ATTY. HENEY SHOT BY AN EX-CONVICT

trime Occurred in Courtroom **During Third Trial of Ruef** For Bribery.

HAD EXPOSED PRISON BIRD

Morris Haas Declared Exposure Had Ruined His Life and He Determined To Kill Man Who Made It.

San Francisco, Nov. 13 .- The San Francisco bribery-graft cases had a dramatic climax today when Assistant Dist. Att. Francis J. Heney, who has been in charge of the prosecution during its tortuous course of two years, was shot and seriously wounded in the crowded court-room by Morris Haas, an ex-convict. The shooting occured during a brief recess in the third trial of Abraham Ruef

on the charge of bribery, which is now in its eleventh week. Mr. Heney is now resting easily in the Lane hospital, and the physiciaus any that his wound is not fatal. Haas is in the city prison. The would-be as-easing is a saloonkeeper, who was assin is a saloonkeeper, who was drawn upon the jury panel in the sec-ond trial of Ruef and who, after hav-

drawn upon the jury panel in the sec-ond trial of Ruef and who, after hav-ing been temporarily passed by both sides, was exposed in a dramatic man-ner by Mr. Heney as an ex-convict and discharged from the jury. Haas declared after the shooting that Heney had ruined his life by the exposure and that Le had determined to kill him for that reason. Mr. Heney had finished the cross-examination at noon of James L. Gal-lagher, the prosecution's most im-portant witness in all the bribery graft cases and the self-confessed "go-between" of Ruef and the former board of supervisors. Henry Ach, chief counsel for Ruef, had submitt-ed Gallagher to severe cross-exam-ination for two hours in the afternoon, when Judge Lawlor declared a brief when Judge Lawlor declared a brief recess at 4 o'clock. The jury filed out and Mr. Heney and Ach and Dozler, at the request of the judge went into his chamber to confer with him on some proposed instruc-tions to the jury. At the conclusion of the conference Ach. Deciser Bucf and Judge Lawler went out of the court-room to the street in front of the

room to the street in front of the building which is located on Fulton street near Van Ness avenue. Mr. Heney, instead of going out-side to enjoy a brief airing, stepped for a moment into an anteroom, and then came back to his counsel table. While many of the people who crowd-ed the court-room until there was no standing room left had also go be out on the sidewalk, there was still a crowd in the room.

THE SHOOTING.

Mr. Hency was leaning over his table conversing in low tones with Al McCabe, chief clerk in the district attorney's office. Directly in front of him was James L. Gallagher, the witness. A ropresentative of the Asso-clated Press had just walked to Mr. Heney's table and was standing at his left elbow walting for an opporhis left elbow walting for an oppor-tunity to speak to him, when a small man, neatly attired, approched the assistant attorney from behind in quick steps, but with deliberation. Suddenly his right hand shot out, and before the newspaperman, Mc-Cabe or John Foley, Heney's special bodyguard, sitting about eight feet away, could make a move, there was a flash and a loud report rang through the court-room.

the court-room. For a moment everybody seemed stunned and paralyzed. The would-be Humphreys' Seventy-Seven breaks up Grip and

die of disease brought on by taking must be sacrificed. Cold. The use of "Seventy-seven' reduces this ratio to next to noth-

FIRST by preventing the development of Colds. SECOND by cutting fresh Colds

short THIRD by breakng up hard,

stubborn Colds that hang on. All Druggists, price 25c. Humphreys' Homeo. Medicine Co., Cor. William and Ann Streets, New York.

he is known was still hovering around his lips. He evidently also believed that he was fatally hurt. Turning his eves to Mr. John O'Gara, his assistant at the trial, he said:

The set of telephone "Heney has been shot," was the re-

"My God! Who did that?" he asked. Ruet's automobile stood in front of the building, and he immediately or-dered his chauffeur to get the nearest physician. The car returned a few minutes later with Dr. A. S. Tuchler of 703 Van Ness avenue.

