

NOTICE OF SHERIFF'S SALE

The Circuit Court of the State of Oregon, for the County of Klamath.

American Bank and Trust Company, a Corporation, Plaintiff.

Notice is hereby given that, by virtue of an execution, duly issued out of the above-entitled court and cause, the 13th day of January, 1912, up to a decree, made and entered of record in said cause on the 10th day of January, 1912, in favor of the above-named plaintiff, directing the sale of the premises therein and hereinafter described, to satisfy the sums respectively stated below.

Now, therefore, by virtue of said execution, and in compliance with said writ I have duly levied on each of said premises, and will, on Tuesday, the 13th day of February, 1912, at 10 o'clock a. m. of that day, at the front door of the county court house, Klamath Falls, Klamath County, Oregon, sell, at public auction, to the highest bidder for cash, all the right, title and interest of the above-named defendants, and each of them, in and to each of said premises, hereinafter described, or so much thereof, in each case of suit, as may be necessary to satisfy the sums named in said execution, respectively, and hereinafter made to appear; together with the same, hereditaments and appurtenances thereto belonging or in anywise appertaining.

The said premises are to be sold, as aforesaid, in three causes of suit, and the amounts in payment of which the proceeds of each sale are to be applied in satisfaction of said judgment, appear respectively and immediately after the description of the premises in each cause of suit, as follows, to-wit:

1—Premises 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 five (5), in block twenty-one (21), of second addition to the city of Klamath Falls, Klamath county, Oregon;

Proceeds from such sale to be applied to the payment of the principal sum of \$1,656.56 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. 2—Premises 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 \$10, the proportionate part of the costs and disbursements arising under this second cause of suit, and the accruing costs thereunder; and 3—Premises 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 \$10, 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 overplus, 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 13th day of January, 1912. W. B. BARNES, Sheriff.

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

GERMANY'S COLD WAVE IS SEVERE IN NORTHWEST

Mercury Glides Down to Uterior Side of Cipher Mark and Baltic Sea Is Frozen so as to Interfere With Traffic

BERLIN, Feb. 9.—The great cold wave continues and is most severe in the northwest. Holstein reports a temperature of 24 degrees below zero. In Berlin and vicinity the mercury has fallen as low as 13. The Baltic between Mecklenberg and Denmark is frozen over, and steamer traffic between Wartsunde and Gjedzer, Denmark, has been suspended. The river Elbe is filled with heavy ice, and the large ocean steamers are having difficulty in reaching Hamburg.

The small steamships are stopping at Cuxhaven. Willemshaven is almost ice-locked and Kielport is almost impossible of entrance to the largest vessels.

CORDOVA, Alaska, Feb. 9.—The report of the discovery of coal at the head of White River, on the Canadian border, has aroused much interest here, and the fear is expressed that a stampede will be made to that section in the spring, and that much money will be invested in building up Canadian property instead of opening mines on this side of the line.

The city council adopted resolutions calling attention to the discovery, and urging early action by congress for the opening of Alaska coal lands and the construction of railroads in this territory. The Chamber of Commerce adopted similar resolutions, which will be forwarded to President Taft.

Ople Read's lecture at the opera house on Saturday night moved the White Pelican orchestra dance up a notch. It will be given Friday night, instead.

EFFIGY OF CHURCHILL CARRIED BY OPPONENTS

His Auto, Passing Through Unionist Section, Is Frequently Stopped by Jeering Crowds—Orange Agitators Barred From Park

United Press Service BELFAST, Feb. 9.—This morning a crowd opposing home rule paraded, carrying an effigy of Winston Churchill on a pole. En route to the park Churchill's auto passed the unionist section of the city. Crowds frequently stopped the car, jeering and hooting. The police were compelled to charge repeatedly to extricate the car. There was no violence. The police refused a permit to Orange agitators to enter Celtic park, where Churchill and Redmond spoke.

NEW YORK, Feb. 9.—Frederick Almy Jr., son of a millionaire woolen importer, who, until a short time ago, was a fireman on the Long Island railroad, and recently elevated to night assistant trainmaster, has proven the example that although the son of a rich man, he has worked his way up through sheer pluck and good work. When asked how he came to pick railroading as a career he said he had always liked a locomotive, and likes the railroad life.

We have some very desirable 6th street property for sale—Stephens-Hunter Realty Co.

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. Protested July 22, 1908. Interest will cease from date hereof. Dated at Klamath Falls, Oregon, January 30, 1912. J. W. SIEMENS, City Treasurer.

