

OUR COUNTY LINE ON THE SOUTH IS LOST.

MARKING MONUMENTS HAVE BEEN OBLITERATED AND STOLEN.

SURPRISED SUPERVISORS

FRUITLESS EFFORTS OF PROFESSOR DAVIDSON TO RESTORE THE SURVEY.

WILL BE REMEDIED AT ONCE.

THE DISCOVERY MAY MEAN GREAT CHANGES IN PROPERTY, TAXES AND VOTES.

The City and County has no certain boundary line on the south. San Mateo County may be trenching on San Francisco or San Francisco County may be jumping San Mateo property, taxes, votes and all sorts of things far as the dwellers near the line and the surveyors know.

People who live down Colima way may think they know where the county line is, but they are very much in error. The best surveyors in the County gave up claim to such knowledge some time ago.

The most startling piece of information was that some of the original monuments had been deliberately moved. Of course, the movers of the "points" could have only one object in view—to affect property rights.

Professor Davidson, who had been out hunting for the lost line with all sorts of scientific instruments in order to describe it accurately in a history of the peninsula, said he was positive it was not where people generally supposed it was, and that he had found nothing in his search "but some monuments very much out of place."

One of the monuments was moved out in the way. Mrs. Maguire's back yard because it was in the way.

The gist of the committee's inquiry was that the line of the City and County on the south was in a very razzle-dazzle condition, and that some very bitter lawsuits might follow straightening it out.

The discussion of the new map produced a number of surprises. Mayor Sutro, after arguing for over an hour on the kind of map he thought would be proper, was finally interrupted and told that the contract for making the map was already let for \$10,000.

"What's that!" he and Supervisor Taylor ejaculated in one breath. They could hardly believe their ears when the contract was read to them.

"But I vetoed the order on October 18," protested the Mayor.

"The contract signed by the parties is dated October 8, it seems," put in Supervisor Taylor, picking up the document.

The discovery was what the politicians call a "jolt." Mayor Sutro clapped on his hat, seized his stick and hurriedly left the room.

Mayor Sutro wanted a big map made, something to show the topography of the County, the sewer systems and size of pipes, the water mains and their size, besides grades and all the regular details found on official maps.

The specifications as set forth in the contract signed October 18 call for a map made as follows:

That for and in consideration of \$10,000 the party of the first part to prepare and make a new official map of the City and County of San Francisco, showing water front, docks, wharves, with all blocks, squares, reservations, streets, lanes, alleys and places, with their dimensions and width of streets, and to make all necessary surveys to connect the named surveys with those of the City proper, and set all necessary iron and stone monuments to perpetuate the same; to index every resolution opening, closing, narrowing or widening of streets, lanes, alleys, places, blocks, squares or reservations and place such changes on said official map.

The said map shall be 10 feet 6 inches by 11 feet 6 inches, of the best linen paper, mounted on cloth, the work executed in the most finished manner, and so arranged as to be readily accessible, the work on the same to be commenced immediately after signing this agreement and completed thereafter as speedily as possible on a scale of 400 feet to 1 inch, and to the satisfaction of the Committee on Streets, etc., of said board.

The contract stipulates that \$3000 shall be paid when the work is three months under way and the balance "when the work is completed."

It was when Surveyor Humphrey began to tell what other little things he would add to the new official map that the truth came out about the line dividing the counties of San Francisco and San Mateo. He said that with the aid of old records and by carefully locating the sites of the lost, strayed and stolen monuments, he would be able to run the line from ocean to bay where it ought to be.

granite monuments that he had finally located after an arduous search. One of them was two-thirds out of the ground. He was very anxious to find the line, because he wanted it in order to settle several historical locations. After a hard lot of work he gave up the job, trusting that the proper officials would take up the matter. Professor Davidson tried to run his lines on the survey of 1853. He had to abandon the survey, however, on account of the lost, strayed and stolen monuments.

