

tramp, if they had been disposed. There is no doubt that the crowd could have thrown out the forty policemen from the court house windows. But they were obedient to authority, and respected the law. It was not the forty men with batons—it was the law, that restrained them.

It is only necessary to refer to these facts to show how idle was the assertion that a riot was impending. What was the conspiracy? James Young and Wm. T. Valiant conspiring to carry out the duties they were appointed to perform? No. The real conspirators were the old commissioners, who conspired to resist the law under the legal advice of some of our legal friends on the other side, who should have advised them better. My friend next me (Mr. Alexander,) at that particular time, found himself unhappily and unwittingly ignorant of law.

[Here there were demonstrations of applause, which were rebuked by Judge Bartol, and which did not again occur during the day,

Mr. Latrobe said he referred to the testimony and the circumstances of the case to show how utterly futile is the argument of probable cause. Suppose there was probable cause, out of what did it arise? That brings us to the root of the matter. If that probable cause arose from the acts of those who were carrying out their authority, they were not responsible. If they were authorized to act as commissioners, they were authorized to appoint officers under them. If there was a rush to obtain the places of policemen under the new commissioners, or to see the new commissioners, it amounted not to rioting; or if riot resulted from the resistance made by the old commissioners to the authority of the new ones, then the former are responsible.

We are, therefore, thrown at once upon the validity of the appointment of Messrs. Young and Valiant, and of their authority to act by virtue of their appointment. (Mr. Latrobe then reviewed the law establishing the police force of the city.) The power possessed by the police board is unprecedented. It was irresponsible except to the General Assembly. It had the broadest and amplest powers. That was in 1860. In 1861 sad occurrences took place in Baltimore, in connection with the beginning of the unhappy troubles of our country. The Governor of the State found the whole police authority of Baltimore vested in a board. He was powerless to control them. The city was placed under martial law. The Legislature, meeting in 1862, determined that the Governor of the State should not be in subjection to the board of police. Some of our friends on the other side were members of the committee that was appointed to alter the law, and gave the Governor the power to remove the commissioners for official misconduct. Our friends will argue, perhaps, that the courts should be resorted to for the purpose