

**NOTICE OF SHERIFF'S SALE**  
In the Circuit Court of the State of Oregon, for the County of Klamath.

2—Promises to be sold in second cause of suit:  
Lots five (5), six (6), seven (7) and eight (8), in block nineteen (19), of Second Addition to the city of Klamath Falls, Klamath county Oregon; and

Proceeds of such sale to be applied to the payment of the principal sum of \$120 and interest thereon, at the rate of 10 per cent per annum, from February 10, 1911; the sum of \$25, attorneys' fees; for the sum of \$19, the proportionate part of the costs and disbursements arising under this second cause of suit, and the accruing costs thereunder; and

3—Promises to be sold in third cause of suit:  
Lots 11 and 12, in block 19 of Second Addition to the city of Klamath Falls, Klamath county, Oregon; and

Proceeds of such sale to be applied to the payment of the principal sum of \$100 and interest thereon at the rate of 10 per cent per annum, from February 11, 1911; for the sum of \$25, attorneys' fees; for the sum of \$19, the proportionate part of the costs and disbursements arising under this third cause of suit, and the accruing costs thereunder;

And if there be any surplus, after the application of such proceeds to the satisfaction of said judgment, as aforesaid, in either of said causes of suit, the same shall be paid into said court to be further applied as by law directed.

Dated this 12th day of January, 1912.  
W. H. BARNER,  
Sheriff.  
1-13-2-10 h

**WILL NEW CHARTER BE LEGAL?**  
From your columns of recent dates it is noticeable that our citizens are becoming alive to the fact that there is a strong probability, at least, if not a certainty, that our present city charter, 1910, is wholly without warrant of law, and that the proceedings of the council under it for the last year and a half are in the same situation.

About three years ago I publicly called attention to nine particular requisites in the proceedings for amendment of the charter of our city. Many persons then differed with some of my views on the subject. Those having the matters of such amendment in charge soon after omitted to comply with several of what I then thought requisites.

I believe that our present charter is absolutely void because of at least three different omissions to comply with the laws.

We are informed by your columns that two proposed new charters are to be submitted to the people at the coming election.

Now, if our present charter is void, and the proposed new forms shall be submitted by proceedings under the present void charter, of what good will the new one be?

C. C. BROWER.

**FINGER NAIL PHOTO FAD TAKEN UP BY SOCIETY**  
New Wrinkle to Interest Idle Female Humans, Begun by Former Inmates of Young King Manuel, Attracts Berlin Women's Attention

**NOTICE OF SHERIFF'S SALE**  
In the Circuit Court of the State of Oregon, for the County of Klamath.

1—Promises to be sold in first cause of suit:  
Lots three (3) and four (4) in block thirty-seven (37), and lots one (1), two (2), three (3), four (4) and (5), in block twenty-one (21), of Second Addition to the city of Klamath Falls, Klamath county, Oregon; and

Proceeds from such sale to be applied to the payment of the principal sum of \$1,650.56 and interest thereon at the rate of 10 per cent per annum, from May 7, 1911; the sum of \$200, attorneys' fees; the sum of \$30.75, the proportionate part of the costs

and disbursements arising under this first cause of suit, and the accruing costs thereunder.

Proceeds from such sale to be applied to the payment of the principal sum of \$100 and interest thereon at the rate of 10 per cent per annum, from February 11, 1911; for the sum of \$25, attorneys' fees; for the sum of \$19, the proportionate part of the costs and disbursements arising under this second cause of suit, and the accruing costs thereunder;

And if there be any surplus, after the application of such proceeds to the satisfaction of said judgment, as aforesaid, in either of said causes of suit, the same shall be paid into said court to be further applied as by law directed.

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# Proposed Amendment to Charter Providing For Commission Form of Government for Klamath Falls

CONTINUED FROM YESTERDAY'S HERALD

**Section 34.**  
**Candidate Election.**—Any officer sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the Clerk shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of notice of such removal election, and the conduct of the same, shall all be in accord with provisions of Article III, hereof, relating to elections.

**Section 35.**  
**Incumbent Removed.**—The incumbent shall continue to perform the duties of his office until the removal election. If then elected, he shall continue in office for the balance of his term. If not then elected, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term unless otherwise removed as in this charter provided. If the successor fails to qualify within ten days after receiving notification of election the incumbent shall thereupon be deemed removed and the office vacant.

