

And there did Escape & to Place to the same Francis unknown did fly and the said Francis
 the said Francis further saith that he the said Francis faithfully Diligently & Care-
 fully after the Escape aforesaid made at Southsetts County aforesaid Pursued for the
 Recaption of the said Vidal & the Pursuite aforesaid from place to place from County to
 County did Make and Continue untill the aforesaid Francis afterwards to with the Eight
 Day of November: and Dow: one thousand Seven hundred & twenty seven the aforesaid John
 Vidal by that Pursuite at Southsetts County did retake & him the said Vidal in prison
 aforesaid put in Execution for the Damages aforesaid at the Suite of the said Ephraim Wil-
 son and still doth he detain the aforesaid Vidal in the prison aforesaid in Custody aforesaid
 in Execution for the Dam: aforesaid at the Suite of the aforesaid Ephraim being from that
 time hitherto hath remained & still doth remain which Escape of the aforesaid Vidal
 so out of the prison aforesaid at it is said made is the same Escape where of the said
 Ephraim above there of against him hath Complaind this he is ready to verify
 therefore he prayeth Judgment of the aforesaid Ephraim his action aforesaid there of against him
 to have and Maintain Ought &c

And the aforesaid Ephraim saith that he by anything by the aforesaid Francis above in pleading alleged
 Ought not to be precluded from having his action aforesaid there of against him of same Francis
 because he says that the Plea aforesaid by the aforesaid Francis in Manner & Form aforesaid above plea-
 ded & the Matter in the same Contained are Not sufficient in Law to preclude the
 same Ephraim Wil-son from having his Action aforesaid there of against the said Francis
 & that he the same Ephraim hath no necessity nor by the Law of the Land is held in any
 Manner to answer thereto & this he is ready to verify wherefore for want of a sufficient
 answer in that part he of same Ephraim prayeth Judgment of his Dam: by Occasion of
 the Premises to him to be adjudged &c — And for Causes of Demurrer according to the
 Form of the Statute in such Case made & Provided the said Ephraim offers these Causes
 following first: — The said Francis in his Plea aforesaid hath not alleged that he retook
 the aforesaid Vidal before the day of the Injuration of the Writt Originall aforesaid and
 that the plea aforesaid altogether uncertain Insufficient and Want of form

And the aforesaid Francis for that he sufficient Matter in Law in his plea aforesaid the aforesaid Ephraim
 to Barr from having his action aforesaid against him the aforesaid Francis above in pleading hath alleged
 which Matter the said Ephraim hath not gain said but the truth thereof to admit hath
 altogether refused prayeth Judgment and that the said Ephraim from having his action aforesaid
 May be barred &c — Whereupon all and singular the premises by the Court here been
 heard and fully understood and mature deliberation thereupon had, it Remeth to the Court here that the
 plea aforesaid by the same Francis in manner and form aforesaid above pleaded and the Matter in the same
 Contained are good, and sufficient in the Law, to the aforesaid Ephraim of his action aforesaid against the same
 Francis to have and preclude -

Therefore it is considered by the Court here the Eighteen the day
 of June and Dow: One thousand Seven hundred and twenty Eight that the aforesaid Ephraim Wil-son
 take