

The Hermiston Herald

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IT HAPPENED IN 1927

Ancient history has records of all sorts of cruelties practiced at the expense of incarcerated prisoners, but a development within the past few days in Umatilla county shows that such practices have not ceased.

The death of a Hermiston man in the county jail at Pendleton in the early morning of July 1 brings to light the astonishing fact that the prisoners were unattended, often, according to the reported testimony of a prisoner given at the coroner's inquest.

How strange—such a situation as this—in this year of our Lord, 1927. By what lines of reasoning can such action be justified. Have fires ceased to burn? Have jailbreaks become history? Are men temporarily behind the bars less likely than their fellows to become ill in the night?

Is the lack of a deputy sheriff for night duty near the jail due to an effort to economize? The force employed in conducting the business of the office now is several times as large as it was a few years ago, and night attendance was always practiced then. The work in the office undoubtedly has increased, but why neglect a factor in duty that unnecessarily places lives in jeopardy?

The Herald would like its readers to understand that it has no sympathy whatever with those persons with that degree of intelligence who send mush notes, flowers, and candies to prisoners unknown to them charged with hideous crimes against society, but it does assert most emphatically that men temporarily deprived of their freedom on charges preferred in a regular way in the courts do not forfeit all their rights.

The practice of locking a group of prisoners behind bars and in effect throwing the key away for the night is abhorrent, repulsive, inexcusable. If it has not already been discontinued the people of Umatilla county have reached the time to hang their heads in shame.

Dairy men in this district are more considerate of their cows.

IN TERMS OF HAPPINESS

A real service to the cause of co-operation among farmers in this district was performed by New Madden, Hermiston farmer, in his talk before the Fourth of July assembly at Stanfield Monday when he urged his fellow tillers of the soil to forget the dollar as the measuring mark of success in efforts to co-operate for mutual benefit and to substitute therefor happiness.

He went even further than merely urging that happiness replace money as the goal and expressed the belief that co-operation among farmers can not be a solid success until commercial standards are made secondary. The destiny of mankind is to be happy, here and now, he said.

Enough money to buy the fundamentals that can be purchased is necessary for the cup of happiness to contain a satisfying draught, he admitted, but he went farther and asked his fellows to make the dollar secondary and the happiness it will buy the primary consideration.

When the men and women who till the soil forget the old belief, once true but now relegated to the background as a fallacy that economic development has exploded, that farmers are independent, their minds will be prepared for the mass action dictated by present day conditions as necessary to the enjoyment of a greater measure of happiness than has been theirs during the immediate past.

Let's see, wasn't there a popular song quite a few years ago entitled, "Come Take a Spin in My Airship?"

Oregonians who are beginning to feel surfeited with the luscious strawberries offered this year may direct their attention to the famous watermelons and cantaloupes grown in the Irrigon district. They'll soon be ripe.

The belief, often expressed in these newer days, that old fashioned Fourth of July celebrations have gone the way of many other good treats in life was pretty thoroughly disproved last Monday by the day's program offered by the Stanfield Grange and the Umatilla Project Farm Bureau. Someone should jab their memories about 10 or 11 months from now and remind them that there will be a Fourth of July in 1928.

The RECLUSE of FIFTH AVENUE By WYNDHAM MARTYN

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and a hands and could bring readily to his aid the salesman's forced enthusiasm, which seemed genuine to those who did not know him. He knew he would do well in politics if no old ghosts arose to confound him. For years now he had been living among men immeasurably beneath him in intelligence; a lucky turn had made him independent of them.

