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## THE DAILY EVENING TELEGRAPH .- PHILADELPHIA, WEDNESDAY, NOVEMBER 14, 1866.

## THE BALTINORS POLICE COMMISSIONERS.

BALTIMORE, Nov. 13 .- Judge Bartol's decision. reviews the whole case. He says the order of Judge Bond, of the Oriminal Court, that the parties be held to bail, and in default thereof to be committed, to keep the peace against the Police Commissioners, and not to seek to exercise any of

Commissioners, and not to seek to exercise any of the functions of the Police Commissioners antil their claim to said office would be established by the courts, was wholly unwarranted, and that the Judge of the Criminal Court had no authority to pass such an order. He reviewed the code in re-grard to the Police Commissioners, and decided that it gave the Governor entire power in the matter. That 17, in his judgment, Messrs. Woods and Hindes had been guilty of official misconduct, the wave him power to remove them and appoint successors. That at the time Messrs. Young and Valliant were arrested they had been truly and have used police Commissioners, and entity appointed Police Commissioners, and that, clothed with the commission of the Gover-nor, they were then truly in office and empowered in the destra. Woods and Hindes, removed, and who had been officially notified of their re-movel.

moval. The action of the Governor was final as much so as if these Commissioners had been removed by the Legislature, and from his action there could be

no appeal. Whilst the decision of Judge Bartol fully sus-tains the action of the Governor and condemns that of the Criminal Court, virtually, by the order issued granting an injunction against Messrs. Young and Valliant, and discharges them from the conclude in which they wave barton to the form the custody in which they were held in virtue of the commitment on such order, the Judge decided that it was competent for the Criminal Court to entertain the charge alleged against Messrs. Young and Valliant of conspiracy to break the peace by forci-bly taking possession of the police stations and other property held by Messrs. Woods and Hindes. Such a charge was an indictable offence, and upon that charge they were properly held to bail. Judge Bartol said he would issue an order for the immediate discharge of Shoriff Thomson such

the immediated lischarge of Sheriff Thompson, and in the case of Messrs. Young and Valilant he discharged them from onstody under the illegal order of Judge Bond, restraining them from seeking to exercise the functions of their office as Police Commissioners, and as to the other charge of conspi-racy to break the peace, he would require them to enter their own recognizances to answer the charge

before the proper court. There was great cheering in the court-room by the friends of the Governor and the new Commissioners on the decision being announced.

4 P. M.-There is quite a throng of people in front of the office selected by the new Police Com-missioners, on North street. It is supposed the messioners, on North street. It is supposed the new Commissioners will at once enter upon their duies, and renew their demand upon the old Board for the surrender of the police stations, etc. Messrs. Young and Valliant, on entering their office a few moments since, were loudly cheered by the crowd.

The following is the opinion of Judge Bartol in

full: In the matter of the application of James Young, William Thomas Valliant and Wm. Thomson for writs of habeas corpus. Under the code of public general laws jurisdiction and power are conferred on me, as one of the Judges of the Court of Ap-peals, to grant the writ of habeas corpus. Article 45, section 1. By the 15th section of the said article any index whether in court of out of source the any index whether in court of out of source the section section of the source out of source the any index whether in court of source out of source the any judge, whether in court or out of court, who shall refuse the writ to a party entitled, is made liable to the action of the party aggrieved. This great writ, employed for the summary vindication of the right of personal liberty when illegally restrained, is guaranteed to every citizen in the most solemn form, under the constitution and laws, as a writ of right, which no judge is at liberty to refuse in any case where by law the petitioner is entitled to it.

