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THE SEATTLE STAR

SEATTLE, WASH., MONDAY, NOVEMBER 16, 1908. PRICE ONE CENT

THE WEATHER
RAIN TONIGHT AND TUESDAY; MODERATE SOUTH ERLY GALE.

FIRST PICTURES OF ATTEMPT ON LIFE OF FRANCIS J. HENEY

SCENE IN JUDGE LAWLOR'S COURT SOON AFTER THE SHOOTING OF HENEY. HAAS, THE MAN WITH THE GRAY HAT IN THE CENTER OF THE GROUP, IS BEING QUESTIONED BY CAPTAIN OF DETECTIVES.

BALLOONISTS FACED DEATH OVER WILD OCEAN WAVES

Hours Are Swept Out to Sea Four Times, Then Forced to Land.

BY J. K. BUTCHINSON.
(United Press Staff Correspondent, Who Made the Ascent as Assistant Pilot on the "America.")

LOS ANGELES, Nov. 16.—After being swept out to sea four times, sailing for twelve hours with adverse winds which many times carried us within a few feet of the dark waters below, threatened with destruction when our drag-rope became entangled in a power wire during a heavy current, and forced to sacrifice all of our ballast save two small sacks, Capt. Ralph R. Mueller and I were forced to land the giant balloon America, first to start in Dick Fleischhacker's trans-continental race. In the last frantic one mile east of Hermosa beach, 16 miles southwest of Los Angeles, at 1:30 o'clock this morning.

Hideous Death Threatened.

Death in hideous forms threatened us from the time the "America" ascended yesterday afternoon at Oates park. Carried seaward from the start, we were forced out over the ocean four times. When the waves first yawned beneath us, we hung 100 feet above them. Each succeeding time that the "America" edged out over the sea our safety in distance was diminished hundreds of feet, until the last time the water surged not more than 20 feet below our basket.

After our second flight out over the water, when, by the sacrifice of ballast, we had risen to a higher current that swept us back over the solid ground, the wind died out and let us settle until trees and houses looked less than 100 feet beneath us. We hung at this altitude for nearly an hour, waiting and hoping for a favorable breeze to carry us eastward.

Catches on Live Wire.

At last it came, with a vigor that made Mueller laugh with joy. Slowly we gathered speed, picking up our heavy 400-foot trail rope, until half-most of its length on the ground while we had been becalmed. Just as we had begun to see pictures of a record-breaking sail over the mountains into the plains of the middle west, the trail rope grew taut with the hum of a bass string. We peered over the edge of the car. Beneath us the flashes of light illuminated patches of the sand hills and dunes, so that the big cocoa fibre rope had twined securely about one of the electric wire pole with its high charged wires that burned like white at the contact.

Look Out for a Shock.

"Look out for a shock up here," shouted Mueller. "It will ignite the gas and explode the whole balloon." As he spoke he seized the trail rope and climbed with the frenzy that endangered life gives to one.

With a snap and a final flash the rope of the big cable parted from the wire.

"Thank God," muttered Mueller, as a last pull at the rope. It still held tight, however, and, flashing our electric searchlight toward the ground, we saw that, although we were safe from electrocution, we were still fast to the pole. By shouting we summoned help from a near-by ranch house, but before the men responded to our calls we had managed to free the last entangled strand and had slipped loose and were sweeping once more into the night.

Out to Sea Again.

Twice more we were blown to sea, and with almost all of our ballast gone, we abandoned hope, and, while at a height of 2,700 feet, we pulled the trap cord and came shooting through space to within 50 feet of the ground in two minutes. Hastily ridding ourselves of the rest of our ballast, we landed in safety. Despite our terrific fall, we felt sensation other than a tremendous pressure in our heads, which caused the blood to flow from my nose and ears.

RUSSELL APPOINTED.

WASHINGTON, Nov. 16.—The president today appointed George F. Russell postmaster at Seattle, Wash.

OFFICIAL RETURNS.

(By United Press.)
RENO, Nev., Nov. 16.—Official returns show that Bryan secured a majority of 520.

GUTHRIE, Okla., Nov. 16.—The official count for presidential electors shows that Bryan received 123,474 and Taft 116,559.

Great Appeals of Farmers.

WASHINGTON, Nov. 16.—Following appeals of farmers and businessmen connected with agricultural interests, President Roosevelt has appointed Charles S. Barnett, of Illinois, and William A. Beard, of Ohio, of the country life commission.

Football Player Injured.

While playing in a game of football in Madison park yesterday afternoon, Watson Brown, a student, living at 431 27th av. N., sustained a broken leg. He was taken to Sacred Heart hospital, where he is reported resting easily.

