

State of Maryland  
 vs J Caplan & Co  
 George Swearingan  
 munda

Caplan

Richd Beale

**ALLEGANY COUNTY, TO WIT.**

The State of Maryland to the Sheriff of Allegany County, **GREETING.**

WE command you, That you take *George Swearingan*  
*Late of Allegany County Yeoman*

if *he* shall be found in your Bailiwick, and *him* safe keep, so that you have *his* body before  
the Judges of our next county Court, to be held at the Court-House in the Town of Cumberland, in said county, on  
the *Second* Monday of *October* next to answer unto the  
State of Maryland of and concerning a certain  
trespass Contempt and Misdemeanor by him —  
Committed as it is represented and so forth.

Hereof fail not, at your peril, and have you then and there this Writ.

Witness the Honorable JOHN BUCHANAN, Esquire, Chief Judge of the said Court, the *20th*  
day of *April* 182*9*

ISSUED the *30th* day of *April* 182*9*

*J. S.*

*Aza Beall Clk*

3 Criminal Trials

State of Maryland

vs } Subp. 36c  
George Sweaungan

Mary Poland

Henry Winouel D

George Sease D

Elizabeth Hall Kile D

Chanty Johnson P

Elizabeth Lindsay D

Robert Kile P

Catharine Boxwell D

Wm J. G. Helleary

John M. Laurence D

James M. Smith

Samuel P. Smith D

for the State

Maryland Sect.

The State of Maryland to the Sheriff of Allegany County  
Greeting. You are here by Com. mandate to Summon  
= on Mary Poland, Henry Minnow George Deane  
Elizabeth McNeill Charity Johnson Elizabeth  
Lindsay Robert Kile Catharine Bronowice William  
J. G. Hillenry John M. Lawrence James M. Smith  
Samuel P. Smith that all Excuses & Delays set apart they  
be and appear before the Judges of Allegany County Court  
on the Second Monday of October of October at the Court  
in the Town of Cumberland in and for said County to test  
= ify the truth of their Knowledge touching a certain  
Matter of Controversy in said Court depending between  
The State of Maryland Plaintiff and George Sweaeney  
Defendant on the part of the State but if they are not  
to fail & fail you Not at your peril and have you  
Then thus this writ Witness The Honorable John Prack  
= anan Esq. Chief Judge of our said Court. the 20<sup>th</sup> day  
of April 1829 I signed the 4<sup>th</sup> day of May 1829

L. D.

Arga Beale Clerk

1829  
List of donors  
from 1829

- 1 Thomas Greenall
- 2 Joshua Robinson
- 3 William White
- 4 Lewis F. Ripstone
- 5 Jacob Walsh
- 6 Ebenezer Griffiths
- 7 James Reynolds
- 8 Ezekiah Roby
- 9 Thomas Pratt
- 10 William Woodin
- 11 Samuel V. Buskirk
- 12 John Thaw
- 13 John Dawson
- 14 John Tozand
- 15 John Miller
- 16 Philip Sigler
- 17 William Rieszly
- 18 Jonathan Alford
- 19 James Moore
- 20 Peter Uhl
- 21 Benjamin G. Vaughan
- 22 William Lynch
- 23 Joseph Dilly
- 24 Thomas Blair
- 25 Gabriel M. Porter
- 26 William Wright
- 27 William Ward
- 28 George M. Cullok
- 29 William Shaw
- 30 Samuel Eckley
- 31 George Kobbell
- 32 Walter Selby
- 33 William L. Lamar
- 34 Charles L. Shepard
- 35 Jacob Taylor
- 36 Andrew Pease
- 37 George Winkler
- 38 John Easter Jr.

39. William A. Laughlin
40. John Taggart
41. Samuel Rice
42. Walter Prout
43. John B. Shercliff
44. John Ash
45. Asias Wilson
46. Samuel H. Gittis
47. Daniel Woodford
48. Jeremiah Berry.

John B. Wright, Bailiff  
George A. Comp. Constable.  
Paul Butten  
West  
Pucke Poole, Sheriff

- List of Varyman
- 1 Joseph Truck 6
  - 2 Ralph Logsdon 6
  - 3 Benj<sup>n</sup> B. Simkins 6
  - 4 Edward Drake 6
  - 5 Nathan Wilson 6
  - 6 James White 6
  - 7 James Hook 6
  - 8 Thomas Robinson 6
  - 9 Lloyd Townsend 6
  10. Erach Moor 6
  11. George Blocher 6
  - 12 John White 6
  - 13 Peter Hoffman 6
  - 14 George Flier 6
  - 15 Laurence O. Holt 6
  - 16 John Miller 5
  - 17 John M. Emiga 5
  - 18 Lloyd Stalling 6
  - 19 Lawrence Jamison 6

20. Eli Wilson C
21. John McKelish C
22. John Atkins C
23. Nathan W. Tracy S
24. Isaac Ward S
25. Jonathan Butler C
26. Sylvanus Bennett P
27. John S. Hoffmann P
28. John Daniels P
29. Frederick Drem C
30. ~~Andrew Morrison~~
31. Levi Meyer P
32. Theop. Pratt P
33. Bury C. Payne C
34. Michael Fisher P
35. Robt. McKeery C
36. Em. Easton

Peter Pratt M

1829  
List of Talys Levers



Talk is jury 24

List of Jurors Sum. by 3<sup>d</sup>  
Venue. as Witnesses

1 John Folck

2 John North

3 Peter Krakbaum

4 Samuel Durbin

5 John Witt

6 John Uhl

7 Francis Dean

8 Henry Mattingly

9 John Mattingly

10 John Hoff<sup>+</sup>

11 Moses Porter<sup>+</sup>

12 Graw Cary<sup>+</sup>

13 Francis Trigg<sup>+</sup>

14 Francis Reed<sup>+</sup>

15 Samuel Bowden

16. Thomas M. Rufus
- 17 John Myers
- 18 William J. Montgomery
- 19 Paul Bussey †
- 20 Hugh Montgomery
- 21 Jos. H. B. West
- 22 David Davis †
- 23 Jacob Easter †
- 24 Samuel Bussey

Richd. Dale, Secy

16. Thomas M. Rufus  
17 John Myers  
18 William J. Montgomery  
19 Paul Bussey †  
20 Hugh Montgomery  
21 Jos. H. B. West  
22 David Davis †  
23 Jacob Easter †  
24 Samuel Bussey

State of Maryland

Allegany County sit.

I John Buchanan Clerk of the fifth judicial district hereby certify that James M. Hendrickson - Mayor of Allegany County, West Virginia who has been appointed Mayor of a Special Court of Organ and Terminals for said County, to be held on this 3<sup>d</sup> day of August 1864 in the town of Cumberland personally appeared before me, and made oath, that he would be faithful and true ally to the State of Maryland, and that he would support the laws and Constitution thereof, and that he would to the best of his skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Mayor of the said Special Court, according to the Constitution and laws of this State.

That the said James M. Hendrickson - did at the same time solemnly promise and swear, that he would well and truly demean himself in the said office of Mayor of the said Special Court, in all things appertaining to the duties thereof according to the best of his skill and judgment, and without passion, affectation or partiality, and also that he would support the Constitution of the United States - and also at the same time, made and subscribed to a declaration of his belief in the Christian religion.

J. Buchanan

3. of August 1829 I hereby declare my belief  
in the Christian Religion Jesus Christ

1829  
By his qualification

The by his qualification  
- Ten

I John Buchanan Chief Judge of the fifth Judicial  
District do hereby certify that <sup>John</sup> ~~John~~ <sup>of</sup> ~~of~~ <sup>Allegany</sup> ~~of~~ <sup>County</sup> ~~County~~  
Beall who has  
been appointed clerk to a special court of Oyer  
and terminer to be held for Allegany County on  
this 3<sup>d</sup> day of August 1829, appeared before me  
this 3<sup>d</sup> day of August 1829 and made oath that he  
<sup>swore</sup> will be faithful and bear true allegiance to the  
State of Maryland and that he <sup>judicially</sup> will support the  
Constitution and laws thereof and that he <sup>readily</sup> will to  
the best of his skill and judgment diligently and  
faithfully without partiality or prejudice execute  
the Office of Clerk to the said Special Court of Oyer  
and terminer for Allegany County according to the  
Constitution and laws of this State. and <sup>that</sup> the said John  
Beall <sup>did also at the same time</sup> ~~do~~ <sup>swear</sup> solemnly promise and ~~swore~~ <sup>swear</sup> that  
he <sup>judicially</sup> will well and truly behave and demean him-  
self in the Office of Clerk to the said Special Court  
of Oyer and terminer in all things appertaining to the  
duties thereof according to the best of his skill and  
judgment and without favour affection or parti-  
<sup>and</sup> ~~ality~~ <sup>whenever</sup> also that he will support the Constitution of  
the United States - and at the same time  
made and subscribed a declaration of his belief  
in the Christian religion -

J. Buchanan

3<sup>o</sup> August 1829. Nearly deserted my business  
in the Christiana region - Ag. Beale

Business qualifications  
1829

Clark  
The ~~Staff~~ <sup>Staff</sup> ~~guy~~ <sup>guy</sup> ~~guy~~ <sup>guy</sup>  
- cotton

State of Maryland

Allegany County Dist.

