

DESERET NEWS.

WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - MARCH 26, 1879.

MARRIAGE AND THE CATHOLICS.

MISSOURI is being agitated over a new marriage law which has been introduced into the State Legislature. It is vehemently opposed by the Catholic element, and the influence brought to bear by the priests is not unlikely to defeat the measure. There is one feature of it which is supported by the sectarian clergy; that is, the provision requiring all persons to take out a license before applying to minister or magistrate for the solemnization of the marriage ceremony. But this is very distasteful to the "Mother Church."

The ground taken by the Catholics is similar to that occupied by the "Mormons" on this subject. They declare that marriage is a sacrament, and that the State has no right to interfere with it so as to infringe upon church regulations. The Catholics intimate that if the State does in this way pass over its legitimate bounds, it will force them to break the law. According to the established doctrine of the Catholic Church, marriage can be solemnized only by a priest. Secular marriage, or a ceremony administered by a denominational clergyman, is no marriage at all, and those who maintain marital relations unsanctioned by the rites of the Catholic Church are considered to be living in adultery. This, in a few words, is the position taken by the oldest and largest section of Christendom. The point advanced is not new. The new idea is the secular one—that marriage is a mere civil contract. The subject is not by any means disposed of. It will come into public notice again and again, and it will be seen that other people besides the "Mormons" are vitally affected by the attempts of the State to interfere with marriage in its religious aspects, and will interpose objections that will be backed up by powerful influences.

Marriage is undoubtedly a matter of religion, whether viewed in its monogamic or polygamous aspect, or in a prohibitory and celibate sense. It is a religious ordinance, condition and relation, because it was "ordained of God," and whenever man has been in communion with his Maker has been under special divine direction. In this respect it is outside of the jurisdiction of the secular law, and whatever regulations the latter may establish in relation to it, they cannot interfere with the religious ordinances and institutions that are therewith associated, without violating the fundamental principles of our popular government and of that religious liberty which should be sacred to every heart.

THE TOOELE FRAUD AGAIN.

THE Tooele election case is to come up before the Third District Court Tuesday, March 25th, at 10 o'clock. The clerk and members of the County Court are ordered there and then to appear, and show in what manner they have complied with the writ of mandamus requiring them to canvass the returns of the last election in that county.

It is to be hoped that there will now be a full and fair investigation of the doings of those officials, and particularly of their nefarious scheme to thwart the wishes of almost the entire body of the people of that county, as expressed at the polls. A more barefaced and impudent attempt to render abortive the votes of an overwhelming majority was never made in any part of the United States, not excepting those portions of the South which figured most prominently in the presidential election fraud.

Refusing in the first place, on the most flimsy of pretences, to make any count at all, they were compelled by order of the District Court, which was sustained by the Supreme Court, to proceed with the

canvass. Finding the terms of the law fully complied with, in the returns from every precinct which voted the People's Ticket, and many irregularities and fatal defects in the returns from the precincts supporting their own cause, as well as the clearest evidence that figures could afford that they were in a hopeless minority, these contumacious officials, without assigning any reasons for their action, threw out all the returns but those from two precincts which they counted so as to hand over the offices to candidates of their own party. In their report to the District Court they have given the result of the count from those two precincts alone.

If we understand the present requirement of the Court, they will now have to appear and show cause why a complete count has not been made, and why the full terms of the mandamus were not complied with. The whole election returns should be produced in Court, and this matter be searched to the bottom. It is for the general interests and welfare of the whole Territory that the election law and its workings be handled judicially, and that if it leaves any opening for rogues to enter in and defeat the will of the people, it may be pointed out and stopped up. We want nothing but what is fair and just to all parties concerned. No matter how badly the so-called "Liberals" have ruled Tooele County, no matter how much they have depreciated its credit, no matter how much they have defied the wishes of the bulk of its citizens, if they have a majority of legal votes in the returns which they are trying to get rid of, let them be installed into the positions they are striving so hard to obtain. But if it can be made to appear that the voice of almost the entire County has been uttered most emphatically against them, let them be made to retire into that oblivion from which they would never have been raised except by the most palpable frauds at the polls, and let the men whom the people have chosen be protected by the Court in their undoubted rights. We do not believe that the Courts of this Territory are willing or can be influenced to play into the hands of a few unprincipled men, who are evidently striving to made void the will of the people expressed in good faith at a fair and free election. We look for justice and claim it from the properly constituted authorities. If a majority of the legal voters of Tooele County have cast their ballots for the men whose names are presented to the Court as elected, we will approve the action of the Court in sustaining them. But if, as we are assured, there has been a criminal and malicious attempt made by the acting officials of that County, to deprive the men actually elected of the offices to which they are legally entitled, we hope the Court will not only sweep away the subtleties and chicanery of the offending officials, but take such action in their case as will prove a warning and a deterrent to others in all time to come.

A CUP OF TEA.

"ALL wholesome herbs God hath ordained for the constitution, nature and use of man. Every herb in the season thereof; and every fruit in the season thereof; all these to be used with prudence and thanksgiving." So says the Word of Wisdom, given by revelation through the Prophet Joseph Smith. Among the "wholesome herbs" which Mother Earth has provided for her ailing children is that stimulating, cheering, widely used and greatly abused production called tea.

