

With the assent of the counsel and the State, the petitioners were allowed to remain at liberty, upon the assurance that they would be present on Tuesday to abide the decision of Judge Bartol.

TUESDAY MORNING, NOV. 13.

Precisely at 12 o'clock, Judge Bartol proceeded to read his opinion, for which see page 8.

#### REMARKS OF COUNSEL.

Upon the conclusion of the reading of the decision, J. H. B. Latrobe, Esq., counsel for petitioners, addressed the Judge as follows:

It is proper I should say that the proceeding by mandamus on the part of the Police Commissioners, Young and Valiant, whom you have adjudged to be entitled to the franchise of their office, in order to obtain possession of the property and effects thereto belonging, was that which their counsel had advised them to pursue from the beginning, and the Commissioners and their counsel alike regret that the remarks made by Mr. Valiant, as proved by Messrs. Fuller and Ball, and referred to by your Honor, and which I am authorized by Mr. Valiant to say were his own exclusively, and made without the knowledge of Mr. Young, should have rendered it necessary in your Honor's judgment to hold the Commissioners to bail on the charge of conspiracy to do that by the strong arm which a more peaceful remedy would have lawfully effected. Even had your Honor's opinion in this connection not been expressed, a mandamus would have been resorted to, as it will now be resorted to, if necessary, to obtain the property and effects belonging to the Board of Police. The Commissioners will at once give their recognizance in the sum prescribed.

Thos. S. Alexander, counsel for respondents, then addressed the Judge as follows:

The counsel for the Commissioners of the Board of Police ask permission to state that they advised the Commissioners that the Governor had not rightfully removed them from their office of Commissioners, and it was in consequence of this advice that the Commissioners resolved to retain office until the question of title was properly determined on mandamus. They state, further, that on being informed of the declarations made by Mr. Valiant, which were proven by Messrs. Fuller and Ball, they advised the Commissioners that such declarations were evidence of conspiracy, for which Messrs. Valiant and Young might be held to answer before the Criminal Court of Baltimore city, and that it was the duty of the said Commissioners to lay the evidence of such declarations before the State's Attorney for the city, in order that he should take