

REVERSING HIS DECISION.

WE ought not to let pass the fair circumstance of our respected Chief Justice reversing one of his decisions last Monday, in a divorce case. If we notice it now, it may be better late than never.

When a person becomes convinced that he has done a wrong thing, and he immediately undoes it, it is a sign that he is not incorrigible, but that he is open to conviction, repentance, and amendment.

Now this reversal of one of his own decisions, which he had become convinced was erroneous, is a favorable indication for his honor, the Chief Justice, and it affords us special pleasure to place it on record to his credit in his account current with the people. When the Judge does a good thing he ought to have credit for it, and we shall be happy to accord to him all the credit which we believe he deserves for all the good which we believe he does.

There is hope of the Chief Justice when he shows that he is not above correcting an error of his own. It is one of the noblest traits to be forward to make right that which we have made wrong, and we truly rejoice to see such a trait in any man, whether he stand among the ranks of friends or foes, and more especially when that man occupies a prominent position in the community.

Now that our honored Chief Justice has given evidence that he can retract at all, it will be natural to suppose that he can retract still further. If he can reverse one erroneous decision, what should hinder him from reversing other erroneous decisions? That he has given other erroneous decisions there is a very general and strong belief. Indeed it is patent, for all his decisions, made in Utah, which have been appealed to the Supreme Court of the United States, have been by that court decided erroneous, and consequently have been reversed. Probably many others which he has made here, if they were to go before that august and final tribunal, would share the same reversory fate.

It is not too much, therefore, to presume that his honor will yet have his mind enlightened and his judicial sight cleared sufficiently to discover that he has made mistakes in more decisions than the one which he has himself reversed, and those which the Supreme Court of the United States has reversed, and that he will yet reverse a few more. One of those which most needs reversing, in justice and upon its own merits, is that, or it may be those, in which he has refused to naturalize aliens who believe in or practise the marriage believed in and practised by many of the most exalted and revered characters who figure in Bible history, and which has been held to be honorable by four-fifths of the human race from the beginning until now. Let his honor try his hand at reversing his decision or decisions in that matter, and we have a firm assurance that, if he proves successful, he will find his liberal-minded reversory action infinitely more to the credit of both his head and his heart than his restrictive, narrow-minded decisions already recorded. While we give credit to his honor for the good he has done, let us at least hope that he will not get weary in well-doing, but will press forward to still better things, that he may be fairly entitled to more credit in that line. It really would be too bad for him to succumb with the first victory over himself. The initiative, successful as it has proved, surely ought not to be the grave of his good intentions, and redeeming endeavors. If he will kindly permit us to encourage and stimulate him, in a friendly sort of a way, in his new and noble efforts in this reformatory line, we would remind him of that favorite lay of his favorite Methodist devotees—

Press forward, press forward, the prize is in view;
A crown of bright glory is awaiting for you.

Conditioned always upon the indispensable proviso that his honor persevere in well doing and endure faithfully in the same to the end. Otherwise nothing counts for him but all goes for naught.

TIME TO STOP FOOLING.—The Oakland, Cal., Transcript, com-

menting upon the Tooele situation, says, "There has been about enough fooling with these Mormon repudiators of the laws of the land, and it is time they were brought up with a round turn."

There is no lack of disposition to bring up the "Mormons" with a round turn, law or no law, but Providence prevents a good deal. Men propose, but they do not always dispose, which is a fortunate matter.

If the "Mormons" repudiate the constitutional laws of the land, we have no objection to their being brought up with a round turn. But it is only an assumption, not by any means a clearly proved case, that they are such repudiators, and therefore such sudden jerking up is not in order to them-ward.

We agree with the Transcript that there has been far too much "fooling with the Mormons," and that a stop should be put to it. But it is the foolish foolers, rather than the "Mormons," who should be brought up with a round turn.

RELIGIOUS DISABILITIES IN NATURALIZATION.

OUR highly esteemed Chief Justice still makes decisions which we believe will be practically reversed some time, by himself or some one else. On the 9th inst. his honor once more decided that he would not allow polygamists, or believers in that matrimonial system, to become naturalized citizens of the United States. If he had the power, he would probably prevent persons of that class and extraction from becoming citizens of this blessed but corrupt republic even by birth. But he can't do it. His discretion, happily, does not extend sufficiently far into the natal domain. He doubtless frequently groans in spirit because he cannot crush out polygamic procreative propensities. But the polygamic progeny of native or naturalized Americans have citizenship per force of natural rights, which are beyond his discretion.

If the Judge will kindly permit us, we will respectfully offer the suggestion to his honor that he may be running his judicial discretion into the ground. It is bad to have too much even of a good thing, and it is not wise nor beneficial to run the exercise of official discretion to an extreme that destroys the liberty of the individual, or invidiously discriminates against a portion of the members of the community because of their religious faith or practice. Such a thing was never contemplated by the founders of this republic, being diametrically opposed to the fundamental principles of the government which they gave to the united colonies.

The Judge states that the statute requires the Court to be satisfied that an applicant for naturalization is a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the peace and good order of the same.

