

CITY IS RESTRAINED FROM ENFORCEMENT OF MEAT ORDINANCE

Independent Dealers Allege In Petition That New Law Gives Union Co. Monopoly.

HEARING SET FOR JULY 22

Inspection Features Are Those Most Objected to by Complainants in Action Filed Today.

The fight being made by the independent meat dealers on the new city meat ordinance, which went into effect last Friday, reached an important stage this morning when Circuit Judge Dunning granted a temporary restraining order enjoining the city from enforcing the provisions of the ordinance. This injunction is returnable July 22.

The principal charge in the complaint filed in the circuit court asking for an injunction is that the new ordinance practically assures the Union Meat company a monopoly of the business of slaughtering animals for sale in the city of Portland.

Discrimination Charged. Other complaints are that it is discriminatory and in contravention of the fourteenth amendment of the constitution of the United States and of section 20 of article I of the constitution of Oregon. The latter discrimination is said to lie in the fact that the ordinance divides the meat purveyors into three distinct classes, imposing burdens on one class that are not placed on the other. It is further alleged that the ordinance in its effect is void in that it seeks to regulate the operation and conduct of slaughterhouses which are located outside the city of Portland and that it prohibits the sale of meat in Portland from animals that are killed outside and within one mile of Portland, where more than five animals are killed each week.

The plaintiffs in the case are the Starrett & Oberle Packing company, H. E. and H. P. Adams of the firm of Adams Brothers, M. J. Gill, B. E. Gill and B. A. Jones, doing business as M. J. Gill & Co., the Jones Market, the Boston Packing company, Paul R. Spahr and Charles Rudeen.

Monopoly Chief Charge. Mayor Albee, Commissioner Bigelow, Dick, Brewster and Daly, Chief of Police Clark and Health Officer Marcellus are named defendants for the city. Dan J. Malachuk represents the dealers.

The chief complaint of the independent meat dealers is that the ordinance will have the effect of giving the Union Meat company a monopoly of the slaughtering business in this city. All carcasses killed at its plant are inspected by the United States department of agriculture for the reason that the company does business in interstate and foreign commerce.

In the new ordinance it is provided that slaughtering establishments and carcasses inspected by the United States department of agriculture are exempted from the terms of the ordinance. This fact in itself, assert the smaller dealers, is a discrimination in favor of the corporation in that it imposes burdens on the independent packers and meat dealers from which the larger concern is wholly exempt.

They charge that this alleged discrimination will ultimately have the effect of giving the Union Meat company a complete monopoly of the sale of slaughtered carcasses in this city without assuring that its meats are up to the standard which the city lays down for the local killers.

The government inspectors, they say, may pass meat which under the terms of the city's ordinance could not be offered for sale by the smaller dealers, and having branded it "inspected and passed" it could be offered for sale in Portland by the Union Meat company, no matter how unwholesome or unfit for food it might be.

Burdensome restrictions and regulations heaped upon the smaller dealers, they assert, will make it impossible for them to do business in competition with the Union Meat company.

Dealers in Three Classes. The ordinance is said to be most discriminatory in that it divides meat dealers into three classes: (1) those within the city of Portland and within one mile of the outside of the city, all of whom are amenable to the provisions of the ordinance; (2) those who kill and bring meat for sale in Portland from without the one mile limit; (3) and those who expose for sale meat which has been "inspected and passed" by the United States department of agriculture.

The discrimination is alleged to lie in the fact that the first class composed of local killers and dealers are compelled to do things which the others are not, in that most stringent regulations are laid down for their guidance which do not apply to those embraced in the other two classes.

Local slaughterers are compelled to follow the rules regulating the operation of their plants while outside slaughterers are simply required to bring in their carcasses or dressed meats for inspection without any attention being paid to the manner in which the original animal was killed. The Union Meat company, it is asserted, is the only firm that falls under the third class, those amenable to United States inspection, in that it ships meats in interstate and foreign commerce.

What is said to be another hardship placed on the local dealers is the requirement of antemortem and post-mortem examinations of the animals by city inspectors when outside dealers are not affected by this regulation.

