

EXPENSE MEASURE CALLS FOR \$35,000

The First Bill of Present Legislation and Passed Under Suspended Rules.

LOVE NAMES COMMITTEES.

Interest in Chairmanships—Preliminary Business and Joint Session Attendance.

The first bill to be introduced in the senate came this afternoon, from John H. Bower, of Platte, in the form of a measure asking the appropriation of \$35,000 for contingent expenses of the rules, and received 17 affirmative votes, Gardner being absent. The amount called for is \$10,000 more than provided for a like measure introduced at the beginning of the legislature two years ago.

COMMITTEES NAMES.

President Love of the senate, this afternoon, prepared his list of committee appointments. The chief ones are made up as follows:

Finance—Williams, chairman; Miller, Lawrence, Gardner, Hollister, Walton and Hulsink.

Education—Parke, chairman; Johnson, Walton, Callister, Bullen, Hollingsworth, Lawrence.

Railroads—Johnson, chairman; Lawrence, Seeley, Berner, K. Smith, Hollingsworth, Clegg.

Chairman of the other committees are as follows: Mines, Rushard, military, Park, judiciary, Lawrence, fish and game, Walton; contingent expenses, Johnson; banks and banking, John Y. Smith, agriculture, Gardner.

IN THE HOUSE.

Promptly at 1:30 o'clock the gavel of Speaker Joseph fell, calling the house to order. The roll call showed that two or three members were absent, but had sent excuses. Chaplain Hess offered a prayer that was a model for brevity. Yesterday's journal was read by Chief Clerk Alex Buchanan, Jr., after which a committee on contingent expenses was named by the speaker, as follows: Jackson, of Utah, chairman; Kuchler, of Weber; Dyring, of Sanpete; Kitchlow, of Salt Lake; Sutton, of Summit; Hansen, of Boxelder; Meeks, of Kane.

Without the first bill of the session will be introduced by this committee, and that the same will ask for an appropriation of \$35,000 for the expenses of the legislature and will receive the attention of the lower house tomorrow.

Mr. Robinson, of Salt Lake, moved that when the house adjourn that it be until 2 o'clock tomorrow. Mr. Kuchler then moved that an informal recess be taken to await the coming of the members of the senate, when a conjoint session will be held to hear the reading of the governor's message.

NAMES PRUNED DOWN.

While the roll call in the house was in progress, Mr. Jensen of Salt Lake, these and several other members, who had been eliminated by the clerk. The big and youthful member from this county has a long title, tenth, nephew, United States Centennial, and it was the three last portions of it that he wished cut out of the roll. Mr. Tolson was about to move that the house assume the practice of calling its members what it chose, when the speaker announced that the name would be changed to meet the wishes of Mr. Jensen.

LEGISLATIVE SIDELIGHTS.

Bamberger, Bennion, and Barber, the "three busy bees" of the last senate session, who held down the Democratic hopes in the upper house, and sat all together in the right end of the semicircle, are supplanted this year by Walton, Bullen and John Y. Smith. Smith and Bullen are new members, while Walton changed his seat about four points to his left, in order to capture the vantage point which is so useful to a senate leader.

Senator Lawrence, the senator with the watchful legal eye who never becomes ruffled on the surface, and pines secretly into the face of every man who brings him a bill, sits in his old seat in the center, from which he can dispense legal wisdom on both sides to inquiring senators.

When it comes to a beauty contest, there are few senators who would get over the red ring of the handmaid, Senator Lawrence and President Love, however, would come the nearest to qualifying, as none of the new members help things any in this line.

Senator Hollingsworth started out two years ago to hand in bills, and get on his feet often. He was new. This counts against him, but he is believed to be very young in years. This made the title of "Senator" fit without grace in his not overly broad shoulders. He had a twinkle in his eye, however, and

Take Her a Box o'



The quality of which bespeaks high esteem and good judgment.

SWEET'S CARNATION CHOCOLATES

are symbols of purity, the most exquisite product of pure cane sugar and fresh fruit flavors.

SWEET CANDY CO.
Manufacturing Confectioners.

