

MONEY PAID IN PARIS

Solicitor General Hoyt Talks of Panama Canal Deal.

CASH GOES TO LIQUIDATION

Payment is Made Through Bank of France.

OFFICIAL APPOINTMENT COURT

Money Was Distributed in Direction of Tribunal.

ISSUE OF VERACITY

New York Newspaper Quotes testimony of William Nelson Cromwell in Reply to President's Letter.

WASHINGTON, Dec. 8.—Solicitor General Hoyt, in commenting today on the president's letter to Mr. Postle regarding the payment for the Panama canal, said:

"I furnished to the president the facts concerning the method of payment of the money for the Panama canal to the French people. The president's statements are absolutely true. The money was paid to the Bank of France by the liquidator, M. Gaumont, appointed under the decree of the civil tribunal of the Seine and the amount was apportioned between the new and old companies in the exact proportion decided in this decree of the civil tribunal of the Seine. The action of the French government, just as any decision of the courts here in the action of the government. Any pretense to the contrary is a more quibble over names."

CANAL DEAL ISSUES JOINED

New York Newspaper Replies to Letter of President Roosevelt.

NEW YORK, Dec. 8.—The New York World, to which Delavan Smith, editor of the Indianapolis News, referred in his reply to President Roosevelt's attack upon him, as the authority for the article on the Panama canal which appeared in his papers and called forth the president's letter, says today:

"In view of President Roosevelt's deliberate misstatement of fact in his scandalous personal attack upon the Indianapolis News, editor of the Indianapolis News, the World calls upon the congress of the United States to make immediately a full and impartial investigation of the entire Panama canal scandal.

"The investigation of 1906 by the senate committee of the inter-oceanic canals was blocked by the refusal of William Nelson Cromwell to answer the most pertinent questions of the committee. Since that time nothing has been done because after Senator Morgan's death there was no successor to carry on his great work of revealing the truth about Panama corruption.

Query That Brought Out Letter. "The Indianapolis News," said in the editorial for which Mr. Roosevelt assails Mr. Smith:

"It has been charged that the United States bought from American citizens for \$40,000,000 property that cost those citizens only \$15,000,000. There is no doubt that the government paid \$40,000,000 for the property. But who got the money?"

"President Roosevelt's reply to this proper question is for the most part a string of abusive and defamatory epithets. But he also makes the following statements as truthful information to the American people:

"The United States did not pay a cent of the \$40,000,000 to any American citizen. The government paid the \$40,000,000 direct to the French government, getting the receipt of the liquidator appointed by the French government to receive the same.

"The United States government has not the slightest knowledge as to the particular individuals among whom the French government distributed the same."

"So far as I know there was no syndicate, there certainly was no syndicate in the United States that to my knowledge had any dealings with the government directly or indirectly."

World Returns Compliment. "To the best of the world's knowledge and belief each and all of these statements made by Mr. Roosevelt and quoted above are untrue and Mr. Roosevelt must have known they were when he made them."

"As to the detailed distribution of the Panama loot only one man knows it all. And that man is William Nelson Cromwell, president of the United States and chief of the Panama revolution, and chief secretary of state. It was they who aided Mr. Cromwell in consummating the Panama revolution, arranged the terms of the purchase of the Panama canal, made the agreement to pay \$40,000,000 on the canal properties and an additional \$100,000,000 for the canal in Panama republic, every penny of both of which sums was paid by check on the United States treasury to J. P. Morgan & Co.—not to the French government, as Mr. Roosevelt says, but to J. P. Morgan & Co."

"The world then goes extensively into evidence brought out at the senate investigation by Senator Morgan in 1906 and says: 'Mr. Cromwell applied to the canal situation the methods of American high finance by which a bankrupt concern, then creates a holding company and a recapitalization, keeping the majority control in a syndicate trustship.'"

It then continues: "Following that, to quote from Mr. Cromwell's testimony, 'In May, 1904, I, representing the new Panama canal, and Judges Day and Russell, representing Attorney General Knox, consummated the transfer and sale to the United States.

Testimony of Cromwell. "Mr. Roosevelt says the government paid this \$40,000,000 direct to the French government."

"Mr. Cromwell testified that the United States paid the money to J. P. Morgan & Co."

"Mr. Roosevelt says the French government distributed the sum."

"Mr. Cromwell testified as to how he distributed it."

"Mr. Roosevelt talks of getting the receipt of the liquidator appointed by the French government to receive the same."

SUMMARY OF THE BEE

Wednesday, December 9, 1908.

