MAY MURDER CASE

Alleged Intimacy of Defendant and the Murdered Man's Young Wife the Motive.

Body Found in a Well—Exhumed After Its Burial, Evidence of a Crime Appears.

Special to The Journal.

Bismarck, N. D., Nov. 24.—The term of district court for Burleigh county convenes to-morrow. The interest of the term is centered in the trial of the murder case against Jeff May, a well-known ranchman of this county, who is charged with the murder of Harry G. Hibbs early last winter.

Hibbs lived on his ranch, forty-five miles northeast of Bismarck, with his wife, a girl of 18 or 19 years. He had several hundred head of sleek cattle, horses and ranch appliances. Jeff May was a ranchman who lived near, with several hundred head of horses that ranged sometimes over the same land occupied by Hibbs' cattle. In the amenities of ranch life, May was a frequent visitor at the Hibbs place, and evidence in the case showed that he sometimes stopped there over night, when Hibbs was away.

The first news of the death of Hibbs was received in Bismarck Jan. 16, when it was reported to the county officials that the body had been found early the preceding day at the bottom of a 60-foot well, back of the barn on his ranch.

Story of May and Mrs. Hibbs.

An investigation brought out the following story from May and Mrs. Hibbs: That May stopped at the Hibbs ranch over night and before breakfast May and Hibbs went to the barn to milk the cows and do the customary ranch chores. That Hibbs started for the well, telling May he intended to fix a pulley through which the ropes drawing the heavy well bucket were drawn. May had finished his chores about the barn and gone to the house. When breakfast was ready, Mrs. Hibbs called to her husband who failed to respond. Thereupon May went in the direction of the well to summon him, and returning part way to the house, calling to Mrs. Hibbs that her husband was in the well. He had not gone the entire distance to the well, but had seen his cap lying on the ground near the well curbing, and drew the immediate concluson that eh had fallen n while repairing the well pulley.

The two then went to the well and looked in. The rope was loosed from the top of a tripod which supported it above the well. The heavy well bucket rested at the top of the water and upon this partly rested the body of Hibbs, which they saw plainly at the top of the water. Mrs. Hibbs caught hold of the rope and pulled, as though to raise the body, which immediately slipped off its insecure support and sank into sixty feet of water, where it remained until it was grappled and removed several hours later.

Suspicions Aroused.

As soon as the officers visited the scene and investigated the well and surroundings they became suspicious of this story. In the first place, they found that with the rope loosed from the top of the tripod above the well no possible placing of the heavy well bucket would cause it to remain for a minute at the top of the water. There was a "trap" in the bottom of the bucket which caused it to fill and sink immediately upon striking the water, unless it were supoprted by the rope at the top. But both May and Mrs. Hibbs had sworn positively that the rope was loose. How then could the body have been seen resting on the bucket at the top of the water when the bucket must under all the circumstances, have been at the very bottom of the well?

Upon his first examination, May testified that the bucket was prevented from sinking by the catching of the rope and tackle against a little rise of ground some distance from the well. On the second examination he swore that the rope was caught in the broken boards of the well curbing, and this prevented the bucket from sinking.

Body Exhumed.

Hibbs' body was brought to Bismarck and examined by physicians. Except for superficial scratches that might have been made in the fall of the body, no injuries were seen. The body was buried before all of the suspicious facts were learned. After it was buried it was exhumed and two physicians made a thorough post-mortem examination. In dissecting the scalp from the back of the head ,they found a suffusion of blood in the scalp and beneath it, just behind the ear, they found a circular fracture of the skull, so complete that a little circle of bone was broken away entirely from the rest of the skull and depressed upon the brain. It was such a fracture as might have been made by a hammer or other blunt instrument. It was evident that the blow had been delivered while May had his heavy fur cap on, and this prevented the apparent injury of the scalp. But such an injury could not have been received in a fall into the well, because May had testified that Hibbs' cap lay outside the well, when his body was known to be in the water.

It was also established before the coroner's jury that at the time of the discovery of Hibbs' body in the well, there was a little pool of blood on the ice several feet from the well curbing. It was evident that if Hibbs had fallen while repairing the pulley, this pool of blood must have resulted when he struck his head on the opposite side of the well. Apparently he must have pitched entirely across the curbing and struck on the other side of the well. But if this was the case, how, ask the prosecuting officers, did his body get back over the curbing and into the well? May admitted having taken a shovel and removed the traces of blood from the ice before the arrival of the coroner, but it had been seen before that by B. F. Scovil, who happened at the Hibbs ranch while May and Mrs. Hibbs were endeavoring to get the body out of the well.