The tea shrub flourishes chiefly in China, into which country it was introduced from the Corea about the fourth century, and its cultivation was extended to Japan about the ninth century of the Christian era. It was not until near the close of the sixteenth century that its use became known to Europeans, when the prepared leaf made its way to England through India, whence it was forwarded in small packets and commanded as high a price as fifty dollars a pound. Its consumption now

is enormous, and it has passed from the sphere of medicine, where it properly belongs, into the position of a general beverage and is regarded by many people as one of the necessities of life.

It is cultivated principally on the side hills, on very rich soil. It is an evergreen, but the leaves for use can only be gathered at certain seasons. The first picking, in April, gives the choicest yield, when the young buds just bursting forth, afford tender leaves of the finest flavor, almost too delicate to stand the effect of sea transportation. Russia receives a great deal of the spring crop, overland, and pays a very high price for it. The next picking is in May, and the third later on in the year, the last being greatly inferior to the others and the leaves bitter and woody. The flavor is developed by roasting. Green tea for the market is manufactured by roasting immediately after the gathering and by hand-rolling and careful drying. Black tea is prepared in a similar way, but the leaves are allowed to remain for some time exposed to the air before being placed in the pans, and again after the first roasting, finally being dried over a charcoal fire. Thus either black or green tea may be produced from precisely the same kind of leaves.

Various flavors are imparted by the use of odoriferous plants. The green teas prepared for foreign markets are generally colored by artificial means. The dull green of the leaf without this manipulation is not attractive to the eye of the public. The leaf that suits the Chinaman does not please the European or American. Prussian blue, indigo and gypsum are used in China to put on the tint which recommends the product to the "heathens" of Christendom. This opens the way for immense frauds and the poisoning of millions of human stomachs, not sufficient to produce death, but enough to be the parent of many ills from which habitual tea drinkers suffer and wonder what is the matter with them.

Damaged leaves are doctored for the foreign market, and in England and America, old leaves that have been once used are gathered up and fixed to appear "as good as new." At one time a variety known as Lie-tea, was supplied in large quantities from China, and at first was in great demand, as it was of considerable strength and had a good, rough flavor. It was composed of tea dust, leaves of other plants, quartz, oxide of iron and starch. The importation of this nice mixture for the tea-pot has ceased, but "Christian" ingenuity has taken up what the Mongolian has laid down, and teas are manufactured in both hemispheres in a manner and to an extent which will surprise the unsophisticated.

The large hotels and restaurants in the great cities find a ready sale for all the tea leaves they can save after use. These are re-dried on copper plates, re-cured by a strong acid, and colored with various ingredients according to the kind desired. Among the articles used for this purpose are sulphate of iron, rose pink, logwood, plumbago, starch, copperas, gum, catechu, China clay, soapstone, talc, turmeric, Prussian blue, gypsum, etc. Besides the re-dried leaves, the leaves of the sloe, beech, elm, horse-chestnut, ash, plum, willow, poplar, and hawthorn are "fixed" and mixed with genuine tea. Critical investigation with chemical experiments and the use of the microscope have proven these facts beyond successful contradiction, and cases before the courts in London and New York have revealed the existence of wealthy companies and extensive factories engaged in the manufacture of adulterated teas.

Who knows, when he sips his fragrant "cup of tea" what he is really putting into that delicate organism, his wonderfully constructed body? The peculiar "bequet" which is so grateful to palate and nostril, may be a deception and a snare, and the strength essential to meet the stomach's cravings a sickness-bearing counterfeit.

Pure tea, and we believe that Utah is favored with this article to a larger extent than most localities, is not intended by the Creator for an article of diet. It is a medicinal plant, and in that sense is a wholesome herb. It should therefore be "used with prudence." Its action is principally upon the nervous system. That is why it is so beneficial in some kinds of head-

ache. It quickens the pulse somewhat, and stimulates the skin to action. It is an antidote for opium and tartar emetic poisonings. Persons constantly engaged in the handling and packing of tea, after a time are attacked with giddiness, headache and, finally, if they continue, with paralysis. Its principle properties as shown by analysis are tannin, casein, gum and fibre, with theine, water and minute quantities of mineral, and an aromatic oil which gives it its peculiar flavor. The nutritious matter is mostly thrown away in the waste leaves as hot water extracts but little of it, and the stimulating properties therefore are its chief strength.

If this wholesome herb were used with judgment and skill and that prudence inculcated in the revelation from which we have quoted, many of those numerous disorders which have become so common, particularly among the ladies in these latter times, would be avoided. It is evident that it was not intended by the Creator for a beverage, even in its unadulterated state. And when we consider the deleterious substances with which the manufactured article is coated, we can well understand why, one reason assigned for giving the Word of Wisdom by its divine author was, "in consequence of evils and designs which do and will exist in the hearts of conspiring men in the last days."

