

MORE FIGHTING IN GUATEMALA

Fattle Continues in Neighborhood of Where Regalado Was Killed.

VICTORY FOR FORCES OF CABRERA

Death of Salvador Leader, Whose Acts Precipitated War, Will Lead to an Early End of Hostilities.

WASHINGTON, July 13.—A cablegram received at the State department today from Minister Merry at San Salvador states that continuous fighting is proceeding on the border line between Guatemala and Salvador; also that the Guatemalan troops have crossed the border into Honduras. This letter is understood here to be part of the Guatemalan attack on the fugitives of Regalado's army, after that leader was killed yesterday.

Senior Munoz, the Guatemalan minister here, today received the following cablegram from Secretary of State Barrios, dated at Guatemala City yesterday: "Complete triumph of the Guatemalan army over Salvadoran invading force, Salvadoran General-in-Chief Thomas Regalado killed yesterday at El Jicaro. At the instance of the State department the Navy department today called to Commander Mulligan of the Mablehead at Panama to proceed immediately to La Libertad, on the coast of Salvador, to safeguard American interests.

Martial Law in Guatemala. During the day a cablegram was received at the State department from the secretary of the American legation at Guatemala City. He reports continued fighting near Conzueque, in the neighborhood of the place where Regalado was killed yesterday. The aggressive attitude of Salvador toward Guatemala was, Mr. Brown says, really on account of the personal acts of Regalado's troops, consequently his death has removed the principal obstacle to the restoration of peace. The situation in Guatemala City was very satisfactory. Martial law had been declared and perfect order and security existed last night when the dispatch was sent.

Cabrera in Control of Situation. From these advices the impression is given here that President Cabrera of Guatemala holds the key to the situation and the question of war or peace depends upon the success of the efforts which the State department is now making to induce him to forego attacking either Salvador or Honduras in retaliation for the part played in the attempted revolution by the Salvadoran troops under Regalado. It is reported to the State department that Cabrera has gathered a force of no less than 40,000 men under arms, which is regarded as a distinct menace to the neighboring states, and he will be asked to disband this force upon satisfactory assurance that no further movement shall be directed against him from without.

NEW YORK, July 13.—A telegram from Guatemala says: "Fresh hostilities have taken place on the border. The invasion of the country by Salvadoran troops is considered to be a declaration of war. War is accepted here by official decree. The country has been placed under martial law and there is a general call to arms."

Story of Battle Contradicted. MEXICO CITY, July 13.—This morning's advices from San Salvador confirm the report of the battle of El Jicaro and the

killing of the commander of the Salvadoran troops, General Regalado, but announce a victory gained by General Toledo, of the insurgent forces, on the same day at a point further north, where the Guatemalan army was routed with heavy loss. In an interview here General Barrios, the Guatemalan insurgent, laments the loss of General Regalado, but says there will be no change in the program of the revolutionists. General Toledo is now at the head of the revolutionists in the field and is regarded as the same kind of a revolutionist. The revolutionists claim they will be in Guatemala City within a fortnight. General Toledo now has artillery which he lacked when he was defeated in June. The revolutionists now claim Nicaragua will take part in the war and allow its subsidies to aid the revolutionists, which they insist will result in the speedy downfall of President Cabrera of Guatemala.

Honduras Meeting Troops. NEW ORLEANS, July 13.—A cable message from President Barrios of Spanish Honduras to the Honduran consul general in this city says the number of Honduran troops on the Guatemalan frontier has been doubled for the purpose of preserving peace. The message, which was received yesterday and made public today, says that Honduras is not taking part in the difficulties between Guatemala and Salvador.

The Guatemalan consul here has information that before the battle of last Wednesday, in which Regalado, the Salvadoran leader, was killed, Guatemala had about 5,000 men under arms near the Salvador boundary line and under command of General M. M. Aguilar.

PAPER FROM COTTON STALKS

New Southern Industry with Capital and Confidence to Back It.

