

August Court. . . 1734 . . . (202)

Caldwell Gent Returned a certain Inquisition Indented and taken before him at the Court house at Dividing Creek in the County of the Seventeenth day of June and Dow. One thousand Seven hundred and thirty four by the Oath of Honest and Lawfull men of this County by which it appears that the said William Gunn has not Sustained any Damages by Omission of the non performance of the promise and assumption aforesaid

And because the Court here of their Judgment of and upon the premises to Render as yet will advise Day thereof is given to the parties aforesaid until next Court to be held at Dividing Creek for the County of the Court Judgment thereof to hear for that the Court here thereof as yet.

At the which said next Court to witt the twentieth day of August and Dow. One thousand Seven hundred and thirty four came againe the parties aforesaid by their attorneys aforesaid and whereupon all and singular the premises by the Court here seen heard and fully understood. Therefore it is Considered that the said William Gunn take nothing by his writ aforesaid but be thereof as merry for his false clamour and that the said Francis Elliott go thereof without day also it is Considered that the said Francis Elliott recover against the said William Gunn Seventeen hundred and thirty three pounds of tobacco by the Court here adjudged unto him for his costs & Charges by him about his defence in that part laid out and Expended according to the form of the statute that he have thereof Execution the

W<sup>th</sup> John Scarbrough Qui tam: Somerset County J<sup>ts</sup>  
J<sup>ts</sup>: Isaac Bredall . . .

Be it remembered that John Scarbrough Gent who as well for the Right Hon<sup>ble</sup> the Lord Proprietary that now is of the province of Maryland as for himself in this part prosecuteth, doth come here into the County Court of the same Lord Proprietary held for Somerset County aforesaid, to witt, at Dividing Creek in the same County the Eighteenth day of June in the year of our Lord God Seventeen hundred thirty and four before Robert King Esq<sup>r</sup> and his associates the said Lord Proprietary his Justices of the same County Court and as well for the same Lord Proprietary as for himself doth give the same Justices here to understand and be Informed that the said Lord Proprietary did by his Commission bearing date the . . . Day of . . . which was in the year of our Lord God Seventeen hundred and . . . to witt, at Annapolis in Somerset County aforesaid in the province aforesaid and within the Jurisdiction of this Court, nominate, constitute and appoint Arnold Elzey late of Somerset County aforesaid Gent to be Naval officer of Potomack District in Somerset County aforesaid in the same province, and by the same Commission did give and grant unto him the said Arnold Elzey full power and authority to act, do, perform and execute all and singular the lawfull powers and Authoritys, and other things whatsoever incident to the said office of Naval officer of the District aforesaid that the said Arnold Elzey afterward, to witt, the . . . Day of . . . in the year of our Lord God Seventeen hundred and . . . aforesaid within the County and Jurisdiction aforesaid took upon him the burthen and execution of the said office and the oath of Naval officer, of the district aforesaid in due form of Law did take: And that the said Arnold Elzey was and continued Naval officer of the