

away, but was deterred by the advice of many who had gathered in safe places, they telling him it was almost certain death. He faltered only for an instant, but went toward Burke with the people calling him to come away. Grasp Burke by the arm and the shoulder and watching Haynes, whose rattling eyes could be seen peering from the small window on the east side of the cabin, Cashel dragged Burke to where willing hands helped to lift him tenderly and place him in the patrol wagon.

Accompanied by an eye-witness of the scene named Jack Waters, Cashel drove his horse at breakneck speed to the City and County Hospital. On the way the dying officer asked for the priest. Cashel left him in the physician's hands on the operating table and sent Officer Marlowe in a buggy after Father Lyon of St. Peter's parish. The priest arrived in time to administer the rites of the church, given in ward A, to which Burke had been removed from the operating table. He died shortly afterward, about three-fourths of an hour from the time he received his wound.

In the meantime the Chief of Police had been notified of the death of Lieutenant Burke and sent Detectives Ryan, O'Dea, P. Sullivan, Graham, Reynolds, Silvey, Dinan and Dillon to the scene. Immediately afterward a squad of riflemen were hurried to the place of battle. Sergeant Baldwin was in charge, and along were Policemen Morris Duane, J. C. Edwards, Bunner and Lewis. Sergeant Christiansen happened to be at the Central Station, and he, too, went out in a buggy.

As soon as the squad of riflemen reached the war ground they found that hostilities had been renewed. The detectives were deployed round about the house in every sort of position conceivable and were shooting into the house, in which the murderous tinker was concealed, from all sides. He was shooting as rapidly as he could from his position in the doorway. Not only did the man have two revolvers of his own, but as soon as Lieutenant Burke had fallen he had walked out and secured the officer's weapon, thus giving him three with which to shoot at his besiegers. Subsequent developments showed that he had box upon boxes of ammunition hidden in the place of refuge. Just as the rifle party arrived Kennedy came back with the shotgun. After the first few shots of the squad were fired Kennedy got a good crack at Haynes' head in the doorway and filled it with birdshot. Then it was that he was seen to drop to the floor and immediately afterward came out holding up his hands, in one of which was clutched a revolver, and exclaimed: "Don't shoot; I will surrender!"

### MURDERER HAYNES' BATTLE WITH THE POLICE ON BERNAL HEIGHTS.

Sergeant Christiansen, Edwards and Duane were then a few feet from the man not to shoot and then to Haynes to throw down his weapon. He might have done so, but just at this juncture some thoughtless officer on the hill fired another shot at the man and he immediately opened fire on Christiansen and the two officers with him, but missed, and they beat a precipitate retreat. Haynes slipped back into the house, and the fusillade again began. In a short time Haynes again came to the door and holding up his hands shouted not to shoot, that he would surrender. Sergeant Baldwin was at this time at the northwest corner of the shanty with his rifle leveled on the murderer. He advanced, still keeping the man covered, and told him to throw away his revolver. Then he grabbed him just as Officer Duane and Detective Ryan came up from the hillside and laid hands on him. Baldwin had the murderer dragged out of the doorway by the time the other two were close enough to render assistance. He was then manacled and placed in the patrol wagon.

Captain Gillin, who had arrived on the scene in time to direct the movements of the detectives, together with Sergeant Baldwin and Detectives Reynolds and Ryan, took the prisoner to the City and County Hospital in the patrol wagon, where his wounds were dressed. It was found that one of the small birdshot had taken effect in his right arm and there were superficial lacerations on his left cheek, forehead and nose. He was taken to the hospital to the City Prison and booked on a charge of murder. Attorney Eddy Sweeney has been retained to defend him.

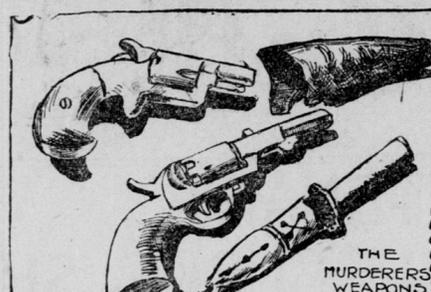
### CAUSE OF THE TROUBLE.

Haynes Tried to Kill Hopkinson Over a Land Squabble.

