

The said Samuel McCall, John Blackburn and John Allen do at any time within a year and a day appear and make all or any part of the said John Dennis his claim against them to be satisfied or otherwise to be made before the laying of the attachment and that then he the said John Dennis shall make restitution unto the said Samuel McCall John Blackburn and John Allen of all or such part as shall be so made appear to be due as and or that he the said Joshua Merrill will do the same for him &c

Therefore it is considered by the Court here that the sum of fifty shillings and six pence current money and five hundred pounds of tobacco so as and attached be condemned in the hands of the said James Martin as of the rights and credit of the said Samuel McCall John Blackburn and John Allen towards satisfying unto the said John Dennis Just. his damages and all costs and charges by means of the said suit and that the said John Dennis have thereof his execution &c

Charles Beazey --- Somerset County Humphry Chapman late of Somerset County planter was attached to answer unto Charles Beazey of a plea of trespass upon the case &c  
Humphry Chapman

And whereupon the said Charles by Francis Allen his attorney complains that whereas on the twenty sixth day of December and Dow. Seventeen hundred and twenty nine at Somerset County and within the Jurisdiction of this Court a certain communication being had and moved between the said Charles and the said Humphry concerning an Orchard growing upon a plantation belonging to him the said Charles growing upon a plantation belonging to him the said Charles in Somerset County and called Old Harbour the said Humphry then and there in consideration that the said Charles at the special instance and request of the said Humphry would permit and allow the said Humphry to receive and take to his own use the One moiety or half part of the fruit growing in the said Orchard from the said twenty first day of December in the year and for and during the full term and time of ten years from thence next ensuing fully to be compleat and ended upon himselfe did assume and to the said Charles then and there did faithfully promise that he the said Humphry would yearly and every year when requested therto get Logs and make up one moiety or half part of the fence about the said Orchard and the same would keep in good repair during the time and would also at any time when by the said Charles he should be therto requested break up and digg one full moiety or half part of the ground belonging to the said Orchard and the said Charles in full faith that giving credit to the promise and assumption of the said Humphry in manner and form and made did yearly and every year permit and allow the said Humphry from the day and until the tenth day of December last Dow One thousand seven hundred and thirty three to receive and take to his own use one moiety or half part of the fruit of the Orchard and never the less the said Humphry his promise and assumption and in form and made nothing regarding but plotting and fraudulently Intending