HENEY NOW DECLARED OUT OF ALL DANGER

(By United Press.)

SAN FRANCISCO, Nov. 16.—The bullet fired by the would-be assassin, Morris Haas, was removed from the neck of Francis J. Heney, special graft prosecutor, at Lane hospital today, and at 11 o'clock the physicians stated that he was practically out of danger. The operation was performed by Dr. Wallace I. Terry, chief of the emergency service of the city, assisted by Dr. Herbert C. Moffitt, Dr. Edwin Bunnell and Dr. Thomas W. Huntington.

The bullet which had been located by the x-ray was not far from the surface and the operation was comparatively simple. While the patient has a little fever, the surgeons say that all indications are favorable and they do not expect any serious complications.

Mrs. Heney, who has not left her husband's bedside since he arrived at the hospital Friday evening, remained outside the operating room with Rudolph Spreckels. When Heney was returned to his bed, his wife again took up her watch and the patient appeared to be clear in mind and to be out of pain.

District Attorney Langdon called upon Heney early this morning and talked with him on various subjects.

"He grasped my hand," said Langdon, "and his grip was as strong and firm as ever. I talked with him on several matters of importance. He is in fine condition and in a most agreeable humor. There is a general feeling of relief about the hospital since the bullet has been removed as there was great fear that it would cause blood poisoning.

DOWAGER EMPRESS DIED BEFORE THE EMPEROR

Believed That Both Were Murdered by Slow Poison.

(By United Press.)

TOKIO, Nov. 16.—It was learned today from a high official source at Pekin that the Dowager Empress of China died suddenly last Saturday morning at 2:30 o'clock, and that the death of the emperor occurred after the death of the empress. The announcement was made by an official of the imperial government, who stated that the dowager empress, Tsze Hsi An had died Saturday morning, and that the emperor had died Saturday evening at 6 o'clock.

It is strongly suspected here that both the Chinese rulers were murdered, either directly or by slow poison. It is known that the emperor and the dowager empress had not been friendly for years, because of the progressive tendencies of the emperor. It is thought here that both rulers died as the result of an elaborate web of intrigue that had been woven with Chinese patience in the Celestial court for many years. An imperial edict issued today proclaimed Prince Chun, the brother of the dead emperor, regent of China, and Pu Yi, his son, the emperor. The Japanese press is unanimous in hoping for peace in China.

Near, Yet So Far.

SAN FRANCISCO, Nov. 16.—Prince Tsai, nephew of the late Emperor Kwang Hsu, next in seniority for elevation to the imperial throne, lost his opportunity to rule the Chinese nation by accepting the post of envoy to America in the commission of thanks for the remission of the Boxer indemnity by the United States.

Whether Prince Tsai was a victim of circumstances, or the plot of high enemies who anticipated the emperor's death and determined the succession to suit themselves, has not yet been established. It is believed by leading Chinese here today that Prince Tsai was the victim of a court clique.

CONCEALS CLAIM FILED BY DENNIS

The City Clerk Pigeonholes the Document Filed Last Tuesday.

Fearing that publication would prejudice the defense introduced by the city in fighting the damage suit of Finch Haggard, who is asking $50,000 in the superior court for injuries received as the result of being shocked at the city lighting substation, Receiving Clerk Warson, at the city hall, stamped the damage claim filed by J. H. Dennis on last Tuesday, and "pigeonholed" the document.

Dennis, who was city claims agent, was on his way to the court house and entered the substation to show a friend just how careless Haggard must have been to have received his injuries. Dennis received the current of 50,000 volts in practically the same way that Haggard was injured.

The injured claims agent will recover from his burns, and it is believed he will retain the use of his limbs, although at first it was thought that both legs would have to be amputated.

In his claim, aggregating $28,785, Dennis asks $25,000 for injuries, $1,000 for medical attendance and $2,000 for hospital bill, medicines, etc. The claimant insists that his injuries were the result of poorly insulated wires and carcless installation.

STORM WARNING.

Southern storm warnings are displayed. A moderate storm is passing over Vancouver island, moving eastward and will cause high south shifting to southwest winds this afternoon and tonight.

PATRICK'S APPEAL IS DISMISSED.

(By United Press.)

WASHINGTON, Nov. 16.—The United States supreme court today dismissed the appeal of Albert T. Patrick, the famous New York lawyer, who is in Sing Sing for the murder of William Marsh Rice. The court also dismissed an appeal on habeas corpus proceedings.

Resolutions of Oakland.

