

### Court Hands Down a Ruling on Highlander Pioneer Certificates

Further news concerning the litigation in regard to the payment of the Royal Highlander pioneer certificates is contained in a dispatch from Aurora to the State Journal. There are a number of members in the Alliance lodge who are interested in the outcome of this case. In the early days of the society, it issued several thousand endowment certificates, maturing after twenty years. These came due a couple of years ago, and one-tenth of the face of the policy was to be paid each year. After one or two payments, the society refused to pay any more installments, and the holders of the certificates brought suit to compel fulfillment of the contracts.

The Journal says:

Liability of the Royal Highlanders for the payment of all pioneer certificates has been fixed by District Judge Good in the suit tried in Hamilton county some months ago, notwithstanding the fact that the rates which were charged these holders are insufficient to pay them the amount called for. The decision is of great interest to Highlanders, as the claim was made by officers of the society that if it has to pay these it will seriously impair its ability to pay other insurance contracts.

Prior to January 1, 1908, the Highlanders issued a large number of cer-

tificates containing a provision that the society would pay the beneficiary, in case of his having reached the age of fifty and remained in good standing, a sum equal to a tenth of his certificate annually. In a special convention in 1919 the organization passed a by-law prohibiting payments on the installments.

Judge Good holds that at the time the certificates were issued the order was fully authorized to issue them, and that the action in 1919 was an attempt to impair the obligation of a contract and was wholly null, void and of no effect.

In response to requests of the Highlanders and its officers, the court made a number of special findings. It finds that 1,774 pioneer certificates were issued and the amount of insurance covered by them is \$3,166,000; that the number issued since it was voted not to continue making endowment contracts is 26,698, and the insurance covered is \$36,088,750; that the rates under which both kinds of certificates were established in accordance with the edicts of the order; that the action taken in 1919 refusing further payments on the pioneer certificates was unanimous on the part of the lawmaking body of the order, and that no referendum was ever applied for or taken.

The court also finds that when organized in 1896 the Highlanders was a fraternal co-operative or mutual order and not working under the assessment plan contemplated by section 3489 of the statutes of Nebraska for 1905; that while the statutes then existing did not directly or expressly authorize the issuance of these pioneer or endowment certificates, they did not prohibit them, and concludes that they were within the purview of the certificate issued by the state to the society and to that of the certificate of incorporation.

The court further finds that the pioneer members have not paid at any time to the fidelity or mortuary fund an amount sufficient to pay their certificates according to their tenor, nor did they pay an amount sufficient to carry their own contracts of insurance up to April 1, 1920. It says that from the evidence it is uncertain whether under the rates now in force the pioneer members will pay into the mortuary or fidelity fund an amount sufficient to pay their own claims and death losses, excepting the endowment benefits.

In the opinion of the court the payment of these endowment benefits to the pioneers was not a discrimination against the members joining since January 1, 1908, but that the society at each change of rates which was made effective as to those joining subsequent to the change did virtually discriminate between the various classes of certificate holders in respect to rates, and there has been paid by the society to the holders of the endowment certificates a sum equal to \$197.22 for each \$100 paid in by them.

The case will be appealed to the supreme court.

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### Railroad Reports Say Grain and Livestock Are Moving Rapidly

Grain, coal and livestock shipments out of Nebraska to domestic and foreign markets average about 500 cars a day, according to compiled reports of various roads, announced recently. Consignments during the last few weeks have fluctuated, some roads reporting heavier traffic in some localities, while a slight reduction over that of a year ago is reported in others.

Practically all of the Nebraska wheat crop harvested and marketed from the new crop, has been taken care of, according to the reports. Railroads believe, however, that a large amount of the crop is being held. The last week in July and the early days in August indicated the Burlington railroad was handling about 500 cars of grain a day.

With a few exceptions, notably in the more isolated sections, the state is not facing a shortage of grain cars, a digest of the reports indicate. In practically all instances the demand for cars is being met with immediate response from the railroads.

Demands for cars to transport the new corn crop have begun coming in, according to reports. It was pointed out that a large amount of old corn was still being shipped.

Movement of livestock, especially from the range territory has been started, it is shown. This is practically a new feature in the state's carrier business, the Burlington and Northwestern reporting their first trainloads of livestock under way.

A small increase in the movement of domestic coal is noted, dealers at small stations appearing to start early in obtaining their supply. According to the reports the domestic coal movement thus far is lighter than it has been for the corresponding periods in recent years.

#### FWOLING

Mr. Hoff and Russell Gray of the Blackfoot ranch were Alliance callers Monday.