By the act of 1962, chapter 36, which repealed the third section of article 13 of the code, it was enacteds "If any peasou be committed or detained for any crime, or any color or pretence whatso-ever, he, or any one in his behalf, may complain by petition to any one of the courts or judges men-tioned in the first section of this article, and said court or judge shall forthwith grant a writ of habeas corpus, directed to the officer or other per-son in whose custody the party detained shall be, returnable immediately before the said court or undge granting the same provided the person dejudge granting the same; provided the person de-tained be not committed or detained for treason or felony, plainly expressed in the warrant of commitment, or be not convicted in execution by legal

The act then goes on to provide that if a person be detained under the order of a warrant of com-mitment, the petition presented by him shall be accompanied by a copy of the warrant of commit-ment or detainer, or by an affidavit that a copy thereof was demanded of the person having him in castody, and the same was neglected or refused to be given. In these cases the petitions were ac-companied with copies of the warrants of commit-ments, certified by the clerk of the Criminal Court ments, certified by the clerk of the Oriminal Court of Baltimore, and the causes of the detention not appearing to be within the exceptions of the act of 1860, the writs were assued. They have been re-tarned by the warden, and the petitioners brought before me, with this certificate, setting forth the causes of detainer and imprisonment. These it will be my duty to examine, but before doing so it is necessary to notice a point suggested by the petitioners' counsel. Two of the copies of commit-ments furnished by the clerk, and filed before me with the petitions, were as follows:

detention or confinement, and the Court or Judge, at the application of the party complaining, or the officers or party making the retorn, shall issue processes for witnesses or writings, returnable at a time and place to be named in such process which shall be served and enforced in like manner which shall be served and enforced in like mather as similar process from courts of law is served and enforced but before issuing such process the Court or Judge shall be satisfied by affidavit or otherwise of the materiality of such testimony. Under this law, as under the Pennsylvania statute, which is somewhat similar in its provi-sions, the Judge will look beyond the commitment on a criminal ones and have average avidance, and

statute, which is somewhat similar in its provi-sions, the Judge will look beyond the commitment in a criminal case and hear extrinatic evidence, and go into an examination of facts in order to ascer-tain whether there is a sufficient legal cause for the detention or confinement. Such has been the con-struction of the act of 1913 in Masisby's case, 13 Md. 637. It was said, with the approbation of the Court of Appeals, where a party is committed upon means process, or upon a charge of crime, it is competent for the Judge, notwithstanding the warrant of commitment set out in the return may be in due form and by a competent officer, to ex-amine testimony and to detarmine, upon the proor exhibited to him, the real ground of the accusation, and to bail or discharge the prisoner. In their cases all errors in pleading have been waived, and the evidence adduced must be con-sidered not for the purpose of trying the case and declaring upon the guilt or innocence of the par-ties accused. My office under the writ stops far short of that, and casts upon me only the duty of deciding whether, upon the return and the proof, there is any probable ground for the accusation, or whether the arrest and detention are without suff-cleat cause. As the charges against these peti-tioners, set forth in the returns, are different, and

cient cause. As the charges against these peti-tioners, set forth in the returns, are different, and rest upon different proof, I must now consider the cases separately. First-As to the charge against conspiracy against Young and Valliant.

egainst Young and Vailianl. This has been already fully set out as contained in the warrant that was issued, upon oath, by a court of competent jurisdiction, and is sufficient in form, charging an indictable offence. There can be no doubt that, without reference to the title of Young and Valliant to the office of Police Com-missioners, and assuming that they were de jure entitled to the office, and de facto in the exercise of their duties as such the conspirincy charged in this their duties as such, the conspiracy charged in this warrant would be an indictable offence. A forci-ble disposition of Wood and Hindes of the build-iugs and property held by them, however wrong-folly, woold be an indictable offence as tending to a breach of the peace, and it is settled in the State ve. Buchanan, 5 H. and J. 317, that a conspiracy of a set when full act is an indictable offence. o do any unlawful act is an indictable offence. The Court says there is nothing in the objection

that to punish a conspiracy when the end is not accomplished would not be to punish a mere un-expected intention. It is not the bare intention that the law punishes, but the act of conspiracy, which is made a substantial offence by the nature of the object intended to be effected.