All this and much more in the same way the Judge certainly must know that a decent Latter-day Saint is, and therefore we consider that his honor errs most egregiously in refusing to Latter-day Saint aliens the privilege of citizenship, solely for the unconstitutional reason that they entertain peculiar religious views. We should like the Judge to show plainly his constitutional authority for debarring a man from any constitutional privilege because of any religious peculiarity whatever.

The Judge thinks polygamy inconsistent with Christian civilization. Does his honor know what Christian civilization is? It is not necessarily Methodist civilization, nor Roman Catholic civilization, nor Episcopal civilization, nor Presbyterian civilization, by any means. It is in fact something very different from either of those varieties of civilization. It strikes us that the Judge is not very well informed upon the true nature of Christian civilization. We can assure him that a great deal of the civilization which he sees in this republic of the United States is not Christian civilization at all, but very unchristian civilization indeed.

The way his honor talks about Christian civilization and polyga-

mic marriage convinces us that a little further information upon those important subjects would do him good, enlighten his mind, enlarge his understanding, correct and strengthen his judgment, and enable him to give more solid and equitable decisions than we believe some of those are which he has rendered.

Surely his honor can never have read, "Does the Bible Sanction Polygamy?" a highly interesting and remarkably instructive 100-page pamphlet, published at the DESERET NEWS Steam Printing Establishment, and sold at the same place for the small sum of fifty cents. By carefully and prayerfully reading this excellent work his honor may obtain an amount of useful information that should lead him to make very different rulings to some he has made on the subject of naturalization, and also to reverse many other decisions that he has rendered. We therefore have abundant reason to recommend his honor to obtain that instructive pamphlet, and read, mark, learn and inwardly digest its excellent contents. It is as full of matter, rich and nutritious mental pabulum, as an egg is full of meat.

THE BRITISH ASSOCIATION AT BELFAST.

THE British Association for the Advancement of Science recently met at Belfast, Ireland. Sir John Lubbock read an interesting paper on "Common Wild Flowers Considered in Relation to Insects," from which the following is an interesting extract—

"One other peculiarity of flowers is explained if we take this view of the relations of insects to flowers. Many flowers close their petals during rain, which is obviously an advantage, since it prevents the honey and pollen from being spoiled or washed away. Everybody, however, has observed that even in fine weather certain flowers close at particular hours. This habit of going to sleep is surely very curious. Why should flowers do so? In animals we understand it; they are tired, and require rest. But why should flowers sleep? Why should some flowers do so, and not others? Moreover, different flowers keep different hours. The daisy opens at sunrise and closes at sunset, whence its name, day's eye. The dandelion (leontodon or taraxacum) opens at 7 and closes at 5; arenaria inbra is open from 9 to 9; nympha alba from about 7 to 4; the common mouse ear hawkweed is said to wake at 8 and go to sleep at 2; the scarlet pimpernel (anagallis arvensis) to wake at 7 and close soon after 2; while tropaeolum pratensis opens at 4 in the morning and closes just before 12, whence its English name, "John go to bed at noon." Farmers' boys in some parts are said to regulate their dinners by it. Other flowers, on the contrary, open in the evening. Now, it is obvious that flowers which are fertilized by night-flying insects would derive no advantage by being open by day, and on the other hand, that those which are fertilized by bees would gain nothing by being open by night. Nay, it would be a distinct disadvantage, because it would render them liable to be robbed of their honey and pollen, by insects which are not capable of fertilizing them. I believe, then, that the closing of flowers has reference to the habits of insects, and it may be observed also in support of this, that wind fertilized flowers never sleep, and that some of those flowers which attract insects by smell emit their scent at particular hours; thus hesperis matronalis and cychins vesperina smell in the evening, and orchis bifolia is particularly sweet at night."

Prof. Huxley elicited roar after roar of laughter from the grave savans and scientists by his illustrations of the operations of insect-devouring plants. He asked the male portion of his audience to imagine

"Street after street of public houses charged with the most exquisite drinks—whatever might be their particular drink—and with no licensing act in force—always open at night—and he would ask the other portion of the audience to imagine street after street of mili-

ners' shops—filled with the most exquisite bonnets, also open day and night, and without any fear of fathers or husbands examining the bills, and then they would be able to picture the condition of those animal organisms on which these plants are sustained. These poor animals were wandering about following their sensations. They saw the most exquisite drinks and the most beautiful bonnets, but suddenly they found themselves in the jaws of death, inclosed in an inextricable trap, and he was not aware that their admiration of the ways of nature would reconcile them next morning when they found themselves in a mass of transparent jelly."

But the great sensation of the meeting was the opening address of Professor Tyndall, the President of the Association. The President usually gives a sketch of the history of science during the preceding twelve months. But on this occasion Professor Tyndall ignored precedent, and broke away from custom. He went over the history of scientific inquiry from the beginning, declared the position which science had assumed, defined the limits of scientific and religious discussion, and proclaimed his own disbelief in religious revelation and his belief in the doctrine of materialism, including the origin of species and life. It was Christianity that checked the advance of Grecian science, life became emotional by persecution, the early martyrs grew to scorn the earth, and the Bible became with many the ultimate source of appeal. Molecular force was creative. This was the great theory embodied in Mr. Tyndall's statement, which may be more popularly stated in this way, that matter is self-creative, therefore there is no necessity for a Creator. Or as Lucretius says, "Nature is seen to do all things spontaneously of herself, without the meddling of the gods," and Bruno, in a similar spirit, claims "that matter is not that mere empty capacity which philosophers have pictured her to be, but the universal mother who brings forth all things as the fruit of her own womb?"

