Important Decision to People Who Buy on the Installment Plan.

DESTROYS DEALERS' LEASES.

The Court Orders the Return of Some Furniture That Was Selzed for Non-Payment.

A case of great interest to buyers of property on the instalment plan was decided by Justice of the Peace Carroll yesterday. The action was over what is called "leased furniture," or, in other words, furniture sold on the installment plan. The buyers had paid \$87 on a bill of \$113. There was

This is to certify that I, the undersigned, have leased from the Aronson Furniture Company, to be used in the building known as street, the personal property in the schedule annexed, for the use of which we hereby agree to pay the sum of the paying the sum of the personal property week, or the personal property week, or per mouth; and I further agree that if default be made in the payment, then this lease shall be at an end and terminated, and the Aronson Furniture Company shall be at liberty to enter upon the premises and take away the property, and all damages and charges for such entry and the taking are hereby waived.

Aronson simply stated to the court that

Aronson simply stated to the court that he sold twenty-one yards of carpet, twelve yards of linoleum and a folding bed to the McKeans for \$113. They paid \$87 in weekly installments. When they failed to pay the balance, \$26, on time, he got out a writ of replevin through the Sheriff's office, went to the McKean house and certified off his replevin through the Sheriff's office, went to the McKean house and carted off his furniture. Of course, Mrs. McKean stoutly objected, but he did not pay any

stoutly objected, but he did not pay any attention to her. He said it was his property, and he was going to take it.

The McKeans fought the suit on the ground that they had bought the furniture on the installment plan and it was theirs to all intents and purposes, no matter what the so-called lease which they had signed said. The court substantially agreed with them and said:

signed said. The court substantially agreed with them and said:

That the writing is not a lesse is settled beyond all dispute by the one fact that upon the payment of the amount stated in the contract the title was to pass irrevocably to the McKeans. This contract either transferred the title of the property to them, and then is a perfect sale, or it is a conditional sale, and as to the character of the judgment that should be rendered it is immaterial which of these constructions be placed upon it.

This decision is a very important one. There are thousands of these so-called leases at present outstanding between furniture-dealers and small householders who are furnishing rooms on the installment plan. Many of them, like the McKeans, have almost paid for their furniture, and then because they missed a payment have had it carted away by the dealer. Under the law the dealer has no right to seize their furniture.

Aronson, in this instance, will have to return the furniture to the McKeans, but, of course, they are expected to pay the barance of the bill.

The house is a three-story frame building, owned by L. C. Haberling and occupied by J. Mooney, who lets out rooms to lodgers of both sexes.

At 3:15 o'clock yesterday morning a lodger smelled smoke in the second story hallway, and at once sent in an alarm.

This blaze was quickly extinguished, but had no sooner been gotten under control when another fire was discovered in the next story above. This was also put out without difficulty. At the places where the blazes were found the smell of coal oil was strong, and it was found that the floor and wall were saturated with the inflammable stuff.

The laths had been taken out of the wall in order to give the flames full sway, and had not the matter been discovered in time nothing could have saved the building. The fires were so widely separated that there was no chance that one had started the other, and from their position it appears that the incendiary must have started the one on the third story and then descende

Chow Kee & Co.'s Cigar-Factory Reduced to Ashes, With a Loss of \$6000.

There was great excitement on Clay street, near Kearny, last night, when a stream of chattering Chinamen poured out of 6491/2 Clay street and big flames shot from the windows of the second story. A lamp had been tipped over in one of the front rooms, and after the Chinese found they could not smother the blaze with their hands they all fied, yelling the Chinese equivalent for "fire!" at their utmost

power. alarm was sent in about half-past 10 o'clock from box 21. The chemicals were first to arrive, and all the work was done with one of them, although two lines of hose were laid from the hydrants, to be

hose were laid from the hydrants, to be used in case of necessity.

The two upper floors of the building were occupied by Chow Kee & Co.'s cigar-factory. There was nearly \$5000 worth of stock and fixtures on hand, and none of the stuff will be saved. In the ashes is included about 200,000 cigars, which were ready for sale.

The building itself was not damaged to any great extent. Altogether the loss may foot up to \$6000.