WOODMEN PROTESTING ANY RAISE IN PREMIUM RATES

Members of Order in Minnesota Metropolis Flooding District With Circulars to Fight Proposed Increase of Insurance Cost

MINNEAPOLIS, Feb. 9.—Thousands of circulars have been issued by the Modern Woodmen assembly here to fight the adoption of increased insurance rates adopted by the Modern Woodmen of America. Leaders of the organization throughout the country are asked to send delegates to a mass meeting here February 22, when plans will be made for fighting the so-called Mobile bill, adopted by the organization at the recent convention in Chicago.

Officers of international unions declare that there is no concerted effort to raise funds to defend the thirty-two indicted laborites. Copies of the indictments and the capias accompanying them were mailed today. Final copies will be mailed tomorrow. When all reach their destination arrests can be made.

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.

We guarantee all goods (except knives) bearing the stamp, Community Silver, Triple Plus, for fifty years in ordinary family use. For sale by FRANK M. UFF, Watchmaker, Jeweler and Engraver, Willis Building.

Herald Want Ads

MISCELLANEOUS KODAK FINISHING—First class and prompt results by Frank Duncan, over First National bank, or leave orders at Little Book store, 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. 6-6-12

FOR SALE—Dry slab wood, 16-inch, delivered to any part of the city. Ackley Bros. Phone 451. 18-11

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. F. C. 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. 25-21

SUMMONS In the Circuit Court of the State of Oregon, for the County of Klamath. M. M. Oberchain, plaintiff, vs. Ransome-Crummey Company, a Corporation, Defendant.

FOR RENT—Three or four furnished housekeeping rooms in private family; no children. Enquire at Herald office. 6-4

FOR RENT—A good 8-room house, modern, near 9th and Main, at \$10 per month. See Arthur R. Wilson, 517 Main street. 21-21

FOR RENT—Furnished rooms for gentlemen, at the Oregon House. Temple theater, Matinee daily, 2:30 p. m. Evening, first performance, 7:15, continuous.

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 31, 1911, the first publication of this summons being made on the 22d day of December, 1911.

STONE & BARRETT, 12-22-3-3 h Att'ys for Plaintiff

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

CONTINUED FROM YESTERDAY'S HERALD

Section 51. Contractual Powers—The City Council shall have no power to make a contract of any kind or nature whatsoever, or to make any lease of city property, the operation of which shall extend beyond a period of three years; nor shall it have the power to sell, abandon, grant or otherwise dispose of any title or right of the city to any real estate, franchise, right of way, street, avenue, alley or other public property, all such powers being reserved to the people and, to be exercised only by the qualified voters at a General or Special Municipal Election.

Section 52. Ordinances and Resolutions—(a)—In legislative sessions the Council shall act by ordinance, resolution or motion. (b)—The "Ayes and Nays" shall be taken upon the passage of all ordinances and resolutions and entered upon the Journal of Proceedings. Upon the request of any member the "Ayes and Nays" shall be taken and recorded upon any motion. Every member when present must vote, and every ordinance or resolution passed by the City Council shall require on final passage the affirmative vote of a majority of all the members of the City Council.

(c)—No ordinance shall be passed finally on the date of its introduction, except in cases of special emergency, for the preservation of the public peace, health or safety, and then only by the unanimous vote of all members of the Council. (d)—The enacting clause of all ordinances passed by the City Council shall be in these words: "Be it ordained by the people of the City of Klamath Falls, Oregon."

Section 53. Publication of Ordinances—Every proposed ordinance shall be published once in full in a daily newspaper of the city at least ten days before its final passage. After such final passage it shall be again published once in a daily newspaper as amended and completed, except in cases of emergency ordinances, which may be passed as heretofore provided, and shall take effect upon passage and be so published within two days thereafter.

Section 54. Amendment or Repeal—No ordinance or section thereof shall be amended or repealed except by ordinance regularly adopted.

Section 55. Ordinances Granting Franchises—No proposed ordinance granting any franchise to any public service corporation or company of said city shall be granted except upon the vote of the qualified electors of the city, and the question of its being granted shall be submitted to such vote upon the deposit with the Treasurer the expense, in gold coin, which said expense shall be determined by said Treasurer, of such submission by the applicant of such franchise, and no such franchise shall be granted unless a majority of such electors voting thereon shall vote in favor thereof. Said franchise shall be advertised for at least ten days before being submitted for their vote.

Section 56. Record of Ordinances—A true copy of every ordinance when adopted shall be numbered and recorded in a book (marked Ordinance Book), and said Ordinance Record shall contain a certificate of the time of adoption authenticated by the Mayor and City Clerk, together with the certificate of the publisher in respect to times and dates of publication. The ordinances adopted by the vote of the qualified voters of the city shall be separately numbered and recorded, commencing with (People's Ordinance) No. 1, etc., and shall be authenticated and certified to as other ordinances.

