

Anco Topp was arrested last Monday evening on a warrant issued by Justice Retzlaff. The complaint was made by W. F. Kline who claimed that Topp had threatened his life and also threatened to burn up his property and the plaintiff wanted defendant to be bound over to keep the peace. Kline went to the states attorney who refused to have anything to do with the matter and would not issue a warrant, thinking that it was only one of those neighborhood quarrels that could be best settled out of court. Kline then tried to get Justices Melgard and Jimerson to issue a warrant but they refused because they thought there was nothing in the case to warrant Topp's arrest. The whole affair is the result of some girl scrape and both Topp and Kline have armed themselves with revolvers and have been threatening each other—at a distance. The case came up before Justice Retzlaff Tuesday afternoon, and Attorney Carleton, who appeared for Topp, asked for a dismissal of the defendant on the ground that Attorney Jacobson, who appeared for the prosecution without the consent of States Attorney Bartlett or the court, had no right to appear in the case. The case was dismissed and, as usual, the farmers have to pay the cost. It would be the right thing for our justices to sock the costs onto the plaintiff in such cases as this, as on the face of it, it looks as though Topp was arrested to further someone else's schemes.