City Will Take Appeal. Over the dissenting voice of Commissioner Bigelow the city council last morning authorized City Attorney Le Roche to appeal from the decision of Judge Dunning in the case of Russell Chamberlain, who is a Civil war vet.

eran, was discharged by W. L. Brewster, commissioner of public affairs, for alleged inefficiency due to old age. The municipal civil service board reinstated him, however. Not satisfied with its decision, the council authorized an appeal taken to the circuit court and Judge Morrow ruled that the board had acted within its rights.

The action this morning was taken after a passionate appeal had been made by Roger Sinnott, Chamberlain's attorney. He said that it would cost the city about \$300 to appeal the case and his client's equal amount which he could not afford to spend.

Lumber Company Creditors in Court

Apply to Have Reiner Lumber & Shingle Company Declared an Insolvent Bankrupt.

Creditors of the Reiner Lumber & Shingle company, among them five of the large timber operators of the state, in a petition filed with the federal court today, ask that the concern be adjudged an involuntary bankrupt and that the assets of the company be sold to pay its debts.

The petitioners are the Algor Logging company, creditor for \$34,839.24; Dodge Bros. & Sons, \$23,845.60; O'Connell Lumber company, \$23,845.60; Parker Stennick, \$16,621.43; Larkin Green Logging company, \$10,366.23; and Nelsheim Timber & Logging company, \$14,766.58.

The petition alleges that an act of bankruptcy was committed by the defendants in transferring to the U. S. Dodge Bros. & Sons a sum of \$18,000 for which but \$8000 was received. This, it is alleged, was used to pay an obligation to the Hamilton Creek Lumber company, a Washington corporation.

On April 15 another preference of creditors was made, the petition asserts, when \$1000 worth of saw logs were transferred to the Columbia River Diver company. Another preference was made, too, according to the petition, when a lumber barge was turned over to Peter Allen.

The petitioners are represented by Attorney Thomas Mannix.

Want Office of State Engineer Retained

Abolition Would Put State Back 20 Years, Says Chamber of Commerce; to Lead Fight.

Declaring that the proposed law to abolish the office of state engineer would practically put a stop to development and reclamation work in eastern Oregon and set the state back 20 years, the trustees of the Portland Chamber of Commerce today decided to lead the fight in opposition to the initiative measure.

The proposition was brought before the chamber by a delegation of engineers and development advocates numbering 25 persons. It was pointed out by the various speakers that a qualified head for the irrigation projects of Oregon is imperative. The first result of the law, it was contended, would be to prevent the expenditure of \$15,000 already appropriated for a topographic survey which would lay the basis of all future reclamation projects.

Among those who addressed the chamber in opposition to the bill was Colonel C. B. Wood, Ernest G. Hopson, engineer of the United States reclamation service, C. C. Henry, L. A. McArthur and H. B. Miller, chairman of the Oregon-hydro-electric commission.

Funeral Service to Be Held Tomorrow

Mrs. Tassie Norval Proudfoot, widow of the late Albert Proudfoot, died at her residence in this city yesterday.

Tassie Norval was born in London, Canada, of Scotch parentage. In 1858 her parents moved to the United States, settling at Ashkum, Ill., where her father, who was a physician, continued to practice medicine.

In 1883 she married Robert A. Proudfoot, and with him became a pioneer, first in Nebraska, and then in South Dakota. In 1895 Mr. and Mrs. Proudfoot moved to Oregon, where a few years later Mr. Proudfoot became well known as the proprietor of the Creamerie restaurant in this city, which he conducted until his death two years ago.

Surviving Mrs. Proudfoot in this city are a sister, Mrs. Belle N. Page, a niece, Mrs. Walter Jones, and a nephew, Joseph H. Page, formerly deputy district attorney.

The funeral will be held tomorrow afternoon at 2 o'clock in the undertaking parlors of Dunning & McEntee. Interment will be made at Vancouver, Wash.

To Rush Bridge Work. The county commissioners this morning called upon the advisory board on the bond issue for the interstate bridge, of which District Attorney Evans is chairman, to prepare a program for the immediate issue and sale of the \$1,250,000 bonds declared legal yesterday by the supreme court.

What is said to be another hardship placed on the local dealers is the requirement of antemortem and post-mortem examinations of the animals by city inspectors when outside dealers are not affected by this regulation.

