

three men, and was insulted by some men at the entrance with white ribbons, who said: "There go the played out sons of bitches;" then went for forty men, who were ordered to clear the court house; the steps leading to the Sheriff's office were filled with a very disorderly crowd, and witness had to climb up by the banisters; the police were orderly; did not see any billies, or hear them use any foul language; saw Swearer there; did not see him doing anything; saw several men with white ribbons around the court house; all the police tried to get up the stairs; Marshal Carmichael ordered them to clear the court house.

Cross-examined.—The disorder consisted in making a noise; the men did not strike at the police; did not see any one thrown down stairs by the police; there might have been some thrown down and witness might not have seen them; witness did not go into the Sheriff's office.

Officer James H. Lamden sworn.—Was stationed at the Police Commissioners' office on Saturday, at the fence; the new Commissioners came down there twice, and the second time Swearer and three men with white ribbons, at the head of a crowd, came around through Orange street, and took a stand on the pavement, in front of the building; they were hurrahing for Johnson and Swann, and very noisy; Swearer kept the gangway clear from the hack of the new Commissioners to the gate as well as he could.

Cross-examined.—About thirty men were stationed at the fence, and others were back in the yard; witness had been there for some time before the Commissioners came. There were special police there at the second visit of the Police Commissioners.

Officer Ramsey sworn.—Was one of the squad which went to the court house under orders to clear it; the place was crowded, and a good deal of difficulty was had in getting them out; saw no billies used; did not go into the Sheriff's office.

The counsel then deciding to argue the case, a discussion arose as to which side was entitled to open and close the argument, the court deciding that the right rested with petitioners.

The court then adjourned until next morning at ten o'clock, and the Commissioners and Sheriff, being in the custody of the court, were permitted to go to their homes until morning, when it was required for them to be present at the court room.

ARGUMENT OF MR. LATROBE.

John H. B. Latrobe, Esq., opened the argument on behalf of the petitioners. He stated that he would be followed by