

To Horace Resley Esq.
 Clerk of the Circuit Court for Allegany County,

Sir:

It being in my opinion by reason of the family connection existing between the above named prisoner and myself, improper for me to preside at his trial, I hereby announce to you and through you to the parties concerned, that such is my determination, in order that due and legal steps may be taken for the appointment of a proper person to sit in the trial of said cause.

You are therefore requested to file this paper among the proceedings in the said prosecution, and to give early notice to the parties of the same.

Very Respectfully &c
 (signed) Monas Perry.

Having been apprised of the determination of the Hon. Monas Perry not to preside at the trial of Robert Swan, by reason of the connection between himself and the accused, it is thereupon, this 24th day of April 1852, by the undersigned Counsel for the State and the said prisoner, consented to and agreed that Joseph J. Merriek, Esq. of Washington County, Maryland, be and he is hereby selected and appointed as a proper person to preside at the trial of the above cause.

(Signed)

Joshiah H. Gordon,
 State's Attorney

William Price

J. Philip Roman

Geo. A. Peare

Counsel for Robert Swan

I consent that Joseph J. Merriek, above named, may act as judge in the above case against me on the indictment found against me by the Grand Jury of the State of Maryland for the body of Allegany County, for the murder of William C. Sprigg, according to the Act of assembly in such case made and provided.

(signed)

Robert Swan

I consent in behalf of the State of Maryland to the above arrangement.

(signed)

J. H. Gordon,
 State's Attorney for Alle' County