When the new official map is completed it will definitely settle the County line. How far the uncertainty of this line will affect title to property in that vicinity is not definitely known. Each survey, of course, depends on the starting-point. If any survey to property was made on the present County line as a base the chances are that that property is very much off its official base. Of course there is no knowing how many cases there are of this kind till the surveys are gone over. If any of the original monuments were used as starting points by property-owners along the line the chances are that their surveys are all right; that is, of course, unless those monuments have been carelessly moved like the one in Mrs. Maguire's back yard, or moved by design so as to alter lines being surveyed.

Another big change that will be made in re-establishing the line on its original base is that a good many householders will change their places of voting and amounts of taxes. There is no question either some San Franciscans are voting in San Mateo County or San Mateo citizens are trying to run municipal government in San Francisco. Taxes are the same way. Taxpayers have one consolation—they have their receipts.

When the official survey is begun the first work will be to run the County line and define clearly where San Francisco breaks into San Mateo County.

All this important information came out before the Finance Committee of the Board of Supervisors yesterday when the question of the City's new official map was being discussed. Mayor Sutro, Chairman Taylor and Supervisor Benjamin asked all sorts of questions to get information on this surprising condition of affairs.

The most startling piece of information was that some of the original monuments had been deliberately moved. Of course, the movers of the "points" could have only one object in view—to affect property rights. Only a careful investigation, of course, will disclose how much of this kind of work has been going on.

Surveyor Humphrey, talking for Official Surveyor Tilton, admitted that nobody knew definitely anything about the line "only in spots" that was a line that ran from the ocean to the bay, but that nearly everybody who had studied the matter knew it was not in the right place, according to the original monuments.

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"There is not the slightest doubt," he said, "but that it is very much out of place at present. How far of course I cannot say till after I have definitely established it. I have been collecting data on the point for some years past that will be of material assistance in the work. I did this because I knew that eventually the line must be run back on the old lines in order to avoid perpetual lawsuits and wrangling."

MACKEY FLOOD, JONES THE MINING MAGNATES ACCUSED OF MANIPULATING STOCKS.

IN THE CON. VIRGINIA. STRANGE REVELATIONS EXPECTED TO BE SHOWN IN A NEW CIVIL SUIT.

HOW PROXIES MAY BE VOTED.

THE SYSTEM IN VOGUE SAID TO BE ILLEGAL AND TO MAKE FRAUD POSSIBLE.

JUDICIAL MURDER.

Father Lagan So Refers to St. Clair's Execution From the Pulpit.

Father Hugh Lagan of San Rafael, who attended Murderer St. Clair on the scaffold at San Quentin on the 18th inst., created a sensation by referring to the case from his pulpit last Sunday. He asked the prayers of his congregation for the repose of the murderer's soul and then said:

"I believe that the crime was fastened upon St. Clair as the result of a conspiracy of race and religious hatred. Out of seventeen on board the bark Hesper they were all Scotchmen, two, Fitzgerald, the mate, and St. Clair were Irishmen. Fitzgerald was retained as a cook because of his great ability, but they hated an Irishman, and would not allow one on board among the men, so St. Clair shipped under an assumed name. When Fitzgerald soon found out St. Clair's nationality, they became fast friends. This also created jealousy, and a conspiracy was formed among four of them to put the mate to death and fasten the crime upon St. Clair, who was in fact asleep when the thing was done and knew nothing at all about it. St. Clair's nationality, they had no object in killing the man who was his friend, and indeed the only friend he had on board."

On Thursday I received a letter from Father Hugh Gallagher of San Jose saying that if he could be induced to tell, he knew he could clear St. Clair. I went into Hansen's cell and begged him to tell the truth and save St. Clair. Hansen's only reply was, "Father, if you don't want me to tell you that you had better say no more about it." That was the only answer I could get from him. I do not believe it is possible for a Catholic to receive the last sacrament and go into eternity with perjury on his soul. Certainly this man stood too much in fear of God to do it. I make this statement because I think it is due to this man's memory."

