

## THE SANCTUM AT MIDNIGHT.

BY HOOD ALSTON.

In the easy chair sat editor Wright,  
As I entered the sanctum late one night  
To sign for the paper and pay my dues,  
And read the latest local news.  
I had been absent, I remember,  
Since the middle of September,  
And now bitter, cold December  
Seemed to make each burning ember  
Glow more brightly than before;  
And the snow without was flying,  
And the winter wind was sighing,  
Another year was dying  
As I entered at the door.  
Being anxious for a paper,  
I did not linger at the scraper,  
But through the passage glided  
To the sanctum uninvited.  
There the editor sat before me,  
And he seemed to ignore me,  
And a feeling vague came o'er me  
As I stood upon the floor,  
That my presence was not wanted  
In that place by silence haunted;  
And I felt that I was wanted  
Just outside the office door.  
Why with fears should I be shaken  
For the step that I had taken?  
To be sure he was an editor,  
But then I was not his creditor.  
Thus amid my wild confusion  
I at length formed the conclusion  
To consider the intrusion  
Only a mad delusion.  
And I had a perfect right  
In that office. But the creature  
Never stirred a limb or feature,  
And I felt that mother nature  
Was betrayed there in my sight.  
I felt a conscious horror, dread,  
As if in presence of the dead,  
As if no living human creature  
Could assume such marble feature.  
But I knew him to be dreaming  
Of that land with beauty teeming,  
Or fishing deep in the eternal  
For thoughts to fill to-morrow's journal,  
On that dreary winter night;  
But my thoughts were all unspoken,  
And the stillness was unbroken,  
And my silence was a token  
Of respect for Editor Wright.  
For I thought it would be hateful,  
Most unholy and ungrateful,  
Not to leave him thinking, thinking,  
Deep of the eternal drinking  
Draughts of infinite perfection;  
So I left without detection,  
Without severing the connection,  
Deep impressed with the reflection,  
On that dreary winter night,  
That while other men are dreaming  
The sanctum lights are gleaming  
And editor's brains are teeming  
With science' holy light.  
—Ogden, Christmas, 1873.

## A Judge Holds that a Man can have Two Lawful Wives.

Letters have been received by eminent counsel of this city from citizens of San Bernardino—lawyers and others—craving advice and assistance in an effort to settle perhaps the most perplexing question yet born of the new law codes. The question and the case in which it arose, are alike passing strange. The question, as suggested in the caption above, is: "Can a man have two lawful wives in California, under the new law codes?" The case is that of *The People vs. Oades*. It has been just decided in the County Courts of San Bernardino and the decision settles the aforesaid question in the affirmative, so far as that Court is concerned. Time was when Mormonism flourished in San Bernardino county. Is it about to re-erect its throne there?

An Englishman, named Oades, of good education and address, located in the county named about two years ago. He was alone, but it was not long before he found it was not well for him to continue so. He met a young widow of great beauty of mind and person—Mrs. Nancy Foreland—with whom he became, pardonably enough, infatuated, and who, to his joy, reciprocated to the uttermost fullness his devotion. In due time they were married, and settled upon a choice piece of land which Oades had purchased in Temescal township, in that county. This was in January last. One of the fruits of the union is a child, now about a month old. The married life of the twain opened auspiciously and continued prosperously. Oades was contented with his bride and farm, which he cultivated diligently. His wife was faithful and industrious, admired as much for her qualities as a housewife as for her loveliness, which, indeed, is of that type which needs not the aid of foreign ornament, but is, when unadorned, adorned the most.

Ten months of wedded life passed smoothly by on this peaceful farm:

So calm the moments scarcely seemed to stray,  
And yet they flew like happiness away.

About two months ago a woman, accompanied by three children—two boys and a girl, the eldest nearly grown to man's estate—put in an appearance at the quiet town of San Bernardino. The mother's locks told of the winters through which she had passed, while her features showed that hers had been a hard fate and that she had been a life wanderer. She soon made known the cause of her presence; she was looking for a man named Oades, who, she had heard, was living there or near there. Being directed to his cosy farm-house, she quickly turned her steps thither with her children. The wanderers reached at last their destination. The door was opened to them, and closed behind them. It is still closed upon the extraordinary scene which must speedily have followed. Let it remain closed, that peering eyes may not gaze upon the unparalleled spectacle. The door is wide open, however, to later developments, which will be briefly disclosed.

