

DEMOCRATS NAME SORE REPUBLICAN

Leaders of the Bryan Party in Santa Clara County Seek Far for a Victim

Fred Cottle Is Chosen Along With Several Bourbons to Make the Race

SPECIAL DISPATCH TO THE CALL. SAN JOSE, Sept. 16.—The following are the nominees of the democratic convention of Santa Clara county, which convened here today: For superior judges, M. H. Hyland and George W. Waldorf, for state senator, twenty-seventh district, S. J. Mackay, for assemblyman, fifty-fifth district, J. A. Belloni Jr., fifty-sixth district, J. M. Meyer, fifty-seventh district, S. M. Cuthbertson.

For supervisors—Second district, W. E. Foley; third district, Fred L. Cottle; fifth district, George J. Carey. Joseph A. Belloni, who was absent temporarily from the convention hall, tonight says he will be compelled to decline the nomination for assemblyman owing to business reasons.

Fred Cottle, nominee for supervisor in the third district, was a candidate for supervisor on the republican ticket and after he lost out to Henry Ayer at the primaries he announced himself an independent candidate.

The report of the committee on platform and resolutions, which was adopted, affirmed the principles enumerated in the democratic national convention at Denver and also the provisions of the democratic state platform. The remainder of the report is as follows:

We favor the enactment of a direct primary law.

We pledge our legislative candidates to oppose the enactment of any law having for its object the division of the county of Santa Clara.

We favor an amendment to the United States constitution providing for the election of United States senators by direct vote of the people, and we favor the enactment of a law permitting members of the various political parties to express their views for such senators by an advisory vote at a direct primary election.

We favor the total exclusion of all Asiatic laborers from this country by extending the provisions of the Geary act to Japanese, Koreans and all other Asiatics, and the strict enforcement of existing laws.

We approve the recommendation of the republican president in his message to congress in December, 1907, which he recommended to congress that an act be passed specifically providing for the naturalization of Japanese, and we cordially support the ratification of the act.

We pledge our supervisory candidates to cooperate with the good and improving and maintaining of our roads and highways generally throughout the county of Santa Clara, and to exercise of good faith in this matter we particularly refer to the records of our present democratic supervisors, John Roll and H. B. Hersman. We further point with pride to the administration in office of the following democratic county officers: W. A. Bauer, L. D. Seltzer, Henry A. Foster, M. H. Hyland, D. T. Reisman, B. E. Kell, John Roll and H. S. Hersman.

RAE CONFESSES SHOOTING YOUTH

Continued from Page 1, Column 3. of duck ponds and marsh land, covered with very short tufts. "Rae chided to his wife for his gun, which was brought to him. He then laid down his glasses and fired twice into the air in the direction of the black speck. As he clambered down I said, 'You don't suppose you could have hit them, do you?'"

"He said, 'Oh, no; I shot over them.' "We went back to work then and never discussed that matter further until after three men came down the railroad track. Mr. Vandervoort was with them. They stopped Rae's little girl and then went into the house with Mrs. Rae and Mr. Rae. They then went away, and Mrs. Rae came out to me and told me that one of the boys had been shot. Rae told me not to say anything about the shooting.

"After dark we discussed the shooting. Rae said that he had no intention of hitting the boys and supposed that he had merely inflicted a slight flesh wound."

"It was first proposed that the charge against Rae should be sworn to by Moller's brother, but after further consideration it was decided that Andrew Anderson, Moller's companion, should lodge the complaint. The case will be called before Justice of the Peace Powers of Irvington.

FRANCE WILL TAKE NEW RUSSIAN LOAN

One Hundred and Sixty Millions of Old Notes to Be Retired by New Issue. PARIS, Sept. 16.—It was asserted in prominent quarters here today that arrangements are being completed for the flotation of a new Russian loan on the French market. The primary object of this transaction is to take up about \$160,000,000 of about 5 per cent treasury notes due in the spring. These will be retired with the 4 1/2 per cent treasury notes. The arrangement involves a new loan of 400,000,000 francs.

COLONEL NEWBOLD IS DEAD

WASHINGTON, Sept. 16.—Lieutenant Colonel Charles Newbold, U. S. A., retired, died in California today while en route to Colorado Springs. Colonel Newbold was born in Philadelphia and served as an officer throughout the civil war. He lived in Washington for many years, but since his retirement has traveled extensively. J. Fleming Newbold, business manager of the Washington Evening Star, is son, and Frank B. Noyes of Chicago, president of the Associated press, a son in law of the deceased.

