

HAUSER JURORS ARE UNDECIDED AFTER 5 HOURS

Ask Bailiff for Cigars at the End of This Period of Deliberation, Indicating Are Not Near Agreement.

LAWYERS SCORE THE PRISONER

County Attorney Magney in His Closing Words to Jury Lays Bare Motive of the Man.

MRS. HAUSER MAKES ADMISION

After five hours' deliberation over the guilt or innocence of Arthur Hauser, accused of the murder of W. H. Smith, the jury in Judge English's court last night asked the bailiff for cigars, apparently indicating that they were prepared for a long stay.

The request was made at 8:45 o'clock. It was learned during the evening that Mrs. Hauser has admitted to friends that it was through information furnished by her that her husband was arrested, but at the time she furnished it, she did not know a murder charge was lying against him.

Case to Jury at 3:40 P. M. The case of the State against Arthur Hauser went to the jury at 3:40 o'clock. When the supper hour arrived the jurors still were deliberating over the issue whether Hauser shot to death W. H. Smith, Woodmen of the World cashier while attempting to rob him and Miss Grace Slater at Thirty-first and Dodge streets on the evening of October 16, last.

A vigorous and logical speech by County Attorney Magney, who closed the case for the state, left the bandit despondent.

"It will be a death verdict," he told Sheriff McShane after he had been led from the court room for the last time before the jury decides his fate. "The jury will be out two hours and the verdict will be death."

The jury took with it into the jury room three blank forms for a verdict. One was for conviction with the death penalty, one for conviction with life imprisonment and one for acquittal.

All in Court Room. When Louis Grebe, court bailiff, interrupted the jurors' deliberations to invite them to eat supper, however, half of Hauser's property had been discovered. More than a score and a half of murder juror, including those in many noted cases, have been under the charge of the veteran bailiff during the last quarter of a century.

The last hours of the trial found all the principal characters of the murder drama in the court room. The dead man's wife and mother and two children sat in the spectators' seats. Their heads were bowed and they were weeping. The wife and mother and baby of the bandit on trial for his life, were close to him.

Magney Cites the Law. "We have a statute that of a man kills another while attempting to rob him, he is guilty of first degree murder and the penalty shall be death or life imprisonment," said the prosecutor. "You gentlemen are sworn to uphold the law of Nebraska."

Some motive for the killing of Smith, (Continued on Page Two, Column One.)

EX-NEBRASKA SENATOR IS CANDIDATE FOR VICE PRESIDENT.



BURKETT OUT FOR VICE PRESIDENT

Former Congressman and Senator of Lincoln Announces He Will Enter Name in Race.

WEST SHOULD BE RECOGNIZED

(From a Staff Correspondent.) LINCOLN, Jan. 15.—(Special.)—After hesitating whether to run for president or for senator, ex-Senator E. J. Burkett of Lincoln will file as a candidate for the vice presidency. This is the announcement made by him this afternoon to newspaper representatives called to his office to hear of his decision.

Senator Burkett says he will make a campaign for support in the west, which, though it has for years elected solid delegations for republican presidents, has never been recognized on a national republican ticket. Senator Burkett served in the Nebraska legislature and then was elected to congress from the First district. Re-elected three times congressman, he resumed the last term when elected by the Nebraska legislature to the United States senate, from which he retired after one term.

Following is his announcement, as prepared for the press, over his name: "To the People of Nebraska: I am profoundly impressed with the expressions of confidence and esteem from my fellow citizens of this and other states, and am particularly grateful to the people of Nebraska for their generosity to me during the twenty years since I entered public life, and for their renewed and continued expressions of loyalty and confidence at this time. After considerable reflection, I have decided to yield to the wishes of my friends and authorize my name to be used as a candidate for vice president of the United States. The near approach of the date of our Nebraska primaries seems to require that I make this announcement at this time."