## Victory No. 1.

Temescal township is like every other California township in one respect; everybody knows everybody else's business. Shortly after the unknown woman with the three children found a home under the farmer's roof, it was generally understood that Oades comforted himself towards them as a husband and father. The indignant neighbors, which phrase includes all the meddlesome busybodies, as well as all the severely virtuous people of the vicinity, sent up a long howl over the open profligacy which was being practiced before their very eyes. A criminal complaint was filed before a justice of the peace, one Billings charging Oades with open and notorious cohabitation and adultery, under the act of March 15, 1872. Oades would not have got off like the lawyer, Mace, of this city, because his cohabitation with the strange woman was open and notorious, had he not introduced in his defense documentary evidence of a rather binding character, which took all San Bernardino by surprise. He proved that the woman was his lawful wife, having been married to him in England twenty years ago. From England they emigrated to New Zealand, where their children were born. This evidence could not be rebutted, and the charge of adultery was dismissed. Oades then returned to his two wives.

## Victory No. 2.

A few days later he was taken before the same Justice, charged, this time, with open and notorious adultery with Mrs. Nancy Foreland—Mrs. Oades No. 2. On this trial the consternation which Oades threw into the camp of his persecutors was something beautiful to behold. Assisted by the best of local counsel, and armed behind the bulwarks of the new law codes, he "foiled their wild rage with steady skill." He, or, perhaps, more properly speaking, his lawyers, took the ground that even if all the facts alleged by the prosecution were admitted, a conviction could not be had in this case under the second subdivision of the sixty-first section of the Civil Code. It is there declared that "the marriage of a person having a former husband or wife living, is void, unless such former husband or wife was absent and not known to such person to be living for five years immediately preceding such subsequent marriage—in which case the subsequent marriage is void only from the time its nullity is adjudged by a proper tribunal."

The Justice, upon examination, said this proposition was too clear to be disputed, and the only thing for the Court to consider was when Oades married Nancy Foreland, had Mrs. Oades No. 1 been absent and not known by Oades to be living for five years immediately preceding. Oades then introduced this romantic history:

About eight years ago he was living with Mrs. Oades No. 1 and their three children in Wellington county, New Zealand. Their residence was on the frontiers. Having gone on business to Victoria, the Maoris, a native tribe with which the English were at peace, made an inroad into the settlements without warning. Returning, Oades found his buildings burned, his fields laid waste and his family gone. In the smoking ruins he found human bones, which

settled his doubts as to the fate of the loved ones. He stayed amid the scenes of his desolation for over a year, then turned his back upon them for ever. He came to California, living in various places until his advent at San Bernardino two years ago, as stated.

The Court on this held that Oades had been ignorant of the existence of his wife for more than five years, when he married Nancy Foreland. The accused again returned home in triumph.

## Victory No. 3.

A trial for bigamy was the next thing in order. On the advice of the District Attorney Cokeman the Grand Jury indicted Oades for bigamy. At the trial, as may well be imagined, everybody was present with his wife. Oades was present with his two wives. The District Attorney made an eloquent plea for conviction, quoting enough Latin to crush any man less strongly entrenched than Oades. Admitting that the accused was ignorant of Mrs. O's existence when he took a second wife, his voluntary cohabitation with both women, after learning the facts, was to be taken as conclusive proof of a guilty intention *ab initio*. *Acta exteriora indicant interiora secreta*.

But all the District Attorney's eloquent Latin was thrown away. The defendant's counsel appealed to the Penal Code, which provides that no person shall be held guilty of bigamy whose husband or wife had been absent for five successive years without being known to such person as being living. The learned Judge said he could not get around this provision.

A third time Oades walked forth from the courtroom flushed with victory, and escorting his two wives to neutral grounds.

The excitement and disquietude which prevailed in San Bernardino over this "terrible scandal" may, indeed, be better imagined than described. The San Bernardino lawyers have almost contracted brain fever in trying to ascertain a legal way to remove the "awful reality." Believing in the law maxim, "that for every wrong there is a remedy," and having despaired of ever finding a remedy for the awful wrong aforesaid, they have, as stated, appealed to shining lights of the San Francisco bar, and also to one of the code makers, for advice. In their distress they have the sympathy of the people of every section of the Union but those of Utah. Funny, will it not be, if they fail to beat Oades and his lawyer in the end? Our most serious regret, in detailing the history of this matter, is that we have not learned the name of Oades' lawyer. His fame is sure to spread abroad "wide as the waters be."

