

# Citizens Barred From Court by the Police.

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at humiliation was but a part of Ruef's contemptible methods of the day.

Judge Graham then instructed the clerk to prepare to draw the name from the special venire of twelve to complete the jury, impeachment of which was begun on Wednesday, when eighteen members were selected.

Of the venire Andrew P. Welch and Clarence R. Walsh were excused because of non-residence.

Ruef tried to "butt in" at this point. "If your Honor please," he began, but Judge Graham declared that he "wouldn't hear anybody" during the drawing. Ruef tried again, but the court shut him off. The audience was expectant, for it wished to see the issue drawn and a prosecuting officer of the court, but it was again disappointed.

The judge invited all citizens to come up and watch the drawing by County Clerk Mulvey. Ruef and F. H. McCarthy each took a station beside the cylinder, and a suppressed laugh swept over the audience. Langdon and Heney were also on hand. But Mulvey did the job satisfactorily. For word of objection was spoken and Maurice Livingston's name was drawn as the nineteenth member of the inquisitorial body.

### WOULD EXAMINE JURORS.

At this juncture Heney exhibited his distrust of the Grand Jury drawn. "If any indictment shall be returned by this Grand Jury, and if it be shown subsequently that members thereof were influenced by bias or prejudice," he said, "the indictment will fall. That the administration of the law may be carried forward in a proper manner I wish to examine the members of the jury regarding their qualifications to serve."

Ruef came spryly to his feet with an interruption.

"I object to the presence here of Mr. Ruef in the capacity of District Attorney," protested Heney.

"I am here as an attorney at the bar, just as Mr. Heney is," responded Ruef.

"I am not recognizing anybody as District Attorney," was the manner in which Graham wriggled out of the dilemma.

Ruef was allowed to proceed with his argument against the proposal of Heney to examine the Grand Jurors as to their qualifications. He declared that Heney was seeking to pursue unlawful methods in the form of an inquisitorial body that was aimed to carry out purposes of malice and revenge.

Ruef's interruption and insulting manner enraged Heney to the argument before him.

"I will state right here," he said in ringing words, "that I will present before this Grand Jury charges against Abraham Ruef of misdemeanor and felony crimes. Within an hour after this new Grand Jury is organized I will begin the presentation of evidence to it to indict Abraham Ruef."

"These Grand Jurors are to assume their grave duties with no prejudice decided and biased that any indictments can thereafter be set aside, then there will be perpetrated another farce, and such comedy of errors as was carried out in this city last night. Any juror might be able to nullify an indictment by announcing subsequently that he was prejudiced against the defendant. The result would be that all of our evidence would be disclosed and opportunity given for the bribing of witnesses and the spitting of them away. In the light of this situation I ask that we be allowed to examine the Jurors as to their qualifications."

### MANY ARE DISQUALIFIED.

"I can state now that a number of these nineteen men are disqualified. They are not on the assessment roll of the city and county of San Francisco and are not qualified to sit on the jury. We should examine all the nineteen and such of them as are not qualified should be excused and a legal body formed before which this grave business can proceed."

Ruef was quicker in getting to his feet than was Langdon and gained the recognition of Judge Graham, of course.

"I understand that Mr. Heney is addressing the court as an attorney and not as an assistant district attorney, with authority usurped or otherwise. I will say here that I am not speaking now as District Attorney. This novel plea for examination of the jurors is without warrant of law. It is a proceeding that has never been heard of before. Mr. Heney is simply making this attack on the personnel of the Grand Jury to fill the newspapers with sensations. The law does not authorize such examination of jurors as proposed and the request to question them is but a grandstand play to the press."

"The declaration is made that a certain person is to be charged with heinous offenses against the law and is to be indicted. That person defies this attorney to prove a single offense, defies him to prove an original act. The person defies him to produce his evidence in open court. That person's only objection to the secrecy of the Grand Jury is the knowledge that manufactured evidence would be produced, evidence concocted to satisfy a deep malice and revenge."