I John Buchanan Chief Judge of the  
Supts Judicial District County County, that  
James Downer, District Attorney for the said  
District, who has been appointed to prosecute in  
behalf of the state, by a special court of Magistrate  
and terminals for Allegany County to be held  
<sup>in the month of August</sup> on this 3. day of August in the year 1829, personally  
appeared before me, and made oath that he would  
be faithful and bear true allegiance to  
the State of Maryland, and that he would  
support the constitution and laws thereof,  
and that he would to the best of his skill  
and judgment, diligently and faithfully,  
without partiality or prejudice, execute the  
office of Prosecuting Attorney in behalf of  
the State, by the same Special Court of Magistrate  
and terminals, according to the constitution  
and laws of this State. That he did at  
the same time, solemnly promise and swear  
that he would well and truly demean  
himself in the said office of Prosecuting  
Attorney of the said <sup>Special</sup> Court in behalf of  
the State, in all things appertaining to the  
duties thereof, according to the best of his skill  
and judgment, and without favour, affec-  
tion or partiality. And also that he would  
support the constitution of the United  
States. And also at the same time made  
and

and subscribed a Declaration of his  
belief in the Christian religion -

John Buchanan

I. of August 1829 I hereby declare my belief  
in the Christian religion -

J. Wilson

1829

States attorney Gen

The President

Washington



By Allegany County Special Court August 1829  
Summon Doctor Frederick Dorsey to testify for  
the State of Maryland against George Swearingen  
Returnable immediately before the said Court now  
sitting 13<sup>th</sup> August 1829.

To the Sheriff of Washington County  
Aza Beale Clk  
Allegany County Court

State  
of New Jersey  
Geo. Swearingin  
For  
County of Jersey

Recd. 15<sup>th</sup> Aug.  
1829 & same day  
del. to J. H. of W. C. J.  
O. H. Williams

Summers  
Christian Swearingin de J. H.

Dart Cres up

Sum a

R. Beal Mf


July 1st 1869  
Allegany County Court, ~~West Virginia~~ <sup>County</sup> 19  
Landon Vance, Sheriff  
To testify for the State of ~~West Virginia~~ <sup>Swearing</sup>  
To the Sheriff, Returnable Immediately of the Real Estate

Conrad Long

June 2

Rock Brake  
Shiff

By Allegany County Special Court August 1829

Summon on ~~Conrad~~  ~~Long~~

To Testify for the State against George Swearingen

Returnable Immediately

To the Sheriff of Allegany County: Aza Beale 666

Mrs Carter P.

Ch. Curap N.C.

Richd Beall N.C.

By allegany County Sheriff about August Term 1829  
Summon Charles Chesap & Mrs Carter —

To Testify for the State of Maryland against Geo. Swearingan  
Returnable Immediately

To the Sheriff of allegany County

Aza Beall Clk



State of Maryland

of the

George Swearingan

Mary Poland P

Henry Menou P

Saml Bruce N. E.

Go Lease P

Eloz<sup>a</sup> M. Hill P

Charity Johnson P

Eloz<sup>a</sup> Lindsey P

Robt. Kile P

Catharine Popwell P

Wm. J. G. Kelleary P

John Lawrence P

Larry M. Smith P

Saml P. Smith P

John Johnson P

Rebecca Johnson P

John

Richard P. B. S. 144

By Allegany County Special Court 3 August 1829  
You are hereby commanded to summon Mary P  
- and Henry Winou Daniel Bruce George Sease  
Elizabeth McNeil Chanty Johnson Elizabeth Lindry  
Robert Rice Catharine Boxwell Wm J G. Hillery  
John M. Lawrence James M. Smith Saml P. Smith  
John Johnson Rebecca Johnson to be and appear  
this Court Returnable Immediately to Testify  
for the State of Maryland against George Swanson  
to the Shff of Allegany County Aza Beale Clk

Am Reed

Sum of

Richard Bewell

Allegany County Court <sup>August, Sweet-Tan</sup> ~~Special Term~~ 1899  
Subscribed William Reed  
To testify for the State of Maryland agt Geo Swearingen  
To the Sheriff Returnable Immediately c/o B. A. B. B.

Jacob Fuchty.

Ann.

Richd & Brate ~~off~~

By Allegany County Court Special August 1829  
You are hereby commanded to Summon Jacob  
Keeghtig to testify for the State of Maryland  
Against George Swearing Returnable Imme-  
diately  
To the Sheriff of Allegany County Aza Beall Clerk

No.

The State

vs.

} Subpoena

George Swearingen

William Neill

for the State

Rec'd Aug. 8. 1829. Same  
day del'd shff.

Chas. M. Williams clk

Summond

Christen Newcome Is

Alf

By Allegany County Court. Special Term 1829.  
Summon William Prall, to testify for the State of  
Maryland against George Smarringer.

Returnable Immediately.

To the Sheriff of Washington  
County

Wm Prall, C. S.



B Brown  
E Brown  
Sum

Richd Ball

Sh  
D

against ~~the~~ the ~~same~~ same ~~case~~ case

Allegany County Court, ~~April Term~~ 1829  
Subscribed Henry Brown and Elizabeth Winnow  
To testify for the State against Geo Swearingan  
To the Sheriff, Returnable immediately at Beate blk

No.

The State

vs.

Subpoena

George Swearingen

Fredrick B. C. Kinell  
for the State

Received Aug. 7<sup>th</sup> 1829

for same day del'd Shff.

Wm. H. Williams  
clerk

Summoned

Christian Newcomer do

Shff

By Allegany County Court August Special Term 1829.

Summon Frederick Kintel To Testify for the State of  
Maryland against Geo. Wearinger, Returnable imme-  
diately To the Sheriff of Washington County

Apa Brall  
Ally copybot

Recd. 16<sup>th</sup> Aug. 1829.

Same day del<sup>d</sup> SHF

Wash. County

G. H. Williams D

Summed

Christian Newcome D

SHF

By Allegany County August Special Term 1829.

Summon Otho W. Williams and George Koehroffer  
To Testify for the State of Maryland against George  
Learinger. Returnable Immediately.

To the Sheriff of  
Washington County

A. a. Prall, Clerk  
B4B

Los Angeles

Sumo

Walter B. Ball

Shy  
H





Amesbury

N. E.

R. B. Allen

*[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.]*

August Special Term

Allegany County Court: ~~April Term, 1827~~

Susanna Crossan Jnr.

To testify for the State of Maryland agt Geo Swearingan

To the Sheriff Returnable immediately @ Geo. Biale blk.

State

vs

Sumt.

Geo. Swearingen

Thomas Quantule

Received 11<sup>th</sup> Aug

1829 a former day dated

Sherriff of Wash County

C. Williams

Summoned

Christian Neecensh  
Sherriff

By Allegany County Court Aug<sup>th</sup> Term 1829  
Summon Thomas Dean to testify for the  
State of Geo. Swearingin Returneth Immediately  
To the Sheriff of  
Washington County

By a Brass Clerk

State 3  
to 3 Sub.  
Swearing

Henry Switzer  
Jacob Fowlak

Received August  
5. 1829 and same  
day del'd Chff.  
Wm. Williams & Co

Thomas & George Lewis & Sons  
Dowling  
Christie & Sons

252

By **Alegany County Court** August Term 1829.  
Summon **Henry Murtze** and **Jacob Powell** to  
testify for the State of Maryland against **George Harringer**  
returnable immediately

To the Sheriff of Washington  
County Maryland  
August 2<sup>th</sup> 1829.

**Eza Deall, Clerk**  
Ally body hat.

Isaac Mullett

Received August 5. 1829  
and same day did pay  
of

Sammons Peter Bench George Pope  
Theace & Mrs. Martha. Simon Est.  
Dover & the Co

Christian Newman &  
MHS

By Allegany County Special Court August Term 1829  
You are hereby Commaned to Summon Isaac Meeks and  
wife Peter Rinch George Ross Beale to testify for the  
State of Maryland Against George Swearingan Return  
able Immediately

Aza Beall Clerk

To the Sheriff of Washington County



State of Maryland

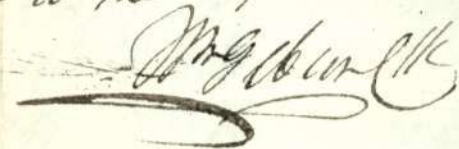
63 Subp<sup>a</sup>.

