

propositions, was was accordingly returned by them to aid in the prosecution of the case, of all which he at once informed me, and expressed his readiness to co-operate with me in any subsequent duties of the prosecution.

At the July Term of the Circuit Court the prisoners were brought up under a habeas Corpus and (the Commitment being for Manslaughter only) applied to be admitted to bail. Their motion was resisted by Mr. Crisfield and myself for the prosecution and maintained by their counsel above named on behalf of the prisoners. The Court after hearing all the witnesses who were before the committing Magistrate, and such others as were adduced at the time, refused their application. The Evidence at the Examination made a clear case of Murder according to my opinion. There are many incidents in the transaction - many witnesses - of which some are not very clear headed - all tending to cause a laborous & protracted trial. The October Term of our Court is near at hand at which time I expect the prisoners to be tried and the object of my writing at present is to request that, if it be in accordance with your views, Mr. Crisfield may be assigned by your Excellency to aid in the prosecution of these cases. As a general rule, I do not approve of the admission of private Counsel in Criminal prosecutions, but the Community seems to desire Mr. Crisfield's services in this cause - (and they will be very acceptable to me - for there is a strong array of learning and talent to be encountered, and Mr. C. is well posted in the law & facts of the case - the character of witnesses &c.) - I shall therefore gratify them by permitting him to join in the prosecution in any event. But to obviate the objection arising from introducing the representations of private views into public prosecutions, I think it would be better that his authority should come from your Excellency on behalf of the State, than from any individual source. Moreover, I do not think that private persons, although willing, should be permitted to bear any portion of the expense of public prosecutions, except as they bear equally with others with others in the form of taxes. Should these views meet with the approbation of your Excellency, I hope the assignment may be made as requested.

Yours truly
 Friend & obedient Servant
 William J. Byrd
 State Atty for Somerset County