"Shall we have a cup of tea?" Yes, if you need it as a medicine, if the condition of your body requires a stimulant; and judgment, not appetite, should decide this question. And seeing that a great many people will have their cup of tea, no matter what may be said or proven, we hope our merchants and grocers will do all they can to protect the public stomach, and import only those brands which they have reason to believe are genuine, uncolored and unadulterated. If not, there will be sickness in the "comfortable cup" and the dregs of death in the pot.

THE THREATENED DEAD-LOCK.

THE special session of Congress now sitting, was rendered necessary in consequence of the failure of the last Congress to pass the regular appropriation bills, for the army and the legislative executive and judicial expenses of the Government. The reason of this failure was an attempt on the part of the Democrats to tack on to and pass with these bills provisions abolishing the laws requiring a test oath for jurors, permitting the presence of military at the polls and appointing supervisors at elections. These being Republican enactments, the members of that party stubbornly opposed their repeal.

The new Congress is composed of a majority of Democrats in both houses, but not sufficient to pass any bill over the President's veto. The passage of the appropriation bills, with these provisions attached, would in all probability be made void by the President's refusal to attach his signature. Should this conflict between Congress and the Executive continue, the Administration will, after July 1st, the beginning of a new fiscal year, be without money to carry on the government.

This is the threatened dead-lock alluded to in the telegraphic dispatches from Washington. It is for the benefit of those who do not read or keep track of those telegrams that we make these explanations, and also the following remarks in regard to the measures which the Democrats intend to pass, if possible, either by separate legislation, or by adding them to the appropriation bills so as to make the President responsible for the financial difficulties that will arise if he refuses his signature thereto.

The test oath for jurors is a law passed June 17th, 1862, and aimed against secessionists. It provides that at any term of a United States court, any person summoned as a grand or petit juror may be required to take an oath, that he has not, without duress or constraint, either taken up arms against the United States, given aid or comfort to any rebellion, nor directly or indirectly counselled or advised or given money or other support to any one

who has joined or is about to join in any insurrection or rebellion against the United States. On refusal to take this test oath the person summoned is to be set aside.

It can be readily seen that this law is very obnoxious to the people of the South, and that it gives the Republicans a far better chance to sit on juries than the Democrats, as few of the latter in the South can conscientiously subscribe to the oath. Seeing that the issues of the war are virtually accepted by the country, and that amnesty has been granted to the great majority of those who supported secession, the repeal of this law is a reasonable demand of the party now rising into power, and is in accord with the spirit of the times.

The provision permitting the military "to keep the peace at the polls," was enacted February 25th, 1865, and is regarded as an impolitic extension of the powers of the army and a menace of the party in power upon the liberties of their political opponents. It is certainly the duty of the several States to control their own internal affairs and to keep the peace by their own authority and force, and it is contrary to the generally received ideas of the powers of the Federal Government to surround the polls with United States troops, whose presence has a color of intimidation whether any should be intended or not. The repeal of this portion of the law would be generally received with satisfaction.

The law in relation to supervisors of elections was passed February 28, 1871, and contains a number of lengthy provisions, the chief of which we will endeavor to summarize. In any city or town having upward of twenty thousand inhabitants, when two citizens thereof, or in any county, parish or congressional district, ten citizens thereof make known in writing to the Judge of the Circuit Court of the United States for the circuit wherein such place is situated, that they desire to have an approaching registration or election for Representative or Delegate to Congress scrutinized, the Judge, in court, may appoint two supervisors of election for such election district or voting precinct. When the Circuit Judge is unable to do this, he may appoint a District Judge to perform that duty. The supervisors are authorized to attend the registration and election as well as the counting of votes, and scrutinize all the proceedings, challenge voters, see that certificates are properly made, and stay by the ballot box and returns until every duty in relation to the canvass is completed. The Circuit Courts are also empowered to appoint for each judicial district in their circuits a Chief Supervisor from among the Court Commissioners, to hold office as long as he is faithful and capable. In case of any interruption of these supervisors in the performance of their duties, they may call to their aid the U. S. Marshals and their several or special deputies, who can arrest any person so interrupting, and take him before a Commissioner or Judge of the United States, who can proceed against him under the criminal law.

Thus, it will be perceived, great power is placed in the hands of these supervisors, and particularly the Chief Supervisor who is also a Commissioner authorized to hear and act judicially on complaints made before him. He is allowed special fees for filing every return, report, record, document or other paper; for affixing his seal thereto; for entering and indexing his record; for arranging and transmitting reports to Congress; for giving a copy of any paper, etc.

Under this system, it is claimed, thousands of lawful voters have been kept away from the polls. The case of Commissioner Davenport, of New York, is an illustration. At the last election, as proven by testimony before the courts and in Congress, he caused the arrest of thousands of citizens and prevented many others from voting by intimidation, taking care to keep close enough to the line of the law to show some semblance of cause for his action. By this means he made a large sum of money, in fees, besides helping the Republican party to keep Democrats away from the polls. No wonder then that the system is obnoxious to the party which has suffered most from its workings, and that they are now determined to sweep it away from the statute book of the nation.

By the aid of the test oath the Republican party have been able