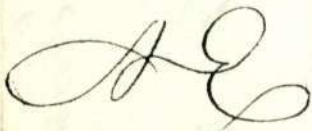
George Swearingen

For State

Daniel P. Bruce

Received the 12<sup>th</sup> day of  
August 1829 and delivered  
the same to the Shp. Ball<sup>r</sup>  
By





Wm. Ball

By Allegany County Special Court August Term  
1829

Summon Daniel Bruce To testify for the  
State of Maryland against George Swearengen

Returnable Immediately }  
To the Sheriff of ~~Barren~~ }  
County } A. B. C. C. C.

State of Maryland  
vs J. Subpoena  
George Swearingen  
To John W. Neale  
Jr

And

Richd Bull

Shf

By Alleghany County Special Court August Term 1829  
Summon John McNeill Junior to testify for the State  
~~of Maryland~~ vs George Swearingen at Suit of the  
State of Maryland Returnable Immediately  
To the Sheriff of Alleghany County Ezra Beall Clerk

That  
of the  
Swearing  
The best  
Solomon Stover

of  
Richd Parale Shy

Alleghany County Special Court Aug. Term 1879  
Summon Solomon ~~Stover~~ Stover to testify for  
George Swearingen at the State of the State of  
Maryland.

Returnable Immediately }  
to the Sheriff of Alleghany }  
County —

Geo. Beale Clerk

Wm Comen

New Eng

R. Beall Esq

By Allegany County Special Court Aug<sup>t</sup> 1829  
Summon Wm Connor  
To testify for Geo Swearingan ad<sup>r</sup> State  
Returnable Immediately -  
To the Shff of Allegany County Arya Beall clk



John Whitney

Am d

Wicks Bull

Shff

By Allegany County Special Court August Term 1849

Summon John Whitney to testify for

To testify for George Swearingen as Plaintiff of Maryland

Returnable immediately  
To Sheriff of Allegany County

J. B. Bate, Clerk

Edu<sup>d</sup> Johnson

June

R. Brae M<sup>d</sup>

By allegany county Special Court August 1829  
Summon ~~John Johnson~~ Edwin Johnson  
To testify for George Swearingan ad State Unwornable  
Immediately  
To the Shff of allegany county Aza Beall Clerk

John Wright

Sum d

R. Bulling

By Allegany County Special Court 1829

Summon John Wright

To Testify for the State of Maryland against George  
Swearingen returnable Immediately -

To the Sheriff of Allegany County Aza Beall Clerk

The Plum

Sum

~~Sum~~

Sum

R. / Dral

Handwritten text on the right side of the page, including a date "April 11th 1829" and a signature "W. C. B. / Dral".

By Allegany County Special Court August Term 1829  
Summon Thomas Plummer

To testify for the State of Maryland against J. Swearingen

Returnable Immediately

To the Sheriff of Allegany County

Azra Beall Clerk



Burges  
Magnum

Sum

Richard Brule  
Shy

Allegheny County Office & Court to Augt. Term 1829  
Summon Benjamin Maynard to testify for the State  
of Maryland against George Swearingen

Returnable immediately }  
to the Sheriff of Allegheny County }     Aza Beale Clerk

M. Rozu for  
John M. Luntton  
John M. Buchanan  
Moses H. Lawther

Amos

Richd Prall,  
Sh

Allegheny County Special born to Capt. Tamm 1829  
Summon Martin Rizer, John Mc Carleton, John  
Mc Buchanan & Morey A Southan to testify for  
the State against George Swearingen

Returnable Immediately  
to the Sheriff of Allegheny  
County

Geo. Beal, Clerk

State of Maryland  
of Subpoena  
Geo. Swearingen  
John C. Crawford  
Brown Jenks  
for State

Sumo

Richard Pratt

Att  
D

By Allegany County Sheriff's Court August 3<sup>d</sup> 1829  
You are hereby commanded to Summon John  
M. Crawford Brown Jenks to testify for the State  
of Maryland against George Sweaving an 'titu-  
-able Immediately -  
To the Shff of Allegany County

Aza Beale Clerk

John White

Mum

R. Bruce

By Allegany County Special Court August 1829  
Summon John M. Neill Sen  
To testify for the State against Geo Swearingen  
Returnable Immediately  
Aza Deall CLK  
To Shff of Allegany County



J. Thuthe D.

J. Stoddard D.

R. Ferguson D.

G. Breich

Soud

Robert Ferguson

By Allegany Special Court August Term 1829  
You are hereby commanded to summon Thomas  
Thistle James Stewart George Bruce & Robert Ferguson  
to testify to the Grand Jury returnable on  
Wednesday  
To the ~~County~~ of Allegany.

Aza Beall Clerk

Wm W Lawley

Sum<sup>d</sup>

R. Brate

SHH

Allegany County Court <sup>Special</sup> Term 1899

Submission <sup>Wm M</sup> Laughlin

To testify for Geo. Swearing and State

To the Sheriff Returnable immediately esp. Beate Bell

Los Angeles

June 2

Mr. Ball, NY

Magany County Court ~~Special Court~~ August Court  
~~Special Court~~ 1829

Subscribed Joseph Shreeff -

To testify for for the George Swannoy ad State -

To the Sheriff Returnable immediately J. A. McRae C. C. K.

Mark Stuart

Sum  
Recd. B. Beale M<sup>rs</sup>

1850

1851

1852

1853

<sup>Special</sup>  
Allegheny County Court ~~of~~ Term 1829

Summon Mark Stuart

To testify for Geo. Swearingan ad, State

To the Sheriff Returnable Immediately of J. A. Beale, Clerk



Geo Reed

Sam d

R. Brewster, M.D.

By Allegany County Special Court August 1829  
Summon George Reed  
to Testify for George Swearengen ad State  
Returnable Immediately  
To Shff of Allegany County

Aza Beall, Clerk

M Stuart

Henry by ~~Walter~~ Arthur & Thomas

Sum. by dep. ~~Walter~~ Arthur & Thomas

W. Brally, Shiff

to receive the within ~~value~~  
of R. to Brally, Shiff

By Allegany County Special Court August Term 1829  
Summon Mark Stuart  
To Testify for the State of Maryland or Geo Swearingan  
Returnable Immediately  
Atza Prate Clerk  
To Sheriff of Allegany County

F. Dorsev

Mr Est

R. Brall Hf

By Allegany County, <sup>Magal</sup> Court August Term 1829  
Summoned by Frederick Dorsey -  
To Testify for the State of Maryland on George Swearingan  
Returnable Immediately  
To the Sheriff of Allegany County  
Aza Beall. clk

Susan L. Gray

Sum 2

Peter Drake

MS

By alleryary special Court August Term 1829  
Summon Miss Susanna Pruep  
To Testify for the State against George Swearingen  
Returnable Immediately  
To the Sheriff of alleryary County

Aza Beale Clk



Mr Little  
June

R. Beall  
Ship

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*[Faint, illegible handwritten text, possibly bleed-through from the reverse side of the page]*

Megans County board of ~~Shore~~ <sup>Shore</sup> 1829

Witnessed Nathan B Lillie

To testify for Geo. W. W. W. and State

To the Sheriff Returnable immediately of Beale. bllr

James Kelly

Sum<sup>d</sup>

W. B. Bralle

W. B.

Maryland County Court ~~Special~~ <sup>Special</sup> Term 1829  
Subscribed James Kelly  
To Testify for Geo Swearingan vs State  
To the Sheriff, Returnable immediately of the Peace, &c

Juro, challenged P.

- 1 Deun L. Berry
- 2 Mr. L. Lamar
- 3 John Miller
- 4 V. Linger
- 5 Wm. de Laughlin
- 6 Nathan Wilson
- 7 Elap Stalling
- 8 Law. Jamison
- 9 Sylvanus Bennett
- 10 John S. Hoffman
- 11 John Daniels
- 12 Eli Meyer
- 13 Theo. V. Brall
- 14 John W. H.
- 15 Geo. Mattingly
- 16 Francis D.
- 17 ~~John~~ Robinson
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- 21.