OAKLAND, Cal., Nov. 16.—A committee of ministers of the Oakland Church Federation today sent to Mrs. Francis J. Heney a copy of a resolution of condolence adopted at yesterday's mass meeting of the Oakland churches. The church was crowded at the meeting.

Resolutions of Sympathy.

SAN RAFAEL, Cal., Nov. 16.—All the churches in Marin county were given over to a discussion of the attempted assassination of Francis J. Heney in San Francisco.

RUEF WANTS CHANGE OF VENUE

ATTORNEYS ASK THAT THE TRIAL BEGIN ANEW.

Declare That Client Could Not Get Justice in San Francisco.

(By United Press.)

SAN FRANCISCO, Nov. 16.—Alleging that the life of Abraham Ruef is not safe in San Francisco, and that a "fierce and burning prejudice and bias exists that makes it impossible for him to secure a fair trial in this city," attorneys for the indicted ex-boss moved for a change of venue when the trial, which was interrupted Friday by an attempt on the life of Francis J. Heney, was resumed this morning at Carpenters' hall under a heavy guard of scores of mounted policemen, plain clothes men and detectives. The affidavits ask to set aside the proceedings of the present trial, that the jury which required four months to secure, be discharged and the proceedings begun anew in another county.

The attorneys for the graft prosecution asked time to file affidavits in opposition to the motion, and the court put over the trial until tomorrow morning. The jury was admonished and the witnesses excused until that time.

Ruef was brought to the court building in a patrol wagon under the guard of nine detectives. When the patrol wagon arrived at the court room, the police lined up and made a passageway on either side to guard against a possible attempt on his life. He stepped from the patrol wagon with a firm step, but his face was worn with sleeplessness, and he seemed to have aged since the sensational events of the past few days. Ruef was taken quickly into the court room, and his attorneys drove up to the building in an automobile, in which sat three detectives detailed to protect their lives. Inside the court building detectives guarded every hallway leading to the court room. No one was allowed to pass without first submitting to a thorough search, to prevent any arms being carried into the court room.

Affidavits Submitted.

When court opened the jury was brought into the court room, admonished and taken to an anteroom. Then Henry Ach, chief counsel for Ruef, made the motion that the court grant a change of venue. He read an affidavit signed by Ruef in support of his motion. The affidavit recounted the history of the alleged crime for which Ruef is on trial, and recounted the shooting of Heney last Friday.

"The shooting was done by an individual named Haas," said the affidavit, "and the people have been inflamed against Ruef since then."

The affidavit recounted the mass meetings held Saturday night, and declared that the publication of the news of these meetings had worked up public sentiment against Ruef. Cries of "Give us Ruef" at the mass meetings were recounted at length. Ruef declares in his affidavit that he is in danger of his life, and that he may be killed at any moment.

Ruef's affidavit was supplemented by one signed by Attorneys Ach and Dozier, in which they recounted the mass meetings held here yesterday, and declared that they are in danger of their lives.

Will Ask for Continuance.

Under questioning by the attorneys for the prosecution, Ach admitted that he will ask for a continuance of 30 days if his motion for a change of venue is denied by the court, and says that he will ask for the re-examination of all the jurors if this motion is denied. He contends that the jurymen should be questioned as to their knowledge of events following the attempt on Heney's life, and their feelings toward the new attorneys in the case.

Ruef declares that the jurymen have asked as to Heney's condition and that they have a general idea that Ruef inspired the attempt on Heney's life. He says that he has been constantly threatened with lynching since Friday night.

In the affidavits of the attorneys, they declare that they have been threatened with lynching over the telephone several times since the shooting of Heney. There was no argument of the motion for a change of venue. The court admonised the jury again and adjourned the case until tomorrow morning.

Defense's Attorney Ejected.

During the proceedings an attorney named J. B. Cook, employed by the defense to take notes in the court room as to the feeling of the people to support supplementary motions for a change of venue, was ejected from the room. Detective Burns noticed him taking notes and talking to the spectators, and asked the police to put him out. Cook left the court room without protest.

This afternoon the attorneys for the prosecution are meeting to decide how to combat the latest move of the defense.

Ruef was hurried back to the county jail after court adjourned, guarded by the same nine detectives and three mounted police, who rode by the side of the patrol wagon. Ruef and his attorneys are at the county jail this afternoon in conference.

BRUTAL BARING OF A GREAT SOUL ROUSES A GRAFT-WEAKENED CITY

REAL HENEY COMES TO LIGHT

HAAS' BULLET WINS WHERE ALL ELSE FAILED.

Awakens San Francisco to Her Danger and to Heney's Worth.

(BY H. D. WHEELER.)

SAN FRANCISCO, Cal., Nov. 16.—"Well, they got me at last. Tell my wife that she is dearer to me than anything else in the world."