A fighting spirit in his talks, that generally carried his bills down to the house slaughter yards. He has a little different position this year. They can nearly all take notes from him, and the ease with which he climbed into prominence in making the motion to elect Senator Lawrence suggests that his leadership this session will not be subject to the scrutiny shown two years ago.

It is easy to pick Lawrence, Love, and Hollingsworth as leaders. Three places made vacant by Bennion, Bamberger and Barber, are to be filled by senators who show considerable promise. Consideration among the first six. Walton has maneuvered to a position of vantage, so far as his seat is concerned. He will probably be senator-at-large for old line party interests. What Benner K. Smith will do, is still uncertain, but he will be a much watched member while he is catching his stride. He is already something of a favorite.

Congential spirits on the floor of the house are B. H. Bower of Provo, one of the Eleventh district representatives, and J. D. Miller, of South Grand county, representing the Seventeenth district. Mr. Bower is a prosperous nurseryman of the "Garden City," while Mr. Miller is a grover, on an extensive scale, of the celebrated Grand county fruit. "So many people get my name 'Bowers,'" said the smiling horticulturist, "and if the 'News' prints it Bowers, I'll stop my paper."

From out the Tenth comes John T. Giles of Heber, Wasatch county. Mr. Giles is one of the devoted band of eight adhering to principles Jeffersonian, ad Jacksonian. He is, withal, a pleasant, thoughtful gentleman whom it is a pleasure to know, and speaks in attention of the lower house tomorrow.

One of the up-to-date, progressive men of the state, who appears to be broad enough to encompass the welfare of the whole people of the commonwealth as well as that of his own particular locality in his view, is Chas. F. Westphal of Pleasant Grove, Utah county. Mr. Westphal is a firm believer in the ultimate destiny of this state, and predicts that it will take its place among the foremost of the 48. He is an aggressive man of affairs, being a director in the Utah State bank and the light and power companies of his home town, has served several terms as justice of the peace and in his town council, and is well equipped to assist in passing legislation calculated to benefit conditions in general. Asked as to what particular bill he was interested in pushing, he winked the other eye and smiled—but admitted he had a "bunch up his sleeve" which he would produce at the proper time.

Viewing in retrospect the scenes of many a sanguinary conflict in behalf of "good roads" stood D. R. Roberts, former representative from Cache county. The hand of good fellowship was extended to him by all who believe in keeping up good roads in the country districts, and in his town council, and in his work in that behalf.

Of the men who will make their mark on the floor of the house, Harry J. Robinson of Brigham, Salt Lake county, promises to become one of the foremost. He is possessed of a keen perception and is aggressive in his advocacy of the measure he favors.

At the front of the phalanx comes the delegation from the north. United for the welfare of their section as well as the rest of the state are Representatives H. A. Pederson, of Logan; Brigham A. Hendricks, of Lewiston; and Wm. H. Maughan, of Belleville. These gentlemen are all aggressive, conscientious workers, and promise well for the maintaining of the rights of the north in the lower branch of the legislature.

Martin Jensen of Redmond, Sevier county, represents the Eighteenth district, is one of the solid men of his section. He is interested in farming and stockraising in Utah as well as in Canada. He is a typical representative of progressive citizens of the central part of our state, and says that conditions are fairly prosperous, there and the pro-

spects good. Mr. Jensen is the head of his ward, at Redmond.

At the chamber of commerce rooms on west Third South street, tonight, open house will be held by the various associations having headquarters here. Christmas's orchestra will be in attendance, and apples will be given away to visitors with the compliments of the Horticultural society.

IDAHO LEGISLATURE ELECTS BORAH SENATOR.

(Special to the "News.")

Boise, Ida., Jan. 15.—In separate sessions of Idaho legislature at noon today, W. E. Borah was elected United States senator to succeed Fred T. Dubois; total vote for Borah 50, against 18 Dubois. Many speeches were made and great dashes of oratory indulged in.

The committee on privileges and elections of the senate has reported in favor of the Democratic senator from Kootenai county, W. E. Borah, holding his seat against Ignaz Well, Republican contestant.