Juro challenged for cause

- 1 L. F. K. Epstein
- 2 J. O. Robinson
- 3 Mr. Ward
- 4 The Greenwell
- 5 H. & P. N. B.
- 6 Sam. Steen
- 7 P. H. H.
- 8 Mrs. Lynn
- 9 ~~Sam. H. H.~~
- 10 ~~Sam. H. H.~~
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Chall. for Cause

34. Michl. Fisher
35. Robt. M. & Mary
36. Emal. Easton
37. Geo. Folk
38. Peter Krieger
39. Saml. Dumbin
40. Hy. Mattingly
41. Mary Potts
42. Francis Tarrig
43. Saml. Bowden
44. Tho. McKeevil
45. John Myers
46. Wm. J. Montgomery
47. Augl. Montgomery
48. David Davy
49. Saml. Bury
50. John Mif. ~~Montgomery~~
51. Mary Roberts
52. Nathl. Bains

1829

Abstract of Records from  
Clerk of Frederick



Aza Beale Esq  
Clerk Alleghany County  
Court  
Cumberland  
Maryland

State of Maryland Alleghany County Feb  
At a Special Court <sup>of justice Termine & general Jail sitting for said County</sup> begun and held at the  
Court House in Cumberland in and for said  
County on the first Monday of August One  
Thousand Eight Hundred and twenty nine, under a  
Special Commission of the <sup>Executive</sup> of the State for that purpose  
Present

The Hon<sup>ble</sup> John Buchanan Esq Chief Judge  
" Abm Shriver Esq }  
" Tho<sup>s</sup> Buchanan Esq } Esqs associates Esqs

Richard Beale Esq Sheriff  
Asa Beale Clk

In the record of proceedings of the same  
Court amongst others are the following viz

State of Maryland

I            Esq

Be it remembered,  
that at a county Court  
begun and held at the

Court House in Cumberland in and for said  
County on the            Monday of            in the  
year of our Lord           , by the oath  
of twelve jurors good and lawful men of  
the State aforesaid, who were then and there  
empannelled sworn and charged to inquire  
for the said State, and for the body of Alleghany  
County aforesaid, it was presented that             
           late of            County / here insert Indenture  
and so the jurors aforesaid upon their oath  
aforesaid did say that            The  
said / the party murdered / then and there in manner  
and form aforesaid, feloniously, wilfully and  
of his malice aforethought did kill and murder  
against the peace government and dignity  
of the said State of Maryland; whereupon  
Cometh her into Court the aforesaid / person  
under the Custody of Richard Beale Esquire  
Sheriff of the County aforesaid, in whose Custody



in the gaol of the county aforesaid, for the  
cause aforesaid he had been committed, and  
being to the bar here in his proper person led,  
is committed to the Sheriff aforesaid, and  
immediately being asked how he of the  
premises aforesaid, in the Indictments  
aforesaid specified and aliove charged upon  
him will be acquitted? the said /  
saith that he is not guilty thereof, and  
thereof for good and evil doth put himself  
upon the County; and James Dixon Esquire  
District attorney for the fifth Judicial district  
of the State of Pennsylvania, who for the said State  
doth prosecute, thereof in like manner & to  
whereof let a jury thereon appear before  
Sallyhany County Court here immediately  
by whom & who neither to recognize & to  
because as well to who being called come,  
that is to say (here insert Jury) who being  
elected, tried, and sworn to say the truth  
of and upon the premises aforesaid, upon their  
oath do say that the aforesaid / is  
guilty of the felony and murder aforesaid,  
<sup>above upon him charged in manner and form aforesaid</sup>  
as by the Indictment aforesaid is above  
supposed against him; and thereupon it  
is forthwith demanded of the said /  
if he hath or knoweth any thing to say  
whereof the said Court here ought not  
upon the premises and verdict aforesaid  
to proceed to judgment and execution against  
him? who ~~nothing~~ saith, unless as he  
before hath said; whereupon all and singular  
the premises being seen, and by the said Court  
here fully understood, it is therefore consid-  
ered by the Court here, that the said /  
be taken to the gaol of the county of /  
from where he came, and from thence to the  
place of execution, at such time as shall  
be duly appointed, and that he be there hanged,  
by the neck until he be dead, and that the said

Sheriff see to the execution of this judgment,  
and thereupon he is committed to the  
Custody of the Sheriff aforesaid, and so forth.

State of Maryland Allegany Cty. Sec.

By Order of Allegany Cty Court in the state  
aforesaid I transmit to his Excellency the  
Governor of the state aforesaid the record of  
the Conviction and judgment of \_\_\_\_\_  
for felony and murder of the first degree  
and I do hereby Certify that the foregoing  
record of the said Conviction and judgment  
is truly and faithfully taken from the record  
and proceedings of the said Court.

In testimony whereof I have  
hereunto set my hand and affixed  
the seal of Allegany County Court  
this \_\_\_\_\_ day of \_\_\_\_\_ 1829

\_\_\_\_\_ Clerk

Dear Sir  
I had your of 25th Inst came to hand last Evng  
and I hasten to furnish such form of Record  
on Conviction as I think will suit the case for  
which you wish it - I hope it may meet yr appo-  
bation -

Respy yr obt Servant  
Geo Geo Schley clk  
Hy Schley

Aza Beale Esqr

have by side with side the No. 111111

Supper order



Henry

By Allegany County Special Court August 1829  
To the Sheriff of Patt<sup>o</sup>. County you are hereby Com-  
manded to Summon Daniel Bruce to be and appear  
for the with at this Special Court To testify for the  
State of Maryland against George Sweaving an  
Returnable Immediately. . . Asa Beale Clerk  
August 4<sup>th</sup> 1829 -

A. E. (Wm) Ball

Ordered By Allegany County Court Special  
Court that the Sheriff of Patt<sup>o</sup>. County ~~return~~  
for the with Return the Summon sent him for  
Daniel Bruce to Testify for the State of Mary  
land against George Sweaving August 4<sup>th</sup> 1829

Asa Beale Clerk

A Copy of Bruces Receipt  
Recd. August 10<sup>th</sup> 1829 the sum of  
Ten Dollars from Wm Ball Sheriff  
by the hands of Asa Smith

Daniel C Bruce

The Sheriff of Patterson County will please deliver to  
Daniel Bruce the inclosed 10<sup>th</sup> of that him to bear  
his expenses here by Andrew Bruce Esq

A. S. Bruce

1829

Special Commis  
sion for call count

The State of Maryland, To the Honorable John Buchanan, Chief  
Justice, and the Honorable Abraham Shriver and Thomas  
Buchanan associate Judges of the fifth Judicial District, greeting:  
Whereas it hath been reported to me that a certain  
George Swearingen, is now confined in the Jail of Allegany County,  
charged with the Murder of his wife Mary Swearingen,

and that the purposes of Justice will be frustrated by having the  
said George Swearingen, brought to trial upon the said charge  
before the regular term of the County Court of said County: which  
cannot be done without a special commission for that purpose.  
I now, therefore, know you, that I have appointed and do hereby  
commission you the said John Buchanan, Abraham Shriver  
and Thomas Buchanan, Chief and associate Judges as aforesaid,  
jointly, or any one or more of you, to hear and determine all  
crimes, offences or misdemeanors whatsoever, that have arisen  
or may arise in Allegany County, and to deliver the Jail of the  
said County, from all persons confined therein, charged with any  
crime, offence or misdemeanor, and, therefore, in virtue of the  
power vested in me by Law, I hereby command you, and each  
of you, that on Monday the third day of August  
next, you, or any one or more of you, attend at Cumberland  
in the said County of Allegany, to deliver the Jail, as well  
of the prisoner aforesaid, as of any other prisoner that may be  
confined therein, charged with any crime, offence or misdemeanor,  
doing thereby what to Justice appertains, according to the  
Laws of this State, and adjourning the said Court from day to  
day as may be necessary. And I hereby command the Sheriff  
of the said County, that on the said day or any other day that you  
may adjourn to, he come to court before you, as well the said  
prisoner and his commitment, as all other prisoners and their  
commitments.

Given under my hand and the Great Seal  
of the State of Maryland, this twenty fourth day  
of June in the year of our Lord, one  
thousand eight hundred and twenty nine  
and of the Independence of the United  
States the fifty third.

Theodorick Blaud Ch.

David Martin

Witness the Honorable  
Theodorick Blaud Chancellor

1829

Clerk of Batts  
Cent.