Will Attend Box Party. Boy Scouts Eugene Rich, the four commissioners, Miss Stella Riggs, Archie Weinstein, Norman Youmans and Julius Steinberg, the Junior District Attorney, Abraham T. Weinstein, and Morris Rogaway, the auditor, have all been invited to attend a box party as the guests of the Empress theatre tonight.

Accused of Selling Cocaine. J. A. Gilmore was arrested last night by Special Officer S. B. Sandifer on a charge of selling cocaine without a prescription to A. F. Tennant. He was released on \$150 cash bail.

region life Insurance Company

Only Company "Exclusively Oregon" Best for Oregonians

Home Office Corbett Building, Fifth and Morrison, Portland

A. L. Mills, President, I. Samuel, General Manager, C. S. Samuel, Assistant Manager.

NURSE ARRESTED AS SLAYER OF FRIEND TO GET LIFE INSURANCE

Insurance Companies Cause Arrest of Mrs. Kinkaid for Mrs. Bluet's Death.

SAY DEATH NOT ACCIDENT

Dead Woman Had \$15,000 in Policies on Her Life: Was Supposed to Have Been Burned to Death.

San Jose, Cal., July 15.—Mrs. R. I. Kinkaid, formerly Miss Eva J. Rinehart, was arrested at her husband's home here today on a placer county warrant charging her with responsibility for the death of Mrs. Kathleen Bluet at Auburn last January.

The arrest was the outcome of an investigation by the Travelers' Accident, New York Life and Prudential insurance companies, in which Mrs. Bluet was insured for a total of \$15,000, which she left to Mrs. Kinkaid. The Travelers actually had paid the \$5000 policy it carried on Mrs. Bluet's life, but the other two concerns started an inquiry in which the Travelers joined.

Mrs. Kinkaid, a woman of about 34, who was secretly married in San Francisco a year ago, was formerly, as Miss Rinehart, the partner of Mrs. Bluet, aged about 50 when she died, in the Sierra hospital at Auburn.

Took Out Big Policies. Both were nurses. They opened the hospital October 1, 1913. It was after this, according to representatives of the insurance companies, that Mrs. Bluet took out the \$15,000 policies on her life. She was a childless widow and had no dependent on her, the insurance men say, and they consequently are prone to believe she understood why she should have burned herself with nearly \$5000 annually in premiums which she had no way of paying but from her comparatively small savings as a nurse.

January 8 Mrs. Bluet suffered burns, said to have been caused by the overturning of an oil stove, and January 14 she died. A certificate was obtained attesting to her death by accident and her companion took her body to Reno, where it was buried.

Why Buried in Reno? At this point the insurance investigators begin a profane astonishment at Mrs. Rinehart's action in having the burial at Reno instead of sending the body to Alameda, where the dead woman had been buried. At any rate, an hour before the funeral, Mrs. Kinkaid, or Miss Rinehart left for her own former home in San Jose.

It was after this that the insurance companies conducted their investigation. About the same time Mrs. Bluet's Alameda relatives, who did not learn of the death until Monday, nearly two months after it occurred, engaged Attorney Neal Power to investigate on their behalf.

As a result of the joint inquiry, Mrs. Bluet's body was exhumed Monday. The casket having been hermetically sealed, the corpse was found in a good state of preservation.

The body was found to be a dead woman had suffered were visible, but according to Dr. David E. Stafford of San Francisco, who conducted an autopsy, they were insufficient to have caused death.

Kept for Trace of Poison. The viscera and brain were removed and brought from Reno to San Francisco to be analyzed for traces of poison.

In the meantime District Attorney Albert E. Clark of Placer county issued a warrant for Mrs. Kinkaid's arrest. Arriving in San Francisco last night with Under Sheriff Elmer Gump of Placer county, he communicated with Sheriff A. B. Langford of Santa Clara county, who immediately visited the Kinkaid home. Mrs. Kinkaid was automobiling at the time, and it was not until today that she was found at her residence.

Dr. David E. Stafford did not take her to jail, but said he would simply detain her until the Auburn authorities arrived.

Was a Young Child. Mrs. Kinkaid declared her entire innocence, asserted that Mrs. Bluet was her best friend and accused the insurance agents of manufacturing a case against her. She has a little boy born a few weeks ago.

The insurance men's theory is that Mrs. Bluet believed it would be possible for her animation to be suspended, so that she might be buried and afterward exhumed and revived.