To go to the senate from New York would be an expensive matter, but he was prepared to pay. To that end it would be necessary to conserve his fortune. His wife, after years of living in second-rate hotels, was inclined to a reckless extravagance. Domestic life at Great Rock was strained. Yet Raxton saw that the era of great entertainments was at hand. He knew that as he was now a man in the public eye, he had better do the thing well. The life of relatively small things was over. Not again would he deal with the baser sort of men. Much of his amusement came from watching the men he controlled trying to assert themselves. There was Loddon, for instance. At heart, of the slyster lawyer type and filled with the ideals of petty graft, a wealthy benefactor had bought him a partnership with a respectable firm and he had to guide his professional conduct accordingly. Loddon for the moment was filled with glee at his own fortune. He wished Raxton to regard him as an equal instead of snapping orders at him. He ventured to disagree with his patron.

"My success," Raxton said, stopping him with a gesture, "is due to two things. One is a total absence of pity. Another that I only use men that I can crush if they get out of hand. Jim Caffray was one. You're another." He looked at the gross, formless creature and sneered. "When I pipe, you shall dance; and if you don't dance to my liking, what happens? The Bar association will disbar you. You may try to incriminate me, but you haven't a shred of evidence of anything crooked, not a check, letter, telegram, or a dictaphone conversation. Keep me in good humor, Loddon, and work for me and you'll go far. Try to be independent, or indiscreet, and I shall break you."

"Why, Paul," Loddon cried, "what's got into you? I'm the loyalist follower you ever had, and you know it."

Raxton smiled. "I want intelligent loyalty, and you're not overburdened with intelligence any more than Caffray was. I'm not underestimating you. You've been useful to me in a number of ways."

"Thank you," said Loddon, almost bitterly. He thought of certain unprofessional things he had done at his patron's bidding which had, in effect, delivered him bound hand and foot to Raxton.

That Raxton aspired to a United States senatorship seemed a laudable enough ambition. But that he had a chance seemed, on reflection, almost absurd. And yet Raxton was not the kind of man to delude himself. Loddon voiced his doubts.

"McKImber is the party's nominee," he observed. "Of course, he'll carry New York city, and they say he'll get more votes up-state than any possible candidate."

"The party will get the votes, not the man," said Raxton.

"But McKImber's the party's choice," Loddon persisted.

"It looks that way, doesn't it?" Raxton smiled. "McKImber's very popular."

"You're keeping something back," said Loddon.

"I always do. That's why I get on. That's why I'm going to the senate."

His hands clasped behind him, Paul Raxton stood at a window and looked over the sound. Loddon talked, but he did not listen. Raxton saw himself in a few years as the greatest money power in America. All his future was carefully planned. He was now engaged in mapping out a present. He appreciated the power of women politically and knew he must appear as a home-loving man, a man who was notoriously good to his wife and children. Fortunately, all of them were attractive physically.

He was interrupted by Mrs. Raxton. She was a handsome, dark woman who had only just discovered that while she had been living abroad her husband had become enormously wealthy. She had the sense of a personal grievance against him highly developed. He could see she was prepared for battle.

"I want a suitable allowance for myself and the children," she began. "I want a banking account and my own limousine and chauffeur." She had thrown down the gage and waited, a little frightened, for what was coming. Paul had always seemed incomprehensible. She did not understand him now. When he smiled it might be, she supposed, the prelude to some biting sarcasm.

"Certainly," he said. "A very good idea. Fortunately, Loddon is here. Talk it over with him. I am very willing that you should take your place in society. I only ask that you will be careful with what people you fill my house. I'm after big game, and if I rise I'll go up with me. Talk it over with Herman." He smiled and walked slowly from the room.

phia, where he had thrown up his position. Already another laboratory assistant had taken Bradney's place. The two had yielded to Peter Milman's importunities and agreed to remain as his guests. Neeland Barnes had not yet come back from Peekskill. He had gone with the avowed intention of paying Lippsky something off his account and hurrying back with some clothes.

So that he might escape the ridicule attending a man who reaches his suburban home in full evening dress at midnight, Barnes arranged to come to his distasteful abode when it was dusk. He wanted to remove his entire wardrobe from the Lippsky shack and pay as little of the deferred rent as possible.

