



School of Law
UNIVERSITY OF GEORGIA

Digital Commons @ Georgia Law

Popular Media

Faculty Scholarship

9-12-1985

Who Killed the Kingfish?

Donald E. Wilkes Jr.

University of Georgia School of Law, wilkes@uga.edu

Repository Citation

Wilkes, Donald E. Jr., "Who Killed the Kingfish?" (1985). *Popular Media*. 146.
https://digitalcommons.law.uga.edu/fac_pm/146

This Article is brought to you for free and open access by the Faculty Scholarship at Digital Commons @ Georgia Law. It has been accepted for inclusion in Popular Media by an authorized administrator of Digital Commons @ Georgia Law. [Please share how you have benefited from this access](#)
For more information, please contact tstriepe@uga.edu.

WHO KILLED THE KINGFISH?

Published in The Athens Observer, p. 8A (September 12, 1985). For additional information on the death of Huey Long, see Donald A. Pavy, Accident and Deception: The Huey Long Shooting (1999); Duel Stone, The Huey P. Long Assassination: Conspiracy Unveiled (1997); Ed Reed, Requiem for a Kingfish (1986). See also Ubelaker, "The Remains of Dr. Carl Austin Weiss: Anthropological Analysis," 41 *J. Forensic Sciences* 60 (1996).

Author: Donald E. Wilkes, Jr., Professor of Law, University of Georgia School of Law.

Three United States Senators have died violent deaths while in office. In 1859, the antislavery Sen. David C. Broderick of California was killed in a duel with the proslavery David S. Terry, a former justice on the California Supreme Court. Murder charges against Terry for killing Broderick were dismissed, but Terry's career was blighted. In 1889, in a railway station restaurant in tiny Lathrop, Calif., Terry attacked and struck in the face U. S. Supreme Court Justice Stephen Field. A federal marshal assigned to protect Field shot Terry dead on the spot. In 1968, Sen. Robert Kennedy was shot to death. Sirhan Sirhan, the man convicted of the murder, has been imprisoned for 17 years under a life sentence. Although some claim that Sen. Kennedy's death resulted from a conspiracy and not the acts of one man, everyone agrees that Kennedy, like his brother, was the victim of an assassination.

Assassination?

The other violent senatorial death is that in 1935 of Sen. Huey Pierce Long (nicknamed "Kingfish"), 50 years ago this week. Sen. Long's death remains wrapped in such a shroud of mystery that today it is still uncertain who shot Long and whether he was assassinated. On this 50th anniversary of Long's death, it might be interesting to re-examine the circumstances of his strange death.

Fifty years ago Huey Long was one of the most prominent and colorful politicians in America and the head of a formidable political machine in his home state of Louisiana. He was a virtual dictator there. He also had a nationwide following. He planned to run for president in 1936.

Minutes before sustaining a fatal gunshot wound, Sen. Long was in the chamber of the state house of representatives in the Louisiana State Capitol building in Baton Rouge, chatting with a representative named Mason Spencer. Several months earlier, speaking in that chamber against legislation proposed by Long's political machine, Spencer had prophesied declamatorily that there would be "blood on marble floor" of the Capitol if a certain bill passed. Now, unknown to the two conversing men, the Capitol's marble floor soon would be stained with the blood of Huey Long and his alleged assassin.

Shortly after leaving the house chamber and paying a short visit to the governor's office, Huey Long was shot in a narrow corridor outside the governor's office that Sunday, Sept. 8, 1935, at approximately 9:20 p.m. Immediately after Long was shot, his alleged assassin, Dr. Carl Austin Weiss, a 29-year old local physician, was slain by Long's bodyguards, who pumped between 30 and 60 pistol bullets into the doctor's body as it thudded to the corridor floor.

Meanwhile Long, having been shot, emitted a cry, grabbed his side, turned and ran, and then descended four flights of stairs, leaving drops of blood on the marble steps. At the foot of the stairs he ran into a political associate who assisted him to the exit, hailed an automobile, and escorted him to a hospital several blocks away, where Long was admitted at 9:30.