VERMONT'S EXECUTIVE.

Governor Woodbury on a Two Weeks' Pleasure Trip to This City and State.

Governor W. A. Woodbury, the recently elected executive of Vermont, is at the Palace. He arrived Thursday night with Colonel H. W. Allen, a wealthy merchant of Burlington and a member of Governor Woodbury's personal staff.

The Governor will remain about two weeks in the City, as his visit here is one principally of pleasure and to serve as a rest after the fatigues of his first months of office following upon a hot campaign. It is probable that not all of his time will be spent in San Francisco, as he intends to see more of the State either while making San Francisco his headquarters or upon his return home.

LEAGUE OF THE CROSS.

Temperance Rally of the Second District. To-morrow afternoon at 2 o'clock the League of the Cross organizations of the

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Back of the complaint filed in the Superior Court yesterday by H. J. Sieberst, attorney for Theodore Fox, against Charles H. Fish, T. H. Fish, John W. Twigg, H. Zaidig, Nat T. Messer and the Consolidated California and Virginia Mining Company, lies a tale of intrigue and successful manipulation, according to the narration of Mr. Sieberst, that is almost unparalleled, even in the remarkable history of mining stock manipulation that at one period gave this City an unenviable fame.

The proceedings are brought on behalf of Theodore Fox, a stockholder in the Consolidated California and Virginia Mining Company, to have set aside and declared null and void the election of trustees of that corporation held on October 21 and to have a new election.

In an interview relative to the object of having the alleged illegally elected trustees ousted and a new board selected, Mr. Sieberst related the history, as he viewed it, of the corporation and the peculiar manipulation of its stock and property by John W. Mackay, J. L. Flood and Senator Jones.

He claimed that these three men, though owning but a very small fraction of the entire stock of the corporation, were enabled to elect its trustees through the unlawful use of stocks in the custody of brokers; that they thereby obtained control, through these dummy directors, of the mines and other property of the corporation; that they made milling contracts with the Comstock Mill and Mining Company, owned by themselves, to mill the ores of the Consolidated California and Virginia Mining Company at exorbitant prices to the latter, and at great profit to the milling company; that the larger portion of the actual work made from the Consolidated California and Virginia Mining Company were thus devoted to Mackay, Flood and Jones, and that the real stockholders of the mining company were thus being defrauded and fraudulently deprived of dividends.

In explanation of how the law was violated, and these results accomplished, he quoted the following from the Civil Code on corporations:

Section 312. At all elections or votes had for any purpose, the majority of a majority of the subscribed stock, represented either in person or by proxy in writing, every person acting therefor (in person or by proxy or representative) must be a bona fide stockholder, having stock in his own name at the time of the election, and the certificate of ownership of such stock must be produced at said election, in which case said certificate shall be deemed the highest evidence of ownership and the holder thereof shall be entitled to vote the same.

Commenting on this in its bearing to the proceedings brought yesterday Mr. Sieberst said:

"The Consolidated California and Virginia Mining Company kept no such books at those referred to and required by the law, and they have no books which show the facts as to the names of the trustees of such corporation; but in every case where such stock shall stand in the name of a trustee for whom he holds said stock, the books of the corporation, upon such books and also in the body of the certificate of such stock.

Section 2. It shall not be lawful for any such corporation or the secretary thereof to close the books of said corporation more than two days prior to the day of any election. At such election the stock of said corporation shall be voted by the bona fide owners thereof, as shown by the books of said corporation, unless the certificate of ownership is produced at said election, in which case said certificate shall be deemed the highest evidence of ownership and the holder thereof shall be entitled to vote the same.

The complaint filed yesterday is set forth that the election of trustees of the Consolidated California and Virginia Mining Company held on the 21st of October was illegal; that the whole of the capital stock of 210,000 shares has been issued, but does not stand in the books of the company in the names of the real owners of such stock, or in the name of the trustees of such real owners, save about 200 shares, and that the books of the corporation, as of October, or four days prior to the election.

