

Mr. Alexander said he thought his suggestion would be satisfactory. We have said nothing to delay—we played no cards for delay.

Mr. Latrobe.—Yes, you have thrown a whole pack of cards in our faces.

Mr. Alexander.—If there is any proposition to be discussed let us know it.

Mr. Latrobe,—May it please your Honor, there is evidence enough before you in the passage of time to justify us in asking an order to bring into court the parties. The warden is, perhaps, within the sound of my voice, exulting, with others, in the euchre which has been so successfully played.

The subject of the order and the legality of amending proceedings in a case of habeas corpus was further discussed by Mr. Alexander, Mr. Rogers, Mr. R. Stocket Mathews, (counsel for Mr. James,) Mr. Horwitz, Mr. Latrobe, and Mr. Schley, at great length, the entire argument occupying several hours. Upon its conclusion, at 2½ P. M., Judge Bartol decided that he had no power under the law to compel the warden, Mr. James, to make a return to the writs of habeas corpus within less than three days from the time of their service, which would be on Thursday morning at 9 o'clock. He then postponed the further hearing of the case until that time.

## THE WARDEN MAKES A RETURN.

THURSDAY MORNING, November 8.

Judge Bartol appeared in the Circuit Court room at 9 o'clock, as also the counsel for the petitioners, Messrs. Schley, Latrobe, Frazier and Horwitz, and Messrs. Stockbridge, Stirling, Mathews, Alexander, the State Attorney Mr. Maund, and his deputy, Mr. Alexander Rogers, for the respondent. Precisely at 9 o'clock, the warden of the jail, Thomas C. James, appeared with Messrs Thomson, Valiant and Young, who were warmly greeted by their friends. The court room soon become so uncomfortably crowded with spectators that application was made to Judge Martin, of the Superior Court, for the use of his court-room, which was cheerfully accorded, and the hearing, at 10 o'clock, was adjourned to the large room of the Superior Court.

Considerable time was occupied by counsel in the preparation of papers, and it was not until 11 o'clock that Mr. Rogers, of counsel for the warden of the jail, (Mr. James,) rose to read the returns to the writs of habeas corpus, as follows:

## THE WARDEN'S RETURN.

*To the Honorable James L. Bartol, Judge of the Court of Appeals of Maryland.*

The undersigned, the warden of Baltimore city jail, in com-