PRINCE DENIES DIVORCE STORY

PARIS, Sept. 16.—It is understood that Prince Robert de Broglie, while admitting that he has left his wife, denies the intention attributed to him of suing for a divorce. He said today that he would not sue for a divorce suit brought by the princess. The princess de Broglie is an American woman. Her maiden name was Estelle Alexander and she lived in San Francisco. Later she married Sydney B. Veit in Chicago, from whom she was divorced.

Reduced Rates to Del Monte September 17-19. See the finals of the Pacific coast tennis championship Thursday, Friday and Saturday. The eastern champions versus the western. An event not to be missed. Other special attractions. See Southern Pacific agents, 834 Market st., 14 Powell st., Third and Townsend sts., and Thirteenth and Franklin sts., Oakland.

FOUND GUILTY OF MURDER. SEATTLE, Sept. 16.—Nick Petrich was tonight adjudged guilty of murdering Harry Miller, city marshal of the town of Kent, last April. The jury was out for four hours. Petrich is a Serbian, and he pleaded self-defense, claiming he thought Miller was a hold-up man.

COURTS ADJOURN TO HONOR JURIST

Great Legal Learning of Dead Judge Left Impress on Laws of the State

Arrangements for Funeral of Noted California Justice to Be Made Today

Definite arrangements for the funeral of Justice Thomas Bard McFarland, associate justice of the supreme court of California, who died at his home in this city early yesterday morning, had not been completed late last night. It is expected the matter will be settled this morning, when colleagues of the deceased jurist will arrive in the city.

For a time it was settled that the funeral would take place from the undertaking parlors of N. Gray & Co., at the corner of Geary and Devisadero streets, but late last evening this plan was changed pending the arrival of the supreme court justices. The pall bearers will be selected this morning.

In this city and throughout the state tributes were paid to the memory of the dead jurist who had graced the bench for almost half a century and at all times commanded the respect of the members of the bar and his associates, not only because of his sterling honesty but also because of his deep learning.

When the departments of the superior court adjourned yesterday they did so out of respect to the memory of Justice McFarland. In closing court Judge Carroll Cook said:

TRIBUTE FROM JUDGE COOK. "It is but fit and proper that this court should adjourn out of respect to the memory of the late Justice McFarland. I feel that it is the duty of every member of the bench and bar to pay respect to the memory of a man who devoted the best years of his life to the administration of the law in such a manner that it was recognized as an eminent authority. For this reason the minutes will show that this court stands adjourned out of respect to his memory."

Judge Graham paid a high tribute to the deceased jurist before he adjourned his court. At a meeting of the judges of the superior court yesterday afternoon it was decided to adjourn all departments at noon tomorrow.

During all of yesterday the flag on the Grant building, where the supreme court holds its sessions, was at half mast and will remain so until after the funeral.

The passing of the aged justice was one of the chief topics of conversation yesterday, and many were the tributes paid to his sterling worth. His less energy and the impress which he left on the laws of the state were frequently referred to. Reference to the records shows that Justice McFarland participated in more and wrote as many, if not more opinions than any other member of the supreme court.

INTERESTED IN WORK. Even in late years, since he became feeble, Justice McFarland always took the greatest interest in the work of the court and participated in its deliberations. After he became afflicted with the disease which caused his death the old jurist insisted on occupying his seat in court. Finally his almost total blindness forced his retirement, but even then he continued his labors on his sick bed.

The home life of Justice McFarland was beautiful. A devoted and loving husband and father, never to the end did he allow his afflictions to mar the happiness of his fireside. He bore all of his suffering with the utmost fortitude.

Thomas Bard McFarland was born in Mercersburg, Pa., April 13, 1828, and graduated from Marshall college. He was admitted to the bar in 1849 and came to California the following year. He was elected judge of Nevada and Placer counties in 1852 and served until he was appointed register of the United States land office in 1874. He retired from the land office in 1878 and was elected judge of the superior court in 1882. In 1886 he was elevated to the supreme court and served until his death.

In 1881 the deceased was married to Miss Susan Briggs of Nevada City, and of this union one child was born, Miss Jeanette McFarland, who, with her mother, was present at the bedside when the end came.

EDWARD BESTOWS A VERBAL BOUQUET

England's King Sends an Affectionate Message to the Sultan of Turkey. CONSTANTINOPLE, Sept. 16.—A telegram sent by King Edward to the sultan of Turkey on the anniversary of the latter's accession to the throne was made public today and produced a decided sensation on account of the friendliness of its tone. The message evidently was intended to offset the advances made to the sultan by Emperor William. After the formal congratulations King Edward said:

"There is every reason to hope that under the enlightened direction of so eminent a grand vizier your majesty's empire will have a peaceful and prosperous future and that the veneration of posterity will be secured for your majesty."

