

WEATHER BAD FOR BALLOONS

Forecaster Blows Racers Back and Chills Their Gas for Them.

By J. K. Hutchinson, United Press Staff Correspondent and Assistant Pilot of the Balloon America.

Los Angeles, Nov. 13.—Favorable conditions, both of weather and winds, being the most essential requirements for the successful start of Dick Ferris' great transcontinental balloon race next Sunday afternoon, today's report from the government weather bureau is not the most gratifying possible.

There is a large area of high pressure over Wyoming," said Forecaster W. D. Fuller, "from which high winds are blowing from east to west—that is, from the Rockies toward the Sierras. Although the balloons should have no trouble in getting from Los Angeles into the interior, should they run into these adverse currents their flight will be retarded."

This provides for the actual start well enough, but prophecies trouble as soon as the Sierra Madre ranges are passed. Fuller holds out a little hope, however, by saying that 60 or 70 hours hence—the time that will elapse before the racers will reach the territory of the adverse winds—the high pressure area may have traveled far enough into the middle west to render its currents so weak by the time they reach the Sierras that they will bring but little harm to the balloons. But air currents and "high pressure" areas are uncertain things and in no way to be relied upon to do what even the government forecasts.

Where there is "high pressure" there is low temperature. In the region of the Rockies at present it is four degrees below zero. This would mean the end of the race should the big air craft run into such weather as the cold would condense the gas, and unless great amounts of ballast were sacrificed the aviators would be compelled to descend.

The personnel of the crews of the two mammoths has been definitely announced at last. In the veteran, record-holding United States, Pilot Horace B. Wild will man the bridge, with Frank Leroy, a professional balloonist, as his assistant.

The American, which it is hoped, will carry away the honors in the flight, will have Captain Augusto E. Mueller to watch over its destinies. The writer, who is a member of the staff of the United Press associations, will accompany him as assistant pilot.

NEPHEW OF DOWAGER

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Kwang Su, the emperor, whose death is announced today, was 35 years of age but actually ruled his people only a few years. The potentate was completely overshadowed by the empress.

Kwang Su was the ninth emperor of

China, of the Manch dynasty of Tsing, which overthrew the native dynasty of Ming in the year 1644. He was not the son of the former emperor but of Prince Chin and was while an infant made the nominal occupant of the throne in consequence of arrangements directed by the empress dowager, Tsau Hsi, widow of the Emperor Hien-Feng.

The young emperor became of age and nominally assumed control of the government in March, 1887, undertaking full control of the government two years later. But the empress dowager was always the moving spirit in the empire, and displaced at the somewhat revolutionary tendencies displayed by Kwanggen, she forced him to resign the power to her again, an imperial edict announcing this relinquishment being issued on September 22, 1898. The empress dowager has ever since retained the direction of affairs.

There is no law of hereditary succession to the throne in China, each sovereign being left to appoint his successor from among the members of his family of a younger generation than his own. The laws of the empire prescribe the government of the state to be based upon the government of the Tsing family. The supreme direction of affairs is supposed to be vested in the emperor, but in reality it is in the hands of the empress dowager, who, through the aid of her assistants, controls the government. The duties of the assistants are to see that nothing is done contrary to the wishes of the empress dowager. The collected regulations of the Tsing dynasty and in the sacred books of Confucius.

DAKOTA CASE NOT SAME AS OREGON'S

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Oregon, as expressed by them at the election of last June.

Voice of the People.

"We cannot elect a senator in a manner contrary to the provisions of the federal constitution, for that instrument defines the manner by which senators shall be elected. The Oregon law does not contravene the constitution. The constitution does not prohibit any member of any legislature from making a promise or a pledge to govern his course of action. It does not say that any member of any legislature may not promise the people who elected him that he will follow their suggestions or submit by their expressed wishes. The split of the constitution is otherwise, is that the representatives of the people shall hearken to their voice."

"It makes no difference to me," concluded Judge McGinn, "how the people elect their senators, whether by indirect or direct means, so long as they have that power. It makes no difference to me whether it is by an amendment to the constitution of the United States, or by means of Statement No. 1. So long as the method is legal, as the Oregon method is, I will be willing to overlook details of operation and quibbling technicalities to secure the result. I do not believe that any member of the Oregon legislature pledged to Statement No. 1 will repudiate his pledge. I have too much faith in the honor and integrity of the Oregon legislators. I believe that the legislature will elect Governor Chamberlain. I did not vote for him. He was not my choice, but he is the choice of the people. I do not want the system to revert. I want the people of Oregon to retain their own, and I believe they will."