*[Faint, illegible handwritten text, likely a ledger or account book, covering the majority of the page.]*

By Allegany County, Special Court

August Term 1829

On motion of James Dixon Esquire attorney for the State, It is ordered by the court that a rule be laid on the Sheriff of Baltimore County, and ~~sent~~ sent to the Clerk of Baltimore County, to be served on the Sheriff requiring him forthwith to return the Subpoena, directed to him from this court directing him to summon Daniel Bruce to testify for the State of Maryland against George Swearingen

Test Aza Beall Clerk

I hereby certify that on this ~~twelfth~~ <sup>twelfth</sup> ~~twelfth~~ day of August I received from under cover a rule of which the above is copy from the Clerk of Allegany County Court and delivered the same to the Sheriff of Baltimore County together with a subpoena directing him to <sup>summon</sup> ~~summon~~ Daniel Bruce to testify for the State of Maryland against George Swearingen returnable immediately

In Testimony whereof I have hereunto set my hand and affixed the seal of Baltimore County Court this twelfth day of August 1829

Aza Beall  
Clerk



1829

Judges Qualifications

I certify that Thomas Buchanan an  
Associate judge of the fifth judicial district  
who has been appointed one of the judges of  
a special court of oyer and terminer for  
Allegheny county, to be held on Monday the  
third day of August eighteen hundred  
and twenty nine, appeared before me  
chief judge of the fifth judicial district,  
on this 3 day of August 1829, and took  
the following oath: that he <sup>would</sup> ~~will~~  
be faithful and bear true allegiance  
to the State of Maryland, and that he <sup>would</sup> ~~will~~  
support the constitution and laws thereof,  
and that he <sup>would</sup> ~~will~~ to the best of his skill  
and judgment, diligently and faithfully,  
without partiality or prejudice, execute  
the office of judge of a special court  
of oyer and terminer at aforesaid, according  
to the constitution and laws of this state,  
and that as a judge of the said special  
court of oyer and terminer, he <sup>would</sup> ~~will~~ do  
equal right and justice according to the  
law of this state, in every case in which  
he <sup>should</sup> ~~shall~~ act as judge, fully without

sole, fully without denial, and speedily  
without delay, and <sup>would</sup> ~~will~~ behave himself  
justly, honestly and faithfully, in the said  
office, according to the best of his knowledge  
and understanding, and further that he  
<sup>would</sup> ~~will~~ support the constitution of the  
United States; and at the same time made  
and subscribed a declaration of his belief in  
the Christian religion. Sworn to before me

the 3<sup>rd</sup> day of August 1829

J. Buchanan

~~I certify that the said James Buchanan  
at the same time  
solemnly declared his belief in the  
Christian religion.~~

~~J. Buchanan~~

I solemnly declare that I believe in  
the Christian religion. August 3, 1829

J. Buchanan

understanding - could also, had he heard  
support the constitution of the United States.

~~and at the same time, made and~~  
~~subscribed a declaration of his belief~~  
in the Christian religion

W. Buchanan

August the 3. 1829 I do solemnly and sincerely  
declare my belief in the Christian religion -

J. Buchanan

1829  
John Buchanan  
Qualified under the  
Act of Congress

J. Buchanan  
Qualified

State of Maryland  
Allegany County, etc.

I Thomas Buchanan an associate  
judge of the fifth judicial district with  
that on this 3<sup>d</sup> day of August in the year  
1829 John Buchanan chief judge of the  
said fifth judicial district personally  
appeared before me and made oath that  
he would be faithful and bear true  
allegiance to the State of Maryland, and  
that he would support the constitution and  
laws thereof, and that he would to the  
best of his skill and judgment, diligently  
and faithfully, without partiality or  
prejudice execute the office of chief judge  
of a special court of Oyer and terminer  
for Allegany County to be held on this 3<sup>d</sup> day  
of August in the year 1829 at Cumberland in  
the County aforesaid, according to the constitution  
and laws of this State - and also that the  
said John Buchanan at the same time  
made oath, that he as chief judge or officer  
of the said special court, would do equal  
right and justice according to the laws of this  
State, in any case in which he should act  
as chief judge or officer, fairly without  
delay, fairly without any delay and speedily  
without delay, and would behave himself  
justly, honestly and faithfully in the said  
office according to the best of his knowledge and  
understanding

and at the same time made and sub-  
scribed <sup>as a declaration of</sup> his beliefs in the Christian  
religion

J. Buchanan

Compt the 3. 1829 I hereby solemnly declare  
my beliefs in the Christian religion

John Thriver

1829

Mr. John Thriver Esq

Qualification under the

Special Commission

Mr. Thriver's qualification

action

State of Maryland  
Allegany County Set.

I John Washburn Chief Judge of the  
fifth judicial district, certify that on this 3<sup>d</sup>  
day of August in the year 1829 Abraham  
Shriver an associate judge of the same district,  
personally appeared before me, and made oath  
that he would be faithful and bear true  
allegiance to the State of Maryland, and  
that he would support the constitution and  
Laws thereof, and that in view to the best  
of his skill and judgment diligently and  
faithfully, without partiality or preju-  
-dice execute the office of associate judge  
of a special court of Oyer and Terminer  
for Allegany County, to be held on this 3<sup>d</sup> day  
of August in the year 1829 at Cumberland in  
the County aforesaid, according to the consti-  
-tution and Laws of this State. and that  
the said Abraham Shriver at the same  
time, also made oath, that he in an associ-  
-ate judge as aforesaid of the said Special  
Court, would do equal right and justice  
according to the Law of this State, in any  
case in which he should act as associate  
Judge as aforesaid, fully without delay,  
partly without any concealment and speedily  
without delay, and would behave him-  
-self justly, honestly and faithfully in  
the said office, according to the best of  
his knowledge and understanding.  
and also that he would support the Consti-  
-tution of the United States. and it

1829

Venue for Lurois



State of Maryland, Allegany County, to wit:  
The State of Maryland to the Sheriff of Allegany  
County, Greeting. You are hereby  
Commaned to cause to be held before  
a Special Court of Oyer and Terminer  
for Allegany County, to be held  
in Cumberland on this third day of August  
Eighteen hundred and Twenty Four, Forty  
eight, good and lawful men of the best and most  
understanding of the body of your County,  
to view as Justices of the said County, by whom  
the truth of the above Matter depending  
before the said Court may be the better  
known and have you there and there this  
Writ - Witness the Honorable John  
Buchanan Esquire Chief Judge of the said  
County the 3<sup>d</sup> day of August 1824 Given  
the 3<sup>d</sup> day of August 1824  
Geo Beale, Clk

N<sup>o</sup>

The State

vs } Attach<sup>d</sup>  
George Swearingen

---

Peter Rensch

Mrs Meeks Attach<sup>d</sup>

Henry Switzer Attach<sup>d</sup>

Jacob Prolaps.

Rec<sup>d</sup> Aug<sup>t</sup>. 8. 1829 same  
day del<sup>d</sup> Shuff

Chas. N. Williams CLK

---

Chas

By allegany Special Court August Term 1829  
Attach the Bodies of Peter Rench, M. Bellocks Henry-  
Sweetzer & Jacob Powles and them have before the  
Court now sitting to answer unto the State of Maryland  
Touching a certain Contempt by them Committed in  
Not attending this Court as ~~a~~ witnesses for the State of  
Maryland Against George Sweavingan after being  
Returned duly Summone'd Returnable Immediately  
to the Sheriff of Washington County  
County —

Aza Beall Clerk  
allegany County Court

7<sup>th</sup> August 1829

1829

A List of Criminals in the Part of Allegany  
County

George Larrarigen for Murder

Elijah Morris — for Stealing —

Richd Brace Jnr  
Ally Kirby and

3. The Comm. Appr.  
State of Maryland  
By Subj<sup>a</sup>  
George Swearingen  
For Off<sup>r</sup>  
Mary Poland  
Hedy Louison  
Daniele W. Bruce  
George Beard  
Elizabeth M. McNeil  
Charity Johnson  
Elizabeth Lindsay  
Robert Hill  
Catherine Foxworth  
Wm. J. G. Hillcay  
John M. Lawrence  
James M. Smith &  
Samuel P. Smith

# MARYLAND.

## ALLEGANY COUNTY, TO WIT.

The State of Maryland to the Sheriff of Allegany County, Greeting:

YOU are hereby commanded to summon *Mary Poland, Henry Wine-*  
*our, Daniel Rowe, George Bean, Elizabeth White, Charity Johnson,*  
*Elizabeth Sunday, Robert Wills, Catherine Boswell, John M. Law,*  
*ones, James M. Smith, Samuel P. Smith and Willi-*  
*am J. G. Hildray*

that all excuses and delays set apart, *they* be and appear before the County Court of Allegany County, on the *First* day thereof, to be held at the Court-House, in the town of Cumberland, on the *this* Monday of

*April* in the year of our Lord, 1829 to testify the truth of *this* knowledge touching a certain matter of controversy in said Court depending between *The State of Maryland*

Plaintiff and *George Swearingen*  
Defendant on the part of the *Plaintiff*


Herein *they* are not to fail—and fail not at your peril; and have you then and there this Writ.