## Victory No. 4.

P.S.—Since Oades was acquitted of bigamy, it has been contemplated to institute a suit to dissolve his second marriage; but the Civil Code, Section 83, Subdivision 2, declares that an action to annul such a marriage can be brought only by one of the parties to the second marriage, or by one of the parties to the first marriage.

Oades will not bring such a suit, nor will either of his wives, who get along together amazingly well, under the circumstances.

What next? Hurrah for Oades!—*S. F. Post*, Dec. 22.

## The Lost Balloons.

M. Wilfrid de Fonvielle, writing from Paris, says that the particulars of the course of every balloon, save two sent up from Paris during the Franco-Prussian war, are known.

One of the two lost was the *Jacquard*, sent up on November 28, 1870. The aeronaut was a sailor named Prince. He was seen by some fishermen traveling westward over British seas, and to drop a letter bag, which was picked up, handed over to the French officials, and regularly delivered. The azimuth of his course was northwest.

The second balloon lost was the *Richard Wallace*, which left Paris on January 27, 1871, two or three days before the capitulation. The aeronaut was M. Lacaze, who had been educated in aeronautics by Godard. The balloon was lost sight of in the direction of Rochefort after dawn. He had been spoken previously by some peasants when at some distance from the sea, and advised to stop. He desired, however, to land nearer Bordeaux. His balloon was traveling in a

southwesterly direction, and some African lateral current may have carried it over unknown lands. M. Lacaze was a man of fortune, and legal proceedings have been taken by his family to declare him deceased. It is not impossible that the aeronaut may have escaped, as it is reported that a parcel of letters was discovered in Natal, Africa, not long since. These letters have been sent to the French postoffice, but have not yet been received, and it is thought they may turn out to be those sent by the lost balloon. M. de Fonvielle says:

"If no trace of the car was discovered by the Natal men it must be considered a proof that the aeronaut has made his descent at a place at some distance but not very far, as a balloon, when nobody is in the car, cannot by any means be supported in the air, even with a strong wind. I suppose he must have landed at a distance not exceeding 1,000 miles in the interior. As far as I can form a professional opinion in the matter, M. Lacaze must have cut his ropes and let his balloon go so as to shorten the time of his being dragged on the ground. He may possibly have jumped out of the car and killed himself in falling, or have been starved in desert lands, or murdered by natives. But my opinion is, as far as I can form one, that he was blown by the wind alive over Africa, and that over Africa the last tragedy was played, with a result which is unknown up to the present moment."

## The Woman who can Clothe Herself on \$50 a year.

BY ONE OF THE SEX.

Six pair of hose, at thirty cents, will cost \$1.80. Two pairs of boots at \$3.50, and a pair of rubbers, \$1.50. This, if preferred, might be changed into one pair of boots, one of shoes, and one of slippers. The rubbers must be had for wet weather. Next should be bought eight yards of flannel at three shillings per yard, costing \$3. This will make two pairs of drawers and two undershirts. The Shaker flannel will be the best for these. Next the underwear in cotton will require forty yards of cotton, which may cost fifteen cents a yard, and for which a very good quality can be purchased. This will make three chemises, seven and a half yards; three pair drawers, six yards; two night gowns, ten yards; two outside skirts, ten yards, and two undershirts, six yards. Next, for wet or cold weather, a gray flannel skirt, to be worn next to dress, requiring three yards of flannel, at fifty cents will take \$1.50. A heavy ready-made dress may be purchased for \$5. We have seen one recently made of waterproof, which seemed to be just the thing for constant wear in cold weather. Another dress for a change, or to be worn on Sundays, might also be bought for \$5, or made up of alpaca at home, but would then possibly cost more, though twelve yards of alpaca, at thirty-seven cents, would cost \$4.50, leaving fifty cents for waist linings, facings and buttons. Hardly enough, though it might be made to answer. The best plan would seem to be to buy the dress ready made of some reliable firm. Next a cloak or sacque of cloth at \$5. These are frequently offered in a very good material, and cut in a style corresponding with the customary mode. Two hats—the winter one costing \$3, and that for summer \$2. If one has a little taste in these matters, and can buy the materials and do her own millinery, she will be able to make this amount produce very satisfactory results. Next a shawl, for which \$1.50 to \$2 may be paid, and which will be pretty in the spring. Two print dresses at \$3, and a Victoria lawn or muslin, twelve yards, at 20 cents—costing \$2.40. We have now left from our \$50 the amount of 2.80. A yard of linen, at 50 cents, will make collars and cuffs, which might be done at home; and 75 cents more will purchase worsted and a crochet-needle, with which a nubia can be crocheted. This leaves but \$1.55, which must be used for gloves.—*Ex.*

