

posse comitatus for protection, and the following order was addressed to him:

To WILLIAM THOMSON, *Sheriff of Baltimore.*

SIR. Whereas, in our judgment it becomes necessary that we should require the authority given to us by the 816th section of the 4th Article of the Code of Public Local Laws, for the preservation of the public peace and quiet in the city of Baltimore.

You are therefore hereby called upon to act under our control for the preservation of the public peace and quiet aforesaid, and you are hereby ordered to summons the *posse comitatus* for that purpose forthwith, to the extent of 100 men from each ward,* good and true men, of the said city, and hold and employ such *posse* subject to our directions, and this shall be your warrant, therefor.

Witness our hand this third day of November, 1866.

Office of the Board of Police)	JAMES YOUNG,
of the City of Baltimore.)	W. THOS. VALIANT,
	<i>Police Commissioners.</i>

The Sheriff immediately proceeded to execute the order, when the Commissioners and the Sheriff were arrested on two Bench Warrants issued by the Hon. H. L. Bond, Judge of the Criminal Court, who, after a hearing, ordered the parties to give bail in "five thousand dollars each on the charge of conspiracy." The following order was also issued by the Court:

Ordered—That William T. Valiant and James Young give security in the sum of \$20,000 to keep the peace towards the existing Commissioners and all acting under their authority, and towards the liege inhabitants of this city, by desisting from all attempts to act as and exercise the powers of Police Commissioners so long as they shall not have established their claims, by law, to be Police Commissioners for the said city, duly appointed, and the present Commissioners continue in the *de facto* exercise of their office.

The Commissioners declined to give the bail, and were each committed, on two commitments, to Baltimore city Jail, where they remained until the following Thursday.

With the advice of counsel, who acted for them in the premises, they applied to the Hon. James L. Bartol, one of the Judges of the Court of Appeals of Maryland, for writs of habeas corpus respectively. These writs were made returnable on the 5th day of November, Monday, when the Warden, claiming three days in which to make a return, and the Judge sustaining his claim, the further hearing was postponed until Thursday, the 8th of November, when the Warden having produced the Commissioners and Sheriff, proof was offered on both sides, in regard to the return, during that day and even-

*This order was subsequently modified, and the number required to be summoned was reduced to one hundred men in all.