**Section 36.**  
**No Recall Petition for the First Six Months.**—No recall petition shall be filed against any officer until he has actually held his office for at least six months, provided, however, that no elective officer shall be subjected to recall more than once in any six months period.

**Section 37.**  
**Incapacity of Recalled Officers.**—No person who has been removed from office by recall, or has resigned from such office while recall proceedings were pending against him, shall either be elected or appointed to any office within one year after such recall or resignation.

**ARTICLE V.**  
**Election Officers**  
**Section 38.**  
**Officers, Terms, Salaries.**—The elective officers of this city shall consist of three Commissioners: One of whom shall have charge of Public Affairs, Health and Civic Beauty, who shall be ex-officio Mayor and Police Judge, and shall be known as Commissioner of Department No. 1; one shall have charge of Finance and Supplies, who shall be ex-officio City Clerk, and shall be known as Commissioner of Department No. 2; one shall have charge of Street and Highways, Light, Water and Sewers, Parks, Cemeteries, Public Buildings and Grounds, who shall be ex-officio City Treasurer, and shall be known as Commissioner of Department No. 3; each of whom shall be elected at large by the qualified voters of the city, and shall have charge of one department as designated by his official title.

The terms of all elective officers shall commence at 10 o'clock a. m. on the first Monday of June immediately following their election, and shall continue for a period of three years and until their successors are elected and qualified subject to Article IV, hereof, provided, however, that at the Special Municipal Election to be held on the fifth Monday immediately following the adoption of this charter there shall be elected a Commissioner for each of the three departments aforesaid, each of whom shall hold his respective office until the General Municipal Election to be held in 1913; provided further, however, that at the General Municipal Election to be held in 1913 there shall be elected a Commissioner for Department No. 1, for a full term of three years; a Commissioner for Department No. 2, for a term of two years; and a Commissioner for Department No. 3, for a term of one year, and at the expiration of each of the aforesaid short terms a successor shall be elected for a full term of three years. Provided, however, that the officers elected immediately after the adoption of this charter shall qualify within ten days after their election, subject to the provisions of Section 40.

The Commissioner of Department No. 1 shall receive a salary of \$2,000 per year, payable monthly. The Commissioner of Department No. 2 shall receive a salary of \$1,500 per year, payable monthly, and the Commissioner of Department No. 3 shall receive a salary of \$1,500 per year, payable monthly, provided, however, that at any General Municipal Election the changing and fixing of salaries may be submitted to the vote of the qualified electors of the city.

**Section 39.**  
**No Further Compensation.**—None of any such Commissioners shall receive any further compensation for services he may render the city during his term of office; other than his salary as commissioner, and all fees, salaries or other moneys coming into his hands by virtue of his office shall be accounted for to the city.

**Section 40.**  
**Qualifications.**—No person shall be eligible to the office of any such commissioner unless he is a qualified elector.

**Section 41.**  
**Vacancies.**—If a vacancy occur in the office of any such Commissioner, the Board of Commissioners shall appoint an eligible person to fill such vacancy until such General or Special Municipal Election, subject to the provisions of the recall, and any such vacancy shall be filled by election for the unexpired term. A vacancy shall exist when an elective officer fails to qualify for ten days after notice of his election, dies, resigns, removes from the city, absents himself continuously for three months, is convicted of a felony or judicially declared a lunatic.

**ARTICLE VI.**  
**Executive and President**  
**Section 42.**  
**The Mayor.**—The Mayor shall be chief executive of the city, president of the City Council, and when present shall preside at all its meetings.

**Section 43.**  
**Duties, Authority, Powers.**—(a)—He shall see that the laws of the state, the provisions of this charter, and the ordinances of the city are duly enforced. He shall have the power to administer oaths.  
(b)—He shall sign all contracts, bonds, or other instruments requiring the assent of the city, and take care that the same are duly performed. All legal processes against the City of Klamath Falls, Oregon, shall be served against the mayor, and in his absence against the acting mayor.  
(c)—He shall be charged with the general oversight of all departments, boards and commissions of the city.  
(d)—He shall be ex-officio a member of each board, commission or body created or authorized by this charter, or by any ordinance of the city.  
(e)—He shall have the right to vote on all questions coming before the council, but shall have no veto power.  
(f)—He shall have such other rights and powers as may be provided by ordinance not in conflict with this charter.

**Section 44.**  
**Acting Mayor and Vice President.**—The Commissioner of Department No. 3 shall be the acting mayor of the city and vice president of the City Council during the absence or inability of the mayor to act, and shall exercise all his rights and powers.