· DOCTORS SLOW.

arrived and conveyed the wounded at-torney to the Central emergency hos-pital about four blocks away, from when the second sec

The report of the attempted assassi-nation spread throughout the city like wildifie and caused intense excitement and indignation. An immense crowd gathered around the courtroom. Several hundred people followed the ambulance from the hall to the central emergency hospital, and downtown thousands gathered around the bulle-tin boards. Within a few minutes after the shooting Chief of Police W. J. Bigsy. W. J. Burns, former United States se-cret service agent, who is at the head of the special detectives employed by the prosecution in the bribery-graft cases; Rudolph Spreckels, the promi-nent capitalist, who financed the prose-cutions; Capts. of Police Gleeson, Duke and Wright and a large force of police were on the scene.

THREATENING MURMURS.

THREATENING MURMURS. There was no hostile demonstration in the big crowd in front of the build-ing, but some threatening murmurs be-gan to be heard. Ruef was surrounded by a large number of people and quiet-ly slipped away, going with Dr. Tuen-ler to the latter's office for a little while. This led to a report that the former political boss had disappeared and Special Agent Burns censured some of his men for allowing him to get away, and the police immediately sent men to hunt for him. Ruef, however, appeared in front of the building a lit-tile later and sent in word that the of-ficer at the door would not let him in. He was immediately brought into the courtroom. He was immediately brought into the courtroom. In the meantime several acts of the tragedy were being played in different parts of the courtroom. While Mr. Heney was lying on the floor the news-papermen approached the would-be as-sassin, who up to that time had not yet 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." N. W.

Langdon's face and voice showed the intense emotion under which he was laboring as he said: Intense emotion under which he was laboring as he said: "If there was ever a clear case of a man offering his life for his country, it is the case of Mr. Heney. He was actuated in his work by no motive but a pure devotion to the good of his country and his fellow citizens, and his death will be there of emerget at the ed those cases.

death will be that of a martyr to the public cause. "It would be inappropriate at such a time as this to discuss the possible effects Mr, Heney's death would have upon the prosecution of the grafters,

but I may say this: "That no threats of assassination will avail to stop it, and the prosecu-tion will continue even if more lives

"And I am taking the first train back to put in motion the wheels of the law to make sure that justice is meted out promptly and surely to this assassin." Mr. Langdon, accompanied by his

wife and brother-in-law, C. E. Con-neau, leaves on the midnight Santa Fe train for San Francisco.

ESTEEMED BY PRESIDENT. Washington, Nov. 13 .- The first in formation received at the White House tonight in regard to the attempted as-

sassination of Francis J. Heney was brought through the Associated Press.

NAME OF CARL

Medical assistance was somewhat, slow in arriving, and Dr. Tuchler was the first physician on the seene. Mr Heney in the meantime lay on his side in the courtroom with a piece of rug under his head. Finally the ambulance whence he was removed about 7 o'clock to the Lane hospital. The report of the attempted assassi-nation spread throughout the city like

were on the scene.

cution of land fraud cases in the west. The president has entertained a warm The president has entertained a warm personal regard for Mr. Heney for the vigorous manner in which he prosecut-FORTUNE AND MISFORTUNE.

DESERET EVENING NEWS SATURDAY NOVEMBER 14 1908

Just After Being Sworn in as a Receiver J. L. Dixon Falls Heir.

Chicago, Nov. 13 .- An hour after Chicago, Nov. 13.-An hour after James L. Dixon was sworn in as a recruit in the United States marine corps yesterday he was apprised his father had died and left him \$100,000. Dixon said he would "stick for the big show," and prepared to go to the marine barracks in Washington, D. C., just as if he had never heard of \$100,000. Ancil C. Dixon, the father, was a merchant tailor at San Francisco, where he died. where he died.

SURGEON-GENERAL, U. S. A.

Col. Geo. Torney Appointed to Suc ceed Surg,-Gen. R. M. Reilly. Washington, Nov. 13 .- The appoint-

ment of Col. George Torney as sur-No statement in this connection was geon-general of the army to succeed that the famous exhibition auditorium

nounced by the secretary of viar today. Col. Torney now is in churge of the general hospital at San Francisc, The vacancy in the surgeon-generalishin will

Court in January. The secretary of war stated that Col. Torney's appointment, was based on his splendid record as an administraive officer and as a surgeon. 159 not a candidate for the position. ise was

TO LESSEN COLLISIONS.

