

# FRANCIS J. HENEY IS LAID LOW BY ASSASSIN'S BULLET

**Murderer's Aim Was, Fortunately, Bad, and Victim Has Fair Chance to Recover—Assassin Kills Himself in Jail Following Day—Tragedy Stirs City**

SAN FRANCISCO, Cal., Nov. 13.—The San Francisco bribery and graft cases had a dramatic climax today when Assistant District Attorney Francis J. Heney was shot and seriously wounded in a crowded courtroom by Morris Haas, an ex-convict.

The shooting occurred during a brief recess in the third trial of Abraham Ruef on a charge of bribery which is now in its eleventh week. Mr. Heney is now in the Lane hospital and the physicians say the wound is not fatal. Haas is in the county prison.

The would-be assassin is a Jew and a saloonkeeper who was drawn upon by Ruef and after having been temporarily passed by both sides. He was excused in a dramatic manner by Heney as an ex-convict and discharged from the jury. Haas declared after the shooting that Heney had ruined his life and that he had determined to kill him for that reason.

Heney had finished the examination at noon of James L. Gallagher, the prosecution's most important witness, and the confessed "go-between" of Ruef and the former board of supervisors, Henry Ach, chief counsel for Ruef, had subjected Gallagher to a severe cross-examination for two hours in the afternoon, when Judge Lawlor declared a brief recess at 4:50 o'clock.

**Was Holding a Conference.** The jury filed out and Heney and Ach and Dosier, at the request of the judge, went into his chamber to confer with him on some proposed instructions to the jury. At the conclusion of the conference, Ach, Dosier, Ruef and Judge Lawlor went out of the courtroom to the street in front of the building, which is located on Fulton street near Van Ness avenue.

Heney, instead of going out to enjoy a brief airing, stepped for a moment into the anteroom and then came back to his counsel table. While many of the persons who crowded the courtroom had gone out on the sidewalk, there was still a large crowd in the room. Heney was leaning over his table conversing with Al McCabe, the chief clerk in the district attorney's office.

Directly in front of him was Gallagher, the witness, and a representative of the Associated Press had just walked to Heney's table and was standing at his elbow waiting for an opportunity to speak to him, when a small man, neatly attired and having a decided Jewish cast of countenance, approached Heney from behind in quick steps, but with deliberation.

**Shot Without Any Warning.** Suddenly his right hand shot out and before the newspaper man, M. C. Cane or John Foley, Heney's special body guard, sitting about eight feet away, could make a move there was a flash and a loud report rang through the room. For a moment everybody seemed stunned and paralyzed. The would-be assassin, whose revolver was within a foot and a half of Heney's head when he pulled the trigger, stepped back, his arms by his side, one hand still clutching the smoking pistol, as if hesitating what to do.

For the fraction of a second an impressive silence followed the report, while the smoke of the shot lazily floated away. Then followed a dramatic scene. Someone shouted: "My God, he has shot Heney!" Exclamations of horror burst from the crowd. Half of the spectators, evidently fearing further shooting, made a frantic rush for the doors. Before the assassin could raise his pistol again Foley and S. J. Wiskehill, a special policeman, were upon him and had thrown him to the floor and wrested the weapon from his grasp. He struggled, but was dragged to the jury box and thrown upon his back and held there, just as the jury, attracted by the shot, came bursting through its private entrance.

As the man who fired the shot stepped back from the assistant district attorney with the smoking weapon in his hand he kept his eyes on Heney as if to see how effective the shot had been. Heney arose from the chair, put his hand to his head, the blood streaming through his fingers, leaned over for a moment and was caught as he began to fall. He was laid on the floor by two detectives holding his head out of a pool of blood which flowed from the wound, which appeared to be just below the right temple. He was unconscious and when the Associated Press representative dropped down at his side and spoke to him, his first words were: "Send for my wife."

**Statement Made by Heney.** Dr. H. A. Hincks, who was in the courtroom at the time, rushed to Heney's side and made a hasty examination and pronounced him fatally wounded. Heney was perfectly composed, the peculiar smile for which he is known was still hovering over his lips. Evidently he also believed he was fatally wounded. Turn-

ing his eyes to John O'Gara, his assistant, he said: "I want to make a dying statement. I believe I am going to die. I was sitting at the table when I felt what I thought was a blow. I do not know who shot me. I was doing nothing to any one."

Ruef and his attorneys, who were out on the sidewalk, were startled by the report and started for the courtroom, but were forced to keep back down the steps by the crowd rushing frantically out. "What has happened?" shouted Ruef to the Associated Press representative, as the latter ran to the nearest telephone. "Heney has been shot," was the reply.