Motive for Alleged Crime.

At the preliminary examination the prosecution sought to establish an undue intimacy between May and Mrs. Hibbs as the motive for the alleged crime.

May is 33 or 35 years of age. He has borne a generally good reputation and has many friends through the county. He is tall, broad-shouldered, smooth-faced, thin-lipped, and with a ruddy complexion. During the preliminary examination he was self-contained and heard the state's attorney's denunciations of him with apparent unconcern. He was in jail awaiting trial for seven months and was then released under a $10,000 bail bond, which was furnished by local business men. He will be defended by Attorney F. H. Register and the prosecution of the case will be in the hands of State's Attorney Edward S. Allen.

There are two other murder cases to be tried at the same term of court, but they lack the dramatic features of the May case. Public opinion as to May's guilt is divided. The outcome of the case is likely to depend largely upon the establishment of a sufficient motive by the state. It is said additional evidence upon this point will be brought out.

Dyspepsia in its worst form will yield to the use of Carter's Little Nerve Pills, aided by Carter's Little Liver Pills. They not only relieve the present distress, but strengthen the stomach and digestive apparatus.

CASTORIA
For Infants and Children.
The Kind You Have Always Bought
Bears the Signature of Chas. H. Fletcher

THE INDIAN LANDS

Secretary Hitchcock's Annual Report Takes Up the Ceded Chippewa Real Estate.

A Full Discussion of the Frauds Practiced—Irrigation and Yellowstone Park Notes.

Washington, Nov. 24.—In his annual report, Secretary Hitchcock congratulates the country upon the progress made in irrigation.

He also devotes considerable attention to the Yellowstone National Park, and shows that the public is becoming more and more interested in the great reservation.

A condition of prosperity such as never before prevailed is shown to exist in Hawaii and Porto Rica. There is a decrease in the native poulation in Hawaii and an increase in Chinese and Japanese.

"With fires in nearly all parts of the forested areas of Colorado, Wyoming, Washington and Oregon, the forest reserves have remained during the past summer comparatively unharmed, thanks to the efforts of a few hundred energetic, well-directed men whose business it is to care for these forests. Thus a small sum well expended has saved a wealth of material and, what is of more importance, it saved a forest cover worth far more as a protective and regulative body than as a source of timber supply. In addition this organized body of men makes the mountain forests truly useful, and readily so, to the people of the west.

The report continues:

"The ceded Chippewa lands in Minnesota embraced originally about 3,000,000 acres, and constitute the finest body of pine lands east of the Rocky mountains. In order to dispose of them for the benefit of the Indians the act of Jan. 14, 1889, (25 Stat. L., 642), was passed. Under that act about 660,000 acres have been disposed of, for which there has been received, approximately, $1,126,830.18.

"In my last two annual reports I adverted to the fact that the experience of this department in the administration of that act had demonstrated its inadequacy to accomplish the purpose intended. Said act provided, in brief, that after the cession of the lands they should be examined and classified as 'agricultural' lands and 'pine' lands. The pine lands were to be estimated and appraised, and sold, after advertisement, at public auction, to the highest bidder, and the agricultural lands were to be opened to disposition under the homestead laws, at $1.25 per acre.

"It was soon discovered that the classification of the land was faulty, in that lands were frequently classified as agricultural that were, as a matter of fact, pine lands, and that the estimated quantity of value of pine on a given tract was frequently very much in excess of that set forth in the reports of the appraisers.

"Soon after these discoveries were made, and in order to relieve the situation, the act of June 7, 1897 (30 Stat. L., 90), was passed, authorizing the sale of the dead and down timber on said lands. As soon became apaprent, this was the most convenient vehicle for fraud that had yet been furnished those who were seeking to despoil the Indians, and on March 1, 1899, congress passed an act (30 Stat. L., 929) under authority of which I, on March 30, 1899, directed the commissioner of the general land office to suspend until further notice as to said lands all estimating, appraising, examining, selling and cutting of timber, the letting of further logging contracts, under said act of June 7, 1897, as well as the sale of said lands.