Looking to the testimony of Fuller and Ball as to the declaration of Valliant with regard to the intentions of himself and Young, taken in connec-tion with the accompanying facts and circumstances, 1 am of the opinion that incre is probable cause shown for their arrest and detention under this charge, and that it is my duty to hold them to buil to answer the same. The Criminal Court, also, has full jurisdiction and authority to hold them to bail to keep the peace in the ordinary and legal

It appears, however, from the return before me, that the Judge of the Criminal Court passed the following order (order read), and this warrant of the commitment is set out in the return as legal cause for the detainer of these petitioners.

It is difficult to understand by what authority the Judge of the Criminal Court passed this order None of the[counsel who have appeared in support of the return have suggested any sound or even plausible reason by which the exercise of such power and jurisdiction by that Court can be supported. Under the guise of a recognizance to keep the pence this order is, in reality, a special injunction restraining these petitioners from exer-cising a public office until their title is tried and decided by law. Certainly it requires no argu-ment to show that the Criminal Court had no power to pass such an order, or to commit the par-ties to jail for refusing to comply with it, and that such commitment can furnish no legal cause for their detainer.

their detainer. In order fully to understand the effect of this order, and the circumstances under which it was passed, it is necessary to advert to the facts dis-closed in the evidence before me. Under the police law of the city of Baltimore the second code, sections 506 to 532, and the amend-ments there'o by the act of 1862, ch. 131, Samuel Hindes and Nicholas L. Wood had been elected by the General Assembly Police Commissioners, and were duly commissioned, qualified and acting as such by the act of 1862, under which they held their office, it is enacted. "For official misconduct any of the said Commissioners may be removed by any of the said Commissioners may be removed by

any of the said Commissioners may be removed by a concurrent vote of two-thirds of the two houses of the General Assembly, or by the Governor during the recess thereof." Complaints of official misconduct against Hindes and Wood being made to the Governor, he pro-ceeded in accordance with the 13th and 14th sec-tions of Article 42 of the code, and after hearing the entities and assemblic of control of note the evidence and arguments of coursel on both sides, adjudged and decided that the parties complained sgainst were guilty of official misconduct, as charged, and passed the judgment and order re-moving from office. A copy thereof, under the great seal of the State, was served upon them, and the Governor thereupon, under his power to fill vs cancies in the Board, appointed these petitioners, Valliant and Young, police commissioners, the former in the place of Hindes, and the latter in the place of Wood, and commissions were deli-vered to them on the second day of November. On the same day hey were qualified by taking the cflicial oaths prescribed by the constitution and laws. They then proceeded to the office occupied by the Police Commissioners, but failed to find them or to gain admittance to the Mayor's office. The next morning the visit was repeated, with the same result, the place being guarded by policemen, and a personal interview refused, whereupon they And a personal interview relised, whereupon they established an office and addressed to Messrs. Hindes and Wood the following communication: (This has been hereforore published, as also the address to the police force, issued on the 2d inst.) They then proceeded to issue an order to the Sheriff under the 516th section of the code, direct-ing him to summon a nellow force of one hundred ing him to summon a police force of one hundred men for the preservation of the peace of the city, when they were arrested under the warrants from when they were arrested under the warrants from the Criminal Court, and then Sheriff Thomson, one of the petitioners, was also arrested. It thus plainly appears that at the time the Criminal Court passed the order in question, Hindes and Wood had been actually removed from the Police Commissioners by the act of the Go-vernor, in the exercise of their lawful authority under the act of 1502, and had been notified there-of in the most solemn form, and these Commis-sioners, Young and Valilant, had been duly ap-pointed Commissioners and qualified to fill the vacancies thus created, and entitled to exercise the powers and perform the outles of their offices. There cannot be any question of the Governor's There cannot be any question of the Governor's There cannot be any question of the Governor's power under the law to remove the incumbents, if, in his judgment, the complaint of official mis-conduct has been proved. The law makes his judgment final and conclusive, and not subject to appeal or review, any more than a similar judg-ment passed by the General Assembly and remo-val by the Governor during the recess. Their powers under the law are identical, and their de-cision alive final, conclusive and binding, and encision alike final, conclusive and binding, and en-titled to the same obedience. For parties thus re-moved to hold on with a strong hand and continue to exercise official power, is to resist the rightful authority of the Governor and put the law at defi-