Almost exactly one month previously, on Aug. 9, 1935, Long had stood up in the U. S. Senate and spoken, as he had on previous occasions there and in Louisiana, of alleged plots to murder him. He claimed in the Aug. 9 speech that his supporters had spied on an anti-Long caucus held at a New Orleans hotel on July 20 and 21, 1935, where plans were made to kill him. He claimed to quote some of the threatening statements made, including one to the effect that it would only take "one man, one gun, one bullet." The portion of Long's rambling speech dealing with the so-called plot appears in the Congressional Record under the title "The Plan of Robbery, Murder, Blackmail, or Theft." It is generally agreed that the New Orleans meeting did take place, but there is sharp disagreement over whether anything other than legitimate politics was discussed. There is agreement that, whatever the nature of the New Orleans caucus, over the past several years there had been lots of talk in Louisiana about killing Huey Long as well as several murder actual murder plots against him.

Medical Effects

Medical examination at the hospital disclosed that Long was the victim of one of the most dangerous injuries, especially in the pre-antibiotics era of 1935. Long had suffered a perforating wound of the abdomen. A bullet had entered his lower right side just below the rib cage, transected his body, and exited his back.

The consensus is that the treatment Long received was not always the best. Our Lady of the Lake Sanitarium was soon packed with politicians and onlookers who could not be turned away, and the scene was hectic. The doctor who performed the operation on Long was a distinguished physician but not primarily a surgeon, and he apparently omitted a preoperative test to determine if Long had a damaged kidney. He apparently also failed to find kidney damage during the operation. As a result, it was not discovered that Long was hemorrhaging from his right kidney, or one of the blood vessels connected to the kidney, until a further operation became impossible due to the patient's weakness. As his pulse raced ever faster, as his blood pressure kept dropping, Long began to bleed to death, despite transfusions.

From the time he was shot until he was placed under anesthesia around 11 p.m., Huey Long was conscious. After descending the stairs, he was heard to say to an associate, "Hell, man, take me to the hospital." At the hospital he repeatedly queried the attending physicians concerning his deteriorating condition. He stated several times that what mattered was not the recovery time, but the fact of recovery. When told his assailant was Dr. Weiss, he indicated that he did not know Weiss. He decided, on the advice of the physicians, that it was time to operate. From the operation until his death, he was unconscious, or delirious. Toward the end, Long was, to quote a leading medical article, "practically moribund" and suffering from "marked bronchorrhea," i.e., there was massive choking and coughing. Long died at 4:06 a.m. on Tuesday, Sept. 10. He had survived over 30 hours after being shot. Today he lies buried on the grounds of the State House in whose corridor he received the lethal wound.

Who Killed Long?

Did Dr. Weiss kill Long? Most major authorities think so. Hermann Deutsch, in his book The Huey Long Murder Case (1963), argues that Weiss likely was the assassin. So does T. Harry Williams in his 1970 biography of Long. A 1970 staff report of a federal commission on preventing violence and James Clarke's American Assassins (1982), also are of the opinion that Weiss shot and killed Long. On the other hand, David H. Zinman's The Day Huey Long Was Shot (1963) expresses the view, widely held from the beginning, that whether or not Weiss also shot Long, the fatal bullet was fired by a Long bodyguard. Among those who subscribe to the theory that the bodyguard killed Long, most believe the shooting was probably an accident caused by a panicky or trigger-happy guard, but others have suggested (without much proof) that the guard deliberately shot Long as part of a plot to kill the Senator and blame it on the hapless Weiss.

The full truth probably will never be known. No autopsy was performed on Long's body. The coroner's jury was not allowed within 11 feet of Long's corpse. The Louisiana legislature, under mysterious circumstances, killed a bid to investigate Long's death. An inquest into the death of Long lasted minutes. An inquest into Weiss's death was postponed several times because some of Long's bodyguards, without explanation, refused to testify.