The proprietor of the factory says he has \$4700 insurance, and that his total loss will be near \$10,000, but that estimate is consid-

ANNIVERSARY OF THE A. O. U. W. The Founding of the Order to Be Celebrated October 26.

The delegates from the lodges of the A. O. U. W. to the convention that is to make arrangements for the celebration of the twenty-seventh anniversary of the found-

appointed at the previous meeting reported in favor of a celebration similar to that given last year, which was a literary and musical entertainment followed by a dance. The committee was of the opinion that the expense would not exceed 31/2 cents per

After considerable discussion it was decided to fix the per capita tax at 3½ cents, with the understanding that if there should be any surplus it shall be returned pro rata. The committee that was appointed at the previous meeting was authorized to secure a hall. The committee will secure Odd Fellows' Hall in which to hold the celebra-tion. The meeting adjourned until next Friday. Friday.

THE GRAND JURY.

Unlicensed Billiard Tables and Loss of Revenue Under Investigation.

The Grand Jury held another session vesterday. It transpires that the present

and J. P. McMurray, the inquiry concerning the neglect of Haley while County

had paid \$87 on a bill of \$113. There was a balance due of \$26, which was not paid promptly enough to suit the dealer and he seized the furniture, on the ground that it had been leased and not sold.

The court completely knocked him out and ordered him to return the furniture, the defendants, of course, being ordered to pay him the balance due, \$26. It was held that the contract signed was not a lease but a conditional sale.

David McKean, who lives on Clara street, bought the furniture last June and signed one of the usual contracts, which reads as follows:

In the neglect of Haley while County Clerk to make a record of the inheritance tax has been in progress for some time. Figures showing loss to the school fund by reason of Haley's failure to obey the law cannot be accurately given at present, but the report of the Grand Jury will evidently bring the main facts to light.

The committee on Tax Collector and License Collector, which consists of L. C. Marshall, Marion Leventritt and David Kerr, has been looking into the affairs of the License Collector soffice. According to reports which seem to be authentic, Collector Lees has failed to collect licenses on very many billiard tables. The amount of money lost to the City by neglect in this direction is not given, but the sum is direction is not given, but the sum is variously estimated at from \$3000 to \$5000 The neglect is reported to extend over a

period of two years.

The jury is thought to be making a thorough investigation of the license de-

WORK OF AN INCENDIARY.

Narrow Escape of the Inmates of a Howard - Street House.

Fires Built in Two Hallways and Fed With Kerosene-Spite-Work Suspected.

A "firebug" almost succeeded in burning the lodging-house at 1118 Howard street early yesterday morning, and that a heavy loss of life was averted is due to the prompt response of the Fire Department to an alarm from box 73.

his work.

DEATH OF MISS WORLEY.

Pneumonia Carries Off a Bright Young Kindergartner.

Miss Elena B. Worley of 1137 Union street, one of Mme. Light-Plise's brightest and most promising pupils at the Silver-street Kindergarten Training School, died of pneumonia early Thursday morning after a brief illness.

She was a niece of the late Judge Alfred E. T. Worley, and preparatory to graduating from the Silver-street institution was a capable assistant teacher at the Nathaniel Gray Kindergarten on Union street peer here been street, near her home.

street, near her home.

Her funeral will take place at the residence at 2 P. M. to-day, the interment to be in the Masonic Cemetery. She was a native of San Francisco and only 18 years of age. Her death was a great surprise to be also a property of triangle.

ing of the order, met last evening in the hall of Franklin Lodge, 44. The committee dase in which Attorney Philbrook was disbarred.

A Miniature Reproduction of the Defender-Valkyrie Contest.

TO BE GIVEN BY "THE CALL."

The Progress of the Race Will Be Shown by Tiny Models of the Competing Yachts.

DEFENDER

VALKYRIE

casts made. The general tenor of opinion is that the American boat will win.

Commodore Isidor Gutte was very much in doubt as to the result. He thinks the race will be close.

OPPOSES CHILD INSURANCE.