obeying it, and there being no evidence that in executing the order he was engaged in any rict or untawital assembly, he cannot be held to answer. There being no lawful cause shown for the de-tainer of the petitioner, Thomaon, I will sign an order for the discharge, and I will also, under the inth section of the 42d article of the code, sign an order for the discharge of Young and Valliant, up on their entering into the recognizance to appear and answer in the proper court. After the Judge had concluded, Mr. Latrobe rose and said:

After the Judge had concluded, Mr. Latrobe rose and said: May it please your Honor, it is proper I should say that the proceeding by mandamus on the part of the Police Commissionerr, Young and Valliant, whom you have adjudged to be entitled to the franchise of their office, in order to obtain posses-sion 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 Valliant, as proved by Messra. Fuller and Ball, and referred to by your Honor, and which I am authorized by Mr. Valliant to say were his own exclusively, and made without the knowledge of Mr. Young, should have rendered it necessary, in your Honor's judg-ment, 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 isw-fully effected. Even had your Honor's opinion in this connection not been expressed, a mandamus would have been resorted to, if necessary, to obtain the property and effects belonging to the Board of Police. and said:

Police. The Commissioners will at once give their re-cognisances in the sum prescribed. While the coursel for the petitioners were preparing the ne-cessary papers, Mr. Alexander, the counsel for the Course for the petitioners and the counsel for the Commissioners, arose and said that the Gover-nor had not rightfully removed them from their offices as Commissioners, and it was in conse-quence of this advice that the Commissioners re-solved to retain office until the question of title was properly determined on mandamus. They state, forther, that on being informed of the decla-rations made by Mr. Valliant, which were proven by Messrs. Fuller and Ball, they advised the Com-missioners that such declarations were evidence of conspiracy, for which Messrs. Valliant and Young be held to answer before the Oriminal Court of Ballimore city, and that it was the daty 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 such action thereon as he might think necessary for maintain-ing the peace of the city. In making the statement the counsel ask leave to discleim any purpose of joining issue with your the Commissioners, arose and said that the Gover-

In making the statement the counsel as jeave to disclaim any purpose of joining issue with your Honor upon any one of the positions assumed in the opinion your Honor has just delivered. They desire simply to place themselves rightly before your Honor and the public.

Mr. Horwitz then drew the form for the release of Sheriff Thomson, which was signed by the Judge, and is as follows:

Judge, and is as follows: In the matter of the return of Mr. Thomson, Sheriff, for habeas corpus, ordered for the 30th day of November, 1866, by me, that Mr. Thomson be and he is hereby discharged from the custony of the Warden for the with, there being no legal cause for his defenitor. for his detention.

for his detention. [Seal] JAMES L. BARTOL, Judge of the Court of Appeals of Maryland. Mr. Latrobe prepared the orders for the dis-charge of the Commissioners, Messrs, Young and Vallant, under direction of the Court. The copy of order in the case of Mr. Vallant is given, that of Mr. Young being in all respects similar.

imflar. In the matter of the petition of William T. Val-

In the matter of the petition of William T. Val-liant for habeas corpus before Judge Bartol, of the Court of Appeals of Miryland, ordered this 13th day of November, in the year 1566, that the peti-tioners be discharged from the costody of the warden of the juil of Baltimore city, on the com-mitment in detault of bail in the sum of \$3000; that he be discharged from the same custody nu-der the commitment on the order requiring bail in the sum of \$2000; from his going his own hond or the sum of \$2000, from his going his own bond o recognizance in the sum of \$5000, conditioned for his appearance before the Criminal Court of Baltimore city, to answer the charge of onspiracy

therein pending against him. [Seal] JAMES L. BARTOL, Judge of the Court of Appeals of Maryland. The bond as required by the above order has been given.