It was Francis J. Heney—the real Heney—who whispered the words. It was not the dogged, fighting Heney whom all of San Francisco had come to know and part of San Francisco had come to love. For a single moment the great soul of a great man showed through.

Only a few seconds before, this same man had stood in Judge Lawlor's court, proud, defiant, fearless, with splendid energy, leading a fight for decency, bearing the brunt of a battle against a gang of millionaire criminals—bribe givers—hiding behind Abe Ruef, arch grafter, on trial.

Weak and Helpless.

Now, robbed by an assassin's bullet of his rugged strength, his power to fight, he lay weak, helpless in the judge's chambers behind the courtroom. There were only three or four persons at his side. Judge Lawlor was there and Detective William J. Burns and Heney's broken hearted bodyguard, Tom Foley.

They thought Heney was dying. Heney, too, believed the end was near.

"Tell my wife that she is dearer to me than anything else in the world."

Strong Men Shed Tears.

And those strong men stood unashamed as the hot tears rolled down their cheeks. It was the real, the big-souled, warm-hearted Heney.

Heney did not die. No. And when they told him that he had a chance, the lines of his jaw stood out rigidly in the deathly white face.

"I will live to prosecute him yet."

That, too, was the real Heney—the stubborn, fearless, fighting Heney.

Morris Haas, an ex-convict, a veniremen forced from the jury box by Heney in the first Ruef trial, after practicing with a revolver until he believed that there was no chance for failure, walked up behind the unsuspecting prosecutor and deliberately shot him down.

Did that cowardly act mean anything to the nation?

Three hours after the shooting I stood within the entrance to the Lane hospital here, where Heney lay fighting, bravely, cheerfully, for his life. I had been talking with Burns. Outside the street was black. The feeble rays of a lamp shone down on hundreds of eager faces.

How Is Heney?"

As Burns hurried down the steps and made his way through the crowd to his waiting automobile one question came from a thousand throats:

"How is Heney?"

The silence was intense.

"He will get better."

And then a great, full-hearted cheer went up.

As Burns was stepping into his automobile I saw an aged woman, her shawl thrown over her head, touch him timidly on the arm.

"Frank Heney will not die?"

"No, madam. He will live."

"Thank God!" She was sobbing.

That cheer; those sobs—they told of the awakening of San Francisco.

Spirit of Apathy.

It was only a few days before he was shot that Heney said to me in a special interview for The Star:

"Apathy. The spirit that allows the rich to place their money before the law, to corrupt public servants, to steal millions from taxpayers and stay out of jail while the door of a cell is shutting on the miserable fellow who has stolen $10. This is the disease that is gnawing at the vitals of the nation.

"In San Francisco the dishonest are active. The honest, discouraged or apathetic, are standing aside, leaving the fight to two or three.

"That is what is the matter with San Francisco. And San Francisco is no worse than any other city of the nation."

Perhaps only Heney fully realized the bitter truth of his words.

Clever Brains and Dirty Dollars.

After the pitiful confessions of the bribe-takers and when the first attack was directed against the rich bribe-givers, the millionaire criminals under indictment threw clever brains and dirty dollars into a common fund for a single purpose—to defeat justice. Probably the use to which those dollars and those brains were put will never be fully known.

This much is known: That two big daily newspapers—De Young's Chronicle and Hearst's Examiner—have consistently, for months, openly championed the rich lawbreakers, heaping ridicule and coarse insult upon Heney and his associates in an effort to confuse and misguide the public and discredit the prosecutors; that two dynamite outrages against the prosecutions' chief witness have been committed; that attempts have been made to bribe witnesses and elect corrupt judges; that ex-convicts have been employed to dog the footsteps and openly insult with vile epithets, Burns and the other graft fighters; that back of Ruef are powerful financial influences.

Smiled at Ridicule.

Heney had said and shown all this time and again. But San Francisco shrugged its shoulders and smiled at the ridicule and insults of the subsidized papers.

San Francisco is not shrugging or smiling today. Her lips are grimly set. The city is awake and in dead earnest.

It may never be shown that the "higher-ups" were in any way connected with this latest outrage. The city is waiting. The question that I asked Detective Burns there in the hospital on the night of the shooting was this:

"Was there anything but an individual grudge behind the shooting?"

This was his answer:

"THERE IS NOT THE SHADOW OF A DOUBT, FROM THE EVIDENCE WE HAVE, THAT THIS WAS THE WORK OF ABE RUEF AND HIS FRIENDS, NOR THAT SOME OF THOSE FRIENDS ARE AMONG THE SO-CALLED 'HIGHER-UPS.' THEY HAVE BEEN NURSING HAAS' GRUDGE, EGGING HIM ON FOR DAYS, INDIRECTLY URGING UPON HIM THAT HENEY MUST BE KILLED."