"In doing so I am not unappreciative of the high honor, nor unmindful of the great duties and responsibilities that attend the position; neither am I unmindful of the claims of other men and other portions of the country for recognition; nor yet, indeed, have I overlooked the disadvantages geographical and numerical that confront a candidate from any western state in a national convention. Indeed, I have not yielded to this call because of any right or claims of my own, nor from personal ambition alone; nor because the way seemed easy or the burdens light; but rather because it has seemed to those who have importuned me to become a candidate that my twelve years of service in the American congress, six years of which were spent in (Continued on Page Two, Column Three.)

Huerta Leaves His Property to Wife

EL PASO, Tex., Jan. 15.—The will of General Victoriano Huerta, former dictator of Mexico, was ready for filing today although it may not be made of legal record for a week. The instrument gives to his widow, Mrs. Amelia Aguilar Huerta, all his property, "real and personal, wherever it may be located."

Policeman Kills Children and Self

CHICAGO, Jan. 15.—Harry Baird, patrol sergeant at the Woodlawn police station, shot and killed his two children, Charles, 10, and Bodine, 6, and then killed himself today. Mrs. Baird told the coroner he had been brooding for several days.

Mrs. Doane Reproaches Omahans for Giving Shoes with the Soles Out

"I don't think it is fair to send us old shoes with the soles nearly off, underwear with holes large enough for a cow to walk through, or other garments with trimmings and buttons all removed," said Secretary Doane of the Associated Charities. She said this in all kindness and yet with earnestness.

E-2 EXPLOSION KILLS FOUR AND THREE MAY DIE

NEW YORK, Jan. 15.—Four men were killed and ten others injured, five of them dangerously, in an explosion which occurred this afternoon on the submarine E-2, while in dry dock at the New York navy yard.

VESSEL IS LITTLE DAMAGED

Craft Undergoing Repairs in Dry Dock in New York Navy Yard.

DETONATION TERRIFIC ONE

The Dead: R. B. Seibert, electrician, second class. JAMES H. PECK, civilian, general helper, Brooklyn. J. P. SCHULTZ, civilian, machinist, Brooklyn. JOSEPH LOGAN, civilian, general helper, Brooklyn. The Injured: L. C. Miles, chief electrician, Brooklyn. Ramon Otto, electrician, Middleburg, Md. Guy H. Clark, Jr., Frankfort, N. Y. John Holsey, Baltimore, Md. James Lyons, civilian. Otto Hassert, civilian. Richard Heiser, civilian. Michael Peizer, civilian. August Kaplan, civilian. Although the detonation was terrific, the submarine itself from the outside, shows none of the effects of the explosion, the second fatal accident of its kind in the history of the United States navy. The interior apparatus was badly shattered, but so light was the vessel that there was no means of escape for men, which accumulated, and it was more than an hour after the blast before the work of recovering the bodies could be completed. A ladder was blown up through the conning tower and fell 150 feet away.

The injured men and one body were removed soon after the accident, but three bodies far down in the craft, could not be reached until the gas had been blown out by compressed air. Soon after the explosion several naval officers led a rescue party into the dry dock, but were partly overcome by gas fumes when they attempted to descend into the vessel. It was then that compressed air pipes were run into the shell, and the gas forced out.

Twenty Working on Craft. The number of men inside the submarine at the time of the explosion is not definitely known. About twenty were working on the craft, but all of them were not on the underwater boat at the same time. It is not thought possible that anyone who was inside could have escaped injury.

What caused the explosion has not been definitely decided. Rear Admiral Nathaniel R. Usber, commandant of the navy yard after an examination of the craft and questioning workmen, who had been nearby, declined to express an opinion. He said: "The men were at work in the battery compartment of the E-2, discharging the new Edison battery through a rheostat to measure the voltage, and the explosion occurred in that compartment while (Continued on Page Two, Column Three.)