DECLARED SANE.

Decree to That Effect in Robert Harmon's Case.

A decree was rendered today by Judge Armstrong in the case of Robert Harmon to his mental capacity. Harmon was committed to the state mental hospital on Nov. 11, 1904, and is now declared sane and, on Thursday morning, Judge Diehl will decide whether or not Howard will have to face a jury and thereby be judged "guilty or not guilty."

SMOKE DAMAGE SUITS.

Two Were Filed Today Against Utah Consolidated Mining Co.

Two smelter smoke damage suits were filed in the district court today against the Utah Consolidated Mining company. In one Joseph H. Slem asks damages in the total sum of \$4,400 for injuries to his farm and crops, and that of two other farmers, who have assigned their claims to him.

In the other action Albert Glover asks damages in the sum of \$81 for injuries to his farm and crops by reason of the smoke and fumes from defendant's smelter.

SELECTION OF LANDS.

Gov. Gooding Writes Gov. Cutler on The Subject of School Grants.

Reform and modification of the rules of the general land office in regard to the selection of lands by western states, for the benefit of the common schools and other state institutions is suggested by Gov. Gooding of Idaho in a communication received today from the governor of Idaho. The executive has already taken the matter up and will send a representative to Washington to confer with the land department in the rules. He asks Gov. Cutler to write Utah's representatives in Congress, and to urge their support in this matter and Gov. Cutler heartily favors the changes and commends the request of Gov. Gooding. The rules as they now stand are considered extremely cumbersome and unjust to the states.

SUBPOENA FOR THOMAS.

Stated That Coal Mine Inspector Will Testify Before Grand Jury.

The federal grand jury continues its sessions unabated, and as usual the outside world has no knowledge of what is going on within the room where the inquisition is being held. It is believed that Gomez Thomas, state coal mine inspector, was served with a subpoena this morning for his appearance as a witness, except to the grand jury and the court at times. It is not known whether or not he testified this forenoon. It would seem that that particular line of investigation along the lines that have been followed by the investigation.

GIVEN THIRTY DAYS.

T. R. Connelley Pleads Guilty to Embezzlement and Is Sentenced.

F. R. Connelley, a young man recently arrested on the charge of embezzling \$11.50 from J. M. Marriott, entered a plea of guilty to the charge in Judge Diehl's court this morning and was sentenced to 30 days in the county jail.

FALLS THROUGH ICE.

Girl Has Chilly Experience on Liberty Park Lake Today.

A 16-year-old girl named Mary Sanders, residing at Tenth South and Eleventh East, met with a chilly experience this morning on the Liberty Park lake, where she was skating. It appears that she got on ice that was thin and fell into the cold water. Some survivors who happened to be near the girl and the accident quickly rescued the girl and took her home.

FORTH VICTIM DIES.

Fund of Fred Davis of Murray Occurs Tomorrow.

Fred Davis, the fourth victim to succumb to the effects of the explosion at Murray in the Consolidated Mining company's smelter recently, will be buried from the Baptist church at Murray tomorrow noon.

The deceased, who was the least injured of the men, had so far recovered from the effects of the explosion that he was able to walk, and he was, however, that he took cold and then death followed. He resided in Utah for five years and is said to have relatives in Cedar Bluffs, Saunders county, Neb.

WINDSOR SEEKS DIVORCE.

Well Known Insurance Man of Salt Lake Is Plaintiff in Case.

Suit for divorce was filed in the district court this afternoon by B. Windsor, the well known insurance man, against his wife, Lulu Mayme Windsor, on the grounds of desertion. The complaint alleges that the parties were married in New York Sept. 27, 1904, and that on Jan. 10, 1906, Mrs. Windsor left her husband and declined to live with him further.

CASHIER BRAMWELL RESIGNS.

Walter Bramwell, cashier of the First National Bank of Morgan, has sent the following communication to the officers of the bank:

"To the President and Board of Directors First National Bank of Morgan:

"Dear Sirs—I hereby tender my resignation as cashier of the First National Bank of Morgan, to take effect as soon as you can properly audited. If such time does not exceed 30 days."