(Signed) JAS. L. BARTOL. November 13th, 1866. The bond entered into by the Commissioners to

answer the charge of conspiring upon their own recognizance is as follows, both being similar Know all men by these presents. That I, James Young, am held and firmly bound unto the State of Maryland in the sum of five thousand dollars, to be paid to the said State or to its certain attor-ney, to which payment, well and truly to be made and done, I bind myself, my heirs, executors and administrators, firmly by these presents. Sealed with my seal and dated this 13th day of Novem-

The condition of the above obligation is such that if the said James Young shall well and truly appear before the Oriminal Court of Baltimore city to answer, the charge of conspiracy therein pending against him shall be void and of no effect. Signed, JAMES YOUNG, Signed sealed and delivered in presence of



the estimate have ample wharf-dock room for 'eed. 'he subscriburs have ample wharf-dock room for repairs of boats where they can its in periect safety, and are provided with shoars blocks tails, etc etc., for faising heavy or right weights. J c OB C NEAFIE, JOHN P. LEVY. . 8216 REACH and PALMER Streets. J. VAUGHAN MEREICK, WILLIAM R. MURRICK, JOHN R. COFE. JOHN E. COPE. JOHN E. COPE. SOUTHWARK FUUNDKY, FIFTH AND WASHINGTON Streets, PHILADRITHIA. MERKICK & SUNS, ENGINE AND MACHINISTS. MERKICK & SOUNS, ENGINE AND MACHINESS. MERKICK & SOUNS, MERKICK Actions and Gas Machinery, of the latest and most im-proved construction. Every description of Plantation Machinery and Sugar, Saw, and Grist Mills, Vacuum Pans Open Steam Trains, Defections, Friters, Pun-Ding Engines etc. Sole Asents for N. Wileux's Patent Sugar Boiling Apparatus, Nesmyth's Tatent Steam Hammer, and As-pinwall & Woolzey's Patent Centrilugal sugar Draining Machine. 6305 BRIDESBURG MACHINE WORKS. No. 65 N FRONT STREET, PHILADELPHIA. We are prepared to fill orders to any extent for our well known well knearn MA CHINERY FOR COTTON AND WOOLLEN MILLS, Including all recent improvements in Carding, Spinning, and Weaving. We invite the attention of manufacturers: our exten-ALFRED JENKS & SON HOUSE-FURNISHING GOODS. EXCELLENT OPPORTUNITY TO SECURE JOHN A. MURPHEY, HOUSE-FURNISHING GOODS, No. 922 CHESNUT STREET, Between Ninth and Tenth, South Side: Phila-His Administrators now offer the whole stock at prices, below the ordinary rates charged. This stock embraces, every thing wanted in a well-ridered household:--Plain Tin Ware. Brankes, we cocer Ware. Basets, Planed ware, Cuttery, Iron Ware Japanned Ware, and Cook-ing Utensis of every description. A great variety of SHAK s R GOODS. BIRD-CAGES, etc., can be obtained on the Boost tonsonable torms GENTINE ARCTIC REFRIGERATORS and WATER CO-the suscement of PAPIER WACHE GOODS. COULT IS A fire assoriment of PAPIER MACHE GOODS. This is the inrest retail establishment in this line in Philadelphia and clitices and strangers will find it to their advantage to examine our stock before purchasing. Note-Our iriends in the country may order by mail, and prompt attention will be given. [111 thatas USE STARIN'S CONDITION POWDERS HORSES AND CATTLE. It is the best alterative for Bornes and Castle now It is a sure preventive for the much dreaded Rinderprest, No Faimer or Dan vman should be without it. For saic in Philadelphia dy DYOTT & CO. No 233 North SECOND Street, JUNNSON, HULLOWAY & COWDEN, No. 23 North SIXTH Street, and by Drug gists hout the courtry. Address all orders to STARIN & FLOYD, Proprietors, No. 200 DUANE Street New York. PARASOLS AT S1-25. \$1-50, \$1-75, AND 2. Silk Bun Umbrellas, \$1.40, \$1.50, \$1-75, AND H. DINON IEW/IE. Nd. 21 S. EIGHTH Street,