"I also appointed two inspectors of the Indian office to investigate the frauds reported to have been committed under the dead and down act. The result of their investigations was the discovery that, in round numbers, 12,000,000 feet of green timber had been unlawfully cut under dead and down contracts, and over 8,000,000 feet cut without authority on individual allotments. They collected from the parties so offending, without resorting to legal proceedings, over $55,000. Against one firm, which made repeated efforts to compromise for less than the value of the timber, a judgment of $93,560.60 was finally obtained.

"During the summer of 1900, representations were made to the department by the senators and representatives in congress from Minnesota that it would be to the interest of the Indians that the pine lands in the four ceded townships in the White Earth reservation in said state be sold and the agricultural lands opened for disposition under the homestead laws.

"I accordingly referred the matter to the commissioners, respectively, of the general land office and of Indian affairs, and upon receipt of their reports that no practical objection existed to the disposition of said lands as provided for under said act of Jan. 14, 1889, and the amendment thereto of Feb. 26, 1896 (29 Stat. L., 17), on Oct. 6, 1900, directed that the pine lands in said four townships be offered for sale on Nov. 27, 1900, and that the agricultural lands be opened for disposition unde the homestead law on Dec. 4, 1900; and the order of March 30, 1899, suspending all proceedings in relation to said lands, was modified accordingly.

"On Nov. 27 the sale of said ceded lands occurred as ordered. Soon thereafter, authentic and reliable information having reached the department that the bidders at said sale had colluded and conspired to keep down the price of the ladns, I directed the commissioner of the general land office not to approve any of the purchases made at said sale nor to issue any patent thereon until further advised by this department. Subsequently in several cases I directed that where purchasers came forward and showed that they had made their purchases in good faith, and had paid a reasonable price for the land, and were not parties to any collusion, or conspiracy to keep down the price, said order would be modified, the purchases would be approved and patents ordered issued thereon; such has since been my known attitude regarding the purchases made at said sale, but, notwithstanding that fact, only a few of the purchasers at said sale have come forward and submitted proof as required to enable them to obtain patent to the land.

"To correct the evils and abuses outlined above, and to furnish a law that would adequately protect the rights of the Indians and obtain for them the value of their property, the act of June 27, 1902 (Public—No. 175), was passed.

"Every foot of timber cut must be paid for before it is removed, and the Indian must receive the full value of his timber and the price fixed by law for his agricultural lands.

"Another feature of the bill is the reservation of 200,000 acres of said land for a forest reserve.

"The examination of the ceded Chippewa lands will be resumed as soon as a sufficient corps of examiners has been appointed. When said lands have been examined and classified, and the Indian allotments completed, the agricultural lands will be opened to settlement and entry."

A Cold Wave Is Coming.

Go to California, warm and genial, reached best over the most direct and shortest line, The Rock Island-El Paso Route, the line of lowest altitudes. The highest point enroute is several hundred feet lower than that of any other line across the continent. Call at the "Rock Island" Ry Ticket Office, 322 Nicollet avenue, and talk it over.

If you are too busy to bring your want ad to The Journal, call up No. 9, either line and The Journal will accommodate you by taking your ad over the 'phone. If you will kindly call in and pay for same at your earliest convenience it will greatly facilitate the handling of these small amounts.

Carey Roofing better than metal or pitch and gravel. W. S. Nott Co. Tel. 576.

ELIOT ON LABOR

The President of Harvard Explains His Position.

Cambridge, Mass., Nov. 24.—In an address at a private meeting of the Colonial club of this city, President Charles F. Eliot of Harvard made an explanatory statement of his views of labor unions.

He said that the work of the labor unions must be counted among the efforts to make the lot of mankind more satisfying and happier and that their strength lay in their belief in this work as their mission. He then enumerated the conditions which he designated as humane conditions of employement—those to which laboring men may rightly aspire. First was a rising wage, based on increased experience, attainments and age; second, steady employment, after adequate probation; third, the opportunity for the workingman to establish a permanent home; fourth, conditions which enable him to give his employers generous service and to take pride in it; fifth, the right to a pension on disability, which gives throughout life relief from one great anxiety that public consideration which goes with a steady job and self-respecting, though humble or unobserved career.

