

SAN PEDRO PEOPLE ARE VERY HAPPY

Contract for Joint Survey Signed
By Judge Cornish.

IT MEANS A MILLION SAVED

T. E. Gibson Verifies the Dispatch,
And States He is Now in Possession
of the Document.

A special to the Los Angeles Times
from New York says:

The contract for a joint survey
through the disputed territory in Nevada
has been signed by the presidents of
the San Pedro, Los Angeles and Salt
Lake roads and the Utah, Nevada and
California railway company.

When the above dispatch was shown
to T. E. Gibson, Esq., in Los Angeles,
he said the contract had just arrived.
"It came today," said Mr. Gibson. "It
is signed by W. A. Clark, president of
the Salt Lake road and Judge Cornish,
vice president of the Harriman road.
The contract is not only a joint survey
of one of the biggest highways begun
of late in this country, but is a grand
thing for the Salt Lake line and Los
Angeles. It is a joint survey of the
of the Salt Lake road by two years, and
saves us a million dollars, to say the
least."

"The two roads will now go on choosing
their routes side by side, without
any further difficulty. Both will get
much better routes and at much less
expense. It is a fine arrangement in
every respect. The quarrel has been
continued, our rivals might have delayed
the completion of the Salt Lake line two
years. The law department of the
Clark road is happy."

THEY ARE SORE.
Railroad Men Asking Why They
Have Been Excluded.

Local railroad men are wondering
what they have done that they could
be tacitly ignored in connection with
the Commercial club. In other large
cities they claim that whenever a similar
movement has been instituted that the
men who are such a material help in
the upbuilding of a city are among
the first who are asked to join the
club.

One prominent railroad official said
this morning: "It does seem strange to
me, the face of the fact that the Commercial
club movement has been started in
Salt Lake by a railroad man, and that
as far as I know, not a single
railroad man in Salt Lake has been
asked to join the Commercial club. The
club has been started by a man who
is a well-known business man, and
put up a sign in his office, which read:
'All peddlers and railroadmen will take
this attitude!'"

It is a Big One.

Chicago, Feb. 12.—One of the pair
of monster "Decapods," one of the engines
with ten drivers, recently delivered to
the Santa Fe railroad has just passed
through Chicago. The locomotives are
intended for the mountain division, and
will run in California and Arizona.
They will burn oil for fuel and carry
225 pounds of steam pressure. Their
cylinders are fifty-seven inches in
diameter, and each engine can haul
a load of 2,100 tons up a fifty foot
grade. It is intended to have the
single engine do the work formerly
accomplished by two engines. The
weight of each is 250,000 pounds, or
five tons more than the largest engine
previously constructed. The
locomotive stands six feet high, and
a dwarfed affair, scarcely a foot high.
This limit of height is enforced by the
size of tunnels and bridges along the
line.

"Nunn Cannon Ball Express."

The Westside Rapid Transit has received
a vestibule car from St. Louis via
the Rio Grande Western. The car
was placed in service this morning and
intended for the mountain division, and
the company are rubbing their eyes at
the transformation. The new car is painted
green and bears the legend, Salt Lake
& Utah Valley Rapid Transit. The
company has been already nicknamed the Nunn
Cannonball Express.

SPIKE AND RAIL.

The strike of switchmen on the Northern
Pacific seems to be assuming serious
proportions.

A party of Oregon Short Line engineers
under J. K. Brown, is engaged in
making final locations on the Leaning
cut-off.

Senator W. A. Clark is now said to
have entered the street railway field
and to have acquired valuable holdings
in Los Angeles.

It would seem from the reports of activity
in Southern Pacific circles at
Ogden that the Leaning cut-off has been
decided upon and that the meeting with
the Salt Lake business men was a mere
formality.

Among other things that came under
the notice of the motive power car
superintendents of the Overland road
yesterday was the question of the
availability of installing electric light on
the Overland line.

Section employees of the Short Line
have been granted a rate of one-half a
cent per ton a mile on all supplies and
personal consignments. This will enable
those living at isolated spots along the
track to get their foodstuffs, fuel,
etc., cheaply.

A fifty year contract has been entered
into between the British government
and the Canadian Pacific railway company
for the conveyance of troops,
mail, stores, etc., between Halifax, Quebec,
Montreal and Hongkong, for which
the railroad company will receive £50,
000 as a yearly subsidy and of which
the Canadian government will contribute
£15,000.