In Lippsky's front yard, which commanded a view of his tenant's entrances and exits, the aggrieved landlord was trying to bring to maturity depressed looking vegetables. His eyes glistened when he saw who approached. He dropped his spade and hurried to meet Neeland Barnes.

"Was you expecting a lady?" he demanded.

"Good God, no!" Barnes stopped instantly. Had old ghosts arisen to confound him?

"Has any woman the right to go in and monkey about with your things?" "Absolutely nobody," Barnes cried. "Mr. Barnes," said Lippsky shrilly, "you are a loafer. You sent her in to get your clothes so you should go away and leave me without nothing to hold. I got your number, and by golly I got hers. I locked her in, and I tell her if she makes a fuss I send for the police. You thought you should find me out. You know this is my lodge night."

"I didn't know there was a lodge low enough to admit you," Barnes said angrily, "and I sent nobody here. Send for the police. I've had enough of your d-d insolence."

"Pretending she was a fine lady," said Lippsky, who was growing angry. "Looking at me and my house as though we was dirt. She wouldn't believe you lived here. I tell her right quick you wouldn't even be living here if you didn't come over with rent."

Neeland Barnes removed his silk hat and mopped his brow.

"My good ass," he began, "what the devil are you ranting about?" "I tell her, you could go out with your fine gentleman's clothes on, and a silk hat even, and treat me like dirt. I'm a citizen here same as you, and this is an end of you walking over me with your silk hat and your fifteen dollar shoes. I know the price of them shoes. I tell her to scream all she likes, nobody hears away up here."

"You mean to say you've locked a strange woman up in my house?" "It's my house. If you pay the rent, you can go in and get your clothes. If you don't, you stay out." Feverishly Lippsky destroyed whatever chance of life a row of kohlrahi might have had. Then, when he saw his tenant march toward the shack, he followed.

"One of them yellow hairs," he scolded as he trotted by the tall man's side. "A swell lady who said she didn't know how you could live in this place."



"She Called My House a Pigsty."

such a pigsty. She called my house a pigsty. Well, she's been locked up in a pigsty place it was my dinner time. Suddenly Barnes' powerful hand seized Lippsky.

"If you don't give me the key," he said, "I'll twist your arm out of its socket." Barnes turned the other's wrist a little.

"You shall sleep in the jail for this," Lippsky cried when the key was freed from him.

"It will be less venomous than this place, Barnes answered. He put the key in the door and threw it open. He was wholly at a loss to know whom the invader could be.

The noise of the opening awoke her. She was a tall, slim girl with golden hair, in a white knitted sports suit. When she saw him she held out her arms.

"Darling daddy!" she cried, throwing her arms around his neck. "Nita," he said, stroking her hair, "how I have longed for you! But, my dear, how is it you are here?" "I ran away," she confessed. "They said such utterly beastly things about

you I couldn't stand it. How well you look, daddy. I shall call you my big brother. Nobody will believe you're my father. What makes you stay in such a funny place as this? Suddenly she caught sight of Lippsky. "Who is that dreadful little creature?" Lippsky spoke up distinctly. "I own this house, and I've come for the rent. If he don't pay, he goes to sleep in the village jail. I guess he don't mind. I guess it ain't for the first time. He ain't got no money. You say he's your father." Lippsky grinned. "Well, you got the chance to save your daddy from jail."

"Dad," she whispered, "I hadn't any idea it was as bad as this. I've only three dollars left. The boat trip took all my savings."

"My dear girl," he said easily, "the man is known widely as the village idiot. Nobody believes him. It does happen that my rent is due. By the way, how much is it?" "Ninety dollars eighty cents."

"I rather thought it was more," said Barnes. He took out a roll of bills and paid. He was left with seven dollars. His reward came in the relief the girl showed.