Communication From a New York Hu-

A communication relative to child insur-

ance has been received by Secretary John

McComb of the Society for the Prevention

of Cruelty to Children from President

Elbridge T. Gerry and Secretary E. E. Fel-

lows Jenkins of a similar society in New

BULLETIN

mane Society on the Subject.

to Blow Them Up With

Messrs. Gerry and Jenkins were evidently of the opinion that the society here favored child insurance. Mr. McComb says it does not. "We do not favor anything that might furnish a motive for crime," he adds significantly, and he will make reply ecceptionally. culty in Making a Sale of the Sunset Laundry.

yesterday. It transpires that the present jury is making a very thorough investigation regarding the management of municipal affairs.

The great yacht race in New York harbor this morning, in which the Defender and the Valkyrie, the crack single-stickers of County Clerk and Justices' clerk, which consists of Charles G. Clinch, N. A. Judd consists of Charles G. Clinch, N. A. Judd consists of Charles G. Clinch, N. A. Judd consists of the inquiry concerns. Four deputy sheriffs, a dozen laundry girls, and a crowd that had gathered at the Sunset Laundry at 385 Eighth street to

Their Ex-Employer Threatens Dynamite.

Deputy Sheriffs Have Great Diffi-

LEAPED FROM THE WINDOWS.



HOW THE GREAT INTERNATIONAL YACHT RACE WILL BE REPRODUCED AT THE "CALL'S' BUSINESS OFFICE THIS MORNING.

[Sketched by a " Call" artist.]

ture by the residents of San Francisco at THE CALL'S business office on Market

street, near Kearny. In this event to-day is centered the in-terest of the world of sports. The fastest yachts in the world, handled by the most skillful sailors, are to contest for the supremacy, and the wealth of the United States and Canada—yes, and of England as well, is there to see. New York City is thronged with visitors, and the waters of its harbor are fairly alive with pleasure There were thirty people sleeping in the house at the time, and had the second story hall been in flames when the fire was discovered the loss of life would have been Comparatively few San Franciscans, howcraft which will follow the racers and at-Cigars and Dens on Clay Street

heavy.

The Fire Marshal is investigating the case, and believes it to be one of spite
the case, and believes it to be one of spite
ever, can after the expendence of and money necessary to enable them to witness the race at first hand, and for that reason it is to reproduced in miniature in

this City.

The first race is to be a fifteen-mile beat to windward and return, the starting point being off Sandy Hook lightship. The wind last night was strong from the east and showed fair to continue from that point.

Should this prove to be the east the Should this prove to be the case, the course laid out should take the yachts along the Long Island shore and render them visible from Coney Island for most of the race.

of the race. Never perhaps since the America brought the famous cup from English waters has more interest been taken in an international race, or has more rivalry been shown in the struggle for the honor of defending that cup against the Briton. The Defender's sailing qualities as shown

Nathaniel Gray Kindergarten on Union street, near her home.

Her funeral will take place at the residence at 2 P. M. to-day, the interment to be in the Masonic Cemetery. She was a native of San Francisco and only 18 years of age. Her death was a great surprise to her large circle of friends.

PHILLIPS CLEARED.

The Case Instigated Against Him by A. Truman Dismissed.

The charge of battery brought against Jennings Phillips, a pressman, by Alex Truman, a watchman, came up before Judge Low yesterday.

It was shown that when Truman advanced to arrest Phillips he did so with his hand in his hip-pocket, and after arresting Phillips he drew his revolver and placed it threateningly against Phillips' pood character, and Judge Low dismissed the charge, saying that he did so because Truman had been so ready with his revolver.

The suit will be begun in a few days.

Mrs. Levinson's Petition Denied.

The Defender's sailing qualities as shown in the test races have removed all doubt as to ber superiority.

The racers this year are larger than any which have gone before. The Defender suiters are larger than any which have gone before. The Defender sailing qualities as shown in the test races have removed all doubt as to ber superiority.