The present antagonism of employers and the unions was the fault of both parties, but on the whole the former were more to blame because their situation was more comfortable and their education superior. The industrial community was under many obligations to unions for the evils they have mitigated, such as poor sanitary conditions in factories; an undesirable number of hours of labor; child work and the company store.

The oligarchy of capital had combined effectively and the corresponding combination of laboring men was a wholesome check upon that oligarchy. There was no question that the labor union had come to stay. On the other hand, it was itself injured by certain evils which were subversive of fundamental American doctrines of liberty. One of these evils was the limit placed upon the number of apprentices, whereas, in the learned professions every encouragement was given to the training of novices. Other evils are the limitation of output which destroys the self-respect of the efficient workman and the uniform wage, which has a cruel reaction on the less capable workmen, because, with a uniform wage, he loses his job at every slack in business, whereas if he was paid according to his earning capacity, his employer could afford to keep him the year around. A fourth evil was the violence which was an inevitable feature of every strike in industries employing unskilled labor. The unskilled laborer on strike had no other weapon unless it were the boycott, which is a cruel, cowardly interference with the rights of all the people.

President Eliot declared that he saw grounds for hoping that the relations of capital and labor would be improved in spite of their present unintelligent antagonism, partly by frank public discussion of abuses, by prearranged agreements for conciliation or arbitration, and partly by the service which labor unions would render to capital through their constant command of the labor resources of which capital comes in need.

A Cold Wave Is Coming.

Go to California, warm and genial, reached best over the most direct and shortest line, The Rock Island-El Paso Route, the line of lowest altitudes. The highest point enroute is several hundred feet lower than that of any other line across the continent. Call at the "Rock Island" Ry. Ticket Office, 322 Nicollet avenue, and talk it over.

Take "The North Star Limited,"

The finest and fastest train to Chicago or St. Louis. Buffet library cars, compartment sleepers, etc. Minneapolis & St. Louis R. R.

If you are too busy to bring your want ad to The Journal, call up No 9, either line, and The Journal will accommodate you by taking your ad over the 'phone. If you will kindly call in and pay for same at your earliest convenience it will greatly facilitate the handling of these small amounts.

Soo Line Homeseekers' Rates

During November and December to points in the Canadian northwest. Call at 119 Third street S for particulars.

Make Money! Save Money!

Use The Journal Want Ads. You get a large quantity at a small price.

Mail Orders will be Filled Promptly.

The Palace CLOTHING HOUSE.

Minneapolis: 315 to 325 Nicollet Avenue.
St. Paul: Seventh and Robert Streets.

Money Always Cheerfully Refunded.

A Word About Overcoats

Our stock has plenty of the swellest long overcoats as well as the shorter ones for men who prefer them that way. Loose-fitting Overcoats and those fitting close to the figure. English Overcoats, Overcoats of extreme width at the bottom, Paddock Surtouts. Every overcoat has that peculiar set of shoulders and general air of style only found in ours.

Silk mixed triple milled English Melton Overcoats, the latest swagger effects, worth $25, for $18.

Brooks' Patent Kersey Overcoats, silk lined, in black, oxford and blue, triple stitched, a beautiful garment —no tailor will build better for $50, at $25.

Genuine French Sedan Montagnac Overcoats, the best of imported productions, pure silk lined, at $30.

Superb Scotch belt back Overcoats, all the vogue, richest garments shown this season, at choice $20.

Heavy All-Wool Kersey Overcoats, silk topped, worsted lined, in the prevailing new shapes, worth $16, at $12.50.

The Paletot Overcoats, the leading fashionable coat of New York, offered in rich Vicunas, for this sale, at $20.

"A Great Sale and the Grandest Profusion of Stylish, Rich Overcoats at $15.00." Overcoats of style, dash and elegance, of exquisite materials and meritorious workmanship. Magnificent showing of unparalleled values, mammoth assortment and a complete range of sizes. The most remarkable success due unquestionably to the Best Overcoats ever known for..... $15

A Million Shares Snapped Up
OF THE TREASURY STOCK OF
THE BITTER ROOT COPPER MINING CO

I MADE the announcement a week ago that the Treasurer and Manager of the Bitter Root Copper Mining Co., Mr. S. S. Secor, cashier of the Faribault County Bank of Winnebago City had gone to Montana to meet some moneyed men who were contemplating the purchase of a large block of the treasury stock of this company.

