

The testimony for the respondents was announced as closed. The following testimony was elicited on behalf of the petitioners:

TESTIMONY FOR PETITIONERS.

John M. Carter sworn.—Is Secretary of State of the Commonwealth of Maryland; has a copy of the order dismissing the old board of police. [The order was then read by Mr. Carter, being listened to by the large crowd with the closest attention.] Excepted to by respondents. After the passing of the order, witness notified the commissioners, serving each with a copy, together with a letter to them. [Which was read.]

On the evening of November 1, about 6½ o'clock, witness went to the office of Messrs. Hindes and Wood, on Holliday street, and in the presence of Thomas S. Alexander, J. J. Alexander, Archibald Stirling, W. H. Taylor and Mayor Chapman, served the original on the board.

[The commissions of Messrs. Valiant and Young were produced and read.] These commissions were brought to Baltimore by witness about noon on Friday, 2d inst. Mr. Leary, private Secretary to the Governor, notified these gentlemen, and they went to the Governor's residence, where they received their commissions.

The qualifications of the commissioners in the test book of the Superior Court were offered in evidence.

Cross-examined.—The words "decision of character" were inserted in the commissions by witness without consultation with any one; it is not the usual formulary; has never used them before; witness left Baltimore on the 7 A. M. train on Friday, 2d inst., and returned by special train to Annapolis Junction, and thence by regular train, reaching Baltimore about 12.45 P. M.; Messrs. Young and Valiant had received no intimation of their appointments until they were informed on Friday; the commissions were signed and sealed at Annapolis on Friday morning, the 2d inst.; these are the only commissions filled up; others in blank, signed and sealed previously, were brought to the city for emergencies, they are now at the Governor's house, in this city; Governor Swann came to the city on the same train with witness; there may have been names in the heading of these commissions in blank, but the bodies were not filled up; the reason of this was, that everything might be ready in the event of any emergency arising from declination of the appointees.

The witness explained at some length the ordinary manner in which commissions usually reach the appointees, &c.

Re-examined.—After the commissions were delivered to Messrs. Young and Valiant they started to qualify; witness accompanied them; we went to Mr. Latrobe's office, where a form of oath was made out; thence to the Superior Court