and so many arrests for illegal voting, so we will give our idea in a somewhat unvarnished way:

"It is not for anything that has been done, but to prevent those suspected of a design to vote the Democratic ticket from voting at the coming election. It is untarnished Republican bulldozing, a hell-concocted, damnable Dubois conspiracy, conceived in the rottenness and corruption of as black-hearted set of scoundrels as ever sailed under a hypocritical flag. In no other section of the United States outside of Southern Idaho would this gang of political cutthroats be permitted to ply their desperate schemes of intimidation, and in the offended name of legal subterfuges. They know the law has no barriers they fear while judges and officers sit in authority who will warp it at their bidding, and in this direction every avenue for their own safety has been explored and they are assured the programme mapped out of riding roughshod over the most sacred rights of an enemy can result to them in no responsibility or inconvenience. They talk of the majesty of the court! They have no more regard for it than a hyena for a dove. To accomplish the political ends they have in view they would tear the Constitution in threads, deprive their fellow beings of every liberty that has been purchased by the blood of patriotism, and cloak their infamy with judicial ermine soaked in dyes of partisan perjury. If the administration of the law was what it used to be, and the officers thereof were influenced only by its majesty and power, a lot of slick-skinned rascals, who concocted the Republican programme of arresting every man who voted against them two years ago, would be arrested for one of the most barefaced conspiracies that ever disgraced any party, and a non-partisan judge and jury would consign them to solitude, where a healthy reflection would be their principal exercise."

A PECULIAR SUIT.

W. J. ALLEN, through his attorney, a person named Ferguson, has brought suit against Richard W. Young, on the ground that the latter has damaged the reputation of complainant to the extent of $3,500, and caused him an expenditure of $100. The alleged grievance is that Mr. Young caused the arrest and examination of Allen on a charge of having committed a criminal breach of the election laws, by which he (Mr. Y.) was robbed of his right to a seat on the school board of this city.

Were it not for the annoyance to which a respectable citizen is subjected in consequence of it, the damage suit would assume, to our view, an aspect of hilarious absurdity. We take it to be beyond the limits of reason to anticipate—notwithstanding the practical abolition in Utah of trial by jury—that the complainant expects to receive a cent. We no more believe he will than we do that he has been damaged by the defendant to the extent of a mill. We are of opinion that the boot is on the other foot, and that it is the defendant who has been damaged, and that, in the language of Commissioner Greenman, that point "can be determined by civil action on the part of the contestant." We go further and express the belief that, if the contestant should plant a civil suit against Allen *et al*, providing the courts would do the right thing in the matter, the plaintiff would be sustained.

The ground of this belief is the character of the facts elucidated in the examination of the charge against Allen. Among them were these: At the poll in the Fourth Precinct at which Allen, in his capacity as judge, deposited (or otherwise) the ballots, 143 voted the People's ticket on which was the name of Richard W. Young as a candidate, and only 128 were counted for him. There is proof of crookedness. A wrong was done to Mr. Young and the public, especially the persons who voted for him.

Whether Allen was the guilty man or not, suspicion naturally fell upon him, because he was the person who handled the ballots, depositing them (or otherwise) when handed in, and extracting them when taken out of the box. This strong presumptive position appears to render the allegation of malice on the part of the plaintiff as ridiculous as that to the effect that Mr. Young procured the publication of the fact of Allen's arrest in certain local newspapers, including this journal.

During the examination of the charge against Allen a number of witnesses testified to witnessing suspicious and irregular conduct on his part at the poll. In his decision, the Commissioner said:

"A large majority of the witnesses, when questioned, admitted that their ballots were received and deposited all right. They saw nothing wrong, while the few who noticed what they term something out of the usual order of business, admit that while they noticed those strange things, they did not remonstrate or say anything about it."

This admits, in a milk-and-water way, that the evidence given showed irregularity, which is further sustained, in diluted shape, by another quotation:

"Although pointing toward discrepancy and irregularity in the conduct of the election at Poll No. 2, Fourth Precinct, at the July election, the evidence does not disclose the fact that the defendant did anything wrong, at least sufficient to support the charge against him."

Thus the commissioner supported the fact that the evidence pointed "toward discrepancy and irregularity in the conduct of election at poll No. 2." This also upholds the point of justifiable suspicion that the discrepancy between the number of ballots tendered by electors and those counted was owing to this irregular and discrepant conduct on the part of Allen; consequently the allegation of malice on the part of Mr. Young in having him arrested appears in the light of an absurdity.

The language: "The evidence does not disclose the fact that the defendant did anything wrong, *at least not sufficient to support the charge made against him*" is a qualified phrase. It amounts to saying that he did some wrong but not quite enough wrong to sustain the charge. Then occurs the question, as to how much of election wrong does it require should be done by a "Liberal" to prove a charge against him before a "Liberal" commissioner?

We believe, without qualification, that, on the ground of the opinion of Commissioner Greenman alone—biased in favor of Allen, as we hold it to be—the suit against Mr. Young would not be entertained by any court of justice worthy the name. If to this is added the testimony given before the commissioner, to which we do not think the magistrate gave sufficient weight when it bore against the defendant, the ground of the complainant in the civil suit is, as we regard it, swept away. We do not suppose for a moment that Mr. J. W. Allen—who appears to have so many aliases that he could not remember them at the examination—bar-tender, ex-policeman, foot-racer and Denver political operator, will make anything out of this latest move. Indeed, it is a question in our mind as to whether it is not a "Liberal" intimidation card—an intimation that all who seek to apply the law to persons suspected of "Liberal" trickery, will be pursued.

We observe that one of our esteemed cotemporaries in treating upon Commissioner Greenman's opinion in the Allen case, besides puncturing its logic, assails its grammar. We think, however, that in a matter of that kind orthography or syntax, are secondary considerations. Good sense and a respect for justice cover a whole multitude of errors in grammar. Unfortunately the opinion did not have these two elements to any extent.