The history of paper is largely the history of civilization. It had its name from the papyrus, if not the first, at any rate among the earliest sources of vegetable fiber used to make that sort of a web. The invention of printing, of course, gave an immense impetus to paper-making and the printing processes have improved the demand for paper has gone on augmenting. For a long time rags of all kinds were regarded as the principal material for paper-making. During our revolutionary struggle, though, the demand for paper was slight. Urgent requests were sent to the housewives to save their rags. During the Civil war the confederates were sometimes reduced to such straits as to print newspapers on wall paper, and some notes and receipts of that sort have been circulated. But rags have suffered a sort of eclipse in the matter of paper-making because the needs of the age have forced the utilization of other forms of vegetable fiber. Wood pulp for paper has played a distinguished role in modern times. But in practically all ages numerous forms of vegetable fiber have been tried to a greater or less extent for paper-making. It is possible now that the primacy of wood pulp is to be challenged.

Under the laws of the state of Maine the Cotton States Products company has just been incorporated with a capital of \$1,000,000. Its business will be to make paper from cotton stalks. It is said to be the conception of Mr. Harvie Jordan, president of the Southern Cotton association, who has accepted the presidency of the new paper company, and for that reason is expected to retire from the cotton association. The board of directors is composed of men whose names carry an assurance that the new company means business. W. P. G. Harding, one of them, is president of the First National bank of Birmingham. Another, John Walker, is president of the Republic Iron and Steel company of Birmingham, and William C. Sinden is a banker of Baltimore. The vice president, who lives in New York, bears the name of Samuel F. B. Morse.

Cotton stalks have been what many describe as a nuisance. They have been a source of expense, instead of a benefit to the planter, because they require to be harvested and burned in order to prepare the ground for the next crop. To make paper from them, not only gives them value, but it puts the raw material of the paper at the back door of the mill, eliminating the cost of transportation. Some say that there are 30,000,000 tons of cotton stalks in the south, and that under the new arrangement they will be worth from \$1.50 to \$2.50 a ton. This would mean some \$75,000,000 added to the yearly receipts of the cotton planters. Another estimate, however, is a ton of stalks to the bale of cotton, which would make the amount considerably less. Both estimates are guesses, but the fact remains that the success of this scheme means that cotton stalks will be a source of revenue instead of an expense to the planter.

Mr. Harvie Jordan says that the making of paper from the cotton stalks is one of the most interesting developments of this century, and has already passed the experimental stages. "It has been unquestionably demonstrated that all grades of paper, from the best form of linen grades to the lowest, can be manufactured from cotton stalks. In addition to this a variety of by-products, such as alcohol, nitrogen, material for gunpowder and smokeless powder, can also be secured in paying quantities." The views of the new company are sufficiently ambitious. It is suggested that paper mills shall be placed at intervals of five miles over the cotton belt. Possibly that will be too many paper mills, but the suggestion is eloquent the confidence felt in the new method. A by-product will be denatured alcohol, which is estimated to be 9 per cent of the total tonnage. It will be used to operate the necessary machinery.

This scheme is of interest to the consumer of paper, as it promises greatly reduced prices for this product. The bulk of material now used comes from spruce, which, with the depletion of forests, promises to become annually more expensive, while the demand is continually increasing. Paper manufactured from the cotton stalks is said to be of the strongest texture and softest finish. Several plants in the south are expected to be in operation by the beginning of next year.

That paper may be manufactured from cotton stalks, there is no reason to doubt. The economical features of the experiment have yet to be tested by the manufacture of paper in commercial quantities.—Louisville Courier-Journal.

LOSS SCALED THIRTY MILLIONS

Insurance Companies Eliminate Large Amount from Liability for San Francisco Disaster.

SAN FRANCISCO, July 13.—The Call publishes today statements of thirty-five insurance companies doing business in this city which have been filed in the insurance departments of New York. According to these statements, which have been sworn to, the gross losses of thirty-five companies alone were \$18,000,000. The net losses are but \$48,000,000, which shows a reduction to the benefit of the companies on their ledgers to the amount of \$30,000,000 from the gross aggregate.

The reinsurance money to be received by thirty-five companies is stated to be \$15,000,000 in round figures, leaving the large sum of \$13,000,000 to be accounted for as salvage. More than 100 fire insurance companies were losers in San Francisco. They will all make sworn returns.