It is then charged that certain brokers, "falsely representing that they had shares" in the Consolidated California and Virginia Mining Company as trustees, gave Charles H. Fish power of attorney to vote the same at the election held on the 21st of October. The brokers named and the respective number of shares claimed to possess as trustees are as follows:

Table with 2 columns: NAME, Shares. Includes T. Atkinson (2,109), E. Jones (7,385), W. Barrett & Co. (1,380), Kullman & Co. (53), A. W. Blow (920), McDonald & Ryan (1,130), Collins & Saner (James Rolph) (4,633), etc.

The complaint then charges that no part of the 130,000 shares represented by Charles H. Fish and voted by him at the "pretended election" stood on the books of the corporation in the names of the real owners of the same; that the certificates of such stock did not designate the owner of it; that the books of the corporation at the time of the closing thereof did not disclose to the stockholders who were the real owners of the stock at that time or at the time of holding the said "pretended election"; that the 130,000 shares of stock were voted by Charles H. Fish at the election on October 21 without the authority or knowledge of the real owners; that the said shares represented by Fish were, with the exception of twenty-one shares, standing in the name of the "pretended trustees," the names of which are set forth in the "pretended election"; that there was not represented at said meeting and there was not voted at said meeting a majority of the shares of the capital stock by the real owners or by the legal proxy of the real owners.

By reason of the above allegations the said election is claimed to be invalid, and plaintiff prays that a summary hearing be held, that the election be declared void and that a new election be ordered. Attorney Sieberst said on the subject:

When this suit comes to trial it will show up one of the most iniquitous systems ever put into operation to defraud a stockholder. It has been shown by sworn testimony given in other

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But did all the bona-fide stockholders know the real situation they could and undoubtedly would prevent these unlawful and unjust proceedings. Were each stockholder determined to vote his shares, while the real stockholders to loan to the manipulators. The result would be that a set of trustees would be elected, who would honestly protect the stockholders, or the manipulators would have to go into the market and buy enough shares to give a majority, in this particular case 105,000.

What this would mean to the bona-fide holder of stock was shown when the contest in the Virginia Company some years ago, was fought. Just before the election the stock was quoted at \$20, to which figure it had risen from about \$10 and \$12 in 1884. The price was paid for the privilege of being allowed to vote the stock. The day after the election the stock had dropped back to \$2.

To get back to Mackay, Flood and Jones. They own the Comstock Mill and Mining Company, and through the dummy trustees they succeeded in electing for the Consolidated California and Virginia Mining Company they were controlling the output of the mines for years ending October 1, 1891. These show that about 715,960 tons were taken out during that period, valued at about \$16,220,000, and that the mill company was paid nearly \$5,000,000 out of this amount.

In concluding the interview Mr. Sieberst said he did not see how the case could be decided otherwise than in favor of his client, and cited the decision of the Superior Court in the case of Stewart vs. Mahoney Mining Company et al. In this case Hyman P. Bush voted 1000 shares in which he had no interest, nor was he the owner of any shares of the company. In rendering the decision the court stated as follows:

"Bush was not the proxy or representative of either of the owners of the stock, nor was he a member of the corporation, nor was he a bona-fide stockholder, therefore he had no legal right to vote the stock.

"With our victory in this suit," he added, "will come an end of the present pernicious system of proxy voting."

THE TRADES COUNCIL.

It Declined to Wholly Indorse the Action of the Railroad Commissioners.

The San Francisco Trades Council took a stand upon the subject of railroads and the Railroad Commissioners at its meeting last evening. A communication was received from the Sacramento Federated Trades requesting the council to indorse a resolution passed by the federation commending the action of the Railroad Commissioners in reducing the Southern Pacific's freight rates. The resolution further sets forth that the Commissioners have fulfilled their obligations to the public.

These laudatory sentiments drew out a protest from several members of the council, who argued that such was not the case. The secretary explained that recently a number of employees of the railroad in Sacramento, Los Angeles and other places had passed resolutions condemning the Commissioners for making the reductions, and claiming that they, the railroad employees, voiced the sentiment of organized labor.