The following contracts for improvement
of the track of the Southern Pacific
are reported: Vista to Wadsworth,
Nev., twenty-five miles; stretch of
track forty-five miles, east of this;
to E. B. & L. Stone, Oakland; next
twenty miles east to Corey Bros of
Ogden; and rebuilding six miles in Pal-

Itching Skin

Distress by day and night—
That's the complaint of
those who are so unfortunate
as to be afflicted with Eczema
or Salt Rheum—and outward
applications do not cure. They
can't.

The source of the trouble is
in the blood—make that pure
and this scaling, burning, itching
skin disease will disappear.

"I was taken with an itching on my
arms which proved very disagreeable. I
concluded it was salt rheum and bought a
bottle of Hood's Sarsaparilla. In two days
after I began taking it I felt better and it
was not long before I was cured. Have
never had any skin disease since." Mrs.
Ida E. Ward, Cove Point, Md.

"I was suffering from eczema and could
not rest day or night. I had seen Hood's
Sarsaparilla advertised in the papers and
began taking it. Soon I could rest better,
the dyspeptic trouble from which I had
suffered was relieved and now I am cured
and feel as young as I did twenty years
ago." M. D. L. Martin, Screen Door Factory,
Knoxville, Tenn.

Hood's Sarsaparilla and Pills

Rid the blood of all impurities
and cure all eruptions.

made canyon to Erickson & Patterson
of San Francisco.

General Agent Hoyt Sherman of the
Colorado and Knott road, stated that his
road is handling an immense quantity
of Oregon wheat and lumber.

H. W. Toole, of New York, representing
the Magnolia Metal company, is agent at
the Knott road, after closing
deal with the Southern Pacific to
supply that great corporation with
Habit metal for locomotives and
passenger cars for the current year.

Mr. Toole finds business generally
much better than it was a year ago,
and is much encouraged with the outlook.

The Central Nevada says: Mr. Griffin
and a company of surveyors, nineteen
in number, in the employ of the
Southern Pacific company, were in Battle
Mountain this week for the purpose
of making a survey from Plute, a riding
five miles west of Battle Mountain, to
Moose, another riding five miles east
of Plute. We are not in a position
to state what will be the outcome of
the survey, but many of our people
are inclined to think that the road will
be run from Plute to Moose, thereby
cutting Battle Mountain off the road
by two and one-half to three miles. On
the other hand, many of our citizens do
not believe the company contemplates
making such a change.

JOINT BUILDING INSURANCE

Committee Reports Where and How it
Is Held.

The committee on control of the city
and county building has made up a list
of policies of insurance on the building.
The names of the agencies, the amounts
and amounts of the policies follow:
Cannon & Cannon, Aug. 25, 1901, \$2,
500; T. R. Jones, Aug. 25, 1901, \$2,500;
Young & Young, Aug. 25, 1901, \$2,500;
Anderson Ins. Agency, Aug. 25, 1901, \$5,
000; W. E. Smalley, Sept. 25, 1901, \$2,
500; M. B. Sowles, Nov. 1, 1901, \$5,000;
James Rogers & Co., Nov. 13, 1901, \$5,
000; H. J. Grant & Co., Dec. 1, 1901, \$5,
000; Union Ins. Agency, Ltd., B. Rogers,
Dec. 1, 1901, \$2,500; A. L. Jacobs & Co.,
Dec. 1, 1901, \$2,500; The Wilson-Sherman
Co., Dec. 1, 1901, \$5,000; Cannon & Cannon,
Dec. 1, 1901, \$2,500; Russell L.
Tracy, Dec. 1, 1901, \$2,500; E. C. McGur-
rie & Co., Dec. 4, 1901, \$2,500; W. W.
Lawrence & Co., Dec. 4, 1901, \$5,000;
Caine & Hooper Co., Dec. 10, 1901, \$2,500;
Young & Young, Dec. 12, 1901, \$2,500;
Held & Co., Dec. 12, 1901, \$2,500; H. J.
Grant & Co., Dec. 14, 1901, \$5,000; W. S.
Gleason, Dec. 14, 1901, \$5,000; R. L.
Tracy, Dec. 14, 1901, \$2,500; R. B. Whit-
temore, Feb. 19, 1902, \$2,500; F. E. Mc-
Gurrie & Co., Feb. 19, 1902, \$2,500; E. L.
Wintner, Feb. 19, 1902, \$5,000; E. L.
Wintner, Feb. 19, 1902, \$2,500; Cannon
& Cannon, March 2, 1902, \$2,500; H. J.
Grant & Co., March 2, 1902, \$2,500; D.
P. Walker, Dec. 1, 1902, \$2,500.
The expense of carrying the insurance
is divided equally between the city and
county.