The racers this year are larger than any which have gone before. The Defender, and experiention, is over 100 feet long, and her spread of canvas is ourprecedented in yachting annals. The Valkyrie is prought and her spillars breat sequally great. Strangely enough, in this contest both sides have abandoned the characteristic type of yacht which has heretofore obtained in these miternational races. The Valkyrie is prought, in this contest both sides have abandoned the characteristic type of yacht which has heretofore obtained in these miternational races. The Valkyrie is prought and her spillars heretofore obtained in these miternational races. The Valkyrie is prought and her spillars heretofore obtained in these miternational races. The Valkyrie is prought as a dazzling white. As the Walkyrie i positions, will cover sixty feet on Market

Thomas Wise of this City is the owner of the miniature Valkyrie and J. F. Smith is the proud proprietor of the Defender.

America cup, may be witnessed in minia- | for the Care of Feeble-minded Children at | minutes yesterday afternoon, that for a

ADVERTISEMENTS

Arranging for a Public Reception.

Be Celebrated-Consecration

Archbishop Riordan's Return Will

the consecration of Archbishop Riordan, which event took place about twelve years ago. It is expected that his Grace may be home before that time, in which case the laundry. occasion will be celebrated with more than ordinary enthusiasm.

while threatened to result in a wholesale

were the main owners. Recently it got into trouble and the end was an execution in the Sheriff's hands and a sale that was

after the sale, Messrs. Byington and Tracy, began to have difficulties the instant they arrived, for Brickwedel and Thuot, who were in possession, refused to let them in

him.

"I'll blow the place up with dynamite before they shall get it," he shouted, as he ran through the crowd and into the

occasion will be celebrated with more than ordinary enthusiasm.

No one paid any attention to his excited talk and the sale was proceeding quietly, when suddenly screams were heard from



FRIGHTENED GIRLS LEAPING FROM THE WINDOWS OF THE SUNSET LAUNDRY. [Sketched by a "Call" artist.]

Thomas Wise of this City is the owner of the miniature Valkyrie and J. F. Smith is the proud proprietor of the Defender.

THE GEBAT TACHT RACE.

The Betting in Ban Francisco Blightly in Favor of the American Boat.

The great international yacht race was some of the main topics of talk at the Mericans Boat.

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The mental to the returning prelate before a representating at the request of the farl Thursday evening at the request of the farl thursday evening at the request of the purpose of preparing the reception. And the topic was screaming to the full extent of her ability and making the reception day, as many little wagers have been laid.

A. H. Small, who believes that the British boat will win, has made several bets to that effect, but has had no trouble in finding takers. The odds are slightly in favor of the Defender.

Of the Defender.

Of the Defender.

He had four hats bet on that approposition and was willing to bet \$50 or \$100 extension and was willing to bet \$50 or \$100 extension and was willing to bet \$500 extension and was will will will be the proposition and was will will be the proposition and was willi

NEW TO-DAY-DRY GOODS.

CLOSED ALL DAY, MONDAY, SEPT. 9, ADMISSION DAY.

N. S. G. W. ADMISSION DAY CELEBRATION AND ELECTRIC CARNIVAL AT SACRAMENTO.

EVERYBODY GOING.

Get the little nick-nacks and things to make beauty more beautiful to-day. Nowhere more, or cheaper, than at Hale's.

RIBBONS, TOILET PREPARATIONS, ETC., ETC.

Pretty Creations in NECKWEAR.

WHITE LAWN AND SILK POINTS 2.50 CREAM VAL LACE TRIMMING, 2.50 prices \$1 25, \$1 50, \$2 and...... FANCY YOKES, lace ribbon and chif-fon combinations, very elegant, prices

GLOVES—None but those we can recommend for fit, elegance and comfort.

LADIES' MOUSQUETAIRE SUEDE \$1.50
KID GLOVES, all shades, \$1 25 and .. \$1

Latest Veilings. TRILBY white mesh, black dots, very stylish double width \$1 yard, single width 25c, 35c and.....

Ladies' Teck Ties

HANDKERCHIE'S enough for to-day perhaps from the great job purchase, several different styles, value 20c, closing at.

SEE SHOW WINDOWS.

Hair Ornaments.

A stylish assortment of HAIR ORNA-In sterling silver, from 75c to....

Embroidery at very special prices. Nearing the end. See to-day the lots on center tables, east aisle. ONE WORD TO OUR NATIVE SONS and Carnival followers. You

LADIES' BICYCLE MITTS, black only, 1210

want a new tie.