The council was willing to try up the railroad employees, but would not go to the point of throwing bouquets to the Railroad Commissioners, but passed a compromise resolution:

WHEREAS, Certain persons in various parts of the State have been circulating a petition in the form of a protest against the action of the Railroad Commissioners in reducing freight rates upon the Southern Pacific, claiming to represent the voice and sentiments of organized labor.

Resolved, That according to the knowledge and on behalf of the San Francisco Labor Council these men did not in any manner represent the voice of organized labor and had no sanction in such regard; and Resolved, That we recognize the justice and necessity of lower railroad rates and trust our Railroad Commissioners and our courts will grant the relief in this direction so urgently needed by the agricultural and mercantile interests of our State.

The Journeymen Coopers' Union was admitted into the Trades Council. The coopers are preparing for a twelfth anniversary ball to be held November 9.

The Original "Nefta." Miss Josephine Sistrernans has been secured to sing at the musical festival in aid of the Children's Hospital. When this young lady was a student at the Dresden Conservatory Baron Franchetti wrote the role of Nefta in "Azrael" for her, and though she afterward decided not to go on the stage it was she who first sang Nefta for the Dresden critics. Miss Sistrernans has a rich powerful mezzo-soprano voice.

The Hale & Norcross Suit. Notice of the appeal in the case of M. W. Fox against the Hale & Norcross Company has been filed in the Superior Court.

Dollars

Is our price for

Men's Calfskin sewed

Shoes such as retailers sell for \$4.00, \$4.50 and \$5.00. We make them in all the popular shapes, in Lace and Congress. We invite comparison, whether you want to buy now or not. Shoes retailed at Factory Prices.

ROSENTHAL, FEER & CO., 581-583 Market St.

MURPHY BUILDING Market Street, corner of Jones, SAN FRANCISCO

NEW TO-DAY-DRY GOODS. SATURDAY SPECIALS

IN NEW GLOVES, HANDKERCHIEFS, NECKWEAR, WAISTS, HEAD RESTS, HOSE, UNDERWEAR AND MEN'S FURNISHINGS!

We close the week with A GREAT SPECIAL OFFERING of a variety of seasonable goods selected from our MAGNIFICENT NEW FALL STOCK and placed before our Saturday patrons at prices that make them

VERY ATTRACTIVE BARGAINS!

GLOVES! GLOVES!

At 75 Cents. 3000 pairs 7-HOOK FOSTER UNDERESSED KID GLOVES, colors brown, slate and tan, also black, regular value \$1.25, will be offered at 75c a pair.

At 75 Cents. 3000 pairs 8-BUTTON LENGTH MOUSQUETAIRE UNDERESSED KID GLOVES (with Foster hooks at the wrist), colors brown, tan and slate, also black and white, regular value \$1.25, will be offered at 75c a pair.

At 75 Cents. 3000 pairs 8-BUTTON LENGTH MOUSQUETAIRE UNDERESSED KID GLOVES, colors tan, slate and brown, also black, regular value for \$1.25, will be offered at 75c a pair.

At 90 Cents. 2000 pairs 5-HOOK KID GLOVES (improved Foster hooks), colors tan, brown and slate, also black, regular value \$1.50, will be offered at 90c a pair.

At 90 Cents. 2000 pairs 8-BUTTON LENGTH MOUSQUETAIRE GENUINE FRENCH KID GLOVES, colors tan, slate, navy, brown and green, also black, regular value \$1.50, will be offered at 90c a pair.

HEAD RESTS!

At 15 Cents. 200 HEAD RESTS, in assorted colors, tinsel figures and flowers, will be offered at 15c.

At 25 Cents. 200 HEAD RESTS, in assorted colors, in several designs, hand painted, will be offered at 25c.