Multimillionaire Is In Jail Day for Not Having Lights Bright

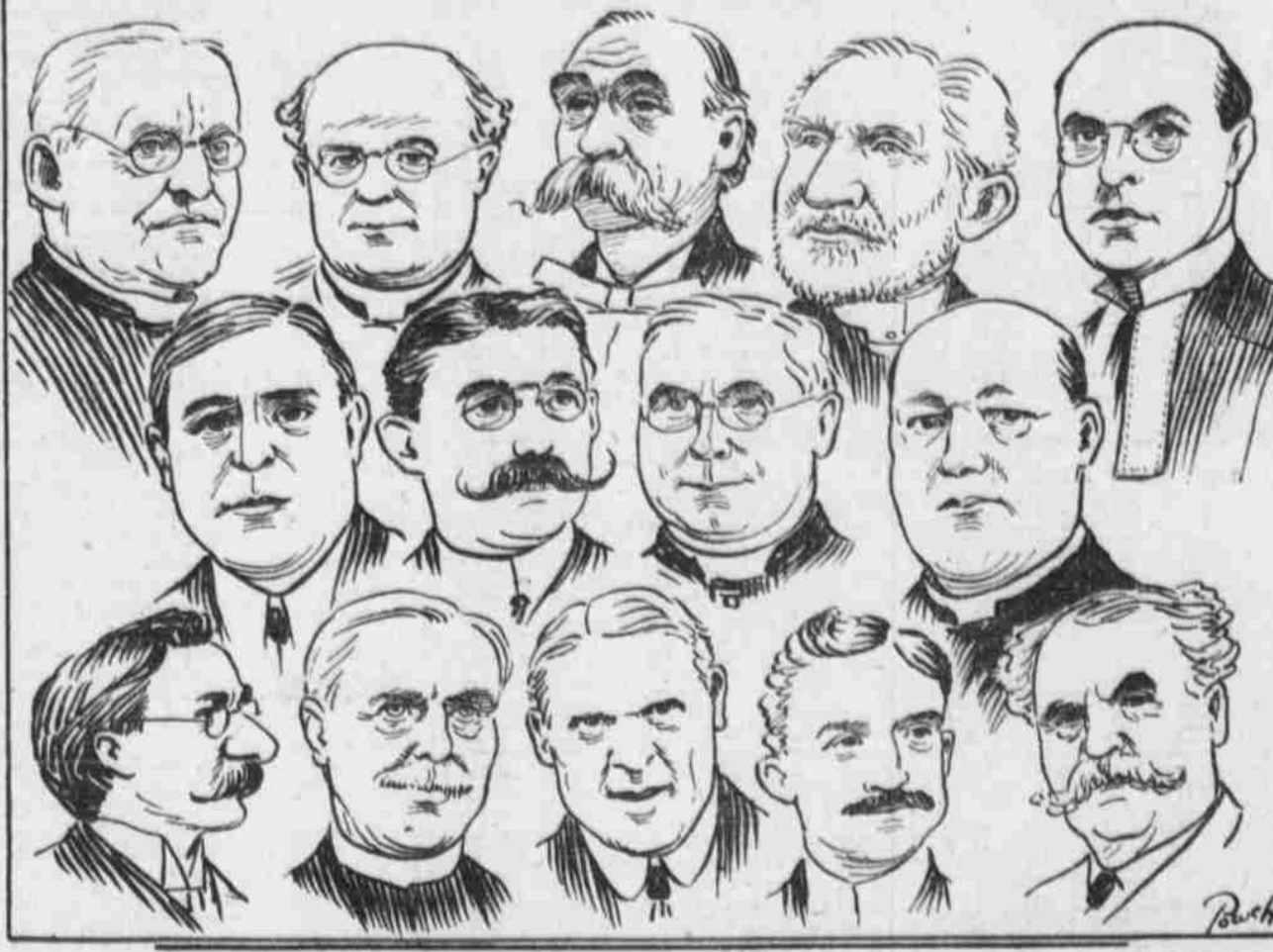
SAN FRANCISCO, Jan. 15.—John D. Spreckels, Jr., member of a wealthy California family, spent the day in jail at Redwood City, thirty miles south of San Francisco, for not having brightened the lights on his automobile when passing through that municipality.