Table with columns for dates and numbers: 1908-DECEMBER-1908, 1 2 3 4 5, 6 7 8 9 10 11 12, 13 14 15 16 17 18 19, 20 21 22 23 24 25 26, 27 28 29 30 31

FOR OMAHA COUNCIL BLUFFS AND VICINITY—Fair and slightly warmer on Wednesday.

FOR NEBRASKA—Fair and warmer Wednesday.

FOR IOWA—Fair Wednesday.

Temperature at Omaha yesterday:

Table with columns for hour, temperature, and degree: Hour, Deg., 5 a. m., 24, 6 a. m., 24, 7 a. m., 24, 8 a. m., 24, 9 a. m., 24, 10 a. m., 24, 11 a. m., 24, 12 m., 24, 1 p. m., 24, 2 p. m., 24, 3 p. m., 24, 4 p. m., 24, 5 p. m., 24, 6 p. m., 24, 7 p. m., 24, 8 p. m., 24, 9 p. m., 24

It is reported that Chancellor Strong of Kansas university may be selected to follow Chancellor Andrews.

President Roosevelt's last message to congress was read yesterday to the house and senate.

The New York World made an attack upon President Roosevelt for his letter on the Panama canal deal, maintaining he has perverted the facts of the case.

Francis D. Hirschberg of St. Louis was mysteriously shot yesterday at his home.

Former Secretary of the Treasury Leslie M. Shaw was loser to the extent of \$60,000 in the failure of the Fidelity Funding company.

Charles P. Taft declares that attack of the World is but an effort to discredit President Roosevelt.

Mr. and Mrs. W. J. Bryan have reached Galveston, where Mr. Bryan has gone duck hunting.

Postal savings bank bill favorably reported to the senate and Monday set for its consideration.

Fight between religious fanatics and police in Kansas City resulted in death of one officer, fatal injury of four persons and serious injury of two.

State convention of supervisors considering the question of recommending to the legislature the return to the system of electing precinct assessors.

Vote to K. J. Wagoner as a candidate for the request of the South Omaha Live Stock Yards company for higher switching charges.

Venezuela is preparing to resist any attempt on the part of the Dutch to force force. Rebellion against Castro is also in the air.

Live stock markets. Grain markets. Stocks and bonds.

MOVEMENTS OF OCEAN STEAMERS.

PHILADELPHIA, Pa., Dec. 8.—The first federal council of the churches of Christ in America organized to further the movement of unity of action among the Protestant denominations in the interest of spreading the Gospel, adjourned today to meet in December 1912 at a place to be selected by the executive council of the organization. Strong resolutions were adopted at the final session in opposition to increased armament by the nations of the earth.

A feature of the session was an address by Prof. Henry Wade Rogers, of Yale university, who said the time was at hand for obligatory arbitration of disputes between the nations. He deprecated the un-Christian attitude of the United States and its "mad rivalry" with the nations of Europe.

Resolutions were also adopted condemning the divorce evil and commending organizations that have taken up the subject of better divorce laws. The council also passed a resolution calling upon school authorities to give children more time during the week for religious instruction in their homes and churches.

The council paid its compliments to the press of the country in the adoption of the following:

The federal council recognizes the great value of the city and country press, the press of the United States, and the press serving vast religious as well as civic fields and cordially invites all the brotherhood of the press, both secular and religious to co-operate with the council as allies in warfare against civic corruption, commercial dishonesty, immorality, vice and crime.

HASKELL DISMISSES CHARGES

Oklahoma Editor Comes Out Free from Criticism of State's Governor.

OKLAHOMA CITY, Okla., Dec. 8.—Omer K. Benedict, manager of the Oklahoma City Times, received word this afternoon from County Attorney Heppburn at Guthrie, that he had been indicted for a crime.

Mr. Benedict was arrested August 17 and 18, last, on complaint of Governor Haskell, who objected to an editorial that appeared in the Times. The dismissal of the suits today following a conference between Governor Haskell and Mr. Benedict last Saturday.

KANSAS CITY NEWS

Twenty-five leading members of the Kansas City National club will arrive in Omaha Wednesday morning, the day the National Corn exposition opens. They have with them Secretary McVann of the Omaha Grain exchange of their coming and asked him to make hotel reservations, which he has done.

Frank Salyard's testimony for the defense was also hit by Chief Savage of the detective force. Chief Savage denied that Salyard had ever told him about seeing a woman at Fortieth and Farnam streets on the morning of the murder and she said after learning of the developments of the murder that it must be Mrs. Rice. He declared she did not tell him she knew the woman was Mrs. Rice or that she had ever seen her.

