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Second—If the defendant committee and ended at all, in his escape, it was an offence against the authorities who held him in custody, and no

other. Third—The commonwealth failed to establish that defendant was committed or in custody for any indictable offence under the laws of this State, or that he was in any way detained by the

authorities thereof. Fourth-The verdict was against the law and

the evidence. Reasons on arrest of judgment, as follows, were urged : First-The indictment is defective in not setting

out the offence with which the defendant wa charged at the time of his alleged escape. Second—The indictment is defective in not set-

ting out the jurisdiction in which such offence was committed or averred to have been com-

mitted. mitted. Third—It does not appear upon the face of the indictment that the defendant was in any lawful custody.

argument was not concluded when our report closed.

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