George Seely, justice of the peace, in imposing sentence, said that a money fine would be absurd and quoted Spreckels as saying he would not pay one without fighting it in the court. He made the sentence two days in jail.

Spreckels claimed that he had dimmed his lamps with tobacco juice and that a policeman in San Francisco had told him this would be satisfactory.

"That policeman was wrong, wasn't he?" demanded Spreckels of his secretary after receiving sentence. "He was," replied the secretary and went out to see about meals. "I am just a plain man and want to observe the law," Spreckels said. "This law, however, should be amended so that a man automatically could dim his lights when necessary and turn them on full in the lone stretches of the country."

PULPIT PULCHRITUDE BY THE BEE'S CARICATURIST



REFUGEE TRAIN IS DUE IN TODAY

Efforts to Bring Americans to the Border from Interior Continue.

MARION LETCHER GOES SOUTH

EL PASO, Tex., Jan. 15.—Efforts to bring Americans and other foreigners in disturbed sections of northern Mexico to the American border were continued here today.

Dispatches from Chihuahua state that the special train sent from here Thursday would reach Juarez from Parral tomorrow with a number of American refugees. The same dispatches stated, however, that some of the Americans were reluctant to heed the advice of the United States government to leave Mexico.

Marion Letcher, United States consul at Chihuahua City, who has been waiting for a week to return to his post, left Juarez today for the south. Mexican de facto government officials expressed the hope that the Americans soon would return and operate mines and smelters, which provide employment to a large section of the population of Chihuahua.

Lansing Will Furnish Facts. WASHINGTON, Jan. 15.—On their request, Senator Stone, Secretary Lansing today agreed to keep the senate constantly and promptly informed regarding Mexican developments, and also to hasten preparation of information regarding the Carranza government, in answer to Senator Fall's resolution.

Twenty-Six Bills Returned in Riot Probe by Grand Jury

YOUNGSDOWN, O., Jan. 15.—The Mahoning county grand jury, investigating riots in East Youngstown, today returned charging twenty-six persons with rioting, carrying concealed weapons, destruction of property and burglary.

The Day's War News

VIENNA REPORTS that the Austrian lines in Bessarabia have been subjected again to determined attacks, but that the Russian attempts were repulsed, although the attacking forces in several places advanced five miles to the assault.

IOWAN TO RUN IN NEBRASKA PRIMARIES FOR PRESIDENT.



CUMMINS' NAME TO BE FILED SOON

Iowa Senator Will Be Out as Candidate in Nebraska This Week.

PETITIONS ARE IN READINESS

The name of Senator A. B. Cummins will be filed in Nebraska, for the republican nomination for president of the United States early this week, according to information given out at Council Bluffs last night by Robert R. Wallace, who is in charge of the Cummins campaign in Iowa and Nebraska. Mr. Wallace says that a petition upon which the filing is to be based has already been signed, and is in the possession of Cummins' men in Lincoln, and will probably be put on file Monday or Tuesday.

The information was also corroborated yesterday at Lincoln by a message from Senator Cummins himself, in which he indicated that he wanted his name to go on the Nebraska ballot. "I find that the sentiment in favor of Cummins is extraordinarily strong in Nebraska," said Mr. Wallace. "In fact, the necessity for conducting a campaign in Nebraska in his behalf has been in a measure obviated by the instant response in his favor by friends in the republican party. The Iowa men who have moved across the line are strong for him, and they are taking all their friends along, and that means a whole host in themselves."

THROUGH TRAINS FROM BERLIN TO BOSPHORUS

BERLIN, Jan. 15.—(By wireless to Sayville.)—Direct passenger service between Berlin and Constantinople was inaugurated today. The first Balkan train left Berlin at 7:30 o'clock this morning. It consisted of the baggage car, two dining cars, one sleeper and one diner.

