

Light Battery, Volunteers, sweetly and impressively sang, "Nearer, my God, to Thee" and "Rock of Ages," the chaplain read a short prayer, the band played America, the guns thundered three volleys, the flower and color bedecked plank was tilted and all that was earthly of Private Jinks was rocked on the bosom of the deep.

NOD RESSUM, C. V.

#### GENERAL STONE'S WILD RIDE.

Ponce, Porto Rico, Aug. 3.—[Correspondence of the Associated Press.]—The Porto Rican natives, especially the poorer classes, have given us the most enthusiastic welcome. They had dreamed for years of the time when the hand of the oppressor would be removed from their throats, and now it has come. With the exception of a few of the rich, they seem to care little about the independence of the island. The old revolutionists, ambitious for political power, inquire anxiously if we will retain possession of the island, and shout enthusiastically. But a great many care little for the independence, apparently sure of the conviction that we came to drive out the Spaniards. Last Tuesday the writer accompanied a reconnoitering expedition under General Roy Stone of Pennsylvania into the mountains north of Ponce. It was remarkable in more ways than one. Gen. Miles had ascertained that the enemy's position at Albonito was almost impregnable, and he had decided to turn the left flank of the Spanish position, landing Gen. Brooke at Arroyo and moving his column to Cayey, in the rear the Spanish position at Albonito. The advisability of a movement by our left flank was also discussed. This could be done if the road across the mountain to Arecibo, on the north coast, was passable.

The reports were that there was a fine carriage road from Uauabo to Albonito. The only question was as to the character of the road as far as the former point. Gen. Stone volunteered to make the reconnoissance. He took with him several men of the signal corps, four newspaper correspondents in carriages, armed with Remingtons and C company of the Second Wisconsin. The start was made at noon. The road led straight up to the top of the mountain for ten miles, and the infantry was soon far behind. The carriages were drawn by native ponies and went up the mountains on a gallop, except when the reckless drivers stood up to berate the animals. It was right into the heart of the enemy's country. The road rises to an altitude of 5,000 feet and goes right into San Juan. It is a marvelous piece of engineering. At times it is hewn out of solid rock, hanging over sheer cliffs, a thousand feet deep. The scenery of the Alps, though bolder of course, is not more beautiful. Everything is covered with luxurious tropical verdure, even the rocks. Brilliant flowering plants and trees splash the creed with vivid color. Once at the top the complete military road is adjuntas, ten miles off. The drivers drove like Jehus. The vehicles have no brakes, and the little ponies on the descent were on the dead run to keep away from the wheels. Bounding, turning, swaying, now an inch from a precipice on but two wheels, and now swinging into the side of the cliff, the occupants holding on for their life, the vehicles went at a terrific pace as the drivers whipped their mad beasts. One false step would have sent us whirling off into space. No other driv-

ers could have accomplished this feat. One more descent we went tearing down, into the town. As rapidly as had been growing the pace, we drove on until at a gallop, the women and children lining the streets, bombarded us with bouquets of roses, fuschias and wild flowers, while the men who formed the background cheered and cried, "Down with Spain."

A quaint little town in the mountains has a picturesque square where the people can gather to cheer and to welcome. They had some American flags which were waved everywhere. The alcalde welcomed Gen. Stone formally, but the latter made the assembled populace a speech from the veranda of the town hall. In their enthusiasm the people could not wait for translation. Every sentence they cheered. Then they cheered the translation. It was dark when the formalities were over and every citizen constituted himself a reception committee besieging the members of our party with invitations to dinner. General Stone finally accepted the invitation of a rich English engineer, who had lived there fifty-four years. His children spoke nothing but Spanish and French, and the old gentleman was so delighted that he can still speak English that he would not take no for an answer.

"I was afraid I had forgotten my native language," he said, speaking slowly, as if groping for his words. "Of course I can. I read English books, but no one here speaks English, and the words sound strange to me. It is like a memory of former existence to hear you talk. But it is a pleasure. I thank God an English speaking people has come at last."

The correspondents insisted upon going to the hotel, taking with them a half dozen natives who had been pressing their invitations, and we had dinner with half the town at the doors and windows. Our guests wanted to drink our health at every pause in the conversation and several times during each of the courses. They appeared intensely grieved when we declined to sample all the different kinds of wine they offered us.