"I have not come here today to protect myself, but to protect the people and officials of the administration from false charges and from the abuse of the kept newspapers. There is nothing but malice and revenge in the motives behind these efforts here."

"I charge that this predetermined effort to invalidate this Grand Jury. There can be no other motive for the attempt to disqualify members of the body."

"The gentleman is aiming to have a packed jury. I hasten to withdraw the word gentleman, for the name does not fit him."

Judge Graham stopped further personalities along this line.

### APPLAUSE BY THE "PUSH."

Ruef closed with declaiming against persecution and the packing of the Grand Jury, and his benchmen defied the court's mandate and again broke out in applause.

Then came the mysterious entry of Attorney General Webb into the case. Unheralded, he loomed up as a powerful factor. His own explanation was that he came as an attorney and also in the capacity of Attorney General for the State. Messrs. Langdon and Heney were taken utterly by surprise.

Ruef appeared to be pleased and ugly rumors were soon afloat that William F. Herrin of the Southern Pacific Company and Tiley L. Ford of the United Railroads were responsible for his appearance in the case.

The corporations are supposed to be involved in the charges of hoodluming that Heney will prosecute.

When Attorney General he offered his services to assist the District Attorney in the impeachment of the Grand Jury and in conducting the prosecution of any cases that might arise. According to a Supreme Court decision, however, he explained the word "assist" meant to take charge of the prosecution if the situation warranted such action.

Webb also gave the court the benefit of his advice. He said the announcement of Heney in the hearing of the jurors of his plans in regard to any particular prosecution might invalidate any action by the inquisitorial body.

Judge Graham thought the sugges-

tion a good one and forthwith excused the jurors from the room.

"The contention of Mr. Heney that he be allowed to examine the jurors as to their qualifications ought to be the law," continued Webb, "but I would not give an opinion now as to the legality of his motion. I would recommend that there be a delay so that the law can be looked up."

Attorney Jacobs and William H. Linforth, who had been delegated by the Bar Association to serve as amici curiae, both addressed the court, but they did not appear to be very familiar with the legal points involved.

Langdon took occasion to declare that he would have the direction of the prosecution and that he would do his duty without malice or bias.

### ACH'S LITTLE JIG.

Henry Ach, announcing himself as counsel for Ruef, danced into the fray, but ignominiously went dancing out of it after a few hot words from Heney. Ach proposed a conference between himself, Webb and Heney to frame the issue as to examination of the jurors as to their qualifications and arrange for presentation of the dispute to the Supreme Court.

"My experience as a prosecuting officer," responded Heney, "teaches me that it is unwise to enter into any conference or agreement with any person accused of crime. The proposition is emphatically declined."

Continuing, in a passionate address to the court, that could be heard by the crowd in the street, Heney spoke as follows:

"The Attorney General, unquestionably in good faith, has come in upon us and criticized my remarks in the hearing of the grand jurors. I will say that I have fortified myself thoroughly as to the law and that the prosecution is being conducted within the rules of the law. Furthermore, it would appear that the amici curiae have come to court ill-prepared for the part they were to take, and this notwithstanding that the gentlemen have heretofore served in similar capacity. The decisions of several courts will uphold me in my contention that we have the right to inquire into the qualifications of the men who are to serve on the Grand Jury."

"The Attorney here read from some Eastern decisions sustaining his point. 'And I say again that the very first hour that this Grand Jury is organized I will begin the introduction of evidence to indict Abraham Ruef. The law will back us up and we must have a jury whose acts cannot be invalidated. The situation that has arisen from the miserable fiasco of last night would justify the drastic course of your Honor to see that a competent Grand Jury is provided that justice may be done.'"

The assemblage in the street broke into applause of the words that came from high-keyed voice within the court.

The situation was most dramatic when Judge Graham suddenly announced adjournment until Monday morning.