Hopkinson's description of the battle and the causes that led up to it is as follows: "By the old survey I was off my line two feet ten inches at the front and sixteen inches at the back. I built my barn on the proper line three years ago, and Haynes warned me that I was stealing two feet of his property. By the new survey on his lot sixteen inches at the back and two feet at the front. Yesterday I began fencing on the new survey. Last night he spoke to me again and said that I was stealing two feet of his land, and he told me mind his own business as I did not bother him. He went off muttering threats against me if I did not stop. This morning I was taking my mare out to pasture and he fired a pistol pathway leading across his lot. He looked at me but never said a word. On my return he was waiting for me and when I got within twenty feet of him he yelled 'Here!' I turned around and saw that he had a pistol in his hand and was excited. Thinking that he was going to shoot I moved toward my house where I later lived. 'You don't know that you are stealing two feet of my property?' I answered, 'Look here, you mind your own business; I'll put my fence on my property line, and with that that he yelled, 'What do you say, you...' and then leveled his gun at me as if to shoot. Being unarmed, I ducked and dodged and kept calling him to stop. He then advanced on me and I called to him to pass my rifle, but before I had time to run up to the point he was within of his way, and just as I turned the corner he fired. I then went down to Twenty-fourth street and looked for a policeman. I had not gone many yards when I saw Lieutenant Burke and two officers. After warning him of his danger, he ordered me to stay at the corner, fearing that my presence would anger Haynes. I saw Burke was going to run away from the point, and I called him to keep off, and on his approaching nearer deliberately raise his gun and shoot the poor lieutenant down. Burke

### THE MURDERER'S TALE.

Chief Lees Scouts His Evident Plea of Insanity. The theory that Haynes is crazy is being held by the police. A white talking to him in the City Prison yesterday afternoon after he had been in his cell for two or three hours he seemed to talk quite rationally. "They have been for years," he said, "trying to take my property from me. I bought the land thirty years ago from E. O. Brown, and I hold not only a title deed, but a portion of the fence in Graham's store and I found out that Hopkinson had torn it down. When I went back I saw Hopkinson and he had some words about tearing the fence



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down and he made at me with an ax. I drew a revolver and chased him into his yard, when his dog flew at me and bit me. That was the only shot I fired. "Then the policemen came to my house and wanted to arrest me. I told them to arrest Hopkinson and let me alone. Then the lieutenant came and asked me to surrender. I told him that I had done nothing wrong and he had better let me alone. He told me to surrender and I shot at me and then I fired at him. If he had not fired at me I would not have fired at him. Then a lot of them came and fired at me and my house and I kept firing at them till I gave up. One of the bullets from a Winchester struck me on the eyebrow and nose and another on the scalp, knocking me down. It was then that I made up my mind to surrender.

### KENNEDY'S PART.

Police Censure Him and Wilkenson for Lack of Bravery. In direct opposition to the acts of Kennedy and Wilkenson, who are accused of cowardice in certain police quarters was the heroic act of Patrol Driver Cashel in rescuing the lieutenant from his dangerous position after he had been shot. Cashel not only had forethought enough to have a stretcher provided after this act but saw that the wounded officer had a drink of brandy to revive him before the trip.

### HAYNES' EVICTION.

Why He Hated Sheriff's Deputies and Made Threats. On September 17, 1897, Sheriff's deputies were sent out to dispossess Haynes of his property, because J. S. Reed, the real owner, wanted possession himself. Haynes was not at home, and all the property was put outside the place by the deputies in Haynes' absence.

### BURKE'S RECORD.

A Brave and Efficient Officer and an Honest Man. The murdered officer was born in Galway County, Ireland, on March 3, 1852. He came to this city when a young man and while a watchman in the employment of the Southern Pacific Company he was appointed a substitute officer on the police force under the McCoppin act.

### BURKE'S WOUNDS.

Chief Lees Has the Body Taken to the Officer's Home. At the request of Chief Lees Dr. John Gallagher held the autopsy on Lieutenant Burke's body at the City and County Hospital. He found two gunshot wounds, either of which would prove fatal. The one, however, which entered the left groin was the one that caused death, as it produced internal hemorrhage, the bullet having cut one of the principal arteries in its passage. The other shot entered the body on the right side on a line with the navel and passed into the abdominal cavity, where it lodged, as did the one which entered the groin. It was not known that two shots took effect until after the autopsy.

### THE CABIN RIDDLED.

A Law Book on Unlawful Detainer Found by Searchers. The shanty in which the murderer took shelter is almost torn to pieces by the bullets fired at him. It is a miracle that he was not hit. From all sides came the fire, and all the walls are full of holes. The door has about ten holes in it. A heavy keg inside had four bullets in it. Three bullets went through the rear of the cabin within half an inch of one another and lodged in the house on the opposite side of Montgomery street.

### MONEY BURIED IN CANS.

How the Murderer Hoarded His Money and Hid It. When Haynes was searched at the City Prison on his person was found the sum of \$130.10 sewed in a cotton belt worn under his clothing. He told the Chief of Police that he had between



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\$300 and \$1000 hid in some cans under the flooring of his cabin and he was afraid somebody would steal it. Since it was seen that the journey would not hurt him he was sent to the cabin in charge of Sergeant Baldwin and a search made. Sure enough, the money he has earned by tinkering was found in three cans under the floor. One had been there so long it was rusty. The larger can, when the money was counted out in the Chief's office, with the prisoner an attentive witness, was found to contain the sum of \$300.25, mostly in silver. There were a few \$10 and \$5 gold pieces, but the larger portion was in denominations under a dollar. Another can contained \$100 and the third \$64.10, making a total of \$664.35. In another can was a lot of trinkets, such as lockets, chains, brooches, etc.