"It's a fad of mine staying up here," he admitted. "The air is good and I've been in training. I shall leave now. I think I'll go to New York as soon as possible. How lovely you look. You have those unforgettable violet eyes of your mother, but you are taller." The thought that he had nowhere to take her made him miserable, but he would not let her see it. It was incomprehensible to him that the countess of Horsham, his late wife's eldest sister, had allowed her niece to come. The countess had always been his enemy.

"It came to a point," the girl said when they were in a New York-bound train, "when I was asked to drop my own name and take my mother's. Not that I minded being Nita Fessenden, except that it seemed as though I were publicly ashamed of you. I simply refused. There were awful rows. So I ran away. I was twenty-one and my own mistress. I sent all the jewels and presents back and started to earn my living."

"Nita," he cried, with admiration in his look, "how could you possibly do what I've always failed in?" "It wasn't easy at first," she admitted, "but I stuck it out and made enough money in secretarial work to come out to my own country second cabin. I tried to find you six months ago, but the silly clubs returned all your letters."

Neeland Barnes colored. "Must have mislaid the address," he said; "d-d careless of them. I shall report it." He wondered how she had run him to earth.

"When I got to New York I phoned the Kulkickerbaker. I knew it used to be your favorite club. I told the secretary, or whoever it was, that I was your daughter and simply had to find you, and they told me to call up later. When I did they said you lived in Peekskill. I spent three hours looking and then that village idiot locked me in."

She did not tell him that naturally she had started her search expecting to find him in one of the better sections of the charming Hudson-sidings. The Lippsky cottage on the outskirts had been a dreadful shock. But the search was over and she was happy. She was very proud of him. Her aunt had drawn the picture of a decrepit, vice-ridden physical wreck instead he was vigorous, clear-skinned and agile.

"Where are we going, daddy?" she demanded, after she had passed Sing Sing's embattled walls.

"I'm staying with Peter Milman," he answered. "Lady Horsham may have mentioned him."

"I remember. His wife ran away and he shut himself up in his house and went mad."

"That is just what your aunt would say," he returned. "He did not go mad. He happens to be the best friend I have, and I shall ask him to let you stay the night there. Much better than a stuffy, noisy hotel."

"And tomorrow we'll get a cozy little flat. I've often wanted to look over the treetops into Central park."

"I'm afraid cozy little flats on Fifth avenue where you were born aren't exactly within my means. The view is just as pretty from Central Park west." He groaned to think they were just as difficult to attain.

"Anything you like," she said happily.

Peter Milman and his two guests had finished dinner and were in the large drawing room when Achilles came in with the news that Neeland Barnes had returned with a lady!

Bradney looked at Malet and shook his head. "It was in Bradney's mind that Barnes had spent his money on liquid refreshment and had so far gotten himself as to seek to introduce a lady friend to a bachelor establishment. He could see that Peter Milman was much disturbed."

A moment later Neeland Barnes was introducing a very pretty, graceful girl with charming speaking voice as Anita Barnes newly come from England. Peter Milman's annoyance was banished momentarily as he thought of the ramifications of his family tree. The girl must be, remotely, a distant cousin. He greeted her with distinguished courtesy and introduced the other men to her.

"Most extraordinary," Neeland Barnes began. "Entirely unlooked for. I feel as if I had come in for a

(To be continued.)

NOTICE OF HEARING UPON FINAL REPORT

In the County Court of the State of Oregon for Umatilla County. In the Matter of the Estate of Joseph W. Craik, Deceased. Notice is hereby given that the undersigned administrator of the estate of Joseph W. Craik, deceased, has filed his final report with the Clerk of the above entitled Court and that the Judge of said Court has designated Saturday, the 6th day of August, 1927 at 2 o'clock in the afternoon as the time, and the rooms of the above entitled Court in the

County Court House at Pendleton, Umatilla County, Oregon as the place when and where hearing is to be had thereon. All persons interested are hereby notified to then and there appear and show cause, if any they have, why said report should not be approved, the administrator discharged and the estate closed. Dated this 7th day of July, 1927. RAY C. GOODE, Administrator.