Mrs. Kinkaid was with her husband and her sister, Miss Mary Rinehart, when arrested by Deputy Sheriff Buffington. She did not seem frightened. Her husband, Raymond I. Kinkaid, is a professional nurse recently from Texas.

LOGAN SCORES POINT IN LAND LOCATOR CASE

(Continued From Page One.)

started by another fellow who was trying to get business himself and was jealous.

Last Letter Was Deceit. Vaseo on redirect examination said he wrote the last letter after a "certain official" (the postal inspector) had visited him, and that it was an attempt to get a tip as to Logan's whereabouts. The letter, he testified, was somewhat familiar with the man, admitted, after he knew the scheme was a "bunk" one.

"I first heard of the proposition through reading an advertisement in the San Francisco Examiner, dated January 14, 1914. Logan and his agent, Mr. Cogburn, came to me and explained the proposition," Vaseo testified. "I was somewhat familiar with this litigation in the Oregon courts, but they assured me that I was taking absolutely no chances. He told me it was so good that I could borrow money on the option."

Vaseo said he and his wife each put up \$150 for claims in Josephine and Clatsop counties. He told me that Logan asked him to be a Watsonville agent and insisted that he accept 10 per cent. From these transactions he made \$48, he said. Thirteen applications were made by Watsonville residents for the Oregon lands, Vaseo asserted.

Electrician Testifies. William Pareka, electrician of Berkeley, Cal., also testified that he and his wife had paid \$150 for locations on the O. & C. lands to Logan. "Logan told me that the railroad company had three months or so to sell

BIG IMPORTATION OF FOREIGN GOODS WILL BE ENTERED HERE

Important Part Played in Developing This Port by Lipman, Wolfe & Co., Shown.

SHIPMENT IS RECORD ONE

Lot of Merchandise Said to Be Largest That Ever Paid Duty in Portland.

The prominent part played by Lipman, Wolfe & company in making Portland a port of entry is shown in the receipt yesterday over the \$1,000,000 of what is said to be the largest single importation of merchandise ever entered through the Portland custom house.

The shipment was routed via the Hamburg-American line to Boston and thence by rail in bond to Portland. Customs examination and appraisal is made at this port and ad valorem to its credit, although examination could have been made at Boston.

The merchandise received today is mostly of German importation for the Christmas and holiday trade and consists of crockery, brass, glass and china, flowers, vases, metal goods, artificial flowers, shades and the like.

Lipman, Wolfe & company is also in receipt at the same time of a large shipment routed from Europe via New York, the Panama railway, and thence by water to Portland, using the boats of the American-Hawaiian company.

Ordinarily such shipments come by the Tehuantepec railway, but due to the unsettled condition in Mexico, Pacific coast freight is now being routed by way of Panama or around the Horn.

With the opening of the Panama canal, it is pointed out, Portland is destined to become much more important as a port of entry as local merchants will undoubtedly import more goods from abroad with an all-water route insuring lower freight rates and removing the danger of breakage in transit that now obtains.

Lipman, Wolfe & Co. maintain resident buyers in London, Paris, Berlin and Florence, and all of their purchases are being sent direct to Portland for customs examination.

MAY SELL PUBLIC DOCKS

St. John, O., July 15.—St. John may sell its public docks. At last night's city council meeting Mayor Vincent, City Attorney Parker and Councilman J. W. Davis were appointed a committee to investigate the proposition of selling them or leasing them for a term of years. A three-fourth vote of the council would be required to provide for their sale.

The present lease, the Crown Columbia Paper company, recently bought a renewal of its lease for a term of years at the present rental, but the council refused this, wishing to provide for an increased rental at a later date.

Where Is Slim's Father?

Salem, Or., July 15.—E. A. Sims of Bendale, Cal., is endeavoring to locate his father, Leonard M. Sims, 60 years old, and has written to the governor's office for possible information.

Would Find Sister.

Mrs. Retta Martin of Denver alighted at Salem on a train the other day expecting to visit her sister, Mrs. Cliff Hutchins. But she didn't, because the family had moved from the last address.

Had Warned Kidnap.

John McCourt, former United States attorney, said that W. F. Minard came to his office in 1911 on business regarding the settlers on the O. & C. grant.