COATES WINS APPEAL.

In the case of Edwin Coates, respondent,
vs. Union Pacific Railroad company,
appellants, the decision of the
lower court was reversed by the
supreme court today. Justice Baskin
wrote the opinion and it was concurred
in by Justice Baskin, Chief Justice
Miner dissenting.

The suit was brought to recover damages
for injuries sustained by Coates on
Dec. 16, 1901, when he was struck by
a train. The lower court awarded \$15,
000, and it was from this judgment that
the railroad company appealed. The
case was remanded for retrial.

I Will Cure You of RHEUMATISM

NO PAY UNTIL YOU KNOW IT.

After 2,000 experiments, I have learned
how to cure Rheumatism. Not to turn
bony joints into flesh again; that is im-
possible. I can cure the disease
divers, at any stage, and forever.
I ask for no money. Simply write me
a postal and I will send you an order
on your nearest druggist for six bottles
of Dr. Shoop's Rheumatic Cure, for
every druggist keeps it. Use it for a
month, and if it does what I claim pay
your druggist \$5.00 for it. If it doesn't,
I will pay him myself.

I have no samples. Any medicine that
can affect Rheumatism with but a few
does must be drugged to the verge of
danger. I use no such drugs. It is folly
to take them. You must get the disease
out of the blood.

My remedy does that, even in the
most difficult, obstinate cases. No matter
how impossible this seems to you, I
know it and I take this risk. I have
cured tens of thousands of cases in this
way, and my records show that 39 out
of 40 who get those six bottles pay,
and, generally, I have learned that
people in general are honest with a physician
who cures them. That is all I ask.
If I fail I don't expect a penny from
you.

Simply write me a postal card or a
letter. Let me send you an order for
the medicine; also a book. Take it for
what it is worth. It won't harm you any-
way. If it cures, pay \$5.00. I leave that
entirely to you. Address Dr. Shoop,
Box 713, Racine, Wis.

ANOTHER CITY WATER CASE.

Supreme Court Again Makes Find-
ing Against Municipality.

LOWER COURT IS AFFIRMED

Opinion by Baskin and Conferred in
By Miner-Baskin Dissents-Ab-
stracts of Opinion.

The Supreme court has rendered its
decision in the case of the Salt Lake
City Water and Electrical Power com-
pany and Joseph Geoghegan, receiver
vs. Salt Lake City and Amanda Cannon,
affirming the action of the lower court
in allowing plaintiff to connect their
flume with the city's canal, upon fur-
nishing a bond in the sum of \$5,000,
pending the determination of the con-
demnation proceedings brought by them
against the city. The power company
instituted condemnation proceedings to
condemn the right to make connection
with the city canal for the purpose of
discharging the water, after use by the
power company, through a flume across
the river into this canal, opposite the
company's power plant. The company
asked permission to construct the flume
and connect it with the canal, pending
the condemnation proceedings, and the
court entered an order permitting the
company to occupy the city's premises
and make connections of the flume with
the canal, upon filing a bond in the sum
of \$5,000.

This order of the court, the petitioner,
Salt Lake City, et al., seek to have re-
versed by means of the writ of cer-
tiorari, claiming that the court acted
beyond its jurisdiction, and that the
taking possession of the petitioners
before a decree of condemnation
is a violation of the constitution, section
22, article 1 of the constitution, which
reads: "Private property shall not be
taken or damaged for public use
without just compensation."

The opinion, which is written by Jus-
tice Baskin and concurred in by Jus-
tice Baskin and Chief Justice Miner,
holds that the court below ex-
ceeded its jurisdiction in making the
order in making the order and that
the order is not in violation of the
constitution in that provision is made
for compensation in the bond itself, and
it is not necessary that the condemna-
tion proceedings should precede occupancy
of the premises sought to be condemned.
The court therefore affirmed the ac-
tion of the lower court.