Professor Tyndall thus states his own theory—

"Abandoning all disguise, the confession that I feel bound to make before you is that I prolong the vision backward across the boundary of the experimental evidence, and discern in that Matter which we in our ignorance, and notwithstanding our professed reverence for its Creator, have hitherto covered with opprobrium, the promise and potency of every form and quality of life."

Religion, he holds, must be controlled by science in material things—

"All religious theories, schemes, and systems, which embrace notions of cosmogony, or which otherwise reach into its domain, must, in so far as they do this, submit to the control of science, and relinquish all thought of controlling it. Acting otherwise proved disastrous in the past, and it is simply fatuous to-day. Every system which would escape the fate of an organism too rigid to adjust itself to its environment must be plastic to the extent that the growth of knowledge demands."

But of the creative and vital power itself he acknowledges complete ignorance—

"In fact the whole process of evolution is the manifestation of a Power absolutely inscrutable to the intellect of man. As little in our day as in the days of Job can man by searching find this Power out. Considered fundamentally it is by the operation of an insoluble mystery that life is evolved, species differentiated, and mind unfolded from their prepotent elements in the immeasurable past."

The address is a decided attack upon religion, so far as science is concerned, and a throwing off of religious control in scientific matters, though yielding to religion in emotional matters.

It remains to be seen whether the Association will endorse or repudiate the bold stand taken by the learned and able Professor. Which

ever course the Association may take, the theologians will be sure to have a strong and perhaps excited controversy upon the subject. On our part we may say that the religion that is truth and the science that is truth will never conflict.

The Other Missionary.—Associate Justice Boreman, of the Second Judicial District, has so far forgotten himself as to be carried completely outside of the law in his decisions, by his prejudices. His action in deciding against the eligibility of citizens for grand jurors on account of their religion is usurpatory and extra-judicial in the extreme, and in doing so he is guilty of an unconstitutional and illegal act, unconstitutional because the Constitution provides that the privileges of citizens shall not be abridged on account of their religion, and illegal not only because of its unconstitutionality, which would be sufficient to condemn it, but because his bigotted action is in direct opposition to the expressed will of the Legislature of the nation. It is true that an unconstitutional, proscriptive and abridging law—the Poland bill—was passed by Congress, but, bad as that bill is and unconstitutional as it is, in point of general contemptibility it is much behind the action of the missionary judge number 2. It was an original intent of the Poland bill to exclude "Mormons" from the jury box because of their religion, but that extraordinarily proscriptive clause was more than Congress could swallow, and it was therefore agreed by both houses that the abominable section should be stricken out, the legislators thus giving expression to their will that the "Mormons" should not be, on account of their religion, made ineligible to serve on grand or petit juries. In the face of this expressed will of the national legislature this fanatical judge, assuming the role of a religious crusader, goes in direct opposition to it.

When Judge Boreman first came to Utah he spoke very smoothly, expressing his desire to do justice to the people of Utah, in his official position, irrespective of religious or political creeds. In fact he unsolicitedly informed us that if he ever did any wrong to the people (meaning the "Mormons") it would not be intentionally, but simply because of erroneous judgment on his part. When such worthy expressions are placed in juxtaposition with several of his judicial acts, especially of late, he gives us two horns of a dilemma to choose from: either that his expressions were insincere and hypocritical, or that his judgment is so much at fault as to be entirely unreliable. Either horn shows him out in a singularly discreditable light, for what greater wrong can be inflicted on a people than to attempt to abridge their rights and privileges as freemen under the constitution of the Republic, on religious grounds. Judge Boreman nor "any other man" has any business with the religious faith or practice of any of his fellow citizens. As a methodist, Judge Boreman has a perfect right to enjoy his opinions, and to continue to carry them out in making speeches at Sunday schools or prayer meetings, or in any other way he may elect, and the "Mormons" have not the slightest desire to infringe on his religious privileges, neither have they any right to do so, even if they had the desire, any more than Judge Boreman has to exclude "Mormons" from the jury-box because of their belief and practice of the principles of "Mormonism."

Our Country Contemporaries.

Ogden Junction, Sept. 14—

"Cymro," writing from Samaria City, Malad Co., Idaho, says that on the evening of the 5th inst., an elderly gentleman named Thomas Evans, of that place, got his leg entangled in the harness while un-harnessing horses; he was dragged along some distance, and had one of his legs broken above the knee.

The full-blooded Durham stock brought by the Saxons from Kentucky, their thirteenth importation and the pick out of a large number of first class herds, is beginning to arrive. The advance guard has already come, and this evening the main body will halt at Ogden for rest and recuperation.