The next Pennsylvania delegation in congress will consist of 27 Republicans and 5 Democrats.

FLAMES CONSUME MERLIN BILLING

Two Persons Badly Burned in Fire That Destroys Hotel and Store.

Merlin, Or., Nov. 13.—A disastrous fire occurred here today, which consumed the hotel and grocery store conducted by Ritenard & Von Allman was destroyed. The flames started in a room occupied by G. B. McEwan, a prospector, recently from Astoria. McEwan was nearly suffocated and was only rescued by the heroic efforts of William M. Richards, one of the proprietors, who was himself very seriously burned about the head and body. Richards also rescued a young girl, who escaped with her life, being horribly burned about the head and body. She has not recovered consciousness.

The building and contents are a total loss. The injured persons, all of whom are over 60 years of age, are left practically penniless. It is through the vigorous efforts of townspeople that the adjoining buildings were saved from the flames.

HOTEL RUNNER'S VOICE CAUSES HIS ARREST

Patrolman Bigelow is the new voice tester at the Union depot.

Woe unto the hotel runner who raises his voice above the key prescribed by the officer.

William Noonan, who rounds up patrons for the New Grand Central hotel as they leave the depot, clashed with Bigelow early this morning and brought up in the city jail. An O. R. & N. train was late and did not reach the city until 1:30 this morning. As the tired, sleepy passengers hurried out of the station Noonan let out his long-pent-up voice. "New G-r-r-r-and Central-1-1!" he roared.

"Ease off a little on that voice," suggested Bigelow, but Noonan was determined to get his full share of the passengers. He continued to shout at the top of a naturally powerful voice, and all north Portland woke up and wondered who was hurt.

Before all the passengers were off the train Noonan was on his way to jail.

MAY SOLVE THE BRIDGE MUDDLE

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num of \$15,000 annual rental, besides 5 cents for each car passing over the bridge.

The railway company was invited to enter into some agreement as to what would be a reasonable compensation for the revocation of its franchise and a release of its rights. The city offered in this case to give a new 25-year franchise, but as the company refused to consider paying the minimum rental demanded by law for the franchise, in the opinion of Mr. Greene it is futile for the city to attempt further negotiations.

In discussing the situation the chairman of the committee says the railway has decided not to pay the minimum, and that unless it is able to determine, or some other party asks for a franchise, no cars can ever be run across the new bridge. But the company has an unexpired franchise across the present bridge which must be torn down before the new one can be built. The following questions therefore arise, says the report:

"To what extent, if at all, will this affect the rights of the company in the present bridge? Has the company any rights beyond the life of the present bridge? What is the value of the company's unexpired term there? Is the city bound to maintain the present bridge, regardless of cost, at all events for the full term of the contract under which the company is now operating?"

"These questions must be answered before it is worth while to speculate on the value of the unexpired 12-year franchise. We think the railway company took a chance when it failed to have the city provide for the maintenance of the bridge for a term of 20 years and for rebuilding in case of its destruction.

"Should the present bridge be burned or knocked down by a passing steamer, we do not think the city, according to the terms of the contract would be obliged to replace it. We fail to see any distinction between this quick demolition and the slow destruction of the bridge by time, wear and weather.

"It is well settled by law that grants of this kind are to be decided against the grantee, and that when an easement is granted for a particular purpose in connection with a particular structure the easement is extinguished by the destruction of the structure.

"We think that when the particular Madison street bridge referred to, in and over which a franchise or easement was granted by ordinance No. 7134 and a contract was made thereunder, is worn out or becomes too great a menace to human life to permit of further use, the grant of the Portland Railway, Light & Power company in and to the same are extinguished and the contract is at an end. The doctrine of damnum injuria applies. The thing in which the company had rights has ceased to exist.

"Assuming that the company has rights, will it surrender them for less than a jury in condemnation proceedings would award and what is the present fair and reasonable valuation of those rights?"

"The franchise, if the bridge lasts 13 years, would be worth at \$1,200 a year, \$15,000. But the bridge is not likely to last even another year. Now if the company had to pay \$15,000 a year rental it would expend a total of \$150,000 in the next 13 years, or \$165,000 in excess of what it would be obliged to pay under its present contract."

