

A TARDY SUIT FOR LIBEL.

THAT is a pretty heavy libel suit which was entered January 23d in the Third District Court against the Salt Lake Tribune. The particulars will be found in another column. They recall some interesting incidents of the last municipal election.

The gentleman who has planted this suit, in which he will appear as his own attorney, is at present engaged in the practice of law at Ogden. He came to this city from Chicago a little more than a year ago, with the intention of making his home here. He brought his family with him and had no idea that such obstructions would be placed in his way, as those that were manufactured by the libelous sheet which has slandered so many persons with impunity.

Mr. Barton brought with him credentials from eminent lawyers, judges and other public functionaries in the East, acted as became a gentleman, and so far as we knew, did nothing to excuse the scurrilous attacks which were made upon him by the vilest paper under the sun. True, he worked with and for the People's Party during the municipal campaign, but did so as a lawyer and was not employed to do anything morally, socially or professionally improper.

We are of the opinion that the charges so recklessly made against him in the columns of the "Liberal" organ were entirely without foundation. Conclusions were jumped at that were not warranted by any substantial premises. And even if the surmise that Mr. Barton wrote certain articles that appeared in the Chicago Herald were correct, it would have formed no justification for the shameful vilification to which he was subjected by the blackguards who assailed him.

The refusal of the scrub registrar, who set himself up above all courts and precedents, to permit Mr. Barton to practice before his buncombe Mightiness, was prompted by the falsehoods of the Tribune. And one is at a loss to decide whether grotesque impudence or impotent malignity predominated in the action of the "Liberal" tool of the "Liberal" organ.

It may be objected that the gentleman is tardy in bringing this action against his libelers. It does look as if a year is a long time to wait before vindicating his character in this legal manner. But there may have been good reasons for this delay. It is well known that there was considerable excitement just after the election and that party feeling ran very high. It was also well understood that there would be small

chance for any person attached to the People's Party to obtain justice in such a cause as this. It was believed that the peculiar constitution of the jury list was a party movement. Boasts were freely made that no one engaged in the frauds by which the election was secured to the "Liberals" could be punished. It was a fact that such attempts as were made to vindicate the law enacted to secure the purity of elections, failed because of the kind of grand and petit jurors that were empaneled. So it may be that the present plaintiff was justified in delaying his complaint.

We advance this opinion not knowing what Mr. Barton's motives were for this delay. He has commenced suit within the statutory time, however, and so no legal objection can be offered as to his apparent tardiness. There are some other affairs connected with that election that ought to be ventilated. There are some rogues who ought to be exposed. There are criminals who ought to be prosecuted. The time has not expired within which legal action may be taken, and though justice has been put off, we hope it is not in these cases entirely defeated. It would have been worse than useless to attempt anything in its cause some months ago. There may be some prospects now. We would like to see the matter tried. Even if no rascal was punished, much corruption and several scoundrels would be exposed, and that would be of some benefit to the community and might hinder, if not prevent, a repetition of similar frauds in future.

We hope this libel suit will develop the facts in the case. The parties defendant will have ample opportunity to show whether they had any justification for the attacks on the complainant, and he will be permitted to vindicate himself before the public, particularly the people of this city, among whom he expected to make his home and many of whom were prejudiced against him by the attacks of which he complains, so that he felt compelled to move to another place. Let truth triumph and let justice prevail!

A BILL TO REGULATE "HABEAS CORPUS."

CONGRESS still finds it necessary to legislate for the Territories. We believe that in doing so, after recognizing or conferring the power to legislate on "all rightful subjects" within the Territories themselves, Congress exceeds its legitimate authority. But some justification for congressional action in this respect may be found in

the occasional improper course of some of the Territories.

For instance, here is New Mexico, which has passed a law conferring upon Justices of the Peace the right to entertain *habeas corpus* proceedings, and thus pass upon judgments rendered by the District and Supreme Courts of the Territory. This is clearly an improper exercise of power, and Congress, under the Organic Act, has the right to annul such a law.

Under the rulings of the court of last resort, too, Congress may legislate directly for the Territories, although each Territory has a Legislature of its own. So a bill has been introduced to cure this error of the New Mexico legislators, and as it has been reported back with amendments, to the Senate where it originated, when that body gets down to other business than the force bill and measures to muzzle its opponents, the bill to which we refer may become a law. As it is designed to affect all the Territories we here give its full text:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Supreme Courts and the respective Judges thereof established in the Territories of the United States, and the Judges of other courts of the United States exercising jurisdiction in any of such Territories, shall respectively have exclusive jurisdiction to issue writs of *habeas corpus* in such respective Territories, any law in any of such Territories to the contrary notwithstanding."

THE AIM OF THE CATHOLIC CHURCH

ONE of the most significant signs of the times is the gradual resuscitation of the power of the Roman Catholic Church. It is in a fair way to absorb the Protestant sects, which appear to be hopelessly affected with religious consumption. The mother church is accumulating strength and, strange as it may seem, her power has better and larger scope under democracy than monarchy, because by the operation of her vast clerical machinery she can, by commanding votes, dictate terms. Political power and the sustaining sentiment of the masses circumscribe all other earthly influence. To the accumulation of these forces the Roman Church has set her energies in operation. We have in the past directed attention to the fact that she was aiming to again become mistress of the world, and we observe that such a view is gaining ground. The Sydney (Australia) *Quarterly Magazine* some time ago devoted a lengthy article to this important subject. Speaking of the power of the Jesuits, the writer said:

"Never in history did Protestantism present such a promising aspect to her