"I told him then," McCourt testified, "that he was engaged in a 'bunk' game, and that the government was going to get him if he didn't stop. He said that his attorney had instructed him that he was within the law, and that he was going to continue in the business until he learned otherwise."

Anderson M. Cannon, clerk of the United States district court, was also a witness, testifying as to the filling of the big O. & C. suit in 1908, and other documents pertaining to that case.

Fraud Is Alleged.

Charging Bruce T. Douglass, T. G. Anderson and Mrs. Bessie Anderson with taking advantage of the weakness and mental condition of Mathilda A. Berendes and defrauding her out of \$1250.25 in a realty deal, M. F. Berendes, guardian of Mathilda Berendes, yesterday started suit against them to recover that amount.

HOTEL STEWART

San Francisco

Do You Wear Shoes?

Shoes? See Page 11

Pacific College Is Chautauqua Topic

Levi T. Pennington, President, Is Speaker at Forum Here on Subject of "Four Faces" Will Lectures.

At the summer school, Professor L. H. Weir gave an illustrated lecture in the University of Oregon department of the National Dr. Thomas E. Green, lecturer, traveler and author.

Samuel Hill gave his famous talk on good roads last evening, following Professor Lee Maynard Dagg's lecture, "Anglo-Saxon Grip." Tomorrow's program will be as follows:

Patriotic Day. 8:00 to 11:00—Summer school. 11:00—Pacific University morning. Speaker, President C. J. Bushnell, "The Challenge of the Twentieth Century to the American Citizen."

1:00—Concert, Parsons' orchestra. 2:00—Spio, Mrs. Pauline Miller Chapman of Portland. Lecture, "The Burden of the Nation," Dr. Thomas E. Green, lecturer, traveler and author.

3:30—Baseball, Molalla vs. Clackamas. Parent-teacher extension, Professor T. J. Gary, Kindergarten pavilion.

7:00—Concert, Parsons' orchestra. 8:00—Violin solo, "Capriccio Violino" (Kreutzer), T. J. Bacon. Solo, Stuart McGuire. Illustrated lecture and moving pictures, "Panama-Pacific Exposition," Dr. Frederick Vining Fisher of San Francisco.

Admits Raising Price to Board

Joseph Nash, whom the Portland school district is suing to condemn eight lots adjoining the Richmond school, admitted this morning in Circuit Judge Kavanaugh's court that in 1911 he offered to sell 22 lots, including the eight desired, to District Assessor Funk for \$4000, when the latter was making an assessment against the property. He said that despite that statement the eight lots are worth \$8500 today, and that the taking of those lots by the school authorities will damage his remaining 14 lots \$2000 and will cause him to lose an old barn which he values at \$5000, making \$11,000 in all.

About a dozen witnesses for the school authorities testified the eight lots were worth in the neighborhood of \$8000, which the school district has offered. Two witnesses for Nash and his wife have testified to the value, one saying about \$7000 and the other about \$8000. The school yard would damage the remainder at least \$5000. He admitted that when he purchased his own home, which is opposite the school, he did not consider that the value was depreciated by the proximity of the school. The case will probably be concluded this afternoon.

Will Test State Scales.

Salem, Or., July 15.—For the first time in the history of the state tests are to be made of the scales and measures used at the various state institutions. Deputy State Engineer F. G. Buchtel taking up the investigation today.

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Mrs. Retta Martin of Denver alighted at Salem on a train the other day expecting to visit her sister, Mrs. Cliff Hutchins. But she didn't, because the family had moved from the last address.

HEARST-SELIG WEEKLY

World's Latest Events

"MME. OTHICK"

Dramatic Soprano

10c—ADMISSION—10c

STAR THEATER

THE HOUSE OF COMFORT

WEDNESDAY, THURSDAY, FRIDAY AND SATURDAY

Presents

One of the Greatest Dramatic Productions Ever Staged

"The Gamblers"

By CHARLES KLEIN

Author of the "Third Degree" and "The Lion and the Mouse," In Motion Picture

5 Wonderful Parts

Played by an All-Star Cast

Ran on Broadway 2 Years

A TREMENDOUS PHOTO-PLAY FEATURE

Also

"Agie's Sister"

A Comedy-Scream

10c—No Raise in Price—10c

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