"WALTER BRAMWELL,"
Cashier.

EXAM. FOR CADET.

Will be Held Jan. 30-31—Senator Smoot Makes Appointment.

An examination for the appointment of a cadet to the naval academy at Annapolis will be held in the office of State Supt. of Schools Nelson in the City and County building on Jan. 30 and 31. The appointment will be made by Senator Reed Smoot.

HOWARD TELLS STRAIGHT STORY

Young Bingham Man Relates How He Shot Italian in Self-Defense.

I DON'T THINK WE HAVE A CASE

Remarks County Attorney Willard Hanson at the Conclusion of the Hearing This Morning.

Ernest Howard, the young man having a preliminary hearing before Judge C. B. Diehl, on the charge of murder in the first degree, the killing of an Italian named Frank Yourk at Bingham on Nov. 14 last, has been concluded so far as the taking of testimony is concerned and, on Thursday morning, Judge Diehl will decide whether or not Howard will have to face a jury and thereby be judged "guilty or not guilty."

When asked this morning what he thought of the case, County Atty. Willard Hanson said: "I don't think we have a case," and from the testimony it is more than evident that the young man shot the Italian in self defense.

Counsel for defense, Judge A. J. Webster, stated that he had nothing to fear and therefore placed the defendant on the stand and told the latter to tell his story. Howard did it in a straightforward manner and his testimony given on direct examination was not shaken in the least by the rigid cross questioning he was subjected to by County Atty. Hanson.

Howard said that the trouble started early in the afternoon of the shooting because he dumped some dirt in a trap where the Italian, Yourk, was working. The latter became enraged at this and started toward him with a club and also a knife, threatening to kill the young man. The boss of the gang where the men were working, prevented the killing of Yourk, and Howard swore he would kill him that night.

Howard testified that early in the evening he went to a water tank to water his horses when Yourk, with a drawn knife, threatened him. He drew a revolver and shot Yourk, and then ran to a tent for protection, as Phillips was armed with a shot gun and threatened to kill him. He said that Phillips threw a rock at him, and that before the shooting several men told him to be on his guard, as the Italian had sworn to do murder. For that reason, Howard said, he secured the revolver to protect himself.

"When he came at me with the knife and said he was going to kill me," he testified, "I told him twice to stop, and then he built originally cheap and with no regard to light or ventilation, can no longer be maintained under the law. Buildings of this nature must have light, ventilation and all the things needed to healthful living. A large social settlement in New York has been named after me. It is a startling, ugly truth that 8,000 persons die annually of tuberculosis, while three times that many are dying constantly. A tuberculosis patient will die when direct sunlight strikes him, he will linger for months in darkness and surrounded by filth. If we expect strong men and women, we cannot permit our children to work their work, and the surrounding conditions, which are so bad for vitality, and when they are hardly young men and women in years, they are worn out, with no ambition, no desire for the better, no desire to improve. I do not know what poverty exists in the larger cities of the east. Great associations and great men and women are carrying on an effective battle against these things and victory is in sight."

Mr. Riss was in Salt Lake three years ago, and declares he had "a bully time" while he was here. He left for Baker City, Oregon, tomorrow night.

THREE MILLIONAIRES AFTER CONNECTICUT SENATORSHIP.

Providence, R. I., Jan. 15.—Three men of vast wealth are candidates for the United States senate before the legislature today. They are George Peabody Wetmore, the incumbent; Samuel P. Colt of Bristol and Col. R. H. Goddard of this city. So uncertain has been the contest that before the legislature assembled today for the ballot was cast at the contest, which would not be settled without several days of voting.

Senator Wetmore and Col. Colt are Republicans and Col. Goddard is an Independent Republican, has been selected by the Democrats. Upon party organization, Senator Wetmore seemed to be assured of the most votes, but the contest was so close that the shifting of votes in case the first ballot resulted in no choice was the cause of much speculation.

COURT NOTES.