Miss Iva Wilkins spent Sunday at the Essex home.

Lee Moore expects to leave for Wyoming as soon his leg is a little better, for an extended visit with his sister.

Ben Johnson and wife of Hemingford called at the Elsea home Tuesday to look at his cattle.

James Eaton and wife were callers at Al Hall's Sunday. Miss Jean returned home with them for a visit with her grandmother.

Mrs. Brus and son were Alliance callers one day last week.

Ed Wilkins and children and brother Alva motored to Alliance Saturday evening.

Miss Aline Mann rode over to Elsen's horseback Tuesday morning.

We are very sorry to hear that Mrs. Joe Neud, Jr., is very low with typhoid fever. Little hopes are held for her recovery.

Hamlin Ferguson is helping Laursen with his grain this week.

Mr. and Mrs. N. E. Hurlburt and Mrs. Langford were Alliance visitors Saturday.

Joe Caha started haying last week.

James Eaton and wife motored to Alliance Monday evening, taking the baby down to the doctor. He is improving nicely at this writing.

M. Lawson and seven of his neighbors bought a threshing machine last week. We understand that Thorwald Lunn's wheat went 30 bushels to the acre. He cut it with a combination machine, which cut and threshed it at the same time.

Mr. and Mrs. Clarence Kilpatrick were Alliance callers one day last week.

We notice that some of the people on the south road have their mail boxes up waiting for the mail man.

Raymond Kapper drove a bunch of cattle out to the Elsea place Saturday for Ben Johnson.

Mrs. Langford is visiting her brother, Mr. Vaughn west of Alliance this week.

Mr. Mann had the misfortune to break his grain spreader Tuesday, when about half through planting his wheat. He drove over to Joe Kennedy's to get his spreader.

Miss Goetta Nichols is assisting with the housework at Charles Hall's during haying.

#### RUNNING WATER.

Mr. and Mrs. Hopkins and Mrs. Blanchard and her father, Mr. Plotz, spent one day of last week in Alliance.

Mrs. M. F. Coffin is visiting with her daughter, Mrs. L. A. Bowser. She expects to spend the fall months with her.

Mrs. Iva Myers was spending a week at the home of her daughter, Mrs. Amelia Athey at Alliance.

Mrs. Jeffries of Denver is visiting at the William Athey home.

Mr. and Mrs. Howard Edmiston of Columbus, Neb., have spent the past two weeks visiting at the home of her sister, Mrs. C. M. Bowser.

Mr. Plotz of Russell, Ia., spent the past week visiting with his daughter, Mrs. S. Blanchard.

Miss Mathilda Tolyton is visiting relatives at Hay Spring this week.

Jacob Osborne, of California, father of James and George Osborne, is visiting his relatives and old acquaintances.

Robert, the little son of Mr. and Mrs. T. O. Myers is very sick with pneumonia and was taken to the Alliance hospital Monday.

The Edmiston, Brown, Osborne and Willard families spent Sunday together.

Miss Blanchard visited with Mrs. Mrs. Edith Brus one day last week.

Mr. and Mrs. Howard Edmiston of Columbus, Neb., are visiting at the home of her sister, Mrs. C. M. Bowser.

Little Dan Campbell is improving right along and is hoped to be well enough to be brought home sometime this next week.

Mr. and Mrs. McFall of Denver are visiting at the home of their daugh-

ter, Mrs. A. P. Gordon. W. A. Campbell was called to the eastern part of the state by the death of his brother. He left Saturday.

Miss Pearl Zobel was taken to Alliance Friday night to undergo an operation which would be performed on Tuesday of this week.

Mr. Blanchard returned home from Des Moines, Ia., where he was called to the bedside of his mother. She was slightly improved.

Mr. and Mrs. Halbus were Alliance shoppers one day last week.

The Jolly Neighbors' club met with Mrs. William Athey last Thursday. The club was well attended. The next meeting will be at the Blanchard home.

A French savant has evolved a system for rejuvenating used lubricating oils; and now if he can think up a way to drive a car with second hand gasoline our troubles will be practically ended.

Jap Crepe Dresses, shown in a good assortment of shades and models. 76 Highland-Holloway Co.

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#### THE BLOOEY BLUES.

"What's this yere blue law these reformers are tryin' to put over on this-here town?" inquired Roarin' Pete of Black Powder Andy, both of Holister, Arizona.

"They're tryin' ter limit a feller ter carryin' jest two guns, but they're gonna have a dizzy time enforcin' it."—American Legion Weekly.