Mrs. Allen's testimony also brought Mrs. Abbie Rice back to the witness stand. She denied being on Farnam street at the time Mrs. Allen said she saw her or of buying a paper there. Mrs. Allen described her as wearing a straw hat with some drapery hanging down behind it. Mrs. Rice said she did not wear a hat with any drapery on it. She also denied Frank Salyard's testimony that he had seen her standing at Fortieth and Farnam streets at 1:30 that morning. She said she had no wrap or coat, as he had testified, but she had an umbrella, some books and some pictures of Dr. Rustin she wanted because of the associations.

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DAVIS CASE NEARS CLOSE

Arguments of Lawyers Will End Late This Afternoon.

STATE ATTACKS MRS. ALLEN

Evidence of Woman Who Said She Saw Abbie Rice Morning of Murder Disputed by Other Witnesses.

When Judge Sears adjourned court at 5:30 yesterday afternoon two of the attorneys, Alfred G. Eilick, for the state, and J. W. Woodrough, for the defense, had concluded their arguments to the jury in the Davis murder trial. This morning W. F. Gurley, senior counsel for Davis, will make his plea to the jury, occupying probably the whole morning session. In the afternoon County Attorney English will close for the state, probably taking the rest of the day. At the close of his address Judge Sears will read the instructions, which will require a half hour, and then the fate of Charles E. Davis will be put into the hands of the twelve jurors.

W. Woodrough, Davis' junior counsel, acted out before the jury in a dramatic manner one theory of the way Dr. Rustin might have come to his death. Taking a seat in front of the jurors with the revolver which served as an exhibit in the case in his hand, Mr. Woodrough went through the motions of shooting himself in the abdomen, at the same time graphically describing to the jurors the way Dr. Rustin probably sat in the steamer chair on his front porch that fatal morning and thought over his misdeeds.

Woodrough Exploits Suicide Theory. After declaring the defense did not have to work out any theory of how Dr. Rustin was shot, the attorney pointed out alleged weak spots in Mrs. Rice's alibi and declared no reasoning man could say that Charles E. Davis and not Mrs. Rice shot Dr. Rustin. He deprecated the theory that Dr. Rustin was thinking about his insurance and his family's business he had let \$5,000 in incontestable insurance lapse a few weeks before his death. After calling attention to the disloyalty led by Dr. Rustin after his attentions to Abbie Rice began, Mr. Woodrough continued:

"As he sat there in that steamer chair his thoughts must have come to his mind, thoughts that Mrs. Rice would not have. He, perhaps, took the gun out of his pocket and looked at it. He held it in his hands propped up on his knees pointed toward his abdomen. He pulled the trigger and the deed was done. Then when he began to think of his wife and children, he thought of the revolver in his hand. Then in that moment when his wife finds him propped up in that chair wounded she has him to herself. If she says, 'They'll get nothing out of me,' what man could blame her."

"If one of us were found wounded on the front porch of his home by his wife, in the attention of Martin Meyer, who was in the room of the next house. Only a light, nimble woman, he said, could have gotten away without attracting attention if anyone could."

Witness Disputes Mrs. Allen. The chief witness in rebuttal of Mrs. Allen, who testified she saw Mrs. Abbie Rice, the state's witness at Sixteenth and Farnam streets at 4 o'clock, was Mrs. Margaret Anderson, to whom Mrs. Allen swore she told the incident of seeing Mrs. Rice.

Mrs. Anderson declared Mrs. Allen had never told her she knew Dr. Rustin and had only told her she knew Dr. Rustin.

Other evidence was offered to show that Mrs. Allen had worked in a house of assignment on Tenth street.

Four verdicts are possible in the case. The jury may find for the defendant or may find him guilty of first degree or second degree murder or manslaughter.

County Attorney English had evidently improved the opportunity overnight of working up his case in rebuttal, for he had a number of witnesses on hand before court opened.

Mrs. Etta L. Allen, the sensational witness for the defense, was first called to the chair for further cross-examination by the county attorney. Mrs. Allen admitted she had done some work for Mrs. Lovett and that Mrs. Lovett's principal business was making dresses for women of bad character.

Mrs. Lovett, she denied making any sales for Mrs. Lovett to such women. She also admitted she had worked for Bertha Busch in a rooming house on Tenth street. She denied knowing it was a house of assignment and said Miss Busch had told her "a thousand times" it was a straight place. It was brought out that Stella Jones, another witness in the case and a maid at Clara Glendon's resort, was working at the Busch place.

