

TRANSCRIPT FROM THE RECORD.

To the Honorable,

The House of Delegates of the State of Maryland :

GENTLEMEN :—

In compliance with your order, I herewith transmit to your Honorable body the announcement of His Honor, Judge Perry, as also the two several agreements between Robert Swan, his Attorneys and the State's Attorney for Allegany county :

State of Maryland

vs.

Robert Swan.

} Now in confinement charged with the
} murder of William O. Sprigg.

To HORACE RESLEY, Esq.,

Clerk of the Circuit Court for Allegany County :

SIR :—

It being in my opinion, by reason of the family connexion 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 the 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,

Your obedient servant,

THOMAS PERRY.

Having been apprised of the determination of the Hon. Thos. Perry, not to preside at the trial of Robert Swan, by reason of the connexion between himself and the accused, it is thereupon, this 24th day of April, 1852, by the undersigned, Counsel for the State and for the said prisoner, consented to and agreed, that Joseph I. Merrick, 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.

JOSIAH H. GORDON,
State's Attorney.

WM. PRICE,
J. PHILIP ROMAN,
GEORGE A. PEARRE,
Counsel for Robert Swan.