of having committed an offense, there is no court clothed with appellate jurisdiction over that act, save that which results from the habeas corpus. But this writ was never designed to answer the purposes of a writ of error.

If this court had no power to commit upon the charge of conpiracy, let the case proceed to final judgment, and the case can be reviewed upon writ of error. If the legality of this commitment is before you for reviewal, let us see whether we have shown sufficient cause for their detainer. The law of riots and unlawful assemblies does not apply here. It is conspiracy that constitutes the offense here. It is that offense by which they are detained, and upon which we propose to put them on trial. I refer to 5 Norris and Johnson 337, to illustrate what is conspiracy, rather than show that conspiracy to do an unlawfnl act is an indictable offense. The law punishes the conspiracy to prevent the unlawful act. The conspiracy constitutes the indictable offense, and that is sufficiently stated upon the face of the warrants. It is not necessary the conspiracy should be executed. The commitment as originally made out by the clerk, is very brief. It is a clerical misprison in not stating upon its face the cause of the commitment. This was discovered before the return, and the court ordered its correction. My friends ask for the authority of the court to amend its entries and correct the misprisions of a clerk. All courts of record have that power.

It is not to make a new charge, or to convert one charge into another, but to more distinctly charge the offense. I refer to 4 Johnson, 356. That was a case where a habeas corpus was issued to relieve a party from commitment for contempt. It was said the commitment was defective. If the attachment had been so defective as not to hold the party, the court could have issued a perfect commitment. If we were held to the first warrant, and that was defective, your Honor could quash it and order a proper warrant to be made out. That conspiracy contemplated a resort to brute force, and to the use of the *posse* of sheriff and the bayonets of the United States force. If that were made out, there would be probable cause for presuming a breach of the peace. It is sufficient to confine them upon the charge of contemplating a breach of the peace until they give bail to release themselves. If there were any doubt about the sufficiency of the first warrants there can be none in regard to the second warrants. I will concede that you have the power to put the party on trial before you for his guilt or innocence. Twenty other Judges of Maryland have the same power. Your determination against them carries us to Worcester, thence to Washington and to Somerset, and to all the other judges of Maryland, for a continual re-litigation of the case you try.

The extent to which you can be pressed is that the repre-