(Commitments were as follows: (Commitments were then read, and a commit-ment in the same words of William Thomson by Samuel Sparklin, Coroner.) In these commitments the offences charged, which the parties were respectively required to answer, are not stated. With the return of the Warden are filed the following, marked on the margin, "Amended commitments, Nov. 5th, 1866." The commitments against Sheriff Thomson

The commitments against Steric Thomson were also read, which have been published. This may be true, but it must be remembered we are here dealing with the proceedings of a court of record, and to the records of the Court the Warden refers in verification of the truth of his return. The records have been produced, and con-form to the return in this particular. If the charges upon which the parties were arrested were stated in the original warrants, and respectively appear upon the records of the Court, it is not necessary they should be stated in the warrants of commitment.

In 2 Burns Ins. 604, it is said that in a commit-In 2 Burns Ins. 604, it is said that in a commit-ment by the sessions of other court of record the record itself, or the memorial thereof which may at any time be entered of record, is sufficient, without any warrant under seal. Here the first commitment in general words in default of buil to appear and answer must be intended to refer to the offence charged in the original warrant of ar-rest and appearing on the records of the court, and to amend the warrant of commitment afterwards to amend the warrant of commitment afterwards to amend the warrant of commitment atterwards by truly stating therein the offence charged is not in any sense committing the party for a new and different offence. This objection to the return is not sustained, and my duty is to deal with them on the light of the evidence addressed, and to de-termine whether for any and for what cause ai-leged the petitioners are lawfully detained, and to decide whether they are entitled to be discharged with or without bail. I proceed now to consider the legal effect of the

With or without bail. I proceed now to consider the legal effect of the returns, and to decide how far they are conclusive under the laws of Maryland regulating proceed-ings under these writs. In passing upon this question, it seems to me altogether immaterial to consider what may have been the power of the const course in a solution of the communication of the const of the solution of the communication of the solution of the solution. consider what may have been the power of the court acting under the writ at the common haw, or the power of the judge under the statute of 31st Charles II. Our act of 1800, chap. 125, was in its terms like the statute of Charles, and if I were now governed by the provisions of the act of 1803, many of the authorities cited in argument by the respondents' counsel would be conclusive and binding upon me; but the provisions of the act of 1809, were materially changed by the act of 1813, chap. 175, and by the code which last, although not in the identical words, I cousider the same in construction and effect as the act of 1815. Mr. Hurd, in his work on the habeas corpus, after stating the various decisions of the English Courts under the statute of Charles, and the con-flict of opinion among the judges as to its true

Courts under the statute of Charles, and the con-flict of opinion among the judges as to its true construction, concludes as the result of the whole "that in commitments for criminal or supposed criminal matters, the truth of the facts stated in the retarn upon which the commitment was found-ed, could not, either at common like or under the Habeas Corpus act, 31 Car., 2, he controverted with a view to the absolute discharge of the prisoner." Pp. 276.

Pp. 276. An effort was made in 1755 to amend the law by act of Parliament, but was not successful. The author says, pp. 275: "The seads, however, which had been sown in the discussion upon the bill, sprang up and yielded appropriate fruits in Ame-rican law long before the passage of the statistic of 56 George 3." He then refers to the various State laws or the subject state of the state of t be decreed. The their refers to the various State haws on this subject, and the decision of courts upon them. Maryland is not included in his enu-meration, but a reference to the act of 1813, and the code, will show that our State is not behind any in its legislation in favor of personal liberty, and in rendering this writ effective for the accomplish-ment of the great and of witherating the diffus

in rendering this writ effective for the accomplish-ment of its great end of "liberating the citizen from illegal confinement." The twelfth section of the code is as fol. two --"Any person at whose instance or in whose behalf a writ of habers corpus has been issued, may contro-vert by himself or his counsel the train of the retorn thereto, or may plead any matter by which it may appear that there is not a sufficient cause for his