Kaiser Asks that Birthday Be Observed with Quiet and Prayer

BERLIN, Jan. 15.—(By Wireless to Sayville.)—Emperor William has issued a public pronouncement, requesting the German nation to celebrate his coming birthday, January 27, on which date he enters his fifty-eighth year, with quiet and prayer. Whoever wishes to give special expression to his feelings is urged by the emperor to do so in the form of gifts to soldiers' families and to heal wounds inflicted by the war. The emperor further says: "It is still necessary that the heart, thoughts and strength of the German nation, both in the field and at home, be directed to the one great aim of gaining a decisive victory and winning a peace, which, as far as the human mind can conjecture, shall permanently safeguard the country against a repetition of hostile attacks."

FIVE ASSAULTS BY RUSS REPULSED

Austrian Report Says Repeated Attempts to Break Line in Bessarabia Beaten Back.

FIVE THOUSAND MEN CAPTURED

BERLIN, Jan. 15.—(By Wireless to Sayville.)—The Russian offensive has been renewed on the Bessarabian front and five important attacks have been repulsed by the Austro-Hungarian troops, according to the Austrian official report, dated January 14, and received here today.

The Austrian official statement follows: "On the Bessarabian front the Russians again have attempted to break through near Toporouts and east of Karincele. Five great attacks failed. The well directed Austro-Hungarian artillery fire contributed eminently to the repulse of the Russians. Since the beginning of the battle in east Galicia and Bessarabia, the Austro-Hungarian forces of General Pflanzer, Balin and Bothmer have taken 6,100 Russians, including thirty officers. Austro-Hungarian patrols routed Russian field guards near Karpilovka."

"On the Italian front several places near Malborgheth and Halbi were shelled by Italian artillery. Italian airmen have been active in the Trieste district. One bomb dropped in Spirano, but caused no damage. "In Montenegro the troops of that country, having abandoned their capital, are in retreat on the whole south and west front. The Austro-Hungarian troops, who are following up the enemy, have passed the line of Budva-Cettigne-Grab-Grachovo and have entered Montenegro territory near Bilica and near Avtovac. Near Grachovo the Austro-Germans captured three cannon with their gunners, as well as 600 rifles, one machine gun and a quantity of ammunition."

South Dakota Press Men Elect Officers

HUTON, S. D., Jan. 15.—The annual mid-winter meeting of the South Dakota Press association was concluded last night, after a two-day session. The attendance the first day was very light and most of the business of the meeting was transacted on Friday, 40 below temperature, and a blizzard that interrupted train service, keeping many editors at home.

Officers for the coming year were elected as follows: President, H. A. Sturges, Berezford; first vice president, Robert Schaber, Huton; second vice president, Dean C. Trippler, Canova; secretary and treasurer, J. F. Halliday, Irons; executive committee, M. M. Bennett, Yankton, E. B. Yale, Alexandria; Len V. Doty, Doland. "Personal Observations on the Foreign War" was an excellent feature of the program, this subject being discussed by A. N. Brack, professor of journalism at the State university, and formerly war correspondent of the Associated Press. Prof. Brack's talk was one that was highly appreciated by all editors present.

BLOCKADE TO BE PROCLAIMED BY GREAT BRITAIN

Formal Decree Closing the Ports of Germany and Its Allies is to Supersede the Orders in Council.

INNOVATION DOES NOT WORK

Attempt to Substitute New British Code for Law of the Sea is Not a Success.