After we had finished, the natives began to show alarm. They had supposed that many troops were behind us. Two hundred Spaniards had retreated through the town in the morning and the natives feared they would return. We informed them that our troops would be up in an hour or more, though we knew they were miles behind. After a council of war, Gen. Stone decided to suggest to the natives the advisability of their maintaining a line of outposts around the city, pending the arrival of our troops. This they agreed to do, while we arranged our sleeping quarters. But the enemy did not appear. Several times crowds came under our windows and awoke us with cheers.

#### INSANE MAN GETS HIS RIGHTS.

The Supreme court has delivered an opinion in the case of S. W. Mosby, guardian ad litem of Daniel S. Mosby, vs Mathen T. Gisborn, the Geyser Mining company and Emerine Dressler, reversing the judgment of the lower court and ordering judgment to be entered in favor of the plaintiffs.

Daniel S. Mosby is now an inmate of an insane asylum in New Mexico. Action was brought by S. W. Mosby, guardian and brother of the insane man, who asked that a decree of the Third district court of the late Territory of Utah, entered on Sept. 1, 1888, in an action wherein the defendant, Gisborn, was plaintiff, and the defendant, Emerine Dressler, was defendant,

be annulled, that a deed executed by her to the defendant, Gisborn, which she purported to execute as the guardian of Daniel S. Mosby and his estate, be cancelled. The decree and the deed were assailed on two grounds, viz: First, that the court in which the decree was rendered did not acquire jurisdiction over the person of Daniel S. Mosby. Second, that the decree was procured by fraud on the part of Gisborn.

On Nov. 8, 1880, Gisborn was the owner of the Geyser mining claim at Mercur and sold a half interest in it to Daniel S. Mosby for the consideration that Mosby advance \$2,000 to develop it and, if required, another sum of \$1,000. Mosby paid the \$2,000 and became a half owner in the claim and received a warranty deed to it. About 1883 Mosby became insane and ever since has been in the asylum in New Mexico. Gisborn and Mosby's mother, Mrs. Dressler, a lady of 74 years of age, were on very friendly terms and, according to the finding of the court, Gisborn exercised undue influence over her on account of their friendship and persuaded her to be appointed the guardian of her insane son. Gisborn, the court also found, persuaded Mrs. Dressler that the money paid by her son for a half interest in the Geyser claim was simply a loan, secured by a mortgage on the property. Mrs. Dressler in her capacity of guardian was then made a defendant in a suit brought by Gisborn to have such declared to be the fact, and when such was accomplished and the amount of the mortgage paid, Gisborn received a clear deed to the property.

The case was tried by Judge Hiles, who, while he found the transactions of Gisborn were fraudulent, decided that he had no option but to dismiss the case.

Chief Justice Zane, who delivered the opinion, goes into the case thoroughly and says:

"Undoubtedly Daniel S. Mosby held an absolute title to an undivided one-half interest in the Geyser mining property when Gisborn commenced his suit against Emerine Dressler as the guardian of Mosby and that he had held such title for nearly three years before. And it appears from the evidence in the record that Gisborn conceived a scheme before the suit was brought of having Mosby's interest decreed to be in effect a mortgage to secure the payment of the \$2,000 he had paid for it. To accomplish this end he represented to Mosby's mother that it had been so agreed between Mosby and himself in the summer of 1882, because her son had not advanced an additional sum of \$1,000 he had agreed to; that he promised her \$3,000 if she would consent to be appointed her son's guardian, who was then insane, and that she consented and was appointed, and was then made defendant to Gisborn's action to have Mosby's interest so declared. It is also true that Gisborn, in his complaint, falsely represented that Mosby held the deed to one-half of the claim simply to secure the \$2,000, and that he controlled the defendant's side of the case as well as his own; that he prevented Mrs. Dressler from setting up her son's title; that no defense was interposed, and upon his false testimony the insane man's deed was decreed to be in effect a mortgage to secure the \$2,000, and that the court was imposed upon and misled by Gisborn's false testimony. There can be no doubt that the court would not have granted the decree complained of if the truth had been stated by Gisborn, who was the only witness. Gisborn not only made false statements, but also concealed facts and prevented an answer or appearance in the case. There was no adversary trial. This insane man's