

### C. B. MERRICK FOR NEW POSTMASTER

Register of Land Office Is Recommended for Position by Senator Bourne.

### NEWS COMES AS SURPRISE

Federal Official Says He Was Unaware His Name Would Be Suggested—Similar Move Made When Given Present Position.

Charles B. Merrick, Register of the United States Land Office, was yesterday recommended to the President by Senator Jonathan Bourne for nomination of postmaster of Portland, to fill the vacancy caused by the death of John C. Young. News of this action came as a surprise to Mr. Merrick, who although one of Mr. Bourne's close personal friends, says he expects nothing of the kind, as he had but recently been appointed on Mr. Bourne's recommendation to his present position.

"I can hardly believe it," said Mr. Merrick last night. "It is only six months since I was appointed as Register in the Land Office and I have never heard a word spoken of being appointed as postmaster, and had not given the matter a thought. I never asked for the position, but certainly feel highly complimented by the honor of being nominated for such an important position. I will accept it if appointed."

**Honors Given Where Not Sought.**  
"In the same way I had never thought of being appointed to my present position in the Land Office and some one came up to my office and began looking into my record. I am told that Mr. Bourne acted in the same way in nominating Mr. Young to the office of postmaster that the first time Mr. Young thought of the position at all was when he received notice that he had been sent in. Mr. Bourne once said to me it is a pleasure to appoint men who are not asking for the office, and he may have followed this same idea in recommending my name for the position."

**Active in Public Enterprises.**  
Since coming to Portland, Mr. Merrick has been prominently associated with public enterprises. He is at present the secretary of the Board of Public Utilities, editor of the Grocers' Magazine, secretary of the Retail Merchants' Association, which he organized four years ago, and was for four years secretary of the Retail Grocers' Association.

Mr. Merrick, according to his own statement, has never taken an active part in politics, although until last June he was a member of the Multnomah County Republican committee, when he resigned on account of having moved his residence into a new district. He assisted Mr. Bourne materially in his election to the office of United States Senator, making a strong fight for the Statement No. 1 under which Senator Bourne secured his election. He, however, is inclined to believe the assistance which he rendered Senator Bourne at that time.

The position of postmaster of Portland pays a salary of \$6000 a year. This salary is based upon the receipts of the post office, and as this item is continually on the increase in Portland, the position which Mr. Merrick occupies should pay a figure considerably higher than this before the expiration of many years.

### CARSON CASE IS CLOSED

HERMANN REITERATES THAT HOGAN GETS PITCHER.

Sees No Necessity for Coast Having Rule Which Is in Conflict With Those of National Commission.

SAN FRANCISCO, June 6.—(Special.)—The Carson incident was finally closed this evening by a long telegram from August Herrmann, chairman of the National Baseball Commission, to President Graham of the Pacific Coast League, in which he states that he can see no necessity for the conflicting resolution of the Coast League and reiterates his former statement that Carson is eligible to play with Vernon.

As the National Commission is the court of final appeal in such matters, President Graham this evening wired Hogan that Carson belongs to him and may be used tomorrow if he so desires. In his telegram Herrmann states that Portland, according to the evidence submitted to him, had its opportunity to claim Carson back, but did not take advantage of it. The National chairman also points out that clubs drafting players must be protected, as well as those organizations from which players are drafted. The text of the telegram follows:

"In my judgment there was no necessity for adoption of the Pacific Coast League resolution to which you call attention. Clubs from which players are drafted are fully protected by the commission rules. Rule 42 provides that a drafted player cannot be sent to a club, a member of the same classification from whom the player was secured, without giving the club from which he was drafted an opportunity to again secure the player at the draft price."

"Portland, from the evidence submitted, had this opportunity, but did not take advantage of it. The sale by Chicago to Vernon is therefore legal and the player is eligible. Clubs drafting players must be protected, as well as those from which the player is secured. The Chicago club has a right to repurchase this player from Vernon at the draft price on August 30. This could not be done if your rule was in operation and the player was turned over to Portland. Will submit telegraphic correspondence to my colleagues."