Bazaar Department.

Trilby Perfumes, Pinaud's and Colgate's Toilet Waters, Face Preparations, Toilet Necessaries and Luxuries at prices to well pay you for going down the easy flight of stairs.

SEE SHOW WINDOWS.

937, 939 and 941 Market Street, San Francisco.

FORGIVE US.

N. S. G. W.

We Could Not Help It!

We had to employ more salesmen. Immense Rush for our **\$15.00 SUITS!**

THIS WEEK WE MARKED DOWN ALL OUR \$20.00, \$22.50, \$25.00, \$27.50, \$30.00 SUITS TO \$15.00. HATS AT 1-2 FORMER PRICE.

OUR MONTGOMERY-STREET STORE,

The Old Stand. Grand Concert from 12 to 6 P. M. 433-35-37 Montgomery Street, corner Sacramento.

minds that the rest were in real danger, pushed the door open by main force and allowed the rest to escape.

time, the arrest being made merely to get a judicial interpretation of the law.

The Street Department is anxious to get "He said he was going to blow us all up," said one of the girls, "and he would have done it, too, if we hadn't scared him

with our irons.

"He had something in his hand that he was going to throw into the fire. Some of the girls kept him away and others tried to get out. I guess he was scared at the screaming, for he went away from the fire after a while."

The laundywan denied that he intended

screaming, for he went away from the fire after a while."

The laundryman denied that he intended blowing up the place, but said that he only intended keeping possession against what he thought was an illegal sale.

By that time another squad of deputies, who had hurriedly been telephoned for, arrived on the scene in carriages, and quiet was restored. It was some time before the frightened girls could be induced to return to their work, and only then when the deputies had agreed to stay at the laundry and prevent any further trouble.

It is said by the Deputy Sheriffs that when they arrived to make the sale Brickwedel and Thuot had a crowd of young men inside to resist any attempt to make the sale. These fellows wilted, however, when the deputies showed their badges and demanded peaceable possession.

Late yesterday afternoon legal representatives of each of the owners and of the Sheriff were on the ground to watch proceedings, and a warm legal fight over a very much tangled corporation is in the wind.

It's OUR every-day price. We have some as low as \$16.

FURNITURE CO. 750 Mission St.

Hurry Up!___

There's only a few days more of the Big Alteration

Caps and Furnishings. Now at Cut-in-Two Prices. Open to-night till 10:30.

Get your Fall Clothes, Hats.

COME TO-DAY.

H. SUMMERFIELD & CO. 924, 926, 928, 930 MARKET STREET.

MAIL ORDERS GIVEN STRICT ATTENTION.

Priests and Prominent Laymen

were in possession, refused to let them in and they only effected an entrance after exercising considerable diplomacy. After the interior had been disposed of the wagons that were outside were taken up and the trouble began.

Thuot had been muttering threats of vengeance all through the sale, but his rage grew out of all bounds when he recognized among the bidders friends of Baccigalupi and Roth, and began to suspect that they were buying in the place to oust him.

destruction of life. The laundry, up to yesterday, was conducted by a corporation, in which Messrs. Baccigalupi, Ratto, Thuot and Brickwedel

advertised to take place yesterday.

The deputies who went there to look

SHERIFF TO BE ARRESTED Superintendent of Streets Ashworth Desires to Test a Point of Law.

the matter decided, as another similar the matter decided, as another similar case recently occurred at Tenth and Mission streets, where Miller & Lux, in evicting a tenant through the instrumentality of the Sheriff, dumped a quantity of asphaltum and brick on the street, obstructing the thoroughfare. Dr. Voorsanger Officiates. Dr. Voorsanger, rabbi of Congregation Emanu-El, who has recently returned from a tour of Europe, will officiate in Temple Emanu-El to-day.

A Family Jar. GREAT AMERICAN IMPORTING TEA CO.'S

Stores are selling MASON FRUIT JARS

I dozen jars, half gallons in box.

At greatly reduced prices



Our Bedroom Sets are our pride. The picture

gives you just a glimpse of a pat-tern we have in Polished Oak and Birch. The "Special Salers" would call this a bargain at \$30.

INDIANAPOLIS