WITNESS, the Honorable JOHN BUCHANAN, Esq. Chief Judge of our said Court, the *13<sup>th</sup>*  
day of *October* 1828.

ISSUED the *30<sup>th</sup>* day of *March* 1829 *Aza V. Seal, Clerk*

State of Maryland  
to } Subscribed  
George Sweeringan  
Elizabeth  
Wm. Winous for  
State

A. C.

Richard Brall  




# MARYLAND,

ALLEGANY COUNTY, TO WIT.

The State of Maryland to the Sheriff of Allegany County, GREETING:

YOU are hereby commanded to summon *Wm. E. Menow*

that all excuses and delays set apart, ~~She~~ be and appear before the County Court of Allegany county, on the *first* day thereof, to be held at the Court-House, in the town of Cumberland, on the *first* Monday of *August* in the year of our Lord, 1829 to testify the truth of *his* knowledge touching a certain matter of controversy in said Court depending between *the State of Maryland* Plaintiff and *George Sweetin* Defendant on the part of the *State*

Herein not to fail—and fail not at your peril; and have you then and there this Writ.

WITNESS, the Honorable JOHN BUCHANAN, Chief Judge of our said Court, the *20th* day of *April* 1829  
ISSUED the *29th* day of *July* 1829

*J. D.* *A. J. Beal*

State of Maryland

vs <sup>E</sup> Subp a

George Ferrarigan  
= ~~Attor~~ <sup>Attor</sup> ~~State~~  
Margaret Cresap P  
Rebecca Johnson P

Sum C  
Richd Brall, Shff

# MARYLAND,

## ALLEGANY COUNTY, TO WIT.

The State of Maryland to the Sheriff of Allegany County, GREETING:

YOU are hereby commanded to summon *Margaret Crossaps Johnson*

that all excuses and delays set apart, *they* be and appear before the County Court of Allegany county, on the *first* day thereof, to be held at the Court-House, in the town of Cumberland, on the *first* Monday of *August* in the year of our Lord, 1829 to testify the truth of *their*

knowledge touching a certain matter of controversy in said Court depending between *State of Maryland* Plaintiff and *George Smith* Defendant on the part of the *Traverse*

*Maryland*  
*-ring*

Herein *the* are not to fail—and fail not at your peril; and have you then and there this Writ.

WITNESS, the Honorable JOHN BUCHANAN, Chief Judge of our said Court, the *20th*

day of *April* 1829  
ISSUED the *15th* day of *July* 1829

*J. D.*

*Asst. Sheriff*

Order for Subp  
for writ fa  
Sept

State v. Swain

Mr. [unclear]

Your summons for the  
following witnesses to testify for the accused

Mrs. Henrietta Thomas

Officer

Moses Boxwell

Aaron Boxwell

Michael Wilson

Hannet Wilson

Mrs. Susan Chesap

John Hogg

Chatters Vardean

Tuesday Aug 11 1829

State of Maryland  
vs } Subp<sup>a</sup> vs  
George Swearingen

Henrietta Thomas  
Moses Boywell  
Aaron Boywell  
Michael Wilson  
Harriet Wilson  
Mrs Susan Chesnut  
John Hagg  
Matthew Van Lear  
for Defendants

Sum<sup>d</sup> all but  
Harriet Wilson

Rich<sup>d</sup> Brall

SB

By Allegany County Special Court August Term 1829  
Summon Miss Henrietta Thomas, Moses Borwell -  
Aaron Borwell, Michael Wilson, <sup>A Harriet Wilson</sup> Mrs Susan Cusaf  
John Hagg & Mathew Van Leeu to testify for George  
Swearingan ~~at~~ the suit of the State of Maryland  
Returnable Immediately  
To the Sheriff of Allegany County

Aza Beall Clk

1829

Rec'd 17 July 1829  
same day of the  
Wilmington

A. L.

Wm. Ball



# MARYLAND.

ALLEGANY COUNTY, TO WIT.

The State of Maryland to the Sheriff of <sup>Baltimore</sup> Allegany County, GREETING:

YOU are hereby commanded to summon *Daniel Bruce*

that all excuses and delays set apart, *he* be and appear before the County Court of Allegany county, on the *first* day thereof, to be held at the Court-House, in the town of Cumberland, on the *first* Monday of *August* in the year of our Lord; 1829 to testify the truth of his

knowledge touching a certain matter of controversy in said Court depending between *the State of Maryland* Plaintiff and *George Swearingan* Defendant on the part of the *State of Maryland*

Herein *he is* — not to fail—and fail not at your peril; and have you then and there this Writ.

WITNESS, the Honorable JOHN BUCHANAN, Chief Judge of our said Court, the *20th*

day of *April* 1829

ISSUED the

*seventeenth* day of *July* — 1829

*J D*

*Az a Beale Clk*

State of Maryland

vs } Subp<sup>a</sup>

George Sweaungan

Mary Poland

Henry Winow P

George Sease P

Elizabeth McNeill P

Charity Johnson P

Elizabeth Lindsay P

Robert Hill P

Catherine Boxwell P

Wm. J. G. Hillary P

John M. Lawrence P

James M. Smith P

Samuel P. Smith P

John Johnson P

Sum do

Richo Drall, Shff

# MARYLAND.

ALLEGANY COUNTY, TO WIT.

The State of Maryland to the Sheriff of Allegany County, GREETING:

YOU are hereby commanded to summon *May Polard Henry Winslow*  
*George Sease Elizabeth McKee Chauncy Johnson Elizabeth*  
*Lindsay Robert Kile Baltimore Benjamin W. J. Hillary*  
*John M. Lawrence James M. Smith Saml P. Smith*  
*& John Johnson*

that all excuses and delays set apart, *they* be and appear before the County  
Court of Allegany county, on the *fast* day thereof, to be held at the  
Court-House, in the town of Cumberland, on the ~~the~~ *fast* Monday of  
*August* in the year of our Lord, 1829 to testify the truth of *their*

knowledge touching a certain matter of controversy in said Court depending between *the state of*  
*Maryland Plaintiff* — Plaintiff and *George Swearingan*  
Defendant on the part of the *State*

Herein *they* are not to fail—and fail not at your peril; and have you then and there this Writ.

WITNESS, the Honorable JOHN BUCHANAN, Chief Judge of our said Court, the *20<sup>th</sup>*

day of *April* 1829

ISSUED the *14<sup>th</sup>* day of *July* 1829

*J. D.*

*A. B. Call*

3 or appearances

State of Maryland  
as of Subp. 2<sup>nd</sup> 2<sup>nd</sup>  
George Swearingan

Daniel Bruce  
for State  
(at or near Randalls town  
West Liberty Road.)

Rec<sup>d</sup> 12 May 1829  
same day of Shff  
Wm Gibson Esq

Clark on the rail road  
SE

Wm Bace Esq

Cop<sup>y</sup>  
A. Smith Esq

# MARYLAND.

ALLEGANY COUNTY, TO WIT.

The State of Maryland to the Sheriff of <sup>Baltimore</sup> ~~Allegany~~ County, GREETING:

YOU are hereby commanded to summon *James Bruce*

that all excuses and delays set apart, *he* be and appear before the County Court of Allegany county, on the ~~first~~ day thereof, to be held at the Court-House, in the town of Cumberland, on the *second*. Monday of *October* in the year of our Lord, 1829 to testify the truth of *his* knowledge touching a certain matter of controversy in said Court depending between *the State of Maryland* Plaintiff and *George Swearingan* Defendant on the part of the *State*

Herein *he is* not to fail—and fail not at your peril; and have you then and there this Writ.

WITNESS, the Honorable JOHN BUCHANAN, Chief Judge of our said Court, the *20th*

day of *April* 1829

ISSUED the *30th* day of *April* 1829

*J. Dupin* — *Aza Beall Clerk*

Sumner Mary Poland, Henry Wesson, Daniel Bruce, George  
Sease, Elizabeth Melville, Charity Johns on Elizabeth Lumbarday  
Robert Rice, Catherine Popwell, Joseph P. Kelly, Mrs. S. G. Hill  
Mary Dr. John Lawrence, Dr. James M. Smith, Dr. Samuel  
P. Smith to testify for the State of Maryland against -  
George Swearingan within named on the two Monday  
of April next  
Do the Shp of allegany County

By a Seal

to 3

State of Maryland  
vs G. Swearingan  
George Swearingan  
Murder

J. C. Hunt, all hot, Land  
Joseph P. Daniel N. C.  
Joseph P. M. Est

Richd. Neal, Shp

**ALLEGANY COUNTY, TO WIT.**

The State of Maryland to the Sheriff of Allegany County, GREETING.