**AUGUST HERRMANN,**  
Chairman of National Commission.

**Odor of Pigs Offends.**  
VANCOUVER, Wash., June 6.—(Special.)—Half a ton of pigs of the Cheviot breed were received today by the Northern Express Company from Cleveland, O. They were consigned to Thomas Ander-

son, who lives near Vancouver. The odor from the young porkers was of such strength and volume that the express agent would not permit the crate to be taken into the office, but it was left on the street, where all passing were offended.

### SILETZ BILL IS PASSED

HAWLEY'S MEASURE ADOPTED BY THE HOUSE.

Will Next Go to Senate, Where It Will Take Place of Similar Measure by Chamberlain.

OREGONIAN NEWS BUREAU, Washington, June 6.—Representative Hawley this afternoon called up and passed through the House his bill directing the patenting of a considerable number of homestead entries on the Siletz Reservation.

Because of the canvass which Hawley had made among members of the House no opposition was raised to the bill today, though it was severely criticized at the time it was reported. The bill now goes to the Senate, where it will replace a similar bill by Senator Chamberlain.

As passed by the House, Hawley's bill provides: "That all pending homestead entries heretofore made within the former Siletz Indian Reservation, upon which proofs were made prior to December 21, shall be passed to the satisfaction of the Secretary of the Interior that the entry was made for the exclusive use and benefit of the entryman, and that the entryman built a house on the land entered and otherwise improved the same and actually entered into occupation thereof, and cultivated a portion of said land for the period required by law, and that no part of the land entered has been sold or conveyed or contracted to be sold or conveyed by the entryman, and where no contest or other adverse proceeding was commenced against the entryman, and notice thereof served upon the entryman, prior to the date of submission of the proof thereon, or within two years thereafter, provided, that nothing herein contained shall prevent or forestall any adverse proceedings against any entry upon any charge of fraud, and provided further, that any entryman who may make application for patent under the provisions of this act shall as an additional condition precedent to the issuance of such patent, be required to pay to the United States \$2.50 per acre for land so applied for."

### SEATTLE FOLK FIND NO CAR

Party of 600 Arrive at Depot and Walk to Up-Town Hotels.

Over 600 Seattle visitors to the Rose Festival were in anything but a happy state of mind soon after their arrival here yesterday, owing to the inadequate street-car service. At 5 P. M. yesterday, a Northern Pacific train arrived one hour late, with that number of passengers. When they came out from the depot they found no cars to carry them to the city.

For 15 minutes a large number of the party waited for the cars to put in an appearance, but in that period the entire quota of cars to carry the 600 people was one "J" car and one "W" car. The great majority of the guests of the city were forced to walk up Sixth street to the hotels and many were the expressions of disgust at the poor service rendered at such an important time by the Portland Railway, Light & Power Company.

### BRIDGE CASE CLEAR

Court Cuts Away Mass of Surrounding Technicalities.

### DUNIWAY'S MOTION DENIED

Judge Burnett Decides No Judgment on Pleadings Necessary—Only Two Contentions Left for Case to Be Tried on Monday.

"The Broadway bridge ordinance could have been so drawn as to fix the weight of the two beams of the bridge, the live load, the dead load, and many other things," said Circuit Judge Burnett yesterday morning, in clearing away the rubbish of legal technicalities of the bridge case. Ralph R. Dunway, attorney for Frank Kierman, the nominal plaintiff in the case, has but two contentions upon which to stand at the trial of the case on its merits, for the court yesterday cut away all else. One of these is that Frank Kierman is a citizen and taxpayer of Multnomah County, which is denied by the City Attorney, and the other is as to whether or not the resolution of the City Council authorizing the issuance of the Broadway bridge bonds was ever filed with the City Auditor.

Presiding Judge Morrow set the case for trial next Monday, instead of Tuesday, the date previously fixed, and will assign it to Judge Burnett. As the latter's commission from Chief Justice Moore expires June 11, however, it will be necessary for him to secure an extension of time if he is to sit.

It was a motion by Dunway for judgment on the pleadings which Judge Burnett decided yesterday, denying it. He said the ballot title was fairly descriptive, that the measure itself was sufficiently definite for all practical purposes, and that the transposition of the numbers upon the ballot was merely a political question, which the vote of the people settles. The judge said it was with difficulty that he unraveled Dunway's amended complaint, separating the recitals from the conclusions of law.

The trial of the case Monday will settle the matter, unless Dunway sees fit to take it to the Supreme Court.

