

gested. In regard to one particular of the bill, he **said** he was happy to be able to relieve the minds of the complainants, and that was as to their apprehension of being appointed judges of election. He thought he could assure them there was no danger of that, and he was quite willing, so far as that went, to let the injunction go against the board.

Orville Horwitz, Esq., is the counsel for Sheriff Thompson.

On Monday, April 1, S. Teackle Wallis and Orville Horwitz, Esqs., counsel for respondents, appeared before Judge Martin in the Superior Court. A. M. Rogers, Esq., counsel for complainants, also appeared.

After some conversation with Mr. Rogers, Judge **Martin** said to the counsel for the Police Board and the **sheriff** that he had requested Mr. Rogers to put in his notes, and that if he required any notes in reply he would advise them. Otherwise he would decide the question without delay, and it could be taken to the Court of Appeals.

Mr. Wallis said it was proper he should advise the court that the defendants had filed answers to the bill, putting the complainants to proof of the material facts on which they individually claimed the right to invoke the court's interference. Under the ruling of the Court of Appeals, the question of granting an injunction must be determined under the circumstances on bill and answer, and not on the bill alone—and a case of that sort was not the subject of immediate appeal, but must go up in due course to the October term of the Appellate Court.

Judge Martin said that of course the bill and answer and proofs, if required, would have to be considered together, but that he had already carefully examined the question himself, and the great preliminary inquiry which was above all others, was as to the right of a Court of Chancery to restrain the people from doing a great political act; from holding an election which the political department of the State government had provided should be held in order to take the sense of the people as to a change in their Constitution. That power, he said, was claimed by the bill, and he would receive the notes of the complainants' solicitor upon it, and consider them. If he re-