U. P. Electrical Engineer Equips Locomotive With Devize for Purpose. Omaha, Nov. 13.-Dz. H. Milliner, au electrical engineer on the Union Pacific shops, has equipped an engine i citic snops, has equilated an engine in the yards with a device which the offi-cials declare will greatly lessen the danger of collision. It enables dis-patchers and station agents to signal engineers between stations, thus put-ting them practically in constant touch with running trains.

MADISON SQUARE GARDEN IS ADVERTIGED FOR SALE

New York, Nov. 13 -- So much senti ment and tragedy hangs about Madisal Square Garden that the announcemen

s for sale, has aroused widespread dis-costs of the place in the event of 18 How Easy to Get Beller-Instant Resuggeted by some that it will be used as an office building, but others more feells.gly declare that it should not be lost to the city. One man goes so far as to hope that Andrew Carnegle will buch due it for conversion into a "pail. purchase it for conversion into a "pal ace of peace." But whatever the gap ate may be New York's aunua show, which has been closely

identified with the great structure, will go on as usual. When the guiden was erected the horse show bought consid-erable stock and the exhibitions have been held there every year sine

MUST GO TO RUSSIA.

Appolinarius Alexanderovitch Refused

A Writ of Habeas Corpus. Chicago, Nov. 13. Judge Bethea of the United (Sates could restorday refused to grant a writ of habeas corpus o Appelinarius Alexandrovitch, wh as arrested last week at the of the Russian government, charge with being a revolutionist. The re-sult is that he must be returned t

Russia and tried on charges of ----

"The Guerilla"-"War is Holl" erman. Cressenz Theater, All Week,

lief from Skin Disease.

Is it worth 10 cents to you to stop that awful, awful agonizing itch? ... If you are afflicted with skin dis-ease the kind that seems to baffle medical freatment, and leaves you wild with itch we hope you will not fail to with first we four which is now recommended by many of the best skin pectarists, even in preference to their own prescriptions. It is the simple southing of, of wintergreen combound southing of a wintergreen compound known as D. D. D. Prescription. A to cent trial bottle must convince you hat the itch is instantly allayed by nis prescription. Get a liberal trial tottle of the healthe south.

remedy, L. D. D. Prescription-We feel quite sure that before long

ou will be cared, and at any rate we now — KNOW POSUTIVELY—that any itch will be alleyed instantly, he minute that conthing liquid is ap-lied to the skin. Drucht and Franken,

uggists, Salt Loke, Write direct to D. D. D. Co., 112 Culgan St. Dept. 175, Chicago, enlosing 19 cents for the true bottle.

Christensen & Christensen, attor neys and counselors at law, have re-turned to their former offices in the Romney block, 212 South Main street.

Z·C·M·I Thanksgiving Linen Sale Continues

With only ten shopping days before Thanksgiving, 'tis time now to think of Table Linens. Every hostess wants her table to look its very best; in many instances new table cloths and napkins are needed. I Money-saving opportunities will be strongly in evidence Monday and week at Z. C. M. I. **QPURE WHITE TABLE LINEN** will give

Cream Table Damask

Bleached Table Damask

\$1.25 values for

\$3.00 values for \$3.25 values for \$3.50 values for

\$4.00 values for

\$4.50 values for \$5.00 values for \$5.50 values for \$6.50 values for

Doylies

Table Napkins .00 values for

your table a pleasing and appetizing effect. See our handsome

New Patterns.

Linen Damask Table Sets 25% Off

Warner Brothers Rust Proof Corsets.





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 he still clutcheing the smoking pistol, as if he hesitated what to do a fraction of a second an impressive silence followed the report, while the smoke of the shot lazily floated away. Then followed a dramatis scene.

ASSASSIN DOWNED.