San Francisco is inclined to believe Burns now. A few days ago she was inclined to scoff at him or failed to notice him at all. The city will not press Burns for a demonstration in court of what he has said. That will wait.

Just now San Francisco is determined that Abe Ruef must go to jail, for cowering behind Ruef is already plainly visible that rich gang that for months and years has had city and state by the throat.

That is the big thing. It took the brutal baring of a great soul, but the city has cast off the local germs of that national disease of which Heney spoke.

The fact augurs well for the health of the nation.

MORRIS HAAS, WOULD-BE ASSASSIN, AND THE PISTOL WITH WHICH HE SHOT HENEY.

PHOTO OF HAAS IN PRISON GARB, WHICH RESULTED IN HIS REMOVAL FROM THE RUEF JURY BOX.

Crime Condemned.

ALAMEDA, Cal., Nov. 16.—Congressman Joseph R. Knowland, ex-Gov. George C. Pardee, Judge Everett J. Brown and Chester H. Rowell were the principal speakers at a mass meeting here yesterday afternoon, at which the attempted killing of Francis J. Heney was condemned in unmeasured terms, and resolutions expressing sympathy with Mrs. Heney and pledging support to the graft prosecution were adopted.

Plays the "Higher-Ups."

SAN FRANCISCO, Nov. 16.—Nearly every church in San Francisco was given over yesterday to the denouncement of the attempt to kill Francis J. Heney. Every minister in the city preached on the subject of municipal uprightness, and denounced the men supposed to be responsible for the attempt on Heney's life. The most crowded meeting was in the First Presbyterian church, where John W. Sweeney, one of the labor leaders of the city, flayed the "higher-ups" in an address.

INVESTIGATE DEATH OF HAAS

BURNS IS ANXIOUS TO KNOW ABOUT GUN.

Doesn't Believe It Was Concealed in Shoe of the Suicide.

(By United Press.)

SAN FRANCISCO, Nov. 16.—Special Agent Wm. J. Burns today stated that he would ask the police commission to investigate the suicide of Morris Haas, the would-be assassin of Heney, at the county jail Saturday night. He is anxious to learn when came an alleged order that he was not to be permitted to see the prisoner, and wants to know how Haas could secure a gun under the very eyes of three policemen detailed to watch him to prevent that very thing.

The investigation carried on by Burns has established one thing to his satisfaction. He says the gun was not carried into the jail by Haas. Some one gave it to him after he was confined in the cell, he says. Burns thinks this was his wife, notwithstanding the fact that Mrs. Haas denies that she carried the pistol to her husband.

Charges Against Chief.

Chief of Police Biggy, on the other hand, says that Haas carried the pistol to the cell with him, and states that Police Captain Duke did not search the prisoner carefully. Captain Duke takes issue with Chief Biggy, and says that a careful search of the prisoner was made. The outcome of the dispute will be charges against Chief of Police Biggy himself, who is to be called on the carpet, and is to be asked to explain why he has given out statements declaring that the shooting of Heney was not the result of conspiracy, and why he gave the order that Burns was not to see the prisoner.

Evidence Against Wife.

"From what I have learned, I am satisfied that Mrs. Haas, either wittingly or unwittingly, passed the Deringer to her husband," said Burns today. "In view of this fact, and that he killed himself while under guard of men detailed to watch him every moment, and after I had been denied admittance by these men and had lately secured from him a confession directly contradictory to their reports, the case assumes a bad phase, which demands a thorough investigation. I will prefer formal charges against Kelley and Attridge, Haas' guards. In this way we will find out who is responsible for the order that I should not see the prisoner, why it was anticipated that I might visit him, and why, if it was anticipated, the district attorney's office was not notified that such an order had been given.

Denied Right to See Haas.

"It is all very strange. The police believed District Attorney Langdon to be out of town, for he had communicated with them from Fresno, and yet the order was given that he might see the prisoner, but that I, his representative, might not. Had I gone out there alone, I would have had no time to make another trip during the afternoon. I would not have been able to talk to Haas, and his confession, which has already been of great value to us, would have died with him.

"We obtained that confession after the policemen had reported that the man was crazy, and that he was alone in the commission of the crime. It might have ended the case had the wishes of the police department been carried out."

FRANCIS J. HENEY

FRANCIS J. HENEY AND SKETCH SHOWING MANNER IN WHIC H THE PROSECUTOR WAS SHOT