Certainly the evidence pointing toward Weiss as the assassin is strong. He was said to have had strong feelings against Long, although others denied it. Several of his blood relatives, political opponents of Long, had lost their government jobs due to the action of Long's powerful statewide political machine. House Bill No. 1 at the special session of the state legislature meeting when Long was shot was a proposal to gerrymander Weiss's father-in-law, another Long opponent, out of his judicial office. There are rumors that Weiss feared Long might publicly smear the father-in-law with an Old South political dirty trick, "the tar baby"--alleging a political

opponent had a black ancestor. Such a smear would also affect Weiss's wife and infant son. Thus, Weiss had a motive to kill or attack Long. It is also said that Weiss was in fact once overheard to threaten Long's life.

Furthermore, Weiss undeniably was present at the scene of the shooting, and his Belgian automatic 7.65 mm (.32 cal.) pistol was found near his body. The pistol, which can hold 7 cartridges, allegedly contained 5 live rounds and one empty shell jammed in the ejector mechanism.

Conflicting Testimony

Those who believe Weiss was the assassin disagree about whether he acted alone. Some say he did; others claim he was part of the conspiracy against Long at the New Orleans caucus mentioned in Long's Aug. 9 speech.

But there is also evidence pointing away from Dr. Weiss. His last day, Sunday, Sept. 8, 1935, spent with his wife and child and his parents, gave no indication of anything out of the ordinary. Shortly before leaving his home that evening on the trip that ended in his death in a marble corridor of the State House, Weiss confirmed appointments for an operation he planned for the next day. Weiss was not known as a man of violence. Although Weiss did carry his pistol for self-protection as a doctor carrying drugs, it has been suggested that it is unlikely Weiss would attack Long with such a small gun, since Long was always protected by heavily armed guards and thought to wear a bullet-proof vest.

As noted, the bodyguards were reluctant to testify, and one guard refused to testify at all. No bullets fired by Weiss's pistol were produced; there was no autopsy on Long; and the coroner's jury was prevented from closely examining Long's body or checking for bullets or bullet holes.

There is some evidence of a scuffle between Long and Weiss, evidence even that Weiss hit Long in the mouth. If this evidence is true, it is highly unlikely that Weiss would have had an opportunity to pull a gun and shoot it. It appears that the district attorney in Baton Rouge, admittedly a foe of Long's, was suspicious of the bodyguards' statements and believed it possible that Weiss displayed his pistol, that Long began to flee, and that as Long was fleeing he was unintentionally hit by a pistol shot hastily fired by a bodyguard at Weiss. As other scholars have noted, two illustrations of the Long shooting, both prepared shortly after Long's death and both based on eyewitness accounts, depict Weiss standing between the armed bodyguards and Long at the time the bodyguards were drawing or firing their weapons.

There also seems to be a discrepancy between the testimony of eyewitnesses and the scene as revealed in a photograph of Weiss's bloody, perforated body after it had been rolled over, face-up. The witnesses said that after Weiss emerged from a niche near a marble column and shot Long, he struggled with a bodyguard and, while in a crouching position, was shot from in the front, and pitched forward on the floor where his lifeless body was then riddled with .38 and .45 cal. bullets. However, the

photograph shows Weiss's body with the head pointing toward the niche and the feet extended into the corridor.

The death of the Kingfish was an assassination, therefore, if the fatal bullet was fired by Dr. Weiss, or (which is far less likely) if the fatal bullet was fired by a bodyguard who intended to kill Long, presumably as part of a conspiratorial arrangement with others. If Long was killed by one of his bodyguards by accident, his death, while violent and tragic, was not an assassination. Since it cannot be determined with satisfaction whether Long was shot by Weiss or a bodyguard, or both, the evidence is insufficient to know whether Long, like Robert Kennedy, was the victim of a senatorial assassination. What is certain is that after half a century the sensational, violent death of one of our nation's most famous politicians remains an enigma.