WE command you, That you take *George Swearingan*  
*Sate of Allegany County yeoman*

*if he* shall be found in your Bailiwick, and *him* safe keep, so that you have *his* body before the Judges of our next county Court, to be held at the Court-House in the Town of Cumberland, in said county, on the *third* Monday of *April* next to answer unto the State of Maryland of and concerning a certain trespass, Contempt and Misdemeanour by *him* committed as it is Represented and *so forth*

Hereof fail not, at your peril, and have you then and there this Writ.

Witness the Honorable JOHN BUCHANAN, Esquire, Chief Judge of the said Court, the *13<sup>th</sup>*  
day of *October* 1828

ISSUED the *25<sup>th</sup>* day of *October* 1828

*J D*

*Aza Beall*

Process order



State vs Swearing

Mr Bruce

Yours a short summons for Solomon  
Stone to testify for accused

Wm. J. [unclear] atty.

Aug. 15 1829

8

We the Grand Inquest for the Body of Allegany  
County upon our oaths present George Swearingen  
for a Murder committed on the body of his wife  
Mary S. Swearingen, on the month of September  
upon the testimony of Mary Poland, Henry  
Wineover, Daniel Bruce, George Sease, Elizabeth  
McNeill, Charity Johnson, Elizabeth Lindsey,  
Robert Kiles, Catharine Boxwell, Joseph P. Healey,  
William J. G. Healey, Dr. John M. Lawren, Esq.  
Dr. James M. Smith & Samuel P. Smith

John Templeman  
Foreman

1829

List of names of  
Junior Challenge  
see

7

5

4

- Euro Spurn  
 on trial  
 1 Tho Blain  
 2 Saw. Woolford  
 3 S. H. Gillis  
 4 George Brooker  
 5 John White  
 6 John Miller  
 7 John M. Figg  
 8 Nathan W. Tracy  
 9 Isaac Ward  
 10 John Nash  
 11 John White  
 12 Mrs. Conrad

- Jun 07 S. On Vidoin  
 1 L. F. Kleptens  
 2 J. Perry  
 3 J. O. Robinson  
 4 Mr. Mann  
 5 Aug. Wilson  
 6 Wm. L. Laman  
 7 Tho Greene  
 8 Tho. Blain  
 9 Ezekiah Roby  
 10 Saw. Lacey  
 11 Philip Sigler  
 12 Mr. Lynn  
 13. Dan. Wolford  
 14 Geo B. Stueff  
 15 Geo Miller  
 16 P. Snyder  
 17 S. H. Gillis  
 18 Mr. M. Laughlin  
 19 Jap. Moore  
 20 Mr. Ridgely  
 21 Geo Shaw  
 22 Geo Polard  
 23 P. Reynolds  
 A witness has been  
 for the present  
 Ralph Logsdon susp.  
 24 J. Welsh  
 25 Jos. Shuck  
 26 B. B. Linkins  
 27 C. Drake  
 28 Nathan Wilson  
 29 James White  
 30 James Cook  
 31 Tho. Robinson  
 32 Lloyd Townsend  
 33 Noah Moore

Juros from on the Ver. dose

- 34. Geo. Blocher
- 35. John White
- 36. Peter Hoffman
- 37. Geo. Rice
- 38. L. A. Kort
- 39. John Miller
- 40. John M. Frigg
- 41. Hoyt Stalling
- 42. Lucrecia Samson
- 43. Eli Wilson
- 44. John McKeefisk
- 45. John Arkid
- 46. N. W. Tracy
- 47. Isaac Ward
- 48. Jona Butler
- 49. Sylvanus Bennett
- 50. John A. Hoffman
- 51. John Daniels
- 52. Fred. Green
- 53. Andrew Morrison, Surg.
- 54. Eli Meyer
- 55. Theod. Brall
- 56. B. C. Paynd
- 57. M. Fisher
- 58. Robt. McKeary
- 59. Emal Easter
- 60. Jas Foch
- 61. Jas North
- 62. P. Krigbaum
- 63. Saml. Dublin
- 64. John Witt

- 65. Key like
- 66. Jaany Dean
- 67. By Mattingly
- 68. John Mattingly
- 69. Mary Porter
- 70. Francis Twigg
- 47. Francis Reid
- 48. Saml. Bowden
- 49. Tho. McKeefisk
- 50. John Meyer
- 51. Wm. J. Montgomery
- 52. Paul Bury
- 53. Hugh Montgomery
- 54. Jno Robinson
- 55. David Davis
- 56. Saml. Bury
- 57. John Miff.
- 58. Janet Blay
- 59. Mary Roberts
- 60. Nathl. Dams
- 62. Wm. Bourne

of murder unless there was perpetration and let aried.

Challenge by State

On this case declares he would not convict any man  
on proof by some person seeing the act done

to return here for a quantity of plots  
during the ~~years~~ season is known by the  
the present one the part of the plot is  
less, and there are the part of the account is  
other less, as well as the etc. (conclude as in  
the form 2 Nov 1822. 1855)

1829  
Copy with Resurvey



M<sup>y</sup> Sol.

The State of M<sup>y</sup> &c.

Whereas at a special Court of Oyer & Terminer & General  
Just deliv'g begun & held at the town of Cumberland  
in Allegany County on the 24<sup>th</sup> of 4<sup>e</sup>. It was so far  
proceeded in a certain indictment pending in said  
Court, The State of Maryland against George Sweeney  
for murder. It was agreed <sup>by &</sup> between the Council  
for the state and for the prisoner, and sanctioned  
by the Court, that it was absolutely necessary for the  
better information of the said Court, and the Jury to be  
impaneled in the trial of the prisoner, that the  
grounds where the said was alleged to be committed  
together with the roads and localities adjacent,  
should be carefully surveyed.

Therefore you the said Surveyor in the presence of  
you the S<sup>r</sup> Sh<sup>r</sup> are hereby commanded carefully  
to survey and lay out as well the said grounds  
~~roads~~ & localities adjacent, which shall be  
thought necessary by the Attorney for the State  
and the Council for the accused, for the better  
illustration of the premises. And you the  
S<sup>r</sup> Sh<sup>r</sup> are hereby empowered to examine upon  
oath any witnesses or witnesses, that by the atty  
for the state and the Council for the accused  
shall be produced in relation to the same.

And you the S<sup>r</sup> Surveyor are hereby commanded

State of Maryland

Alleghany County Court.

The jurors of the state of Maryland for the body of Alleghany County upon their oath present, that George Swearingen, late of the said County, require, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the eighth day of September in the year of our Lord one thousand eight hundred and twenty eight, with force and arms at the County aforesaid, in and upon Mary C. Swearingen, late the wife of him the said George Swearingen, in the peace of God and the state of Maryland then and there being, feloniously wilfully and of his malice aforethought, did make an assault: And that the said George Swearingen, with a certain Hickory Club which he the said George Swearingen in his right hand then and there had and held, the said Mary C. Swearingen in and upon the forehead and nearly between the eye brows of her the said Mary C. Swearingen, then and there feloniously wilfully and of his malice aforethought, did strike and bruise: And that the said George Swearingen, with a certain stone which he the said George Swearingen in both his hands then and there had and held, the said Mary C. Swearingen, in and upon the right side of the head near the right temple of her the said Mary C. Swearingen, feloniously wilfully and of his malice aforethought, did strike bruise and wound; and her, the said Mary C. Swearingen, then and there, by such <sup>said</sup> strokes

bruises and wound, then and there feloniously wilfully and of his malice aforethought, did knock stun cast and throw to the ground: and whilst the said Mary C. Swearingen was so lying upon the ground, the said George Swearingen, then and there, with both the hands of him the said George Swearingen, the mouth and nostrils of her the said Mary C. Swearingen, feloniously wilfully and of his malice aforethought, did fasten and tight close, and her the said Mary C. Swearingen, with both the hands of him the said ~~George~~ George Swearingen, then and there, by such fastening and tight closing the mouth and nostrils of her the said Mary C. Swearingen, feloniously wilfully and of his malice aforethought, did suffocate and strangle: by means of which said strokes, bruises and wound, and also of such knocking stunning casting and throwing to the ground, and by means of which said fastening <sup>and</sup> tight closing the mouth and nostrils of her the said Mary C. Swearingen, and of such said suffocation and strangling, she, the said Mary C. Swearingen, then and there did instantly die: And so the jurors aforesaid, upon their oath aforesaid, do say, that the said George Swearingen, her the said Mary C. Swearingen, in manner <sup>and</sup> form and by the means aforesaid, feloniously wilfully wickedly cruelly and of his malice aforethought, did kill and murder; contrary to the form of the act of Assembly in such case made and provided, and against the peace government and dignity of the said state.