The statement is made that a new paper hat has been imported from Paris that is both chic and cheap. We do not believe it, for how could it be both?

It may be true, just as the engineers declare, that industry is wasting millions and millions in this country, but just the same, downright laziness and good-for-nothing loafing hobos and shirkers are wasting more.

#### NOTICE!

No trespassing will be permitted on the following described property: South half of section 34, township 25 north, range 45, west of the sixth P. M., all in Box Butte county, Nebraska. All trespassers will be prosecuted to the full extent of the law. 74-52 C. G. REEDES.

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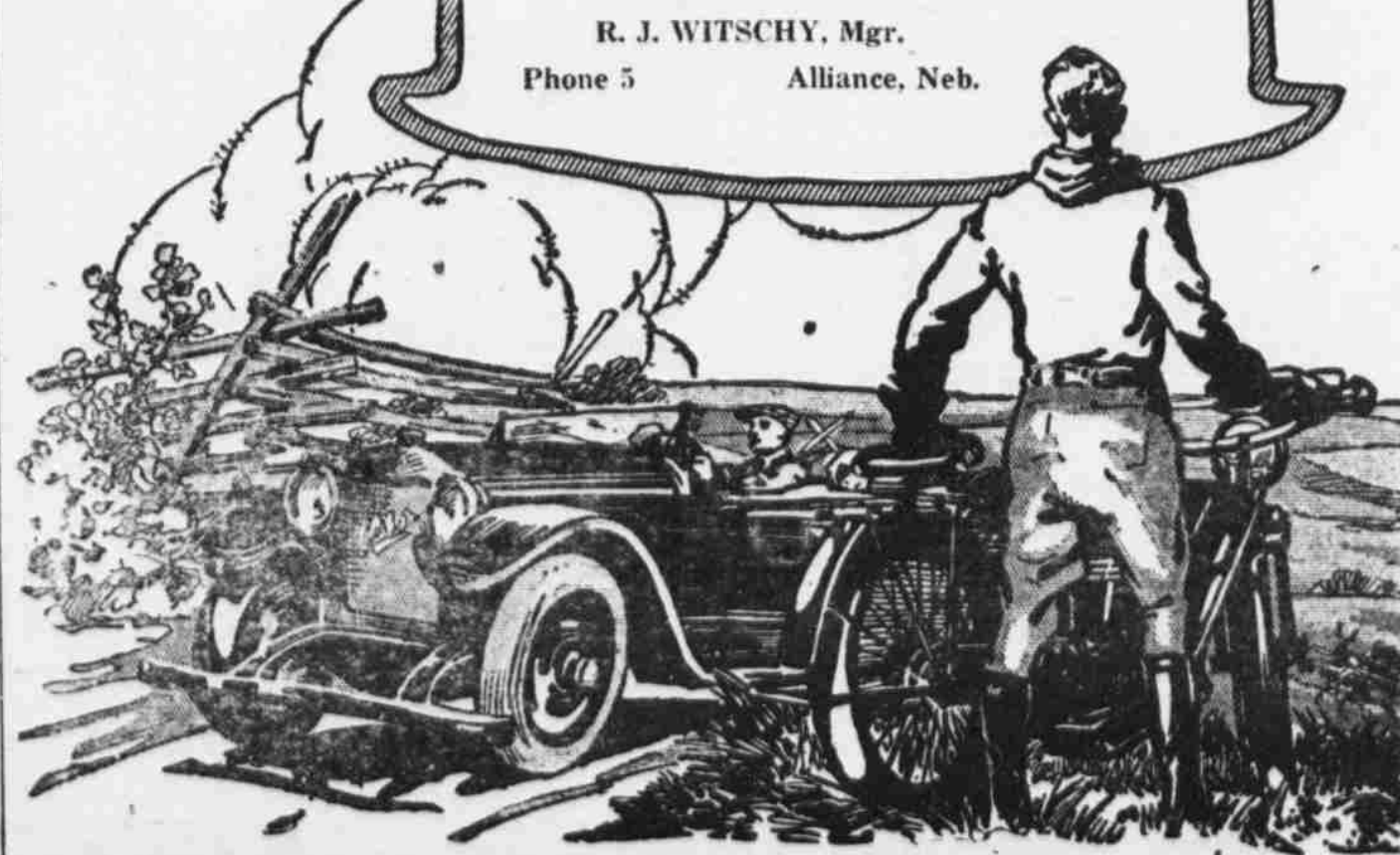
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