LEGISLATORS FROM ALL NATIONS ASSEMBLE

Important Declaration Expected From Chancellor von Bulow at the Opening. BERLIN, Sept. 16.—The interparliamentary union is to hold its opening session tomorrow, and already 300 members of different parliaments of the world have arrived in Berlin.

The address to be delivered by Chancellor von Bulow is a subject of much conjecture, as it is believed he will take advantage of the occasion to make an important declaration. The delegates are to come together for the first time tonight at a reception to be given by members of the reichstag, at which Prince Hatzfeldt and Prince Schoenrich-Carolath will assist in receiving.

CHOLERA STILL SPREADS

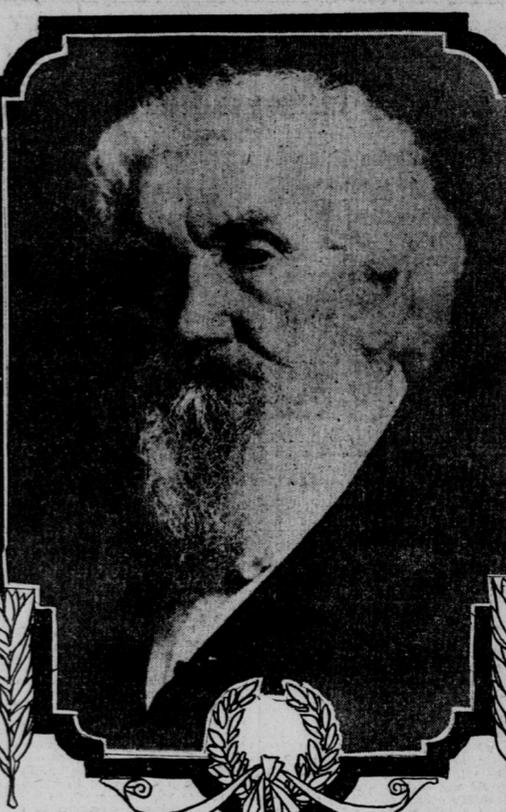
ST. PETERSBURG, Sept. 16.—The official bulletin issued today on the cholera situation gives the number of cases in the city as 249, with 70 deaths. M. Wozoff, manager of the Schlessburg steamship company, was stricken with the disease today, indicating that the infection is beginning to spread to the better classes.

OUR BATTLESHIPS AT NAPLES

NAPLES, Sept. 17.—The American battleships Alabama and Maine, the vanguards of the American fleet on their round the world voyage, arrived here this morning and exchanged salutes with the arsenal. Their arrival drew large crowds to the water front.

BUSINESS GROWS BETTER. LIVERPOOL, Sept. 16.—The White Star line has decided to resume its cargo service between Liverpool and New York city, which recently was withdrawn owing to the slackness of trade.

Tribute Paid to Memory of Supreme Court Justice



Justice Thomas Bard McFarland (Boye photo)

PLAGUE CAUSES GREAT ALARM

Twelve Have Died of Cholera in Manila Since First of the Outbreak

MANILA, Sept. 17.—Thirty-one cases of cholera have been reported in this city and the death record up to the present time is 12.

The health bureau was yesterday given a free hand in its campaign against the disease and today 100 additional inspectors were started out on a systematic investigation of the sanitary conditions of the city. The bureau is devoting every effort to the work of stamping out the plague before it gets a grip on the city.

The churches and schools are co-operating in this work, a general movement to check the spread of the disease having been set afoot by the authorities, and the health officials declare that they are not alarmed, but are confident that the city will be thoroughly cleaned up and the plague situation under complete control within 10 days or a fortnight at most.

Another case of cholera has been reported on the transport Sheridan, which is under quarantine restrictions at the harbor quarantine station at Mariveles, and the vessel will be detained and quarantined for three days. So far the cholera cases have been confined almost without exception to Filipinos.

ASIATIC CHOLERA BREAKS OUT HELSINGFORS

HELSINGFORS, Sept. 16.—The British steamer Saxon-Briton, from St. Petersburg, arrived at Viborg today with Captain Simonsen and four sailors down with Asiatic cholera.

CALIFORNIANS IN PARIS

SPECIAL DISPATCH TO THE CALL. PARIS, Sept. 16.—F. C. Sebenbaum and Mr. and Mrs. S. Greenbaum of San Francisco registered at the Herald-Call office today.

