administred nor had he any at the time of issuing the said writ of the said James Tilghman nor at any time since and this the said Henry was ready to verify Wherefore he prayed Judgment if the said James