JUSTICE BASKIN DISSENTS.

Justice Baskin, in his dissenting
opinion, makes a lengthy review of the
case and holds that the court below ex-
ceeded its jurisdiction in making the
order referred to and that the act which
provided for the occupancy of the defend-
ants' property before the condemnation
proceedings are determined and a judg-
ment is rendered condemning the prop-
erty, is unconstitutional.

PLEADED GUILTY.

John Kelly, who pleaded guilty to the
theft of a cape valued at \$10, was sen-
tenced by Judge Stewart, to three
months imprisonment in the county
jail.

COMPLAINT FILED.

A complaint was filed in the Dis-
trict court today in the case of the
Trent Engineering and Machinery com-
pany vs. the White Salt Lake company.
The suit was brought to recover
\$487.74 for a 20-horse power boiler pur-
chased of plaintiff. According to a stipu-
lation filed at the same time judgment
was entered in favor of plaintiff for
\$300.39, 25% of the original amount sued
for having been paid.

DIVORCE GRANTED.

Judge Hall today granted decrees of
divorce in favor of plaintiffs in the cases
of R. P. Smith vs. L. M. Smith and
J. J. McKee vs. Hattie M. McKee.

SUBMITTED ON BRIEFS.

In the supreme court today the case
of John Harter, et al., vs. P. A. Soren-
sen, was submitted upon the briefs of
the attorneys. The case of Edward
Whipple vs. William Preece was also
submitted, and was also the case of
F. F. Plisk vs. G. Aliso Plisk.

TO CURE IN TWO DAYS.

Laxative Bromo-Quinine removes
the cause. E. W. Grove's signature
on every box. Price 25 cents.

MUSICIANS TO MEET.

Secy. Tom F. Pinder of the local or-
ganization of the National Federated
Musicians informs the "News" that at
a meeting of the local organization,
which is to be held at Christensen's
dancing academy on Sunday afternoon
next, the charter will be closed to
membership entrance under the
provisions, and after that date those
desiring to become members will be
subject to the provisions of the by-
laws. The meeting is to be held at 4
p. m., and the officers hope to see every
musician in town present, if possible.
Membership cards are now out and af-
ter the by-laws have been declared
operative, these cards will govern the
action of members in their services to
the public. Although the organization
has been proceeding with no ostenta-
tion and little publicity, it is now said
to be in a very successful condition and
expects to become more so in the near
approaching future. The object, say
the promoters, is to protect the pub-
lic from incompetency in the employ-
ment of the services of musicians and
to promote harmony and mutual pro-
tection among the members.

Local Organization Closes Its Charter Sunday Afternoon.

The Utah branch of the Studebaker
company's recent following officers:
President, Frederick E. Hill of South
Bend, Ind., vice president, treasurer
and manager, C. A. Quigley, secretary
L. H. Mansworth, other directors, Geo.
M. Studebaker of Indiana and J. J. Jud-
son, of this city.

AMUSEMENTS.

"Way Down East" is drawing aston-
ishing houses at the theater considering
that the play ran a full week just
a year ago. The two opening houses
this week were much larger than the
two opening ones last year.

"The Eleventh Hour" closes its en-
gagement at the Grand tonight. There
was a good sized matinee in attendance
this afternoon. Tomorrow night "The
Man From Mexico" opens for three
nights and a Saturday matinee.

At the Daynes' Music store last night

EARNEST PLEA FOR OLD SOLDIER.

Wheels of Justice Stopped While Mercy Steps in to Lighten
The Load of an Old Man Who Stole a Clock
To Keep from Starving.

George Moore, the old man who last
Saturday pleaded guilty to the charge of
petit larceny, this morning appeared
before Judge Stewart for sentence. It
seems that the old fellow discovered a
friend in need in the person of Col. M.
M. Knight, who made a strong plea
that the prisoner be allowed to go to
the soldier's home in Sandusky, Ohio,
and spend the remainder of his days,
instead of being sent to prison.

PERSONALS.

Gron Hewlett has returned from a
congratulatory tour of the west.

President Frank Knox of the Bank
of the Republic has gone to Washing-
ton on a business trip.