At 50 Cents. 100 HEAD RESTS, in brocade and surah silk, with ruffled and tassel trimmings, will be offered at 50c.

At 75 Cents. 100 HEAD RESTS, in fancy and surah silk, tassel trimming, in exquisite designs, will be offered at 75c.

At \$1.50 Each. 75 HEAD RESTS, extra large, in fancy brocade silks, will be offered at \$1.75, \$2.00 and \$3.00 each.

NOVELTIES IN NECKWEAR!

At \$1.50 Each. LACE AND RIBBON COLLARETTES, yoke of cream silk bourdon insertion and ribbon, any shade, ruffle of silk Russian lace, worth \$2.50.

At \$2.50 Each. BUTTER POINT VENISE YOKE COLLARETTES, with epaulettes of lace, value \$4.50, will be offered at \$2.50 each.

At \$2.50 Each. BLACK LACE COLLARETTES, Vandyke points, trimmed with Chantilly Lace, regular value \$4, will be offered at \$2.50 each.

At \$3.00 Each. CHIFFON COLLARETTES, in all shades, regular price \$4.50, will be offered at \$3 each.

HANDKERCHIEFS!

At 25 Cents Each. 100 dozen LADIES' SHEER WHITE LINEN SCALLOPED EMBROIDERED HANDKERCHIEFS (slightly imperfect), regular value 75c, \$1 and \$1.50.

At 75 Cents. 100 dozen LADIES' SHIRT WAISTS, laundered collar and cuffs, in all fancy shades, full sleeves, regular price \$1 and \$1.25, will be offered at 75c each.

At 35 Cents Each. 100 dozen CHILDREN'S EIDERDOWN AND NIGERHEAD COATS, trimmed in latest style, with deep capes edged with fur, at \$2.75, \$4, \$4.50, \$5, \$6.50 and \$8 each.

HOSIERY AND UNDERWEAR DEPARTMENT!

At 25 Cents a Pair. 150 dozen MISSES' FINE RIBBED BLACK COTTON HOSE, spliced knees, heels and toes, Hermsdorf black, regular price 35c.

At 33 1/2 Cents a Pair. 100 dozen LADIES' BLACK LISLE-THREAD HOSE, high-spliced heels and toes, plain and Richelieu ribbed, regular price 50c.

At 35 Cents a Pair. 150 dozen LADIES' IMPORTED BLACK CASHMERE WOOL HOSE, high-spliced heels, double soles and toes, regular price 50c.

At 50 Cents Each. 50 dozen LADIES' NATURAL GRAY SANITARY WOOL MIXED VESTS, high neck, long sleeves; drawers to match; regular price 75c.

CORSETS! CORSETS!

At 75 Cents Each. 75 dozen LADIES' BLACK SATEN CORSETS, French model, long waist and high bust, warranted fast color, regular price \$1.

MEN'S FURNISHINGS!

At 50 Cents. 75 dozen MEN'S AND BOYS' UNLAUNDERED WHITE SHIRTS, made of Utica muslin, with re-enforced, all-linen fronts, double backs and felled seams, worth 85c, will be offered at 50c each.

At 3 1/2 Cents. 250 dozen MEN'S FULL-FINISHED BROWN MIXED COTTON SOCKS, with double heels and toes, regularly sold at \$1.50 a dozen, will be offered at 3 1/2c a pair.

At 15 Cents. 180 dozen MEN'S FULL-FINISHED CASHMERE WOOL SOCKS, in brown, sanitary gray and fancy mixed shades, worth \$3 a dozen, will be offered at 15c a pair.

At 50 Cents. 85 dozen MEN'S HEAVY CAMEL-HAIR UNDERSHIRTS AND DRAWERS, fancy silk finished, extra good value for 85c, will be offered at 50c each.

At \$1.00. 56 dozen MEN'S UNDYED AUSTRALIAN LAMB'S-WOOL UNDERSHIRTS AND DRAWERS, warranted thoroughly shrunken, regular value \$1.50, will be offered at \$1 each.