44-5tcv

\$3 Oregon Auto License Proposed. Salem.—The first step in a move to initiate a measure providing for reduced license fees on motor vehicles was made Tuesday, when H. H. Stallard and George Bylander, Portland (led with Secretary of State Kozar an application for a ballot title for such a measure. The proposal of Stallard and Bylander, as set out in their letter to Kozar, is to establish a flat license fee of \$3 a year for all motor vehicles, including automobiles, trucks, motorcycles, etc.

Judge Lindsey Put off Famous Bench. Denver, Colo. — Ben B. Lindsey's long career as Judge of the Denver juvenile court, which he founded a quarter of a century ago and made famous throughout the world, was interrupted when a court order officially ousted him, in line with the Colorado supreme court's decision last winter that he was illegally elected in 1924.

Pacific Coast Air Traffic Increases. San Francisco.—Pacific coast passenger air line traffic has increased more than 6000 per cent since January 1. A. K. Humphries, an official of the Pacific Air Transport, declared here

NOTICE FOR PUBLICATION

Department of the Interior, U. S. Land Office at The Dalles, Oregon, June 17, 1927. Notice is hereby given that John E. Mason, of Hermiston, Oregon, who, on Jan. 29, 1924, made Homestead Entry under Act June 6, 1912, No. 024549, for NW 1/4 Section 20, Township 4 North, Range 29 East, Umatilla Meridian, has filed notice of intention to make final Proof, to establish claim to the land above described, before W. J. Warner, United States Commissioner, at Hermiston, Oregon, on the 5th day of August, 1927.

Claimant names as witnesses: James G. Pearson, of Hermiston, Oregon, Jacob L. Stork, of Hermiston, Oregon, Charles E. Lewis, of Stanfield, Oregon, Howard Avery, of Hermiston, Oregon.

J. W. DONNELLY, Register.

TAKEN UP NOTICE

Notice is hereby given that I have taken up and have kept for about 21 days at the J. M. Prindle ranch 3 1/2 miles west of Hermiston the following described animals: One bay mare, about 3 years old, weight 950 pounds wire cut on front leg, and one black gelding, age unknown, weight 1050. Said animals will be sold, unless redeemed, at public auction to the highest bidder for cash in hand on the 7th day of July, 1927, at the above described ranch at 10 o'clock A. M.

Dated at Hermiston on this 23rd day of June, 1927. Signed: RAY M. DOLVEN

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UMATILLA COUNTY

In the Matter of the Estate of Francis M. McClinton, Deceased.

Notice of Administrator's Sale of Real Property.

Notice is hereby given that the undersigned, H. J. Warner, as administrator of the estate of Francis M. McClinton, deceased, under and by virtue of an order of the Hon. I. M. Schanep, Judge of the above entitled Court, made on the 25th day of May, 1927, will, from and after the 1st day of July, 1927, offer for sale and sell at private sale, upon the terms hereinafter described, at the office of Raley, Raley & Warner, in the First National Bank Building, in the city of Pendleton, Umatilla County, Oregon, and subject to confirmation by the above entitled court, to the person making the best and highest offer hereon, all of the estate, right, title and interest of the estate of Francis M. McClinton, deceased, in and to the following described real property, situated in Umatilla County, State of Oregon, to-wit:

Parcel One. The Southwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 4, Tp. 4 North Range 28, E. W. M.

Parcel Two. West Half of the Southwest Quarter of the Northwest Quarter of Section 3, Tp. 4 North Range 28, E. W. M., also known as Farm Unit G, consisting of 20 acres.

The terms on which said property will be sold by the said administrator are as follows, to-wit: said property will be sold for cash upon the confirmation of the sale of said real property by the above entitled court, and upon the execution and delivery of a good and sufficient deed.

Dated this 25th day of May, 1927. H. J. WARNER, Administrator of the estate of Francis M. McClinton, deceased.