W. W. Old has been appointed super-
intendent of agencies of the western
branch of the United States Life
Insurance company with headquarters
at Denver, and leaves tonight for Colo-
rado, where he will remain.

George F. Sprague, secretary of the
Home Investment & Savings company,
came down from Boise today to visit
with his friends.

Mrs. Jacob Bamberger, child and
nurse and Mrs. Joseph Oberdorfer, re-
turned this afternoon from their New
York trip.

BISHOP GARDNER BURIED.

Funeral Services from Fourteenth
Ward Meeting House This Afternoon.

The funeral of the late Archibald
Gardner was held this afternoon from
the Fourteenth ward assembly hall. The
historical old room was crowded from
the pulpit to the front doors and the
most impressive feature of the occasion
was the spirit of reverence and love
for the memory of the deceased. There
were many gorgeous floral pieces con-
tributed by the children and the grand-
children and the great grandchildren.

The service was presided over by
Counselor Jesse W. Fox, and were open-
ed by the ward choir singing the hymn,
"Come Ye Disciples." Prayer
was offered by Luther J. Williams and
the choir then sang the beautiful hymn,
"Lead Me Gently Home."

eloquent words were spoken in praise
of the deceased by Bishop John Egbert
of West Jordan, Fred Angus M. Can-
non, Elder A. Milton Musser, Apostles
M. F. Cowley, John Henry Smith and
Elder Joseph E. Taylor. The under-
lying sentiments expressed by all the
speakers was that Archibald Gardner
was as true as steel and absolutely un-
swerving in his integrity to his God
and to his fellowman. He was charac-
terized by the apostle Paul as a man
among his fellowmen, full of benevo-
lence and unselfishness. The only ques-
tion he asked was, what can I do to
benefit the people.

As an evidence of the hold that Bishop
Gardner had on the hearts of the
people in the ward where he was bish-
op so long, there were scores of people
from over the river coming miles to
attend the obsequies.

A quartet, composed of Miss Lottie
Owen, Miss Julia Jones, Hober Sharp
and Thomas Butler sang, "The
Lord's Prayer." The benediction
was pronounced by Counselor James
Jensen of the Jordan stake. A long
cortege of carriages followed the re-
mains to the cemetery, where the
interment took place.

BUSINESS NOTES.

Today's bank clearings amounted to
\$548,036, and the cash balance for the
same day of last year was \$467,555.48.

The retail hardware and grocery de-
partments of the Z. C. M. L. are being
overhauled and plan to recover
themselves by the sale of goods which will
greatly improve the appearance of these
departments.

By the terms of a warranty deed filed
in the recorder's office today Robert
Bruere and wife transferred to Herman
Tischer for a consideration of \$4,000,
all that part of the grounds being part of
lot 7, block 3, plat A.

Articles of Incorporation of the Jex
Lumber company, of Spanish Fork,
and as amended, were filed for record
today in the recorder's office. The new
company is composed of residents of Spanish
Fork, and is capitalized at \$10,000 which
is divided into 1,000 shares of the par
value of \$10 each. The officers and di-
rectors are: William Jex, president and
director; R. H. Jex, vice president and
director; George H. Jex, secretary and di-
rector, and J. W. Jex, director.

The Shind Oil company, of Castle
Dodge, is active in its incorporation
with Secretary of State Hammond to-
day. The capital stock of the com-
pany is valued at \$50,000 which repre-
sents 5,000 shares of the par value
of 10 cents each. The officers and di-
rectors are: F. E. Woods, vice president;
A. D. Dickson, secretary and treasurer;
L. R. Brown, general manager, who,
with H. H. Haines, A. Hillman and
John Leamaster, constitute the board
of directors. The company's property
consists of 23 placer claims of 100 acres
each situated in Emery county, Utah.

Col. N. W. Clayton leaves this evening
on a business trip to New York,
Chicago, New York and Boston, to be
gone until March 1. Part of his busi-
ness will be in connection with the
Salt Lake music house in which he
has become interested.

Builders say there is plenty of rock
and brick in the market—in fact, there
is no shortage in building material, but
just at present building operations are
laid off slow. However, when spring
orders in dry goods, clothing, shoes
and notions are fair, but the uncertainty
of a good season attending the
lack of steady market buyers conser-
vative selections are satisfactory
with retail trade fair. Money is in sat-
isfactory supply, and meeting with good
demand at firm rates.