Desertion Is the ground upon which John M. Carson asks for divorce from Annie Carson, whom he married at Vancouver, Wash., Dec. 18, 1897. It is alleged that defendant deserted plaintiff in October, 1903, and is now in Dawson City, Yukon territory and has failed to provide for plaintiff. It is also alleged by plaintiff that defendant struck her on Dec. 15, 1906, and knocked her down and she had refused to cohabit with him since that time. He also used vile and abusive language towards her. She asks for divorce, for \$12 per month alimony; that she be restored to her maiden name, Caroline Phillips.

An action for divorce has been filed in the district court by Emma Smith against William A. Smith on the grounds of desertion and failure to support. The parties were married in the city of New York on July 6, 1905 and it is alleged that defendant deserted plaintiff on April 7, 1906 and has ever since failed to support her.

The Rio Grande Western Railway company, through its attorneys, Alfred Bennion, as administrators of the estate of Alfred Bennion, deceased, obtained a right-of-way over defendant's land in the north quarter of section 15 and part of the northwest quarter of section 14, township 3 south, range 2 west, Salt Lake meridian.

LATE LOCALS.

Bank Clearings—Today's local bank clearings amounted to \$1,307,465.25 as against \$1,049,706.76 for the same day last year.

Dividend Declared—The Western Loan and Savings company declared last evening a dividend of 6 1/2 per cent, payable immediately.

More Sheep Arrive—Dayble & Son of Heber are bringing in 100 head of fine sheep this afternoon, for exhibition in the fine and fat sheep show.

Harry Shearman Promoted—Harry Shearman completed Monday, 17 years of continuous service with the Commercial National bank, where he has made such a good record that he is to be made an assistant cashier.

Gov. Receives Invitation—Gov. Cutler today received an invitation from President John R. Lewis of the Colorado State Commercial association, to attend a state dinner to be given by the association at Denver on the night of Jan. 23 in honor of Gov. Buchtel and retiring Gov. Jesse F. McDonald. A number of prominent men will be in attendance. The dinner will be the desire of the committee to have as many governors of western states present as possible. Gov. Cutler will not be able to attend owing to the fact that the legislature is in session.

FAMOUS SLUMMER IN NEW YORK

Jacob Riis Talks of Country's Poor, Their Needs and Steps Taken for Betterment.

FRIEND OF PREST. ROOSEVELT

Startling Truths Upon Conditions of Destitute in Big Cities—Lectures Here Tomorrow Night.

Jacob Riis, author, personal friend of President Roosevelt, and 20 years ago a police reporter on the New York Sun, is at the Kenyon. He lectures in Barrett Hall under the auspices of the Great Western Lyceum tomorrow evening. Mr. Riis has been a slum worker for 25 years and he is now on a western lecturing tour.

"President Roosevelt and I became acquainted in New York. I covered police 20 years ago for the New York Sun and this took me into the tenement districts a great deal. I became deeply interested in the people of the under world and wrote several books on the subject. One I called, 'How the Other Half Lives.' The Making of an American,' 'The Slums,' and 'Children of the Amenties,' are others. President Roosevelt was at that time police commissioner of New York City. He read my books and was interested. We met since then and have been close friends. He is a great man and I appreciate my acquaintance with him. He has a heart for all mankind and in his messages to his people frequently references to the conditions of our poor and their betterment."

FOR MAN'S UPLIFTING.

"To attempt to talk about slum-work in a few minutes is almost useless. Writers have turned their attention towards the slums of New York, finding in their denizens characters such as Dickens never dreamed of. I can call no man pathetic. In 25 years' work among the poor you find so many cases pathetic in the extreme that any individual case can not be remembered. I have seen those in the south had restricted suffrage—Ohio, Massachusetts, Vermont and others, he said, were in this class.

He disclosed any intention to discuss the race question, saying he did not want to monopolize a subject that belonged exclusively to "my good friend from South Carolina" (Mr. Tillman).

Mr. Patterson disclaimed making any such sweeping statement.

Mr. Clay, however, believed the Record would bear out what he had said. He admitted that there were differences of opinion in the south on the question of negro suffrage, but he believed those in the south had restricted suffrage—Ohio, Massachusetts, Vermont and others, he said, were in this class.