Mrs. Allen became indignant when Mr. English asked her if she did not formerly run a "place" over the Hyde house in Lincoln, and he changed the objectionable word to "rooming house." She said she ran one over the South Packing company store.

"Didn't Officer Bentley of Lincoln order you to leave town?"

"He never did at any time," she answered indignantly.

Magney Contradicts Her. George A. Magney, deputy county attorney, was the first witness in rebuttal. He said Mrs. Allen had told him about seeing a woman at Sixteenth and Farnam streets on the morning of the murder and she said after learning of the developments of the murder that it must be Mrs. Rice. He declared she did not tell him she knew the woman was Mrs. Rice or that she had ever seen her.

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Justice to Telegraphers. That the men who composed the military telegraph corps of the army during the civil war should have the same rights as to pensions and homesteads is the desire of nearly 200 residents of Albion, who have asked Senator Brown to secure such rights to the survivors of this corps. He presented large petitions today at the second meeting of the senate.

Senator Brown has introduced a bill to increase the pension of William H. Bettinger of Kearney to \$40 per month.

Inquiry About Primary Law. In reply to a letter from John E. Benton, secretary of the New Hampshire Direct Primary association of Keene, N. H., asking his observations of the workings of the direct primary law in Nebraska Senator

(Continued on Second Page.)

ST. LOUIS MAN SHOT DEAD

Mystery About the Death of Francis D. Hirschberg—Suicide or Deed of Burglar?

ST. LOUIS, Dec. 8.—Francis D. Hirschberg, prominent in the Roman Catholic church and a personal friend of Archbishop Glennon, also well known in club and business circles and as a director of the Louisiana Purchase exposition, was shot and killed at his home, 818 Lindell boulevard, early today. Whether his death was the result of murder or suicide has not been determined.

Members of the family aver that he was the victim of a burglar. The police investigators take the other view, declaring that there was no evidence of the presence of the intruder at the home.

A trail of blood stains on the snow white stairway leading from the reception hall on the first floor indicate that Mr. Hirschberg was shot at the foot of these stairs and then turned over and walked back to his bedroom on the second floor. From there he crossed a hallway and passed through his wife's room to the bath room. As he returned, staggering into his wife's room, Mrs. Hirschberg awoke just in time to see him sink to the floor unconscious, according to statements made to the police.

Mrs. Hirschberg had her husband carried to his bedroom, where he died. He made no statement as to how he was shot. So far as the police could learn no member of the household was on the lower floor. It was explained that deafness of long standing prevented Mrs. Hirschberg from hearing the report of the revolver.

Mr. Hirschberg was a prominent Roman Catholic layman, and it was largely through his instrumentality that the site for the arch episcopal residence adjoining the Hirschberg home on the west side was purchased. He was Archbishop Glennon's closest personal friend among the laity.

As a descendant of the Chauvin, Papin and Choteau families and having for wife a daughter of the late General D. M. Frost, his social position was assured. The social life of his family was a pattern for those who had ambitions and for many years he had been a leader in the insurance business.

Mr. Hirschberg was chairman of the entertainment committee of the World's Fair directors. That committee had charge of the entertainment of all distinguished statesmen, diplomats, nobility and eminent foreigners who came to St. Louis on account of the fair. His social position and personality fitted him for that office. He was a son of Mrs. Lucile Hirschberg, who before her marriage was Miss Lucile Chauvin, a member of one of the oldest and most exclusive families in the city. Mrs. Hirschberg is a sister of Lady Noblesworth, wife of an English nobleman. There are no children.

BRYANS ARE AT GALVESTON

Guests of Colonel W. L. Moody—Mr. Bryan Goes to Hunt Ducks.

GALVESTON, Tex., Dec. 8.—William Jennings Bryan and Mrs. Bryan who have been spending several weeks in southwest Texas and Mexico, reached Galveston today and became the guests of Colonel W. L. Moody. The party left during the day for the hunting lodge at Lake Surber, of the canvas back duck preserve. Mr. Bryan will speak here Thursday afternoon and night, after which he and his wife will return to Nebraska.

STRONG TO FOLLOW ANDREWS

Possibility Chancellor of Kansas University May Come to Nebraska Institution.

LINCOLN, Dec. 8.—Chancellor Strong of the University of Kansas is, it is said, being considered as a possible successor to Chancellor Andrews of the Nebraska university.

LAWRENCE, Kan., Dec. 8.—Chancellor Strong today declined to discuss what he would do if he should be chosen chancellor of Nebraska university.