And the jurors aforesaid, upon their oath aforesaid, do further present, that the said George Swearingen, late of the said County Esquire, afterwards, to wit, ~~on~~ on the day and year aforesaid, with force and arms at the County  
above

aforesaid, in and upon the said Mary C. Swearingen, late the wife of him the said George Swearingen, in the peace of God and the state of Maryland then and there being, feloniously wilfully and of his malice aforethought did make an assault: And that the said George Swearingen, with a certain Club which he the said George Swearingen in his right hand then and there had and held, the said Mary C. Swearingen, in and upon the forehead and nearly between the eye brows of her the said Mary C. Swearingen, then and there feloniously wilfully and of his malice aforethought, did strike and bruise, thereby, then and there giving unto the said Mary C. Swearingen, in and upon the forehead of her the said Mary C. Swearingen, nearly between the eye brows of her the said Mary C. Swearingen, one mortal bruise and contusion, of which said mortal bruise and contusion, she the said Mary C. Swearingen then and there instantly died: And so the jurors aforesaid upon their oath aforesaid, do say, that the said George Swearingen, the said Mary C. Swearingen, in manner and form last aforesaid, feloniously wilfully and of his malice aforethought, did kill and murder, contrary to the form of the act of assembly in such case made and provided, and against the peace government and dignity of the <sup>said</sup> state.

And the jurors aforesaid upon their oath aforesaid do further present, that the said George Swearingen, late of the said County, Esquire, afterwards, to wit, on the day and year aforesaid, with force and arms at the County aforesaid, in and upon the said Mary C. Swearingen, late the wife of him the said George Swearingen, in the peace of God and the state of Maryland then and there being, feloniously wilfully and of his malice aforethought did make an assault: And that he the said George Swearingen, with a certain stone which he the said George Swearingen in his right hand then and there had and held, the said Mary C. Swearingen, in and upon

upon the right side of the head, on the right temple  
of her the said Mary C. Swearingen, then and there,  
feloniously wilfully and of his malice aforethought,  
did strike bruise and wound, giving to the  
said Mary C. Swearingen, then and there, ~~one~~  
~~mortal wound and contusion~~, with the stone  
aforesaid, in and upon the right temple of  
her the said Mary C. Swearingen, one mortal  
wound and contusion, of the breadth of ~~three~~<sup>four</sup>  
inches, and of the depth of one inch, of which  
said last mentioned mortal wound and contusion,  
she the said Mary C. Swearingen then and there  
instantly died: And so the jurors aforesaid, upon  
their oath aforesaid, do say, that the said George  
Swearingen, the said Mary C. Swearingen, in  
manner and form last aforesaid, feloniously  
wilfully and of his malice aforethought, did kill  
and murder; contrary to the form of the act  
of assembly in such case made and provided  
and against the peace government and dignity  
of the said state.

J. Wilson  
for the state

16

State of Maryland

vs } Indictment

George Swearingen

Indictment for the state

Mary Roland

Henry Swearingen +

Samuel Bruce d.

George Deane +

Marybeth McShere +

Charity Johnson +

Margaret Smalley +

Robert Hiteo +

Catharine Boxwell +

Joseph Willary +

William G. Willary +

by John Fairweather

by James W. Smith +

by Samuel P. Smith +

Samuel Rice

John Sampson

Prosecution

them and there with the stone aforesaid in and upon the  
right temple of her the said Mary C Swearingin one mortal  
wound and contusion of the breadth of four inches and of  
the depth of one inch of which said last mentioned mortal  
wound and contusion she the said Mary C Swearingin  
then and there instantly died: and so the Jurors aforesaid  
upon their oath aforesaid do say that the said George  
Swearingin the said Mary C Swearingin in manner and  
form last aforesaid feloniously wilfully and of his malice  
afornthought did kill and murder contrary to the forms  
of the act of Assembly in such case made unprovided  
and against the peace government and dignity of the  
said State

J. Dixon  
for the State

True copy  
J. Test Chas. Beall CLK.

1829  
To copy hereafter  
State in New Jersey

State of Maryland Allegany County to wit  
The Jurors of the State of Maryland for the body of Allegany  
County upon their oath present that George Swearingin late  
of the said County Esquire not having the fear of God before  
his eyes but being moved and seduced by the instigation of  
the devil on the eighth day of September in the year of our  
Said One thousand eight hundred and twenty eight with  
force and arms at the County aforesaid in and upon Mary  
C Swearingin late the wife of him the said George Swearingin  
in the peace of God and the State of Maryland then  
and there being feloniously wilfully and of his malice  
aforethought did make an assault and that the said George  
Swearingin with a certain hickory club which he the  
said George Swearingin in his right hand then and there  
had and held the said Mary C Swearingin in and upon  
the forehead and nearly between the eye brows of her the  
said Mary C Swearingin then and there feloniously wilfully  
and of his malice aforethought did strike and bruise  
and that the said George Swearingin with a certain stone  
which he the said George Swearingin in both his hands  
then and there had and held; the said Mary C Swearingin  
in and upon the right side of the head near the right  
temple of her the said Mary C Swearingin feloniously  
wilfully and of his malice aforethought did strike  
bruise and wound, and her the said Mary C Swearingin  
then and there by such said strokes bruises and wound  
then and there feloniously wilfully and of his malice  
aforethought did knock down cast and throw to the ground  
and whilst the said Mary C Swearingin was so lying  
upon the ground the said George Swearingin then and  
there with both the hands of him the said George Swearingin  
the mouth and nostrils of her the said Mary

C Swearingin feloniously and wilfully and of his malice  
forethought did fasten and tight close and her the said  
Mary C Swearingin with both the hands of him the said  
George Swearingin then and there by such fastening and  
tight closing the mouth and nostrils of her the said Mary  
C Swearingin feloniously wilfully and of his malice fore  
thought did suffocate and strangle: by means of which  
said strokes bruises and wound and also of such knocking  
stunning casting and throwing to the ground and by  
means of which said fastening and tight closing the  
mouth and nostrils of her the said Mary C Swearingin and  
of such said suffocation and strangling she the said Mary  
C Swearingin then and there did instantly die: and so the  
Jurors aforesaid upon their oaths aforesaid do say that the  
said George Swearingin her the said Mary C Swearingin in  
manner and form and by the means aforesaid, feloniously  
wilfully wickedly cruelly and of his malice aforethought  
did kill and murder contrary to the form of the act of  
Assembly in such case made and provided and against  
the peace government and dignity of the said State  
and the Jurors aforesaid upon their oaths aforesaid do further  
journal that the said George Swearingin late of the said  
County Esquire afterwards to wit on the day and year  
aforesaid with force and arms at the County aforesaid  
in and upon the said Mary C Swearingin late the wife  
of him the said George Swearingin in the peace of God  
and the State of Maryland then and there being felon  
iously wilfully and of his malice aforethought did  
make an assault: and that the said George Swearingin  
with a certain Club which he the said George Swearingin  
in his right hand then and there had and held, the  
said Mary C Swearingin in and upon the forehead and



nearly between the eye brows of her the said Mary C Swearingin  
inquin then and there feloniously wilfully and of his malice  
afrethought did strike and bruise thereby then and  
there giving unto the said Mary C Swearingin in and  
upon the forehead of her the said Mary C Swearingin near-  
ly between the eye brows of her the said Mary C Swearingin  
one mortal bruise and contusion of which said  
mortal bruise and contusion she the said Mary C  
Swearingin then and there instantly died: and so the  
jurors aforesaid upon their Oath aforesaid do say that the  
said George Swearingin the said Mary C Swearingin in  
manner and form last aforesaid feloniously wilfully and  
of his malice afrethought did kill and murder contrary  
to the form of the act of Assembly in such case made  
and provided and against the peace government and  
dignity of the said State

And the jurors aforesaid upon their oath aforesaid do  
further present that the said George Swearingin late of the  
said County Esquire afterwards to wit on the day and  
year aforesaid with force and arms at the County afove  
said in and upon the said Mary C Swearingin late  
the wife of him the said George Swearingin in the peace of  
god and the State of Maryland then and there being  
feloniously wilfully and of his malice afrethought did  
make an assault: and that he the said George Swear-  
ingin with a certain stone which he the said George  
Swearingin in his right hand then and there held and  
held the said Mary C Swearingin in and upon the  
right Side of the temple head as the right temple of  
her the said Mary C Swearingin then and there feloniously  
wilfully and of his malice afrethought did strike  
bruise and wound giving to the said Mary C Swearingin