"My God, who did that?" he asked. Ruef's automobile stood in front of the building, and he immediately ordered his chauffeur to get the nearest physician. The car returned a few moments later with Dr. A. S. Tuchler. Medical assistance was somewhat slow in arriving and Dr. Tuchler was the first physician on the scene. Heney in the meantime was lying on his side in the courtroom with a piece of rug under his head. It was some time before the ambulance arrived, which conveyed Heney to the Emergency hospital, only four blocks away, whence he was removed about 7 o'clock to the Lane hospital.

**Great Excitement Prevailed.** The report of the attempted assassination spread throughout the country like wild fire and caused intense excitement and indignation. An immense crowd gathered around Carpenter's hall, to which Judge Lawlor had removed his court this week because of the lack of room in the temporary criminal court building. Several hundred persons followed the ambulance to the Emergency hospital and down town thousands gathered around the bulletin boards.

Within a few minutes after the shooting, Chief of Police Biggy, Detective Burns, Rudolph Spreckles, the capitalist who financed the graft prosecution; Captains of Police Gleason, Duke and Wright and a large force of police were on the scene. There was no hostile demonstration by the big crowd in front of the building, but some threatening murmurs began to be heard. Ruef was surrounded by a large number of people and quietly slipped away, going with Dr. Tuchler to the latter's office for a little while.

This led to the report that the former political boss had disappeared, and Detective Burns assured some of his men for allowing him to get away, and Chief of Police Biggy immediately sent men to hunt him. Ruef, however, appeared in front of the building a little later and sent in word that the officers at the door would not let him in. He was at once taken into the courtroom.

In the meantime several acts of the tragedy were being played in different parts of the courtroom. While Heney was on the floor, newspaper men approached the would-be assassin, who up to that time had not been identified, and asked him for his name. At first he refused to give it. Then he said: "I am Morris Haas, Heney ruined me. I don't care what becomes of me now."

In another corner of the building Ach and Dosier, Ruef's counsel, were in the chambers of Judge Lawlor. "My God!" exclaimed Ach, "I wish I had never taken a criminal case in my life. I will never take another when I get out of this one. This is a dastardly outrage. I cannot express myself in strong enough terms. Mr. Heney did not denounce this man Haas, if he is the one who did the shooting. In pursuance of his duty he disclosed the fact during the other trial of Ruef that Haas was an ex-convict and as such dismissed him from the jury box. I sincerely hope Heney will recover."

Dosier also regretted that he engaged in the criminal case after having several times made a resolution that he would not again take one. "It is getting to be a pretty state of civilization when a man engaged in the performance of his duty is shot down in an open courtroom," he said. "It was a dastardly act, an outrageous deed."

Ruef denounced the attempted assassination most vehemently. "I cannot," he said, "find language strong enough to denounce the attempt to kill Heney."

**Haas Makes a Statement.** Even before Heney had been removed from the courtroom Captain Duke took Haas in custody and after informing him that whatever he might say would be used against him, began to interrogate him, the statement of the ex-convict being taken down in shorthand.

Haas was convicted of embezzlement in San Bernardino county and in May 25, 1888, was sentenced to three years in San Quentin. He served two years and eight months, having earned four months by good behavior and was released January 25, 1890. Some years later he was

married and has a wife and four children. He lived with his family at 1848 McAllister street, and was engaged in the saloon business at the time he was drawn on the jury panel for the second trial of Ruef last May.

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sections of the United States and some from Europe. One telegram brought a smile from the pain-drawn face of the prosecutor. It was from Roosevelt to Mrs. Heney.

**Judge Had a Premonition.** It developed today that Lawlor had a premonition that some untoward incident might mar the trial, and he contemplated placing Ruef under special surveillance till next Monday, or ordering him into the custody of the sheriff, and that the actual purpose of the conference in his chambers with Heney, Ach and Dosier a few minutes before the shooting was to inform Ruef's counsel of his intention.

Lawlor suggested that Ruef's sureties select some man satisfactory to the court to be in constant attendance upon Ruef and be responsible for his appearance; but at the same time it was to be understood that this did not relieve the bondsmen of any liability. Judge Lawlor asked the attorneys to look up the law on the question and submit the opinions to him Monday. A few minutes later the tragedy was enacted.

**HAAS MAKES STATEMENT.** He Says Life Was Ruined and Don't Care What Becomes of Him Now. "My name Morris Haas. I shot Heney. He ruined my life. Heney pronounced his own death sentence when he denounced me in court. I have no business at all since that time. I was outraged of Heney to do that. I am wronged man, not Heney. People ostracized me; they would not even look at me any more. Heney had no right to do that. My conviction and serving in penitentiary was public record. Why didn't he look at that?"

"My God, I have a wife and four children. Do you think I would have brought the children into the world to have them branded in that way through Heney's exposure. I don't care what becomes of me now. You can hang me or do anything else you want to."