Raley, Raley & Warner, Attorneys for Administrator, Pendleton, Oregon. (39-5tc)

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UMATILLA COUNTY

In the Matter of the Estate of Thomas William Peters, Deceased. Citation.

To John Thomas Peters, John James Peters and Mary Jane Cushing, as heirs of and persons interested in the estate of Thomas William Peters, deceased and to all other persons unknown:

In the Name of the State of Oregon: You and each of you are hereby cited and commanded to appear before the Honorable I. M. Schanep, Judge of the above entitled Court in his office in the courthouse in Pendleton, Umatilla County, Oregon, on the 11th day of July, 1927, at the hour of ten o'clock A. M. of said day, then and there to show cause, if any exists, why an order of the above entitled Court should not be made in the above entitled matter, permitting and directing Michael Keating as administrator of the estate of Thomas William Peters, deceased to sell at private sale in one parcel for cash in hand, for the purpose of paying the charges, expenses of administration and the claims against said estate, all, or such part of the hereinafter described real estate belonging to the said estate as it may be necessary to sell for such purpose, the said real property being described as follows, to-wit:

An undivided one-third interest in and to: East Half and the East Half of the Southwest Quarter of Section 8, Tp. 4 North Range 28, E. W. M., containing 400 acres more or less.

You are further notified that this citation is served upon you by publication, pursuant to an order of the Honorable I. M. Schanep, Judge of the above entitled court, duly made and entered on the 18th day of May, 1927, directing that publication hereof be made once a week for a period of four consecutive weeks and that the first publication hereof is made in the Hermiston Herald, a newspaper published in Hermiston, Umatilla County, Oregon, pursuant to said order on the 26th day of May, 1927.

By order of the Honorable I. M. Schanep, Judge of the above entitled court made and entered on the 18th day of May, 1927.

In testimony whereof, I, R. T. Brown, Clerk of the County Court aforesaid, do hereby set my hand and affix the seal of said court this 18th day of May, 1927.

R. T. Brown, Clerk of the County Court.

Raley, Raley & Warner, A. S. Cooley and John F. Kilkenny, Attorneys for Administrator.

Postoffice address, Pendleton, Oregon (38-5tc)

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR UMATILLA COUNTY

Daniel H. Boone, Plaintiff.

vs. Virginia Boone and Peyton Boone, Defendants.

Summons. Equity No. 4375.

To Virginia Boone and Peyton Boone, the above named defendants: In the Name of the State of Oregon, you are hereby required to appear and answer the complaint in the above entitled suit within six weeks from the first publication of this summons, and you will take notice that if you fail to appear and answer or plead within that time, that the plaintiff, Daniel H. Boone, for want thereof, will apply to the above entitled court for the relief prayed for in his complaint herein, to-wit:

For judgment and decree against the defendants Virginia Boone and Peyton Boone for the sum of \$3500 together with interest thereon at the rate of 6 per cent per annum, payable annually, from the 24th day of September, 1917 until paid and for the further sum of \$400 attorneys fees and for plaintiff's costs and disbursements in this suit and for further decree that the mortgage described in plaintiff's complaint which was recorded in the office of the County Recorder of Umatilla County, Oregon, on the 14th day of January, 1919, at page 351, in Book 66 of the Records of Mortgages, in the office of the Recorder of Conveyances of said county and state, be foreclosed and that the premises therein described, to-wit:

West Half of the Northwest Quarter of the Northeast Quarter of Section 20, Tp. 4 North Range 28, E. W. M., containing 20 acres,