AMERICAN REVIEWS SITUATION

LONDON, Jan. 15.—That Great Britain will soon announce the establishment of an actual blockade of Germany and its allies, thereby superseding the condition which had been established by the orders in council, was the statement made today by Americans, who have been in close contact with the machinery of the British orders in council in consequence of their acting here as representatives of American shippers whose business had been affected by the execution of the orders. "A person who can speak authoritatively and who has acted as a representative of American interests in connection with British prize court proceedings, reviewed today for the Associated Press the evolution of the orders in council. He said: "Old Law Must Govern. "The British government shows an unmistakable tendency now to shift around to the persistently expressed American contention that the international law which prevailed before the present war must ultimately govern. Great Britain's assertion of its sea power. It is well known that when the war began the admiralty urged upon the foreign office the necessity for the declaration of an actual blockade, but the latter believed that the susceptibilities of neutrals could be better met by orders in council, and, after the adoption of these, the government began its interminable arguments with neutrals. These arguments might have succeeded had it not been for the opposition of the United States, which took the stand from the first that the orders in council were illegal and that therefore even veiled or sub rosa recognition of them, in forms similar to the Danish agreement and the Netherlands Overseas trust, would be a surrender of American sovereignty under international law. The smaller neutral states began to chafe under the agreements."

"The compromise of court by the British government with the Chicago packers is the best concrete evidence of the modification of the orders in council to meet the objections of international law existing before the war. "New British Code Falls. "Great Britain's attempt to substitute a code of its own that would not form dangerous precedents when it may be a neutral, are doomed to fail, and I should not be surprised if the foreign office adopts the course recommended by the admiralty and declares an actual blockade. "How strictly an actual blockade has been enforced is a subject of speculation. There is no doubt in my mind that the recent heavy shipments to Denmark, under the Danish agreement, had a tremendous effect in lowering the price of the German mark and there are many strong adherents both in and out of Parliament of the policy of letting Germany import anything except actual contraband, while keeping an ironclad barrier against its exports. "Even the British officials admit that a declaration of actual blockade would have strong backing in American precedents, which are now lacking for the orders in council."

Russia Contracts for 32,000 Machine Guns in the U. S.

NEW YORK, Jan. 15.—Announcement that the Russian buying commission in the United States has approved contracts for \$2,000,000 worth of machine guns, with four American companies, was made today after the departure for Russia of General Garmonius, head of the commission. The contract, for 32,000 machine guns, is said to be the largest order of its kind placed here by any of the belligerents since the beginning of the war.

It was stated today that Russia is endeavoring to place contracts in this country for 10,000 high explosives and shrapnel shells.

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"THEATER BEAUFORT"
16th and Binney.
The Home of High Quality Pictures.
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Always the Best Pictures Obtainable.
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ARBOR
33d and W. South Omaha.
The Buckle of South Omaha's Entertainment.
Good Monday night. Good Tuesday. Good Wednesday. Good Thursday. Good Friday. Good Saturday. Good Sunday.

The Weather
Forecast till 7 p. m. Sunday:
For Omaha, Council Bluffs and vicinity—fair and continued cold.
Temperature at Omaha Yesterday:
Hour. Deg.
5 a. m. 34
6 a. m. 34
7 a. m. 34
8 a. m. 34
9 a. m. 34
10 a. m. 34
11 a. m. 34
12 m. 34
1 p. m. 34
2 p. m. 34
3 p. m. 34
4 p. m. 34
5 p. m. 34
6 p. m. 34
7 p. m. 34
8 p. m. 34
9 p. m. 34
10 p. m. 34
11 p. m. 34
12 m. 34
Comparative Local Records:
1916. 1915. 1914. 1913.
Highest yesterday 7 41 47 45
Lowest yesterday 1 25 24 25
Mean temperature 34 34 34 34
Precipitation T 00 00 00 00
Temperature and precipitation departures from the normal:
Normal temperature 34
Deficiency for the day 0
Total deficiency since March 15 15
Normal precipitation .60
Deficiency for the day 0
Total rainfall since March 1 27.92 inches
Deficiency for year period, 1914 1.58 inches
Deficiency for cor. period, 1914 1.58 inches
Deficiency for cor. period, 1913 1.58 inches
Deficiency below 7200
T indicates trace of precipitation.
L. A. WELSH, Local Forecaster.