### BROADWAY BRIDGE DISCUSSED

Committee From North East Side Wants Immediate Action.

Unstinted praise for Circuit Judge Burnett because of his action of the morning in deciding favorably and in no uncertain terms for the city relative to the Broadway bridge project was given last night by the members of the committee of the North East Side Improvement Association, when they met in the office of M. G. Munly, in the Wells-Fargo building. Another session will be held there tonight to give other clubs an opportunity to be heard on the subject.

Five of the seven members of the North East Side Improvement Association's committee were present. They went over the maps covering the ground desired for vacation by the O. R. & N. Company by the city in connection with the bridge project, and

D. L. Povey, the chairman, announced that, in his judgment, the railroad and city are but about \$50,000 apart on the proposition. John T. Whalley agreed with this and moved that it be the sense of the committee that the general plan be accepted, in order that the Broadway bridge might proceed without further delay. It was seconded, but was never put by Mr. Munly who had been asked to act as chairman.

Councilman Menefee was present, evidently desiring definite action, and when Chairman Munly explained that he thought it best to delay the action until "certain East Side men" could be heard, Mr. Menefee inquired who they were. It soon developed that among them is Dan Kellaher, and Mr. Menefee declared it to be his belief that Mr. Kellaher "and his crowd" do not favor the Broadway bridge at all; that they are its enemies. Mr. Povey recalled in this connection that when Kellaher was a member of the Council and the first appropriation of \$1000 to start the project was up for action, the supporters of the bridge all failed to get Kellaher to vote for it.

"As far as I am concerned," said Mr. Menefee, "I do not care what Mr. Kellaher or his crowd think about the subject. They absolutely oppose any street vacations now; they want to grant franchises, and it indicates to my mind that they do not want this bridge at all, and are taking this means of defeating it. We are almost together with the O. R. & N. and terminal companies on this proposition and we can get the bridge, if we act promptly. It is my candid judgment that we ought to tolerate no further delay for the reason of giving any such man an opportunity to come in and talk. We ought to follow up Judge Burnett's decision by authorizing the acceptance of the O. R. & N. proposition and build the bridge, it seems to me."

Chairman Munly said he did not agree with the idea of rushing through a resolution favoring the acceptance of the proposition, but would prefer to see the others who are interested have an opportunity to be heard. He did not put the question upon the motion of Mr. Whalley. The latter declared the meeting to be a farce and the committee, he said, should be discharged from further work.

It was finally decided that any who wish to be heard on the subject before definite action is taken shall have the opportunity tonight, when a second meeting will be held in Mr. Munly's office.

### DR. REDDY SHEDS NO LIGHT

Attorney Demands to Know Why He Sought Profit in Road Deal.

"How was it that you were selling your own private stock of the Pacific & Eastern Railroad Company for from \$31,000 to \$33,000 for your own benefit, at the same time representing to the court that you, as receiver for the road, could secure but 77 cents on the dollar for its first mortgage bonds, and asking the court to authorize you to accept it?" This was the question propounded by Attorney A. B. Clark to Dr. J. F. Reddy yesterday afternoon, in the \$25,000 suit of Thomas G. Devlin against Reddy, S. W. Bryker and the officials of the Oregon Trust & Savings Bank, H. W. Moore, W. Cooper Morris, H. A. Moore, E. E. Lytle and Leo Freide.

Reddy was at one time receiver of the Medford & Crater Lake Railroad. He is accused of having conspired with the bank officials to secure the road for their own private benefit with the aid of the bank. Attorney Clark's question remained without a satisfactory answer.

Reddy told of his relations with Morris, saying he had known him for 15 years, that he had been interested with him in the Arlington & Condon road and the Republic & Grand Forks road in Washington. Alex Svesek, called to the stand yesterday morning, said he held \$100,000 worth of Pacific & Eastern stock at one time, this being a third of it, but that he could not remember from whom he received it or to whom it was assigned by him. He declared he paid nothing

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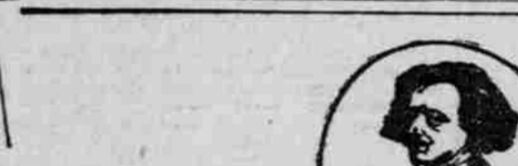
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