The upper part of the city is fast dry-
ing up, but the streets in the lower part
of the city are seas of mud, with
prospects of becoming worse, as the
weather office confidently expects rain
or snow tonight.

Dun's Review says of Salt Lake's
business conditions for the past week:
"The situation continues without much
material change. Further shows have
been the outlook somewhat, but the fall
of the market has been a fairly
satisfactory for the season, and a re-
solutely good demand is had in grocer-
ies, drugs and hardware, and the weath-
er has helped the sale of rubber shoes.
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shoes and notions are fair, but the uncer-
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and manager, C. A. Quigley, secretary
L. H. Mansworth, other directors, Geo.
M. Studebaker of Indiana and J. J. Jud-
son, of this city.

GERMAN IMPERIAL YACHT ARRIVES.

New York, Feb. 12.—The German im-
perial yacht Hohenzollern, command-
ed by Admiral Count von Baudissin,
arrived unexpectedly at New York this
morning, a day ahead of her schedule.
When she sailed from St. Thomas on
Saturday last, cable advised that she
would proceed to Bermuda and after
a stay of a day or so in that port
proceed to the United States. Her
non-arrival at Bermuda occasioned
some apprehension that she had met
with heavy weather, but it was said to-
day that the entire voyage had been
smooth with the exception that there
was a strong westerly gale yesterday.

The Hohenzollern was sighted by the
marine observer at Atlantic Highlands
a few minutes before noon today. An
hour later she passed in The Narrows,
and as she steamed past Fort Wad-
sworth and Hamilton the German naval
ensign was displayed from the staff on
her tall rat. Word of her arrival had
been promptly sent to quarantine, and

when she came up the doctors were
waiting to board and pass her. The
yacht was very bright and before half
past 1 a clock the big yacht was head-
ing up the harbor for Hoboken, where
she will be docked and cleaned. The
Hohenzollern was recognized by the
passing vessels saluted either with
a dip of the colors or with a whistle.
The Kaiser's yacht is a bark-rigged,
two funnel, mid-of-war-like craft with
a rainbow, she carries eight rapid-fire
guns for saluting purposes. At quar-
antine it was said by her officers that
the question of her acceptance of any
country's port prior to the arrival of
the prince had not been considered by
them, but they did not think it would
be possible or proper to attend any
kind of a party or reception on arrival.
The Hohenzollern docked at the pier
of the North German Lloyd Steamship
company at Hoboken and will be thor-
oughly overhauled and put in order.

It is not known why the Hohenzollern
departed from her prearranged itine-
rary and failed to touch at Bermuda.

ANNIVERSARY OF LINCOLN'S BIRTHDAY.

Boston, Feb. 12.—The anniversary of
Lincoln's birthday was observed here
today by a liberal display of the na-
tional colors. The feature of the day
will be the banquet of the Middlesex
club this evening at which several well
known men will speak, including John
D. Long, secretary of the navy, and
Congressman James E. Hill of South
Norwalk, Conn. The Boston stock ex-
change was closed today.

NEW YORK.
New York, Feb. 12.—All the exchanges,
banks and other places in the financial
district, as well as the public offices and
schools were closed today in observance
of Lincoln's birthday. This evening
several banquets will be given at which
speeches lauding the life and character
of the civil war life of the Presi-
dent will be made.

CHICAGO.

Chicago, Feb. 12.—Lincoln's birth-

day was observed here today by the
closing of banks, municipalities and county
offices, the board of trade and stock ex-
change. Appropriate exercises were
held in the schools. Banquets will be
given this evening by the Marquette,
Lincoln & Standard clubs.

At the Marquette club their speakers
and subjects will be: "Abraham
Lincoln," Senator McLaughlin of South
Carolina, "Lincoln and His Relations to
the South," Charles Emory Smith of
Pennsylvania, "Lincoln and McKinley,"
Lafayette Young, Iowa, "Our Flag in
the Tropics," Philip P. Campbell, "The
Responsive Powers of the Republic,"
R. V. Yates will be the toastmaster at
the Lincoln club.

ST. LOUIS.
St. Louis, Feb. 12.—The federal offices,
all the local exchanges and some of the
business houses closed today in the
commemoration of Lincoln's birthday. Pa-
triotic exercises were held in the var-

ious schools and different societies cele