It has seemed to me necessary to declare my opinion on this question as involved in the consi-deration of the order passed by the Criminal Court deration of the order passed by the Criminal Court, a failure to comply with which is now alleged on the return as a ground for detaining the petitioners in prison. Considering that the order was passed without lawful jurisdiction or authority, I cannot remand the parties to prison or hold them to bail under it. In the case of William Thomson, the sheriff, the Criminal Court passed the following order (already published), for the same reasons as-signed in considering the order passed.

In the case of Young and Valliant, I am of the In the case of Young and Valliant, I am of the opinion that this order was passed without right-ful power or consideration, and that the commit-ment under it is not lawful cause for detaining the petitioners. It appears from the evidence addaced before me that the warrant sgainst the Sheriff for being engaged in an unlawful assembly, rout and riot, &c., upon what he was committed in default of ball, was issued without any oath or affirma-tion, contrary to the provisions of the 26th article of the Declaration of Hights, and it being clear from the evidence that the same was not issued upon, 1 view the commitment thereunder as not lawful cause of defance. See Conner vs. the Com-monwealth, 3 Binney, 05.

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Signed, sealed and delivered in presence of JAMBS L. BARTOL.

Action of Swann's Commissioners, BALTIMORE, Nov. 13-Evening.-The old Police Commissioners this afternoon received another legal notice from the new Board of Police Commissioners, to surrender all property in their charge, who also notified Mayor Chapman to at-tend a meeting of the Board at 5 P.M. Subse-quently they issued the following:

COMMISSIONERS OF THE BOARD OF POLICE OF BALTIMOTE CITY, No. 1 NORTH STREET, Nov. 13, 1866.—The Marchai and other officers of the Police of Balumore city, and all members of the existing police in said city, are hereby strictly ordered and

required not to obey any order that has emanated from the late Board of Police of said city since two o'clock Tuesday afternoon, or any order that may emanate from said late Board at any time here The undersigned have now entered on the per-

formance of their duties as Commissioners of Po-lice, and there is no other authority which can law-fully act as a Board of Police in said city.

They, and users is both of Police in said city. Persons interested are required at their peril to obey this order, JAMES YOUNG, WX. THOS. VALLIANT, Police Commissioners. Mayor Chapman did not accept the invitation of the new Commissioners to attend their meeting this evening, but it is probable he will do so to-morrow. Marshal Caimichel and his deputy, together with the detectives belonging to the force, have re-sponded to the summons of the new Commissioners, and will report to the new Board for orders to-morrow. The new Commissioners have an-nounced that it is not their purpose to make any changes in the present force, except in cases of misconduct and unfitness, and propose to accept the services of all the members of the old force who are willing to do duty under them.

the services of all the members of the old force who are willing to do duty under them. It is not known what course the old Board will now pursue. Whether they will accept the situa-tion and regard themselves as is wfully displaced or further contest the question before the courts, is not known. Should they refuse to surrender the property, funds, &co, held by them as Commis-sioners, the new Board will resort to a mandanus. The present position of this affair causes no ex-citement, and all parties seem disposed to regard the decision to-day as a final settlement of the dit-ficulty. ficulty.

NEW ROUTE

TO THE SOUTH AND SOUTHWEST.

Via the Delaware Railroad Line.

On and after MONDAY, November 5, Trains will leave Depot, at BROAD Street and WASHINGTON Avenue. at 11-00 P. M. (Saturdays excepted), arriving at CRIS-FIELD, Maryland, on the Chesapenne Bay, at 700 A. M .. thence by the new and elegant steamer "CITY OF NORFOLK." arriving at NORFOLK 245 P. M., connecding with

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