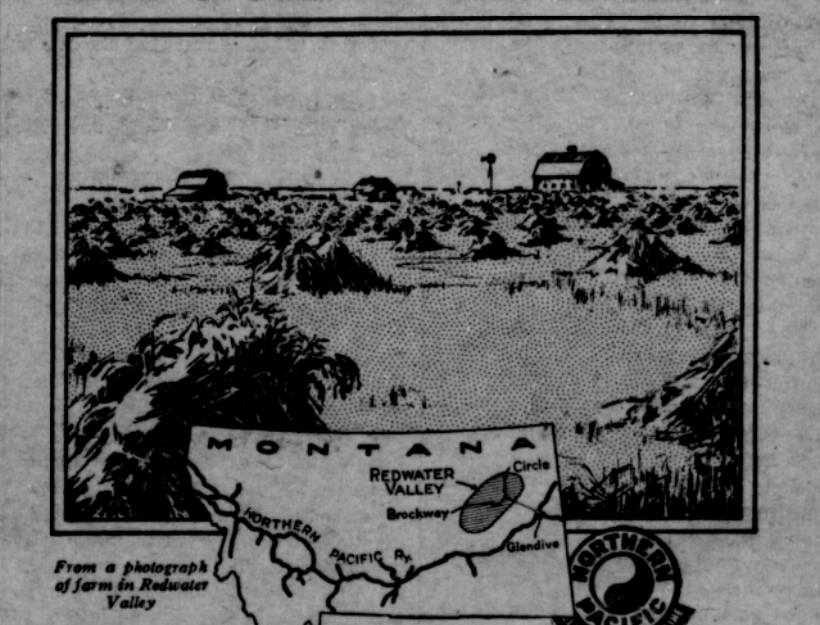
together with all and singular the tenements, hereditaments, appurtenances, easements, water and all other rights belonging or any wise appertaining thereto, be sold and that the proceeds thereof be applied toward the payment of plaintiff's judgment in the amounts aforesaid and for a further decree forever foreclosing and barring all of the defendants in the above entitled suit of any and all right, title, claim, interest and estate in law or in equity and all equity of redemption in and to said premises and every part thereof, excepting only such right of redemption as shall be allowed by the statutes of the State of Oregon and for such other relief as to a court of equity may seem meet and proper in the premises.

This summons is published pursuant to the order of the Honorable I. M. Schanep, Judge of the County Court of the State of Oregon for Umatilla County, duly made and entered on the 17th day of May, 1927, directing that publication hereof be made once a week for a period of six weeks consecutively in the weekly Hermiston Herald and the first publication hereof is made pursuant to said order on the 19th day of May, 1927.

Raley, Raley & Warner, A. S. Cooley, John F. Kilkenny, Attorneys for Plaintiff.

Postoffice address, Pendleton, Oregon (37-7tc)

MILLION ACRES OF RICH MONTANA LAND OPENED BY NEW RAILROAD



Prices of Best Land only \$10 to \$20 an Acre

ONE million acres of rich, low priced land in the great Redwater Valley country of Southeastern Montana will be opened to farmers this year by a new branch line of the Northern Pacific Railway, running 63 miles from Glendive. Here the Northern Pacific will sell direct to farmers a half million acres at prices ranging from only \$10 to \$20 an acre, with 20 years to pay. Taxes are extremely low. Special advantages are available to neighbors and colonies desiring to settle together.

Mixed farming is successful throughout this area. Corn has increased by hundreds of thousands of acres in the last few years in Southeastern Montana. Hog production has grown rapidly. All classes of livestock are raised. The dairy industry is getting a good start. Communities already are established. Churches have been built. Schools are open. Rapid development will come with the new railroad. Markets will be closer. More farmers will come in. Land values will increase.

The Northern Pacific Railway will help farmers in getting started right. Settlers are wanted who seek a real chance for themselves and their families. The Northern Pacific will send a representative to talk the matter over, if desired. Investigate this opportunity. Let us send you booklets, prices and easy payment plan. All sent free.

MAIL THIS COUPON TODAY! J. M. Hughes, Land Com. Northern Pacific Railway Co., St. Paul, Minn. Drawer 164 Without obligation on my part please send all information about Redwater Valley Country. Name _____ Town _____ State _____

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