The report then continues to the effect that President Lossing has agreed to surrender the present franchise and sign a new contract extending to the year 1922, expressing his willingness to pay a reasonable increase on the rental charged the company at this time.

"But what does the company believe to be a reasonable rental?" asks Mr. Greene. "We are told by a representative of the company that it would not consider paying more than \$6,000."

The law clearly forbids us to take less than \$15,000 yearly. Rather than pay this sum the company declares it will route Madison street cars over Morrison street bridge. If this is done the company will be forced to pay a fixed rate per car as the contract on that bridge calls for. It is quite reasonable to suppose that within a few years the increase in traffic would bring into the city an annual rental of \$15,000 in excess of \$15,000, so this would seem not to be an unreasonable figure.

In conclusion Chairman Greene advises that the city push condemnation proceedings against the company as an agreement can be effected as well after the suit is begun and much time will be saved in meeting the issue.

NEW METHOD OF SNEAKING CHINKS

Pacific Mail Men and Immigration Officers Said to Be Involved.

(United Press Leased Wire.)

San Francisco, Nov. 13.—The government inquiry into the reports of smuggling of Chinese coolies into America in the guise of seamen in the employ of the Pacific Mail Steamship company may reach into the government immigration service. Secret agents, acting on information sent to the Pacific Steamship company by local Chinese merchants, say they have unearthed an organized coolie smuggling ring involving officers of the Transpacific line.

The first news of the alleged smuggling reached the Pacific Mail Steamship company in the form of a letter of complaint dated at Honolulu, July 24, 1908, and signed by three Chinese merchants of San Francisco en route to China. The three merchants, one of whom, Foy Tan, is a liquor dealer, wrote to the company that Chinese who were being deported were ill-treated by the captain of the Mongolia. They declared that the deported Chinese were kept locked in the hold, and charged that the captain was cognizant of coolie smuggling.

The writers said that among the crew on the steamer were two Chinese, Leong Yuen and Ah Mong, whom they recognized as residents of San Francisco, and that these men told them they had replaced two Chinese who had been allowed by ship's officers to land.

The two Chinese told the writers of the letter that several other Chinese from different parts of the United States were in the crew and had replaced an equal number brought from China on the Mongolia, who were allowed to land. The Chinese who were put to work on the case, and are said to have obtained a signed statement from a local officer on the Mongolia in confirmation of the charges of the Chinese.

It has been alleged that the substitution took place after bonds were filed allowing members of the crew to go ashore in San Francisco. This substitution would be impossible, it is claimed, without collusion on the part of inspectors in the local immigration offices, where photographs of men who land are taken, and the inspectors at the pier, where the identification of those about to embark is made.

One of the leading secret service men is on the way to San Francisco to take charge of the investigation.

GET BARGAIN IN A WAREHOUSE SITE

The Gold Medal Shingle company has just purchased lots 1, 2, 7 and 8 in block 55, East Portland, being the north half block facing on Taylor street between East Second and East Third streets, for \$18,000. This property is considered what really men call a "block-up." It belonged to the Western Electric company of Chicago, who refused \$27,500 for it only six months ago, the Fisher Thoren company, who own the south half block, having made the offer. The owners would not sell then because they intended to erect a building, but have since withdrawn from the Portland field. The property has trackage on Second street. The new owners refused \$25,000 for the property.



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FOOTBALLS and FOOTBALL PANTS FREE

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BEN SELLING LEADING CLOTHIER

before the deeds were executed. They will erect a one-story warehouse and full basement, which will draw \$900 a month rental. The deal was made through Carey & Heuser.

Removing Temptation.

From the Delineator.

My neighbor's small son, not yet 4 years old, appeared at my door one morning, and after looking in a moment announced:

"You screen's unlocked."

"I was busy, so I said, 'All right.' 'Why don't you lock it?' he said. 'In a minute I will,' I answered, and he was silent a little while. Then: 'I wish you would come do it now.' 'But why, Lawrence?' I asked. 'Well,' he sighed, 'I might tum in and my mama said not to.'

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Women's \$1.00 Gloves

On sale tomorrow (Saturday) only—Women's French Kid Gloves, in sizes 5, 5 1/4, 5 1/2, 5 3/4 and 6 only; nearly all colors and splendid quality French kid. Women, and misses who wear small sizes should lay in a supply tomorrow. Special, pair

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