See Want Ads are the dependable seeds of success.

SUPREME COURT SYLLABI

14874. South Omaha National Bank against McGillivray. Error from Chase. Reversed and remanded. Barnes, J. 1. A chattel mortgage on a specified number of cattle, describing them by age and brand, and reciting that "the above described stock is in my undisputed possession, free from all liens and incumbrances and is hereby assigned to the section 4, township 5, range 28, Chase county, Nebraska," is not void on its face for uncertainty of description. 2. If it is made to appear that such mortgage was in fact given on a specified number of cattle of the same kind and description, or in other words, on a part only of a herd of cattle of the same kind and bearing the same description, it is void as to third persons unless there has been a separation of the cattle mortgaged to the mortgagee.

14875. Sheppard against Bankers Union of the World. Appeal. Douglas, Seward, Reversed and remanded. Epperson, Duffie, C. Division No. 1. The monthly assessments required from the members of a benevolent society may be increased when it is found that such increase is necessary to meet the needs of its business honestly administered. 2. The monthly assessments provided that on the death of a member the amount due on his certificate should be retained by deducting from its face value the monthly assessments from the life expectancy of such member with four per cent interest thereon. The constitution and by-laws of the society should be construed so as to give effect to the intent of the certificate, and the amount due should be collected only from members thereafter joining, the certificate should continue to pay at the old rate and on their death the increase over the old rate to be deducted from their certificate. 3. The society had the right in settling with the beneficiaries of a deceased member to deduct from the certificate the difference between the rate of the monthly assessments in force when the certificate was issued and the increased rate provided by the amendment computed from the time when the new rate went into effect up to the date of the death of the member, but not for the balance of the life expectancy of such deceased member.

14876. Howard against Omaha Wholesale Grocery Company. Appeal. Douglas, Affirmed. Albert, C. Division No. 1. Evidence examined and held, sufficient to sustain a finding of agency. 14877. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

In an action to foreclose a real estate mortgage the plaintiff is required to allege and prove, as against the owner of the equity of redemption, that no proceedings at law have been had for the recovery of the debt secured by the mortgage. 14878. Hering against Simon. Appeal. Lancaster. Reversed and remanded. Epperson, Oldham, C. Division No. 1.

1. Attorney fees can not be taxed as costs against the successful litigant in an action at law or in equity. 2. In an action in equity, the trial court has a sound discretion in awarding costs, and such discretion is subject to review when unreasonably or arbitrarily exercised.

14879. Rowland against Hollenbeck. Appeal. Holt, Affirmed. Albert, C. Division No. 2. Hall. Affirmed. Albert, C. Division No. 2. Evidence examined and held, sufficient to sustain a finding of agency. 14880. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

In an action to foreclose a real estate mortgage the plaintiff is required to allege and prove, as against the owner of the equity of redemption, that no proceedings at law have been had for the recovery of the debt secured by the mortgage. 14881. Hering against Simon. Appeal. Lancaster. Reversed and remanded. Epperson, Oldham, C. Division No. 1.

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14882. Rowland against Hollenbeck. Appeal. Holt, Affirmed. Albert, C. Division No. 2. Hall. Affirmed. Albert, C. Division No. 2. Evidence examined and held, sufficient to sustain a finding of agency. 14883. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

In an action to foreclose a real estate mortgage the plaintiff is required to allege and prove, as against the owner of the equity of redemption, that no proceedings at law have been had for the recovery of the debt secured by the mortgage. 14884. Hering against Simon. Appeal. Lancaster. Reversed and remanded. Epperson, Oldham, C. Division No. 1.

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14885. Rowland against Hollenbeck. Appeal. Holt, Affirmed. Albert, C. Division No. 2. Hall. Affirmed. Albert, C. Division No. 2. Evidence examined and held, sufficient to sustain a finding of agency. 14886. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

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14888. Rowland against Hollenbeck. Appeal. Holt, Affirmed. Albert, C. Division No. 2. Hall. Affirmed. Albert, C. Division No. 2. Evidence examined and held, sufficient to sustain a finding of agency. 14889. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

In an action to foreclose a real estate mortgage the plaintiff is required to allege and prove, as against the owner of the equity of redemption, that no proceedings at law have been had for the recovery of the debt secured by the mortgage. 14890. Hering against Simon. Appeal. Lancaster. Reversed and remanded. Epperson, Oldham, C. Division No. 1.