Beauty and Bad Breath

Can Not Go Together, No Matter How a Woman May Try to Make Them. It does not matter how beautiful a woman may be, if she is afflicted with bad breath she will be shunned and pitied by men, and even women will studiously avoid her.

If any woman doubts this statement let her make a point of asking a friend in whom she may confide, a man friend or relative, if he is honest he will tell her that foul breath from the mouth of a woman will drive men from her more rapidly than any other personal affliction.

Foul breath arouses in man disgust, and where this quality is brought into play no amount of self-denial or reasoning can overcome the natural repugnance which comes to a man when he is in company with such a woman.

What is true of bad breath in woman is not true in so great a degree in men. Women are looked upon as the incarnations of sweetness, breeding, virtue and refinement. Foul breath will sicken a man so that he can not feel for such a woman a companionship necessary to make him desire to be in her company.

There is absolutely no occasion for bad breath in either men or women. Charcoal, the strongest absorbent known, when taken into the stomach will prevent this repugnant tendency or affliction.

Stuart's Charcoal Lozenges are sold in tremendous quantities all over America and Canada. They cure and have cured all forms of bad breath. A single box will convince you of this fact. One should eat some of these lozenges after each meal and upon retiring. You might eat fifty of them without harm. They are not medicine, but pure white charcoal, mixed with sweet honey to make them palatable, and compressed into a lozenge to preserve their peculiar and lasting strength.

The next time you wish to go into company and don't want your foul breath to humiliate you eat several of Stuart's Charcoal Lozenges, and your breath will be pure and sweet.

Every drugist carries them. Price 25 cents, or send us your name and address and we will send you a trial package by mail free. Address F. A. Stuart Co., 200 Stuart Bldg., Marshall, Mich.

GILLETT MAY NAME JURIST'S SUCCESSOR

Appointment to Place Left Vacant by McFarland, in Hands of Governor

Political Parties Will Probably Nominate Candidates to Be Voted on in November

Speculation was general yesterday among the members of the legal fraternity as to Justice McFarland's successor. The appointment lies with the governor, but it is doubtful if Gillett will exercise his power in view of the proximity of a general election. Any appointment that the governor might make would hold good only until November, as the state constitution requires that candidates be nominated for the first general election after the vacancy occurs. As the state conventions have already been held, the nominations will lie with the central committees of the two parties.

McFarland's term would not have expired until January, 1911, and his successor will serve until that time. The successful candidate will qualify as soon as the ballots have been counted. It has been suggested that the governor might confer with the republican state central committee and then make the appointment, the appointee to be chosen as the party candidate. Gillett has given no intimation as to his intentions in this regard.

A number of republicans have already been mentioned in connection with the vacancy. Judge Gray of Los Angeles, now a practicing attorney, was spoken of as a candidate upon a former occasion when a vacancy was anticipated. Judge Harry Melvin of Oakland is known to entertain supreme court ambitions and will be supported by a large number of friends. Judge A. G. Burnett of Santa Rosa, and Judge Samuel C. Hall of Oakland, both of the appellate court, are also among the possibilities. It is not likely that Judge Hall would accept, for he drew the long term on the appellate bench, and it is very doubtful if he would sacrifice it for two years with the higher tribunal.

Judge M. F. Doelling was the only democratic possibility mentioned yesterday, but there is grave doubt as to his willingness to accept the nomination. Doelling has been nominated by the democrats and endorsed by the republicans for superior judge in San Benito county, and is therefore assured of another term on the superior bench.

A dispatch received from Sacramento last night stated that there was some difference of opinion as to the method of selecting the new justice, but added that Gillett would probably leave the matter to popular vote. In addition to the possible candidates cited above, the Sacramento dispatch mentioned Judge John F. Ellison of Red Bluff, Justice M. C. Chipman of the second appellate district court, former Justice Ralph C. Harrison, and Judge Hunter of Humboldt county.

SLAY ONE THOUSAND. PARIS, Sept. 16.—Dispatches to the government from the governor general of the French Congo state that a force of 1,600 French troops under Captain Jullien has routed the Oundou tribe, whose territory is the center of the trade in slaves and contraband arms. The tribesmen's losses numbered 1,000.

FUGITIVE SWINDLER CAUGHT. PHILADELPHIA, Sept. 16.—Dr. George Morton of New York was arrested at a prominent hotel here today on a fugitive warrant from New York, charging him with false pretenses.

NEW YORK, Sept. 16.—George Morton has been sought by the police of New York in all parts of the United States and Europe to explain his alleged connection with a transaction which is said to have cost Roger Morgan, of the Hopper-Morgan company of Rochester, N. Y., \$10,000. E. Elliott Troutwein already has been arrested in connection with the same case.