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will deeply mourn his loss. Among them are many newspaper men, who had ample opportunities of knowing and appreciating his genial and obliging disposition. They always found him courteous and pleasant and ever ready to help them in their work. They at least will sadly miss him. About five weeks ago the lieutenant had an operation performed upon him at St. Mary's Hospital. A cancer had grown on his lip from smoking and the operation was successful. Some years ago he was struck on the back of the head by a brick thrown at him while arresting a tough, and for a time his life was despaired of, but the removal of a large quantity of pus that had gathered saved him. The effect of that blow never leaves a widow to mourn his loss. She has been an invalid for years, and it is feared that the shock will kill her. He was a tender and devoted husband, and constantly and himself about her health. They had no family. A brother of the lieutenant is Patrick Burke, who is employed by the Southern Pacific in this city, and he has another brother who is an officer of rank in the Royal Irish Constabulary.

### CLOSING JUBILEE ACCOUNTS.

The Executive Committee Winds Up Its Financial Affairs and Turns Over a Surplus. The executive committee of the Golden Jubilee held its final meeting last night and after paying all indebtedness turned over \$700 to the general committee.

The total amount collected from all sources was \$21,936.83. Of this amount \$21,017.55 was collected by subscription; the remainder \$919.28 was from the sale of the Wild West show, the 28th; Turner, \$188.50; souvenirs, \$317.65; Angels Camp, \$43.15.

The total expenses up to last night were \$2,842.31; still due from Mining Fair, \$39.88. The bills ordered paid at last night's meeting reduced the amount due to \$700 which will be turned over to the general committee.

Lieutenant Rodriguez of the U. S. A., who conducted the military tournament, sent the committee \$100, which was allowed by the committee. Assistant Secretary W. T. Y. Schenck was allowed \$50 for his time since the day of the celebration.

Mr. Oppenheimer, who had the sale of the souvenirs, amounting to 14,297, sold \$1,470, for which he received \$1,000. The other \$470 were still out in the hands of Mr. Oppenheimer \$277, for which he has not yet received \$100 returns, although requested by the committee to do so.

Two of the collection books were lost, but it was stated that no collections were made on them.

### COLONEL MCKENZIE DYING.

He Was City Marshal Over Forty Years Ago. Chief Lees was notified yesterday that Colonel John W. McKenzie was dying at the residence, 120 Broad street, near Ocean View.

The colonel is a native of Newark, N. J., and while carrying on the business of a jeweler there he sold out and enlisted in the army. He fought through the Mexican War and was orderly sergeant in Duncan's famous battery that saved the city from the Alamo in July 1835.

After the war he settled in this city and was elected City Marshal, holding the office from September 1855 to July 1856. Then he was appointed chief clerk of the City Marshal and property clerk, these positions being then combined, and held the office till June 1860.

He was for many years colonel of the First Regiment, and was considered one of the best shots in the regiment.

### HEALTH BOARD WARNED.

Smallpox and Bubonic Plague on the Increase at Hongkong. W. M. S. Beede, M. D., United States Consular Surgeon and foreign correspondent of the San Francisco Board of Health at the port of Hongkong, has sent a warning to the local board regarding the prevalence of smallpox in the district where he resides. He found the total number of cases of smallpox in the city during February 12 to be thirty, with fourteen deaths. There were also four new cases of bubonic plague, with five deaths. This shows an increase of over 50 per cent in the number of cases of communicable disease since January 15, but the remainder are confined entirely to the Chinese and Portuguese population.

### MUST RETREAT TO THE WALL.

The Supreme Court has upheld the judgment of the Superior Court of Placer County in the case of E. P. Reed, who was convicted of murder in the second degree. Reed killed his partner, an old man named G. Brown, on the morning of the 11th inst. The widow contended that Reed had not treated her nicely and Reed took up the matter with her. The widow contended that Brown had a right to withdraw his renunciation before the letters were issued on the case, and that the court was wrong in appointing executor from the estate of the testator's wife equally with the disposition made by him of his estate.

### INNOCENT CHILDREN SACRIFICED.

The "slaughter of the innocents" continues, until it is estimated that fully one-fourth of the human race dies before attaining their fifth birthday, owing in great measure to our rigorous and changeable climate in this land of plenty, that stomach, liver and bowel complaint, the result of indigestion, which is the cause of the Bitters, whom Hostetter's Stomach Bitters would promptly relieve and invigorate. Malaria, indigestion and kidney trouble yield to the Bitters.