## Beasley Hisses Ruef and He Is Promptly Arrested

Dr. Shadwick O. Beasley, instructor in anatomy at the Cooper Medical College, and major surgeon during the Spanish-American war, one of the spectators at the spectacular hearing in Judge Graham's court yesterday, was declared a hero by the crowd because he resisted the police and because he tried to tell Ruef what he thought of him. He shook his fist in Ruef's face and attempted to strike him, but was prevented. The demonstration against the political boss occurred just as that worthy was leaving the courtroom after having spent an unpleasant two hours at the hands of Heney. On either side of the curly boss was a husky detective.

The crowd had just ceased cheering Langdon and Heney when the medical man, trembling with emotion, stepped forward and shook his fist in Ruef's face, at the same time hissing into the ear of the crestfallen czar that he was a thief and a grafter. Ruef resented the indignity and made an effort to strike his tormentor. The blow aimed by Ruef glanced harmlessly off Dr. Beasley's shoulder. The police then interfered and Dr. Beasley was placed under arrest by Policemen Riehl and J. B. Maloney. He was taken to the Bush-street station, where he was confined until he furnished bail.

Before the assault on Ruef Dr. Beasley won cheers from the crowd by brushing past the cordon of police which blocked the entrance. The police attempted to hustle him out of the building but he refused to go. Referring to the exciting episode, Dr. Beasley said:

"Like every other good citizen, I have no use for Ruef. I went to the meeting for the purpose of expressing my sympathy with law and good order. When Ruef came down the steps I stepped forward and shook my fist under his nose. I told him what I thought of him and his grafting crowd. I did not strike him. He made an attempt to hit me, but did not. I was afterward seized by the police and hustled off to the Bush-street station. I merely wished to tell Ruef what I think of him personally, and I think that I did it. I believe that is all that I care to say about the incident."

**PATROLMAN BEATS STUDENT.**

Dr. Beasley was not the only spectator to incur the wrath of the Police Department for his open denunciation of Ruef. J. W. Cullnon, a medical stu-

dent, attending Cooper College, was pummeled by a policeman because he referred to Ruef as a crook. Cullnon was in the throng which closed about the boss as Ruef entered his automobile after the adjournment of court.

"Make way for the crook!" shouted Cullnon. A policeman who wore a star bearing the number 176 made a rush at Cullnon, raining blows on his victim.

"Don't you call him that! Don't you call him names!" shouted the policeman as he forced Cullnon to the sidewalk. The patrolman, not satisfied with removing Cullnon from the street, proceeded to administer a further beating, when a newspaper representative, attracted by the vicious attack of the patrolman, hurried to the scene. When he observed that a reporter was taking notes the policeman discontinued his attack and dodged away into the crowd.

Cullnon is a member of a coterie of medical students who have taken an active interest in civic affairs. The students appeared at the meeting to give support to Langdon and Heney. Cullnon was not injured to any extent by his rough handling.

**SCHOOL BOY WOULD BE MATRICIDE.**

**SPECIAL DISPATCH TO THE CALL.**

**SAN JOSE, Oct. 26.**—According to his own confession Willie Helleison, an 11-year-old school boy, attempted to murder his mother and two sisters this morning by administering carbolic acid.

The mother of the boy detected a strong odor of acid rising from the coffee served at breakfast in time to prevent her two daughters from drinking the deadly mixture.

Suspicion at once attached to the boy, who had absented himself after visiting the kitchen. Later the boy returned and plainly showed his disappointment at finding his mother and sisters alive.

After continued questioning he broke down and confessed he had placed a quantity of acid in the coffee pot with the intent to kill all the members of the family. His motive was revenge for some slight punishment inflicted for a boyish escapade.

After making the confession the lad disappeared and the efforts of the Sheriff to locate him have proved fruitless. Willie is the son of Theodore Helleison, a carpenter, residing at 24 East street. He has been a bright student in the public school and has never before shown any vicious tendencies.