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STEPS TO ELIMINATE EVIL.

Social settlements are being founded which are maintained by contribution. Destitute persons live in these settlements amid clean, bright surroundings. The environment is built originally cheap and with no regard to light or ventilation, can no longer be maintained under the law. Buildings of this nature must have light, ventilation and all the things needed to healthful living. A large social settlement in New York has been named after me. It is a startling, ugly truth that 8,000 persons die annually of tuberculosis, while three times that many are dying constantly. A tuberculosis patient will die when direct sunlight strikes him, he will linger for months in darkness and surrounded by filth. If we expect strong men and women, we cannot permit our children to work their work, and the surrounding conditions, which are so bad for vitality, and when they are hardly young men and women in years, they are worn out, with no ambition, no desire for the better, no desire to improve. I do not know what poverty exists in the larger cities of the east. Great associations and great men and women are carrying on an effective battle against these things and victory is in sight."

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COLORADO LEGISLATURE ELECTS GUGGENHEIM.

Denver, Jan. 15.—Simon Guggenheim, Republican, was elected United States senator to succeed Thomas Patterson, Democrat, by the Colorado legislature at noon today. He received a large majority of the vote in both senate and house in separate session. The vote was:

Senate—
Simon Guggenheim, Republican.....22
Charles S. Thomas, Democrat.....12

House—
Simon Guggenheim.....46
Frank C. Goudy, Republican.....4

A Senator Morton Alexander was absent on account of sickness.

All the Republican members present voted for Guggenheim except Representative M. D. Vincent of Delta county, who voted for Goudy. Three voting for Thomas changed to Goudy as a compliment.

Simon Guggenheim, who was born in Philadelphia, Dec. 30, 1867, is next to the youngest of the seven sons of the late Meyer Guggenheim, doing business in New York under the firm name of M. Guggenheim & sons, and having extensive mining and smelting interests. He has been a resident of Colorado 15 years and is a member of the executive board of the American Smelting & Refining company. He was married to Miss Olga Hirsch in New York in 1898 and they have one child, a son, in celebration of whose birth Mr. Guggenheim erected an addition to the state school of mines at Golden, Colo., known as Guggenheim hall. In 1898 he was Republican candidate for lieutenant-governor and in 1898 he was nominated by the Republicans for governor but withdrew his name. He was elected one of the presidential electors from Colorado.

SENATOR CLAY DEFENDS SOUTH

Stirred up Mr. Tillman by Calling Him "My Good Friend From South Carolina."

POWERS OF THE PRESIDENT.

Spooner Took Ground It Was Not Senate's Function to Investigate His Executive Acts.

Washington, Jan. 14.—Senator Mallory told the senate today that he could see no benefit in the proposed senate investigation of the Brownsville affair, as the evidence submitted by the president was enough to convict the soldiers. However, he should not oppose the inquiry.

The bullets and cartridge shells sent the senate, Mr. Mallory had to add greatly to the strength of the president's case. In addition to the evidence he maintained that the description against the negro soldiers by the soldiers, they were not allowed liberty out of the fort after 8 o'clock at night, and were not served in the bar-room. Mr. Mallory digressed to call attention to what he regarded as the best illustration that could be given of the incompetency of the negro to grapple with great questions. His illustration was the criticism of the president by a negro meeting at Boston.

Mr. Clay of Georgia took the floor, as he said, to reply to the sweeping charge against the prominent people of the south made by Senator Patterson. An injustice had been done his state and other southern states, when the senator from Colorado had said that the public men of the south were in favor of mobs and lynch law.

Mr. Patterson disclaimed making any such sweeping statement. Mr. Clay, however, believed the Record would bear out what he had said. He admitted that there were differences of opinion in the south on the question of negro suffrage, but he believed those in the south had restricted suffrage—Ohio, Massachusetts, Vermont and others, he said, were in this class.

He disclosed any intention to discuss the race question, saying he did not want to monopolize a subject that belonged exclusively to "my good friend from South Carolina" (Mr. Tillman).

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