Santa Fe to Raise Rates. TOPEKA, Kan., Dec. 8.—A substantial increase in freight rates will shortly be announced by several of the western railroads. The Atchison, Topeka & Santa Fe general freight offices in Topeka have been working on the new schedule for several weeks with the expectation of having them completed about January 1.

BE A BOOSTER

Boosting is showing your appreciation of life and things. The reception for the directors and officers of the National Corn exposition will be held Wednesday evening. These are the men who have made the exposition possible, together with the officers of the National Corn association and the contributors to the large premium list—a list which in the opinion of exposition men and exhibitors exceeds any similar premiums offered for an agricultural or live stock exposition.

It was the business men of Omaha who subscribed \$50,000 to promote the National Corn exposition when the opportunity was presented to Omaha to hold the exposition in this city.

Then the manufacturers of farm machinery and implements subscribed \$54,000 in premiums; the United States government contributed to the success of the big exposition, while the agricultural colleges took it up at once and put all their influence behind it and all their resources in the way of knowledge and materials into it, besides twenty-eight states have been interested and contributed their exhibits and given the exposition, which opens in Omaha tomorrow, their support.

All these interests are represented in the guests of honor at the reception Wednesday evening.

To show the appreciation which is due, every citizen of Omaha and all from Nebraska who are within its gates should attend the reception Wednesday evening, and thus show those who have given of their means, thought and time that the National Corn exposition will be a success in every way this year—and is wanted by Omahans in Omaha on Nebraska soil every year in the future.

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MIXING THE LAST DOSE.

From the Philadelphia North American.

POSTAL SAVINGS BILL IN

Favorably Reported to Senate and Monday Set for Consideration.

FAVORED BY SENATOR BROWN

Friends of Senator Gamble of South Dakota Liberals Recognized in List of Appointments Sent to the Senate.

(From a Staff Correspondent.) WASHINGTON, Dec. 8.—(Special Telegram)—Senator Gamble's postal savings bill has been favorably reported to the senate, placed upon the calendar and a special order adopted that it shall be taken up for consideration on Monday next.

Senator Brown is deeply interested in this measure and believes it will ultimately become a law in spite of some protests which are being received from Nebraska and other states.

"This bill should pass," said Senator Brown today. "It will afford the republicans their first opportunity to redeem one of the important pledges embodied in their national platform upon which Judge Taft was elected. The republicans cannot afford to break faith with the people upon this or any other question, and I am sanguine they will not and that a postal savings bank bill in some form will be speedily enacted into law."

Justice to Telegraphers. That the men who composed the military telegraph corps of the army during the civil war should have the same rights as to pensions and homesteads is the desire of nearly 200 residents of Albion, who have asked Senator Brown to secure such rights to the survivors of this corps. He presented large petitions today at the second meeting of the senate.

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(Continued on Second Page.)

STAND FOR ONE MILL LEVY

University Regents Do Not Like Plan of Specific Appropriation.

MEET AGAIN IN OMAHA FRIDAY

May Possibly Select a Successor to Chancellor Andrews at That Time—More Reports of State Institutions.

(From a Staff Correspondent.) LINCOLN, Dec. 8.—(Special)—At a meeting of the members of the Board of Regents of the State Board of Education last night, the matter of finances for the schools was one of the questions discussed. After a talk by State Treasurer Brian on the matter of school tax, the regents finally agreed to ask the next legislature for the usual 1-mill levy, but specify that when \$5 per cent of the total tax levied should be collected that would be the limit of the appropriation.

The regents, figuring on past experience, estimate that 35 per cent of the tax is collected. On a valuation of \$30,000,000 in round numbers this would produce \$75,000 for the normal school fund. If the university would ask for this sum out of the 1-mill levy.

In his talk Treasurer Brian advocated a specific appropriation for the university rather than the 1-mill levy, and he assured the regents that there was no use apologizing for the sum necessary to conduct the university and normal schools. It was his idea that when the people knew just how small an amount it meant to the individual taxpayer to support these schools they would make no objections to the specific appropriation, but that at this time they did object to the uncertainty of the amount of the 1-mill levy.

At the present time the property owner whose property is assessed at \$50, pays 30 cents a year for the support of the university; \$1,000 pays 30 cents a year; \$5,000 pays \$1 a year, and \$10,000 pays \$2 a year. Five hundred dollars pays 24 cents to the support of the normal school each year; \$1,000 pays 7 cents; \$10,000 pays 70 cents and \$100,000 pays 71 to the support of the normal school.

The Board of Regents of the State university will meet in Omaha next Friday. The members will gather at the Paxton hotel in the morning and what business there