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Nickel-plated Steel Sweep, 10-inch ratchet brace, regular price \$2.00, special, each..... \$1.49

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Patent Plumb and Level, arch top plate, 2 side views, polished and tipped, 28 and 30 inch sizes, regular price 90c \$1.25, Saturday, each..... 90c

\$2.25 Disston No. 12 Saws \$1.75

Disston's No. 12 Best Grade Saws, 26-inch, 7 and 8 points, regular price \$2.25, Saturday, each..... \$1.75

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THE STORE WITH THE MONEY-BACK GUARANTEE

## ARCTIC EXPLORERS SAY FAREWELL.

Captain Amundsen of Northwest Passage fame left yesterday morning for Minneapolis, where he is to be tendered a reception by the Norwegians of that city.

The leaving of the noted navigator was the occasion of a gathering of several hundred of his countrymen at the Sixteenth street station in Oakland, where the last farewells were said. Captain Amundsen and Lieutenant G. Hansen, who accompanied him, were the recipients of magnificent bouquets of flowers from the members of the Norwegian Club Fram and many individuals, and as the train drew away from the station all present joined in the singing of the Norwegian national hymn.

The members of the crew of the Glos left the city at 6 o'clock last night and will join their chief at Niagara Falls, N. Y. Following his visit to Minneapolis, Captain Amundsen will make a flying trip to several Eastern cities, including Chicago, New York and Washington, and will sail for Europe on November 8.

A big black dog was to have accompanied the gallant captain to Minneapolis, but his keeper failed to appear with the animal. The dog had been with the navigator all through his perilous journey in the Arctic and was to take part also in the reception.

The Southern Pacific has decided that Amundsen shall not be disappointed and the dog will travel to Minneapolis in a special car of his own. Agents all along the line have been wired to look out for the dog. He will commence his journey tomorrow.

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## PRISON CELLS FOR ICE MEN.

TOLEDO, Oct. 26.—The civil court today upheld the decision of Judge Kincaid in the Common Pleas Court in the sentences he gave Reuben Lemmon, Rollin Beard and Joseph Miller, convicted of conspiracy in restraint of trade in the sale of ice. The men were sentenced to pay a fine of \$2500 each and six months in the workhouse, and if the Supreme Court affirms the lower court the ice men must serve their sentences.

Let Booth Tarlington tell you his greatest story of an Indiana town. It's "The Conquest of Canaan," whose first chapter appears in The Sunday Call.

## Special Today

Special today—Morris Chair; solid oak, golden or weathered finish; has reversible velvet cushions; back adjustable to four positions; well made and highly polished. Today only, Mission-street store, \$7.35

Special tonight—Berlin Saucepan; 8-quart size; made of the best grade of granite; mottled blue, white lined; an exceptional value. Tonight only, 7 to 10 p. m., Mission-street store, 30c

and Tonight

JOHNSON'S WORDS START STORM.

**SPECIAL DISPATCH TO THE CALL.**

**VALLEJO, Oct. 26.**—Albert S. Johnson attempted to make an Independence League address in this city tonight, but his words fell upon un sympathetic ears, and the meeting before which he spoke was only saved from breaking up in a riot by the interference of the police.

Johnson began his address by asking what Bell, the Democratic candidate, could do to better conditions were he to be elected, and charged that corrupt influences were behind his nomination. Immediately a man arose in the audience and denounced the statement as false. A scene of wild excitement followed. Johnson's sympathizers finally

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- No. 96, \$350 Kohler & Campbell.. 190
- No. 101, \$350 Hoffmann ..... 195
- No. 99, \$375 Winthrop ..... 225
- No. 104, \$375 Kohler & Campbell.. 145
- No. 101, \$375 Kimball, second-hand 180
- No. 109, \$250 Arion upright..... 115
- No. 91, \$250 Arion upright..... 95
- No. 102, \$250 Pianola ..... 175

And twenty-one more instruments.