The *Inyo Independent* says: "We are told by parties who have been up the country that the carcasses of cattle, dead from cold and starvation, are to be seen in very many places. Some say that at least 500 head have thus perished, but we are inclined to think the estimate fully twice as large."

## San Juan.

The following is the principle portion of a letter in the *Pioche Record*, from Pat Quinlan to his brother James, dated Del Norte, Dec. 4—

"This town is located on the Rio Grande, 250 miles from Denver and 160 miles from Pueblo, between ranges of the Rocky Mountains. I would not advise any one to take the route we traveled to get to the mines, or to come this way. The Animas District is about 105 miles from here by the trail along the Rio Grande, which is impassable at present, and obliging us to go around by the Tierra Maria, in New Mexico, making a distance of 228 or 230 miles to Animas Park, where we will have to winter. I am told that this park is one of the most beautiful spots in the Western country, the soil being very productive for all kinds of grain and vegetables. The mines are located about thirty-five miles from this park, running in different directions on different mountains. On one of these ranges is the famous Little Giant mine, which I am told has given assays as high as \$37,000 in gold per ton. The mine sold last year for \$38,000. In close proximity to the Little Giant is the Green Mountain, a silver mine, which is held at \$400,000. The sale of the Little Anna mine (gold), located in Summit District, thirty-five miles from this point, was made at Washington, D. C., to an English company, for half a million dollars, about six weeks ago. There have been 3,100 locations secured in the past two years, which have shown an average assay of 300 ounces. We bought a team here, paying \$450 for the same, there being no other mode of conveyance into the park; hence we concluded that the above would be the cheapest way. The most direct route for any party coming from there is to come down the Colorado river, it being about 450 miles by that route, while by the way we came it is all of 1,000 miles. Therefore you will see that it is advisable to take the other side of the range."

## The Lawrence Extradition.

Captain Joab Lawrence, whom we recently mentioned as being in durance vile in New York City, where he was awaiting a requisition to take him to Michigan to answer a criminal charge preferred against him by Captain Eber B. Ward, of Detroit, will probably escape the toils which his enemies were spreading for him. The charge against Lawrence is that he "salted" a mine in Utah called the *Eureka*, and swindled Ward and his partners out of several hundred thousand dollars. Ward has brought a suit in New York against Lawrence for damages and a rescission of the contract, to which Lawrence expresses his willingness to answer. Not content with this, Ward procured a requisition from the governor of Michigan upon governor Dix, of New York, and sent an agent armed with this writ to bring the prisoner west. This agent overreached himself, and probably spoiled Ward's plans. In the presence of a deputy sheriff of New York, the agent proposed to settle with Lawrence, and release him from the criminal charge, if he would make pecuniary satisfaction to Ward. These facts being brought out, Lawrence's counsel, who appeared before governor Dix to resist the application for a writ of extradition, argued that the Executive had a right to exercise his discretion in such cases, and cited two decisions of the United States Courts to show that the constitutional requirement for such a writ was not preemptory. They claimed that if the governor was satisfied that the writ was sought in this case as ancillary to the civil suit instituted by Ward, he would be justified in rejecting the application. Ward's attorney insisted that the governor had no discretion, and could not look beyond the papers defining the crime and identifying the prisoner. The question is an important one. Lawrence's friends say that there was no fraud practised upon Ward, and that he has no just ground of complaint.—*Missouri Democrat*, December 26.

Francis Conroy, while trying to climb a picket fence on Van Ness Avenue, San Francisco, impaled himself on one of the pickets, and before assistance could reach him he was dead.