It was not possible at that time to state definitely how big a block would be bought; or, even that the sale would be made, but I felt morally certain that the purchase would be a big one, and I gave notice to those whom I could reach that they had better buy at once.

I never was more conscientiously in earnest in my life than when I gave this warning. I meant just what I said, and I sold some stock, but not as much as I felt I ought to have sold if the opportunity for investment was actually understood. Fortunately I secured a reservation of 50,000 shares of the 50-cent allotment, and I will have that to offer.

I do not know how long this block will last. If the truth were known by the people in Minneapolis all of this stock would be taken before 24 hours. I do not look for such quick sales, however, but I anticipate inquiries from those who know a good buy when they see one. I shall be surprised if this stock is not all gone before the week is ended. If you want a good investment that will double your money in a few months and pay handsome dividends for years, look this up.

The history of the Bitter Root Copper Mining Co. reads like a romance. No doubt some people will say "it is made out of whole cloth," for nothing seems more improbable than the truth at times.

It is strange that a mine as good as the Bitter Root should have lain half developed for several years until the old postmaster at Winnebago City started the wheels moving that has resulted in the uncovering of the greatest copper property since the Anaconda, not excepting the United Verde. It is also curious that a bank cashier, conservative and slow as such men are, should have consented to become the manager of the property. S. S. Secor is one of the banking family of that name known in Southern Minnesota for their reliability and worth. Mr. Secor is not only largely interested in their property but his good name is back of it, which is more important. We have had four experts report upon the property and have had about 40 or 50 practical mining men of Montana look it over. Their reports are on hand to be examined. We had a standing offer to pay the expenses to the mine for an examination of any one who would buy 5,000 shares, but that offer is withdrawn on account of the time it would require.

When a good investment is offered, there is always some one ready to take it. It takes a little advertising to find the buyers, but when the property warrants it, there is no trouble in raising money. Our first allotment of stock was offered at 25 cents. I am sorry more Minneapolis people did not get in at this price, but a Scotch syndicate bought the entire allotment, excepting the stock I had sold and a little I had reserved.

That is all gone. Next I offered the 50-cent allotment. Almost before that is on the market it goes—a million shares. The figures are so big they startle the imagination. The statement seems to demand proof. I have the proof. It would be rank folly for me to misrepresent.

As I stated, I have reserved 50,000 shares of this stock. The price is 50 cents a share. I consider this stock cheap at $1 today. We will now have all the money necessary to complete the tramway, put up a matte smelter and begin to turn our latent copper and gold ores into money. We have over $5,000,000 worth of ore in sight. One big mine owner has estimated the body of ore to be at least $25,000,000.

REFERENCES BY PERMISSION

First National Bank, Winnebago City, Minn.
Faribault County Bank, Winnebago City, Minn.
First National Bank, Blue Earth City, Minn.
Farmers' and Merchants' State Bank, Blue Earth, Minn.
Blue Earth Bank, Blue Earth, Minn.
State Bank of Mankato, Mankato, Minn.
State Bank of Frost, Frost, Minn.
State Bank of Bricelyn, Bricelyn, Minn.
State Bank of Kiester, Kiester, Minn.
State Bank of Granada, Granada, Minn.
State Bank of Truman, Truman, Minn.
Hon. David Secor, Winnebago City, Minn.
Congressman J. T. McCleary, Mankato, Minn.
Senator Moses E. Clapp, St. Paul, Minn.

If you are interested, do not wait a moment. Call and see me at your first opportunity. I have 50,000 shares for sale. First come, first served.

P. W. McALLISTER 1030 Guaranty Loan Bldg. :: MINNEAPOLIS ::

OFFICERS AND DIRECTORS

PRESIDENT—L. G. Beebe, Postmaster, Winnebago City, Minn.
SECRETARY—L. E. Cross, Cashier Bank of Delevan, Delevan, Minn.
TREASURER AND GEN'L MANAGER—S. S. Secor, Cashier, Faribault Co. Bank, Winnebago City, Minn.
DIRECTORS—J. H. Quinn, Judge 17th Judicial District, Fairmount, Minn.; H. M. Smartwood, Director Moscow State Bank, Moscow, Idaho.
GENERAL COUNSEL—A. G. Avery of Post, Avery & Higgins, Lawyers, Spokane, Wash.