Had Your Outing?

Season is getting late. Why not join Southern Pacific's popular "Lahos" excursion September 18 and 19. Round trip \$9.00. Return by September 24. Best of hotel accommodations and camp and outdoor life. Ticket office, 834 Market st., 14 Powell st., Market st. ferry depot, and 13th and Franklin sts., Oakland.

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TEA

Is there a better way to keep the family longer at table, to keep it together?

Your grocer returns your money if you don't like Schilling's Best; we pay him.

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BINGHAM ADMITS HE WAS MISTAKEN

SPECIAL DISPATCH TO THE CALL. NEW YORK, Sept. 16.—Theodore A. Bingham, commissioner of police, today returned to his desk after a vacation of almost two months and, after smoothing over the trouble between his belligerent deputies, composed a full and detailed retraction of his misgiving article which roused New York Jews to such indignation.

In his retraction General Bingham asserts that the figures were handed to him as authentic, but he now finds that they were not correct. He withdraws everything he ever said.

"My purpose in writing the article," he said, "was not to publish statistics nor to enter upon a scientific inquiry into the race or religion of those charged with criminality, but solely to make a plea for a secret service fund in order that criminality might be more effectively dealt with than is now possible."

MURDER BRAZILIAN PATRIOT. MANAOS, Brazil, Sept. 16.—Placido Castro, who gained prominence in 1907 by his resistance to the encroachments of Bolivia in Acre, has fallen a victim to a felonious assault on the part of his political enemies.

HOME SEEKERS' FREE EXCURSION

See "Sunny" East San Mateo—Own a Home, It's Easy

Go to East San Mateo next Sunday. Our special train will take you, and we will furnish the luncheon. Just 30 minutes or less on the train, and you will stop directly into "Sunny" East San Mateo. You'll enjoy the change of air, the luxuriant natural beauty of the surroundings, and will note with surprise the broad streets and the extensive permanent improvements being installed.

You'll get enthusiastic and want to own something in East San Mateo. Come prepared. Terms are easy. Tickets for the excursion are at East San Mateo Land Co., 317 Kearny street, or 3608 Sixteenth street near Mission.

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A delightful table water with highly medicinal qualities

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HOTEL COLONIAL. Stockton Street above Sutter. European plan, \$1.50 per day and upward. American plan, \$2.50 per day and upward. Sutter street car direct from ferry. HOWARD T. BLETCHEN, Manager.

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Kansas City Sept. 23, 24 and 25

Also to New Orleans Oct. 3 and 4

Daily through standard sleepers, daily through tourist sleeping car service via Salt Lake, Seaside Colorado, Denver, thence Burlington east. Personally conducted through tourist sleepers frequently each week.

Write me about the Burlington's Personally Conducted tourist sleeping car schedules from California. These allow an afternoon stopover in Denver. Describe your trip, and let me plan the best way for you to include diverse routes, side trips, etc.; the Burlington's excellent main line service from Denver to Kansas City, Omaha, St. Louis or Chicago forms a conspicuous portion of the transcontinental journey.

Drop me a postal and I will do the rest.

W. D. SANBORN, G. A., 705 Market St. San Francisco, Cal.

Burlington Route

Your Fall Suit Is here—sold to you direct from our factory—at great savings \$10 to \$25 We beg to announce that our advance Fall stock of men's suits has arrived and is on exhibition for your inspection. You can not help but admire the fabrics, which include all the latest shades of brown, olive and London smoke shades, in single and double breasted sacks of the newest and nobbiest styles. Sizes from 34 to 50. Our Princetons, Bradburys and Strands at \$15, \$20 and \$25 are the most stylish men's suits made with all the newest kinks of the season. Our show windows are displaying these union made suits, which are priced so much lower than any other house, for the reason that we are manufacturers and sell direct to you. We sell the best \$10 suit in the United States. The New Fall Coat Shirts Do not fail to see the pretty Fall Shirts we are showing; all new, an almost endless variety of new novel tasty styles, exclusive at our stores and shown for the first time. \$1.50 Boys' Sailor and Russian Suits Pretty fancy Chevots for boys 2 1/2 to 10, some with white shields, others self goods; all beautifully embroidered; Bloomer Pants lined throughout; fresh from our workrooms; exceptional values. \$2.85 S. W. Wood & Co. Uptown Store FILLMORE AND ELLIS The Big Store Market and 4th Oakland Store WASHINGTON AND 11TH