Section 57. Proof of Charter and Ordinances—This charter or any ordinance may be proved by a copy thereof certified to by the City Clerk under the seal of the city, or when printed in book or pamphlet form and purported to be printed by the authority of the city, the same shall be received in evidence by all courts without further proof.

Section 58. Council Shall Provide System—The Council shall, by ordinance, provide a system for the collection, custody and disbursement of public moneys, and a system of accounting for the city, establishing as nearly as may be a uniform system of municipal accounting, such system to be in accord with the provisions of this charter.

Section 59. Newspaper and Publication Fees—All election notices, lists of candidates for office, department reports, ordinances, charter or charter amendments, advertising, publicity affairs, or other publications required or authorized by this charter, by general law or by ordinance of the city to be made in any newspaper, and all such publications for which the City of Klamath Falls, Oregon, may be liable, shall be paid for by the city at such rates as shall not in any event exceed the ordinary and regular advertising rates charged other advertisers, and all printing of books, pamphlets, bills, letterheads or other documents or printed matter required by the city, shall be paid for at a price not exceeding the usual business rates therefor. No bill rendered to the city for such advertising or printing in excess of the usual business rates shall be paid for by the city, even though higher rates may be fixed by general or special law for other cities or towns of the state.

Section 60. Demand Against the City—No demand for money against the city shall be approved, allowed, audited or paid unless it shall be in writing, dated and sufficiently itemized to identify the expenditures and shall first be audited by the Commissioner at the head of the department creating the same. Upon the approval by the City Council of any of said demands or claims against the city, a city warrant shall, as soon as practicable thereafter, be issued in the sum of money allowed, said warrant to be drawn upon the City Treasurer, in favor of the order of said claimant, signed by the Mayor and attested by the City Clerk.

Section 61. Annual Budget—The council shall meet annually prior to fixing the tax levy and make a budget of the estimated amounts required to pay the expenses of conducting the business of the city government for the next fiscal year. The budget shall be prepared in such detail as to the aggregate sum and the items thereof allowed each department, office or board of commission as the council may deem advisable.

Section 62. Annual Appropriations—Upon said budget as adopted and filed, the council shall pass an ordinance not later than the 31st day of December in each year, which shall be entitled the Annual Appropriation Ordinance, in which it shall appropriate such sums of money as it may deem necessary to defray all expenses and liabilities of the city for the ensuing fiscal year, and in such ordinance shall specify the object and purposes for which such appropriations are made, and the amount appropriated for each object and the purpose therein named.

Section 63. Levy—Such ordinance shall include the proper

levy in mills upon each dollar of the assessed valuation of all the taxable property within the city. Such levy shall represent the amount of taxes for city purposes necessary to provide for payment during the ensuing fiscal year of all property authorized demands upon the Treasurer, and the council shall thereupon cause the total levy to be certified by the City Clerk to the County Assessor, who shall extend the same upon the tax list of the current year in a separate column entitled the City of Klamath Falls, Oregon, Taxes, and shall include said city taxes to the County Tax Collector for collection as provided by law. If the council fails in any year to make said tax levy as provided, in that event the rate last fixed shall be the rate for the ensuing year.

The amount required to make any payment of any interest or principal of any bonded indebtedness shall always be included in and met by tax levy except as otherwise provided in this charter.

Section 64. No Liability Without Appropriation—Except as herein specifically provided, the city expenditures in any one year shall not be increased over and above the amount provided in the Annual Appropriation Ordinance of that year, and no expenditures whatsoever in excess of the amount provided in the Annual Appropriation Ordinance shall be paid by the city out of the said general and special funds so appropriated and set apart, but the said several funds shall be maintained, used and devoted for the particular purposes specified in the Annual Appropriation Ordinance.

It shall be unlawful for any commissioner or any officer of the city to incur or contract any expense or liability for or on behalf of the City of Klamath Falls, Oregon, unless such appropriation shall have been made for such expense. Such contract shall be ab initio null and void as to the city; provided, first, that nothing herein contained shall prevent the council from providing by ordinance for the payment of any expense the necessity of which is caused by any casualty, accident or unforeseen contingency occurring by act of God after the passage of the Annual Appropriation Ordinance; and, provided further, that the provisions of this section shall not apply to or limit the authority conferred in relation to bonded indebtedness, nor for moneys to be collected by special assessment for local improvements.

TO BE CONTINUED TOMORROW