### ALASKA GOLD BONDS.

THE ALASKA PROSPECTORS' SYNDICATE, organized for the purpose of making first-class (6000) non-interest bearing bonds of the value of five dollars (\$5.00) each, has issued an additional issue of \$1,000,000 worth of bonds, and in respect of the bravery and heroism of those who stood beneath the peaceful waving of the Stars and Stripes for they are no less heroes than those who were summoned by the tocsin of war to meet death at the point of the bayonet.

### GARFIELD CORPS SYMPATHY.

At the last held regular meeting of James A. Garfield Relief Corps No. 21, W. R. C., resolutions of sympathy were adopted for those who were bereaved by the loss they sustained in the death of relatives on the Maine, and there was an additional resolution and for protection of the same, and for the brave and heroic of those who stood beneath the peaceful waving of the Stars and Stripes for they are no less heroes than those who were summoned by the tocsin of war to meet death at the point of the bayonet.

### MANUFACTURERS' ELECTION.

The annual meeting of the members of the Manufacturers' and Producers' Association was held yesterday. The old board of directors was re-elected without opposition, the nominating committee being the following names: James W. Kerr, A. Starbuck, W. F. Bowers, Frank L. Brown, L. R. Mead, Charles R. Allen, four. The old board of directors consisted of Samuel McKee, Charles H. Crocker and E. Everett.

### KNIGHTS OF TARA AND WOLFE TONS.

The Knights of Tara will hold a great celebration on June 21 at Metropolitan Temple in honor of the birthday of the noble Wolfe Tone, the patriot and martyr of Irish liberty. A strong committee has been appointed and a splendid programme will be provided for the occasion. It is made it one of the greatest celebrations of the centennial year of the Irish rebellion.

### SUSPECTED OF INCENDIARISM.

Nicholas Tendis and Constantine John were arrested yesterday on complaint of Marshal Towle and held pending an investigation. The two men are partners in a restaurant at the corner of Montgomery street and yesterday afternoon the place took fire, and when the firemen arrived traces of oil were found on the walls. The two men were suspected. The fire was extinguished before much damage was done.

### PRISON OPENS FOR A CROOK.

"Rebel George," the Bunko Man, Convicted at Yreka.

With Two Confederates, He Robbed an Innocent German. Jury Convicts Him of the Crime After Only a Few Minutes' Deliberation.

Special Dispatch to The Call. YREKA, March 23.—The notorious confidence man, "Rebel George," an account of whose life appeared in The Call a few days ago, was convicted of robbing a German, just before he was taken to the Superior Court in this place this afternoon, the jury having been out only fifteen minutes.

"Rebel George," in company with two confederates, engaged an innocent German named Yetter in a game of cards on the Southern Pacific Railroad, near Sisson, and bunked him out of \$250. It is thought that Judge Beard will give this notorious swindler a heavy sentence, as he has been dealing severely with the criminal element lately. The wife of "Rebel George" was present at the trial and made a hard fight to save her husband.

### RIVAL SCRIBES COME TO BLOWS.

Lively Physical Argument on the Ferry-Boat San Rafael. War Between Two Newspapers Leads To a Shedding of Editorial Blood.

Special Dispatch to The Call. SAUSALITO, March 23.—Editorial blood was spilled here yesterday on the deck of the ferryboat San Rafael, as the two rival papers, the Record and the Suburban, came out with a bitter attack upon young Hewson's parents, accusing them of having been in some petty swindling and "invited" to move out of town.

It was this that led to the encounter on the boat yesterday. Hewson, who is about 20 years old, got on the boat and waited for Purteile, who is his senior by over 20 years. When the Larkepurteile's paper came out with a bitter attack upon young Hewson's parents, accusing them of having been in some petty swindling and "invited" to move out of town.

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### SISTER ALPHONSE MARIE DEAD.

SAN JOSE, March 23.—Sister Alphonsa Marie (Anna Aloysa Vermeyen) of Notre Dame Convent died to-day after a lingering illness. She was a native of Belgium and was 85 years of age. The deceased had been confined in the convent here for a number of years.

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### A Subscriber to 25 Bonds is Entitled to Nominate One Prospector.

Gold mining under the most favorable circumstances is necessarily speculative, but these bonds give those who find the money much more of a show than is at all usual. The bonds will be sold on the following terms: On allotment, \$1, and \$1 per week until paid. Thousands of people who would go to Alaska, and for one reason or another cannot, are prepared to invest in the chances open to all to get some share of the millions of gold that will be gathered in the gold fields during the next two years.

### HENRY G. SHAW.

President Alaska Prospectors' Syndicate Co., Room 32, No. 4 Sutter St., SAN FRANCISCO.