

at the County of, within the Jurisdiction of this Court, the said John Bidell did take and arrest, and the same John into his Custody then and there had and Imprisoned in Execution of and for the damages, and until the fourth day of February the year aforesaid, at which said fourth day of February aforesaid in the year aforesaid the said Francis Allen, (then Sheriff of the County of Somerset aforesaid being and the aforesaid John Bidell in his Custody in Execution for the damages aforesaid being) the same John Bidell at Somerset County aforesaid within the Jurisdiction of this Court out of Custody of him the said Francis, at large whether he would go and Escape without the License and Consent, and against the will of him the said Ephraim, being unlawfully, the said John overcame likewise, to place to the said Ephraim unknown did and yett do the absent and Elope him: so that the said Ephraim hath lost the benefit and advantage of the Recovery aforesaid whereby he says that he is worse and hath Damage to the value of ten pounds Curr. money and six hundred pounds of Tobacco and thereof he brings this Suit &c. Lem. Hale of Qu. B. Edg. Wood & Doe K. Roe.

And the aforesaid Francis Allen by in his own proper person Com. and Def. the force and Injury when he and pray Leave to Imparle hereunto until the Next Court and he hath it and the same day is given to the aforesaid Eph. here also.

At which said Next Court to witt the fifteenth day of October and Dow one thousand seven hundred and Twenty seven Com. againe as well the aforesaid Ephraim by his attorney aforesaid as the aforesaid Francis in his own proper person, and the said Francis pray further Leave to Imparle hereunto until the Next Court and he hath it and the same day is given unto the aforesaid Ephraim here also.

At which said Next Court to witt the twenty first day of Novemb. and Dow one thousand seven hundred and twenty seven Com. againe as well the aforesaid Ephraim by his atty aforesaid as Francis in his own proper person and the said Francis pray further Leave to Imparle hereunto until the Next Court & he hath it & the same day is given unto the aforesaid Ephraim here also.

At which said Next Court to witt the Nineteenth day of March and Dow one thousand seven hundred and twenty seven Com. againe as well the aforesaid Ephraim by his atty aforesaid as Francis in his own proper person & the said Francis pray further Leave to Imparle hereunto until the Next Court & he hath it & the same day is given unto the aforesaid Ephraim here also.

At which said Next Court to witt the Eighteenth day of June and Dow one thousand seven hundred twenty eight Com. againe as well the aforesaid Ephraim by his atty aforesaid as the aforesaid Francis in his own proper person and whereupon the said Francis in his own proper person as before Def. the force and Injury when he

and saith that the aforesaid Ephraim his action aforesaid against him the said Francis to have and maintain ought not because he saith that after the taking of the aforesaid John Bidell into the Custody of the aforesaid Francis in Execution for the Dam. aforesaid before the Escape above suggested to be made to witt the sixteenth day of Jan. and Dow one thousand seven hundred twenty six the aforesaid John Bidell then in Execution for the Dam. aforesaid under the Custody of the aforesaid Francis in prison of the County aforesaid at Somerset County aforesaid being he the same John Bidell the prison aforesaid with force & arms did break and out of the prison aforesaid against the will of the said Francis then (and)