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14891. Rowland against Hollenbeck. Appeal. Holt, Affirmed. Albert, C. Division No. 2. Hall. Affirmed. Albert, C. Division No. 2. Evidence examined and held, sufficient to sustain a finding of agency. 14892. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

In an action to foreclose a real estate mortgage the plaintiff is required to allege and prove, as against the owner of the equity of redemption, that no proceedings at law have been had for the recovery of the debt secured by the mortgage. 14893. Hering against Simon. Appeal. Lancaster. Reversed and remanded. Epperson, Oldham, C. Division No. 1.

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14894. Rowland against Hollenbeck. Appeal. Holt, Affirmed. Albert, C. Division No. 2. Hall. Affirmed. Albert, C. Division No. 2. Evidence examined and held, sufficient to sustain a finding of agency. 14895. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

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14897. Rowland against Hollenbeck. Appeal. Holt, Affirmed. Albert, C. Division No. 2. Hall. Affirmed. Albert, C. Division No. 2. Evidence examined and held, sufficient to sustain a finding of agency. 14898. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

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of a summons in the original action may be impounded in a proceeding to revive the judgment. 14877. Lincoln Township against Kansas City & Omaha Railroad Company. Appeal. Kearney, Affirmed. Duffie, C. Division No. 2. A railroad corporation which succeeds to the property and rights of another railroad corporation through the medium of a sale upon a decree of foreclosure or other judicial sale, is not answerable for the general debts of the corporation whose property and franchises are thus acquired. 2. The right of a township in this state to maintain an action to recover the value of bonds by the electors of the township to aid in the construction of a railroad, is not void on its face for uncertainty of description. 14878. Nealon against McGarrill. Appeal. Greeley, Affirmed. Albert, C. Division No. 2.

1. Evidence examined and held, sufficient to sustain the decree of the district court. Where the only parties affected by alleged errors in a decree are satisfied, others will not be heard to complain. 14879. Macfarland against Altschuler. Appeal. Douglas. Judgment of district court reversed and remanded. Epperson, Duffie, C. Division No. 1.

In the absence of an express agreement to the contrary any professional service rendered by a member of a firm of lawyers should be presumed to be for the benefit of the firm. 14880. Froelich against Wilson. Appeal. Seward. Reversed and remanded. Epperson, Duffie, C. Division No. 1.

When the amount of damages awarded by a jury can not be ascertained from the facts proven, the verdict should be set aside. 14881. Sheppard against Bankers Union of the World. Appeal. Douglas, Seward, Reversed and remanded with directions. Duffie, C. Division No. 1.

1. The monthly assessments required from the members of a benevolent society may be increased when it is found that such increase is necessary to meet the needs of its business honestly administered. 2. The monthly assessments provided that on the death of a member the amount due on his certificate should be retained by deducting from its face value the monthly assessments from the life expectancy of such member with four per cent interest thereon. The constitution and by-laws of the society should be construed so as to give effect to the intent of the certificate, and the amount due should be collected only from members thereafter joining, the certificate should continue to pay at the old rate and on their death the increase over the old rate to be deducted from their certificate.

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14900. Rowland against Hollenbeck. Appeal. Holt, Affirmed. Albert, C. Division No. 2. Hall. Affirmed. Albert, C. Division No. 2. Evidence examined and held, sufficient to sustain a finding of agency. 14901. McDowell against Markey. Appeal. Holt, Affirmed. Jackson, C. Division No. 2.

In an action to foreclose a real estate mortgage the plaintiff is required to allege and prove, as against the owner of the equity of redemption, that no proceedings at law have been had for the recovery of the debt secured by the mortgage. 14902. Hering against Simon. Appeal. Lancaster. Reversed and remanded. Epperson, Oldham, C. Division No. 1.

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