**HAAS' CRIME EMBEZZLEMENT.** He Was Convicted at San Bernardino—Had Skipped to Philadelphia. SAN BERNARDINO, Cal., Nov. 13.—The crime for which Haas was convicted was the embezzlement from Schlessinger & Green, cigar merchants of San Francisco, on July 27, 1887. He collected from H. J. Wild of San Bernardino, a cigar dealer, \$275 due that firm, appropriating the money to his own use. He disappeared for nearly a year when he was arrested in Philadelphia and brought back to California. He did not deny collecting the money, but he claimed he was entitled to use the money for expenses. This Schlessinger denied. Haas was bound over and in the Superior court pleaded guilty.

**IS ADMIRER BY ROOSEVELT.** Heney Earned Regard by Vigorous Land-Fraud Prosecution. WASHINGTON, Nov. 14.—The first information received at the White House tonight in regard to the attempted assassination of Francis J. Heney was through the Associated Press. No statement in this connection was given out tonight.

Las spring Mr. Heney came to this city to confer with the president with regard to the prosecution of land-fraud cases in the west. The president has entertained warm personal regard for Mr. Heney for the vigorous manner in which he prosecuted these cases.

**Why Colds Are Dangerous.** Because you have contracted ordinary colds and recovered from them without treatment of any kind, do not for a moment imagine that colds are not dangerous. Everyone knows that pneumonia and chronic catarrh have their origin in a common cold. Consumption is not caused by a cold but the cold prepares the system for the reception and development of the germs that would not otherwise have found lodgment. It is the same with all infectious diseases, Diphtheria, scarlet fever, measles and whooping cough are much more likely to be contracted when the child has a cold. You will see from this that more real danger lurks in a cold than in any other of the common ailments. The easiest and quickest way to cure a cold is to take Chamberlain's Cough Remedy. The many remarkable cures effected by this preparation have made it a staple article of trade over a large part of the world. For sale by Chas. Strang.

**To Travel in Mexico.** LINCOLN, Neb., Nov. 14.—Mr. and Mrs. William J. Bryan will leave Sunday for a trip to Mexico. They will seek rest and recreation. The itinerary of the trip has not been announced. Mr. Bryan will deliver a commencement address in Philadelphia December 23.

**Lame Back.** This ailment is usually caused by rheumatism of the muscles of the small of the back, and is quickly cured by applying Chamberlain's Liniment two or three times a day and massaging the parts at each application. For sale by Chas. Strang.

### ASHAMED OF MALE SEX. Says Some Men Pasture Children Like Wild Beasts.

SAN FRANCISCO, Cal., Nov. 13.—"I am ashamed of my own sex sometimes," declared Judge Ellsworth, in Oakland, yesterday in awarding Annie Cahill an interlocutory decree of divorce from Christopher Cahill. "Many times parents criminally neglect their children. I have found men who are willing the women from whom they are divorced shall take the children, and they object to paying a cent for their care. Many men show a willingness to turn their offspring out like wild beasts to pasture."

**SECRETARY METCALFE RESIGNS.** He Had Charge of Navy Department—Poor Health the Reason. WASHINGTON, D. C., Nov. 13.—Secretary of the Navy Victor H. Metcalfe resigned from the cabinet today. For more than a year he suffered from a serious illness. Friends have expected continually that he would be able to regain his health, but the illness has been constantly recurring until he became convinced that the only course to pursue would be to sever connection with all active work.

Answering Metcalfe's letter of resignation, the president in accepting it says he does so with great reluctance. He thanks Metcalfe for his efficient service and says no president could wish for a more total and hearty support than Metcalfe has given him.

**ECHO OF GUNNESS MYSTERY.** Mother and Daughter Sue Railway for \$60,000 for Indignities. NEW YORK, Nov. 13.—Mrs. Corn B. Heeren has brought suit against the New York Central railway asking \$30,000 damages because, as she alleges, she was mistaken for Mrs. Belle Gunness, the La Porte (Ind.) murderess, and taken from the train near Utica, N. Y., last summer. Her mother, it is said, who was with her at the time, has filed a suit for a similar amount for alleged indignities to which she alleges she was subjected. Mrs. Heeren, who lives in Brooklyn, declares that she suffered such a shock that neither she nor her mother has completely recovered.

**Grand Duke's Death.** ST. PETERSBURG, Nov. 14.—News of the death at Paris of the Grand Duke Alexis made little impression on Russian society.

**For Sale.** 240 acres of land, 40 acres in cultivation, balance hill land, timber and pasture. 20 acres can be irrigated, fine good springs and creek of lasting water; good wagon road to town; 1 1/2 miles to school; good neighborhood; 1 mile to saw and shingle mills; near outside range; old house and barn; small orchard. This is fine apple land. The place is 10 miles from Myrtle Creek. Price \$8,000 if sold at once. Box 37, Myrtle Creek, Oregon. 41-32

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