

be abandoned ; the State's Attorney to waive his application for surety to keep the peace ; the parties to be discharged on their personal recognizance, and on nominal bonds to answer the charge of riot, &c. ; the new commissioners to proceed by mandamus to assert their title, and, until a determination of the questions of title, they are not to resort to force against the old commissioners, or to any other proceeding which may not be advised as necessary to complete their right to sue out a mandamus.

No question of title to be prejudiced by this arrangement, the sole object of the parties being to avoid the necessity or possibility of a collision by force until the great question of title shall be conclusively determined.

THE PROPOSAL DECLINED.

In answer to the suggestions, the petitioners' counsel stated :

1. That it remains for the counsel of the warden, and the State's Attorney, and for Messrs. Hindes and Wood, late commissioners, to adopt such action in reference to the police commissioners, (Messrs. Young and Valiant,) and in reference to Sheriff Thomson, as they may think proper, and as most likely to preserve the peace of the city. If the demand of a recognizance in the penalty of \$20,000 to be given by the police commissioners (Messrs. Young and Valiant) and by the Sheriff be abandoned, we shall be pleased to see such action on the part of counsel on the other side ; but it must be their spontaneous act, without any agreement, compromise, or concession on our part, either as respects the rights of the public or the individual rights of Mr. Young, Mr. Valiant or Mr. Thomson. Especially we can do nothing, and cannot concur in any action that would concede, for a moment, that Messrs. Young and Valiant are not rightfully in office, or that they have done any unlawful act, or that Mr. Thomson, in acting in obedience to their order, was acting otherwise than in the proper discharge of the duties of his office as sheriff of Baltimore city.

2. At the same time we freely admit, as we have always admitted, that upon the refusal of the Mayor of the city, and of Messrs. Hindes and Wood to deliver over to the possession and control of Messrs. Young and Valiant, as police commissioners, the only peaceful remedy will be an application to the Superior Court of Baltimore city for a mandamus, based on their legal title, with which we insist they were clothed *de jure*, by their appointments, commission and qualification according to law ; and we further insist, that when they opened an office as police commissioners, and performed the official act of commanding the sheriff to summon the *posse comitatus*, and demanded from Messrs. Hindes and Wood the