**ARTICLE VII.**  
**Section 45.**  
**The Council, How Constituted.**—The Commissioners of the City of Klamath Falls, Oregon, when sitting as a body shall be known as the "City Council," and shall consist of all the elective officers of the city, and shall, except as otherwise provided by this charter, be vested with all the legislative powers of the city.

**Section 46.**  
**Judges of Their Election.**—The City Council shall be the judge of the election and qualification of its members, subject to the review by the courts in case of contest.

**Section 47.**  
**Rules.**—The Council shall determine its own rules of procedure, may punish its members for disorderly conduct, and compel their attendance at the Council meetings.

**Section 48.**  
**Meetings.**—The Council shall prescribe the place and time of its regular meetings, and the manner in which special meetings thereof may be called. Regular meetings of the City Council shall be held at least once a week. The City Clerk shall be Clerk of the Council, and shall keep an accurate record of the proceedings thereof, which shall be approved by the Council from time to time, and with the Mayor sign and attest all ordinances and resolutions. A majority of all the Commissioners shall constitute a quorum to do business, but a less number may adjourn. The Council shall sit with open doors at all sessions, and shall keep a journal of its proceedings, which shall be a public record.

**Section 49.**  
**Restrictions Upon Members of the City Council.**—No member of the City Council shall be elected or appointed to any office, position or employment, the compensation of which was increased or fixed by the council while he was a member thereof until after the expiration of one year from the date when he ceased to be a member of such body.

**Section 50.**  
**Salaries of Employees.**—The City Council shall have the power to authorize by ordinance the appointment of such salaried employes as may be necessary to relieve any commissioner of any ministerial duties of his department which he shall not have the time to perform or may conflict with his other duties.

TO BE CONTINUED TOMORROW

**LAWFUL MONOPOLY UNIQUE CONTENTION OF COMPANY**  
**Silverware of Quality**  
We guarantee to every purchaser of Community Silver that it is the best that can be made by skilled workmen with the latest machinery and the best material, and this guarantee is based upon a reputation for excellence and integrity in manufacture now established for over half a century.

**Herald Want Ads**  
**MISCELLANEOUS**  
KODAK FINISHING—First class and prompt results by Frank Duncan, over First National bank, or leave orders at Little Book globe, two doors west of postoffice.  
WANTED—About \$3,500 from two to five years; well improved farm property as security. Address E. L. Elliott, attorney, Klamath Falls, Ore. 6-6t  
**FOR RENT**  
FOR RENT—Three or four furnished sleeping rooms in private family; no children. Enquire at Herald office. 8-1f  
FOR RENT—A good 3-room house, modern, near 6th and Main, at \$10 per month. See Arthur R. Wilson, 517 Main street. 31-6t  
FOR RENT—Furnished rooms for gentlemen, at the Oregon House.  
Temple theater, Matinee daily, 3:30 p. m. Evening, first performance. 7:15, continuous.

**CAUSE FOR ALARM.**  
**Loss of Appetite or Distress After Eating a Symptom That Should Not Be Disregarded.**  
Appetite is just a natural desire for food. Loss of appetite or stomach distress after eating indicate indigestion or dyspepsia. Over-eating is a habit very dangerous to a person's good general health.  
It is not what you eat, but what you digest and assimilate that does you good. Some of the strongest, heaviest, and healthiest persons are moderate eaters.  
There is nothing that will cause more trouble than a disordered stomach, and many people daily contract serious maladies simply through disregard or abuse of the stomach.  
We urge all who suffer from any stomach derangement, indigestion, or dyspepsia, whether acute or chronic, to try Rexall Dyspepsia Tablets, with the distinct understanding that we will refund their money without question or formality, if after reasonable use of this medicine, they are not perfectly satisfied with the results. We recommend them to our customers every day, and have yet to hear of any one who has not been benefited by them. We honestly believe them to be with out equal. They give very prompt relief, aiding to neutralize the gastric juices, strengthen the digestive organs, to regulate the bowels, and thus to promote perfect nutrition, and eradicate all unhealthy symptoms.  
We urge you to try a 25c. box of Rexall Dyspepsia Tablets, which gives 15 days' treatment. At the end of that time, your money will be returned to you if you are not satisfied. Of course, in chronic cases length of treatment varies. For such cases, we have two larger sizes, which sell for 50c. and \$1.00. Remember, you can obtain Rexall Remedies in this community only at our store—The Rexall Store Star Drug Store.