Some one shouted: "My God! He has shot Heney!" A chorus of moans escaped the crowd. Half the people, evidently fearing further shooting, made a frantic rush for the doors. Be-fore Haas could raise his pistol again Foley and E. J. Wiskotchill, a special policeman, were upon him, threw him to the floor and wrested the weapon from his grasp. He struggled, but was dragged to the jury box, thrown on his back and there held down, just as the jury attracted by the shot, come burst-ing through their private entrance. Mr. Heney arose out of his chair, put his hands to his head, the blood streaming through his fingers and reddening the table in front of him, leaned over a moment and was caught as he began Some one shouted: "My God! He moment and was caught as he began to fall. He was laid on the floor, Charles Oliver and John Foley, two special detectives connected with the district attorney's office, holding his head out of the pool of blood which flowed from a hole which appeared to be just below his right temple. He was be just below his right temple. He was conscious, and when the Associated Press representatives dropped down by his side and spoke to him his first words were: "Send for my wife."

HENEY WAS COOL.

Dr. H. A. Ficks, who was in the courtroom at the time, rushed to Mr. Heney's side, made a hasty examina-tion and pronounced him fatally wounded. Mr. Heney was perfectly composed, the peculiar smile for which



by mail in plain wrapper. One or two applications will prove your case not hopeless, and to give this proof to you send us your name and address and we will send you a trial package by mail in plain wrapper free. Address Pyramid Drug Co., 163 Pyra-mid building, Marshall, Mich.

now." Ruef's attorneys denounced the shoot-ing as a dastardly outrage. Ruef was taken into custody after the shooting, to safeguard his personal

HENEY'S CAREER.

HENEY'S CAREER. San Francisco, Nov. 13.—Francis J. Heney has had a remarkable career in Arizona, California and Oregon. After leaving the University of California he studied law, and later worked as a cowboy and miner in various parts of the west. He "hung out his shingle" in Tucson, Arizona, where he became known for his fearlessness. Dr. Handy of that city had announced that be would shoot on sight any lawyer who took up the case of his wife, who was suing for divorce. Heney took the case and was attacked by Handy, whom he shot dead. After his return to San Francisco Heney was appointed special prosecu-tor for the government in the Oregon land fraud cases. Through his efforts Senator Mitchell, Congressman Wil-liamson and other prominent men were convicted. in the N

Senator Mitchell, Congressman Wil-liamson and other prominent men were convicted. Heney was called to San Francisco some months after the fire of 1906 to prosecute Mayor Schmitz, Abraham Ruef and other men charged with graft and bribery. He was appointed assist-ant of Dist. Atty, Langdon. Ruei caused the "boodle board" of supervis-ors to remove Heney and appoint him to the post. This move was blocked by the courts. With the financial backing of Ru-dolph Spreckels and the assistance of W. J. Burns, formerly in the United States secret service, Heney soon ob-tained the confessions of grafting of the entire board of supervisors. Ruef was brought to trial on the charge that he had extorted money from French restaurant proprietors. He broke down in court and pleaded guilty. Next Schmitz was tried on the same charge and convicted. Schmitz appealed, and the appellate court freed him on the ground that the indictment was faulty. This decision freed Ruef also. Ruef was or-dered. This was the case on trial at the time of today's tragedy.

No.

jury disagreed and a new trial was or-dered. This was the case on trial at the time of today's tragedy. Since the trial of Ruef was begun a man named Blake was convicted of jury tampering. Blake confessed in court afterward that he had been promised \$10,000 by counsel for Ruef if he would serve his term and not testify for the state.

LANGDON'S TRIBUTE.

Fresno, Cal., Nov. 13 .- Dist.-Atty. Fresno, Cal., Nov. 13.—Dist.-Atty. Langdon of San Francisco is in Fresno. He arrived on private business. When informed by an Associated Press rep-resentative of the shooting he expressed deep horror. He declared that the prosecution would go on, and said the high criminals who had debauched San Examples had gone the actureme length Francisco had gone the extreme length. Mr. Langdon had just telephoned to his office in San Francisco and had received the report that there was no hope of saving the attorney's life. Mr.



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