

broken ware, glass filth, rubbish, refuse matter, garbage, ashes, tin cans, or other like substances."

At the session of the City Council held March 18th, a proposition was made to insert among the offensive materials enumerated, "mud, snow, or ice." There did not appear to be any decided opposition to the offered amendment to the ordinance, except from Councilman Hall, who seemed to be struck with its incongruity. The subject was laid over till Tuesday, April 1st.

It is necessary that the streets and sidewalks be kept clear of obstructions and all offensive substances, but the city fathers should pause before passing such an amendment as the one now considered. It is doubtful whether the city can extend the requirement in relation to clearing away "mud, snow and ice" beyond the outer edge of the sidewalk. The streets are the property of the corporation, and it is the duty of the latter to keep them in repair, hence the supervisorship of public thoroughfares.

The amendment is in the nature of superfluous legislation, because it would be inoperative. Suppose a depression exists in a street; it fills with water, which freezes to a thickness of two or three inches; teams come along and break it up, making an unsightly accumulation of ice, will it be contended that it is the duty of abutters to remove it? Is so where shall they dump it? Certainly not on the streets, for that is against the ordinance that would require its removal. Should they cart it into their own lots? Hardly.

In cities where property owners are compelled to keep the sidewalks clear of snow, they are allowed to pile it by the edge of the street. This would not only be a contravention of the proposed amendment but the parties would be required to remove what was on the streets as well. They would thus have something white on their hands, if not a "white elephant." Again, where would they put it, snow being an awkward substance to stow away in cellars, especially if a person doesn't happen to have a cellar.

The "mud" part of the amendment would be a problem equally difficult of solution. In fact it is not quite as soluble as snow. Indeed, in some cases that substance constitutes, in damp seasons, the chief, if not only ingredient of the thoroughfares. As a result its removal by the abutters would be going a long way toward a transposition of the streets. Besides there

being no place provided to dump the upper layer of the avenues in the softer portion of our city, the residents would dislike their dwellings to be on an elevation too great above the grade of the streets.

The Council will do well to pause before concluding to pass this anti-mud-snow-and-ice amendment.

THAT "INSULT" TO THE GOVERNOR

The general election bill which was vetoed by the Governor will be sent to Congress in conformity with the provision of Section twenty-three of the Edmunds-Tucker Act. It will be accompanied by the memorial adopted by both Houses of the Legislative Assembly, which is as follows:

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

Gentlemen—We, your memorialists, the Legislative Assembly of the Territory of Utah, respectfully represent.

That section 9 of the act of Congress of March 22, 1882, commonly known as the Edmunds act, provides that each and every duty relating to the registration of voters, the conduct of elections, the receiving or rejection of votes, and the canvassing and returning of the same, and the issuing of certificates or other evidence of elections in the Territory of Utah, shall, until other provision be made by the Legislative Assembly, be performed by proper persons, appointed by a board of five persons appointed by the President and Senate of the United States; and also that said Legislative Assembly may make such laws, conformable to the organic act of said Territory and not inconsistent with other laws of the United States, as it shall deem proper concerning the filling of the offices in said Territory declared vacant by this act."

That Section twenty-three (23) of the act of Congress of March 3, 1887, commonly known as the Edmunds-Tucker act, provides that "the provisions of said section 9 of the said act of March 22, 1882, shall remain operative until the provisions and laws therein referred to, to be made and enacted by the Legislative Assembly of said Territory of Utah, shall have been made and enacted by said Assembly and shall have been approved by Congress."

That in pursuance of said provisions, the Legislative Assembly of the Territory of Utah did, at the first meeting of said Assembly, whose members had been elected under the provisions of the Edmunds act, make and enact provisions such as were designated in that act, which were defeated by the absolute veto of the Governor. At the next succeeding session of said Assembly another law for the same purpose was made and passed which was also vetoed by the Governor. That said Assembly at its present session has made and passed an election law conformable in all respects to the provisions of said acts of Congress, which the Governor has returned to said Assembly without his approval.

"Your memorialists now herewith present to your honorable body the said election law passed at the present session of said Assembly, as required by

said section 23 of the Edmunds-Tucker act, and ask that it receive your favorable consideration.

"Your memorialists further represent that the act of Congress of March 3, 1887, does not in terms require the approval of the Governor of the laws to be made and enacted by the Legislative Assembly of the Territory of Utah, under the provisions of section 9 of the act of March 22, 1882, but provides that such laws shall be made and enacted by said Assembly, subject to approval by Congress; and, further, that such objections as the Governor has offered to the act now submitted to your honorable body are completely answered by the bill itself.

"Your memorialists therefore respectfully ask that the said bill shall be approved by your honorable body as a measure that is necessary to the welfare, protection and liberties of the people of this Territory, and your memorialists will ever pray."

We understand the memorial passed the Council without opposition. In the House it encountered some very ill feeling and much nonsense on the part of certain "Liberal" members. The memorial was construed by them into "an insult to the Governor." If the gentlemen who indulged in this sort of "argument" had not been so tired, and if some of them had not indulged in other ways, they would not probably have become so unreasonably excited.

The memorial contains nothing personal. It is a simple narration of facts which are indisputable. It is a necessary adjunct to the bill. If the statement that the Governor vetoed the bill is an insult to him, how much more of an insult must that veto have been to the Legislature and the people who elected its members? There is nothing insulting in the language, purport or object of this memorial. The right of petition is inalienable. The National Legislature requires any act passed by the Utah Assembly or the filling of elective offices to be submitted to Congress. This bill would have been sent, and Congress would have been memorialized to approve it, even if it had received the Governor's signature. What insult then is offered to the Governor by asking Congress to approve it now?

Certain "Liberals," during the closing hours of the Legislature while the wearied members were waiting on the action of the Governor, reminded them when some of his actions were objected to that "the Governor is King." Even if that were true in effect, there is a power above that kind of a "King," and the subjects have the right to appeal to it. If it is an insult to such a "ruler" to have the simple