**GORGE VICTIMS MISSING AND MAY BE GONE FOREVER**  
**Man, Woman and Boy Swept Away on Ice Floes at Niagara Falls, and No Trace of Bodies Can Be Found Up to This Time.**  
NIAGARA FALLS, Feb. 8.—Although watchers were stationed at the whirlpool rapids, it was not expected that the ice-churning waters would soon, if ever, release the bodies of the man, woman and boy who were swept down the gorge with floes from the sudden disintegration of the ice bridge.  
The appearance of the whirlpool was ugly, and the grinding of the ice jam racing within it echoed through the gorge.  
Great cakes of ice were being hurled down stream under the bridges, where still dangled the ends of ropes which had proved useless in the endeavor to rescue the trio as they were being swept down stream.  
Nothing developed to make more certain the identity of the man and woman supposed to be Mr. and Mrs. Eldridge Stanton of Toronto, Ont., excepting that these persons had not returned to their hotel.

**NOTICE**  
Notice is hereby given that there are funds in the city treasury for the redemption of general fund warrants up to and including No. 2,816. Protected July 22, 1908. Interest will cease from date hereof.  
Dated at Klamath Falls, Oregon, January 30, 1912.  
J. W. SIEMENS, City Treasurer.

**GUARDIAN'S FINAL ACCOUNT**  
Notice is hereby given that Altha Beach, guardian of the person and estate of John C. Beach, deceased, has filed in the county court of Klamath County, Oregon, her final account as such guardian, and that the court has fixed Thursday, the 15th day of February, 1912, at the hour of 10 a. m. of said day, at the court room of said court, in Klamath Falls, Oregon, as the time and place for hearing objections to said account and settlement thereof.  
Given at Klamath Falls, Oregon, this 15th day of January, 1912.  
ALTHA BEACH,  
Guardian of the Estate of John C. Beach, Deceased. 1-16-2-6 h

**FOR SALE**  
FOR SALE—Dry slab wood, 16-inch, delivered to any part of the city. Ackley Bros. Phone 451. 18-1f

**DRY SLAB WOOD**  
I am now delivering first class 16-inch dry slab wood to any place in the city for \$3 a load. Now is the time to get your wood cheap, before wet weather begins.  
P. G. CARLSON,  
Leave orders at O. K. Transfer company or Oregon Harness company.

**NOTICE**  
There are funds on hand to redeem the following sewer warrants: Nos. 43, 45, 46, 47, 50, 51, 48, 49, 52. Interest will cease from date hereof.  
Dated at Klamath Falls, Ore., this 25th day of January, 1912.  
J. W. SIEMENS, City Treasurer.  
25th day of January, 1912. 25-2t

**SUMMONS**  
In the Circuit Court of the State of Oregon, for the County of Klamath.  
M. M. Obenchain, plaintiff,  
vs.  
Ransome-Crummey Company, a corporation, Defendant.  
To Ransome-Crummey Company, Defendant Above Named:  
In the name of the State of Oregon: You are hereby required to answer the complaint filed against you in the above entitled action, on or before the 2d day of February, 1912, that being the day of the last publication of this summons, and the last day within which you are required to answer, as fixed by the order of publication of this summons.  
If you fail to appear and answer, the plaintiff will take judgment against you for the sum specified in said complaint.  
Said action is brought to recover the balance of \$1,050, due from you to plaintiff, for services rendered and labor performed in said state of Oregon, between the 1st day of February and the 30th day of November, of the year 1910, and plaintiff's costs and disbursements in such action.  
That the defendant was, at the commencement of this action, and now is, the owner of certain personal property, attached in Klamath county, Oregon, and described as follows, to-wit:  
4 standard gauge cars,  
1 street sprinkler,  
1 2-horse street or road roller.  
That on the 9th day of December, 1911, and after the issuance of summons to be served on said defendant, at the instance of the plaintiff, the sheriff of said county duly attached said above described personal property and now holds the same in his possession, at Klamath Falls, Oregon, by virtue of said writ of attachment.  
This summons is published once a week, for six successive weeks, in the Evening Herald, a daily newspaper of general circulation, printed and published in the city of Klamath Falls, Klamath county, Oregon, by order of Honorable Wm. S. Worden, Judge of the county court of Klamath county, state of Oregon, and dated December 21, 1911, the first publication of this summons being made on the 22d day of December, 1911.  
STONE & BARRETT,  
12-22-2-2 h Att'ys for Plaintiff