

with having unlawfully conspired together with unknown persons, by force and arms, and with the strong hand, to expel, remove and put out Samuel Hindes and Nicholas L. Wood, police commissioners of the city of Baltimore, from the offices, building and property now occupied and possessed by them as such police commissioners.

The return in each of the three cases was similar, except that the warrant against the Sheriff charged that he was engaged in an unlawful assembly, rout and riot, with certain persons unknown, to the number of one hundred or more.

Mr. Schley said that the amended warrant, dated November 5, was issued under what system of proceedings and what practice he is unable to say. He will not attempt to explain the probable motives, in view of the circumstances:

#### ANSWER TO THE RETURN.

Mr. Latrobe then read the answer of the counsel for petitioners as follows:

In the matter of the application of James Young for a writ of habeas corpus, before the Hon. James L. Bartol, Judge of the Court of Appeals of Maryland.

The petitioner in the above cause, by his attorneys, comes here into court, and as to the return made by Thos. C. James, the warden of the jail of Baltimore city, to the writ of habeas corpus heretofore issued, requiring the said warden to produce the body of the petitioner before the judge issuing the same, without admitting the truth of said return, says that there is not, from anything apparent on the face of said return, and the exhibits therewith, or in the facts of this case, sufficient legal cause for the detention and confinement of the petitioner by the said defendant, the warden aforesaid, inasmuch as the petitioner alleges and is ready to prove that he, the petitioner, together with Wm. Thomas. Valiant, were duly appointed commissioners of the Board of Police of the city of Baltimore, under the great seal of the State, dated on the 2d of November, 1866, and that, having qualified under the said commission, accordingly, the petitioner, and the said Wm. T. Valiant became entitled to exercise and perform the duties appertaining to the said office, in the city of Baltimore, without the let or hindrance of any person whatever, and without being obliged to resort to any legal tribunal to establish the validity of the said appointment, or to authorize the petitioner and the said William T. Valiant to proceed forthwith, after they had duly qualified according to law, to discharge its functions, and the petitioner further, by way of plea, says that the order of the Criminal Court of Baltimore city, in the following words, [the order of Judge Bond directing the commitment was here recited] was altogether, unauthorized and passed without regard to the rights of the petitioner and the said Wm. T. Valiant, inasmuch as it assumed that the im-