

VERDICT IS FIRST DEGREE MURDER

Coroner's Jury at Ogden Charges Walker and Lawrence With Killing Dr. Beers.

WITH MALICE AFORETHOUGHT.

Deliberations Held Without Bail—Mrs. Walker's Letters Reach Print—Complicated Case.

(Special to the "News.")

Ogden, Sept. 25.—F. C. Walker and E. Lawrence have been charged with the murder of Dr. Earl S. Beers. The county attorney, N. J. Harris, filed complaints against both men to which chief T. E. Grosvont attached his name as complainant, immediately upon the receipt of the jury's verdict. This was submitted in the following case:

An inquest having been held at Ogden, county of Weber, State of Utah, on the 23rd, 24th and 25th of Sept. 1907, before the Hon. J. D. Murphy, municipal judge and ex-officio precinct justice of the peace, and for the city of Ogden, Ogden City precinct, in said county and state upon the body of Earl S. Beers, there lying dead, by the jurors whose names are hereto subscribed, the said jurors upon their oaths do say, that Earl S. Beers died Friday, Sept. 13, 1907, from the effects of injuries received during an encounter which took place between said Beers and Mrs. F. C. Walker and E. Lawrence, on the 10th of said month of September, 1907, in the rear room of the Electric Supply and Fixture company's place of business on Washington street in Ogden City, Utah, said rear room being occupied at the time of the encounter by the deceased, F. C. Walker and A. E. Lawrence.

In testimony whereof the said jurors have hereunto set their hands the day and year aforesaid.

JOHN N. SPARGO, JOHN O'NEILL, HENRY WILLIAMS, Jurors.

The complaint filed against the defendants, charged Walker and Lawrence with having "on Wednesday, Sept. 13, committed the crime of murder, feloniously, wilfully and of deliberately premeditated malice aforethought, making an assault upon Earl S. Beers with their fists and feet and with certain dangerous weapons, to the aforesaid unknown, the said Lawrence and Walker, striking and beating upon the face and the body of the said Earl S. Beers, inflicting certain mortal wounds, and that as a consequence the said Earl S. Beers died on Friday, Sept. 13, 1907, when he died. And so the said F. C. Walker and A. E. Lawrence did kill and murder the said Earl S. Beers.

The jury which sat through the inquest brought in its verdict shortly after 4 o'clock yesterday, the county attorney had the complaints filed in the state court and within a few additional minutes the warrants were being served on the prisoners in their cell in the city jail here. Both were to remain within their cells now unless the district or supreme court arranges for the granting of bonds.

INQUEST CONCLUDED.

The inquest came to a sudden termination yesterday afternoon when the county attorney announced no more witnesses were to be brought forth by the state. This was an announcement of the failure of numerous officers to find Mrs. Hull and daughter in Salt Lake. The Hulls were wanted to testify in their room above the building where the fight occurred. The defense then moved that the testimony of the nurse who said Beers told her he had fought two men be cut out of the records, as it was hearsay and as such should not be allowed to have a part in influencing the jurors. Some argument upon this subject followed. This and other finishing touches brought the inquest to an end a few minutes before 3 o'clock.

JUDGE INSTRUCTS JURY.

Judge Murphy instructed the jury and then its members went into closed session, to return with their verdict of murder in the first degree by one hour and a fraction later. Judge Murphy's instructions were as follows:

"Gentlemen of the jury, the law requires that you, after having viewed the body of the deceased and having heard the testimony, to return to the court in writing, a statement showing when the deceased died and the injuries inflicted and by whom in prosecuting death. It is also your duty to state whether or not it was felonious. This is required of you by the state. The court has no disposition to give on any matters of evidence you hear. You must arrive at your verdict from the sworn statements you have heard. The only information that will be necessary is that should you arrive at the conclusion that the deceased came to his death as a result of injuries inflicted by any person, the law presumes that the person acted maliciously, unless something in the testimony shows to the contrary."

THE LETTERS REACH PRINT.

A peculiar feature of this affair is the number in which a number of letters said to be from Mrs. Walker and headed for the dead doctor have



OLGA NETHERSOLE.

Who Arrived in Salt Lake This Morning With Her Company.

A special train from Colorado Springs landed the Olga Nethersole company in Salt Lake this morning at 7 o'clock. The distinguished English actress, with her retinue of servants, came in on the private car "The Nethersole," which will be located at the Oregon Short Line depot during her engagement here. Miss Nethersole, who left a sterling impression behind her last winter and who achieved the unique distinction of playing to capacity houses for the entire eight performances, will be welcomed by all lovers of true dramatic art, on her return. Unfortunately, her arrangements were of late somewhat hazy, and she is short of her engagement, and it is safe to say that the four performances announced for Salt Lake will be as well attended as were those of last season. Miss Nethersole, who has spent the greater part of her vacation in Scotland and a few weeks in Biarritz at her villa there, seems to be in perfect health and spirits. She appears to be delighted with her present western trip and speaks in the most glowing terms of the wonders of the "mighty empire beyond the Rockies," as she puts it.

The two novelties in Miss Nethersole's repertoire are, curiously enough, coming into print. Mrs. Beers admitted having received two love-laden missives intended for her husband, but she said their contents, like her husband, are dead and known to herself and attorneys only. She absolutely refused to divulge their contents, yet letters have been reaching the papers. Attorneys in the case now deny that any letter has reached Mrs. Beers.

A SPECIMEN.

One of the letters said to have been received by Mrs. Beers addressed to her husband and written by Mrs. Walker is published as follows: "Los Angeles, Cal., Sept. 19, '07. "I received another letter from you today and was glad to hear from you. I guess by this time you have received several from me. Dearest, I am feeling pretty bad, and it is pretty hard for me to hold on much longer, for I have no one to talk to here except mamma, and she don't understand how I feel, for she gets angry and scolds me most times until I don't know what I feel like doing. I go out all that I can to pass the time away, but that don't last long, for she says she gets so lonesome without me, that I must stay here. "But, sweetheart, I am so sorry to hear about your trouble, and hope it will come out all right. I wish you would give up what you are doing and come here and get something else, for I need you with me so much and would not be able to stay without you much longer. Think it over, dearest. If you love me, try and come for my sake, no matter if you can't make much for a while, you can get along all right, but really, Earl, I don't believe you love me as much as you say. I think you can love someone else just as well. I don't know what makes me think this, but I am the way I feel tonight. I am downhearted and blue, and I need you to help me out. "I received a letter from Fred this morning. It says he has registered it, so you may see it was important. He carried on like he didn't have his right mind. I don't know what will become of him, for he says he can't live without me, and that if I don't come back to him after a while that he is going to give everything up, even business, for he says he won't have anything to work for then. He says that if I will just say the word and come back he will start right away to build a home and says I can have anything and everything I want. But you

know, dear, that can't bring me the love I want. I answered the letter and told him that I wouldn't promise anything he asked, not the way I feel now.

"Well, sweetheart, do you love me as much as I love you? Dearest love, I love you so much I hope it is returned. Oh, I wish I could see you to talk to you! "What did the lady say about me, or don't she mention my name? I suppose you told her I don't love me any more. But, dear, I am so worried about I am afraid that I am going to be sick. Please write me often. Now, I want you to do me a favor. Please tear these letters up, for someone may get hold of them, and it may make more trouble for me. "Fred promised he would send me some money last Monday, but I haven't seen a cent yet. You know my trip cost me more than I expected. I paid for a berth for mamma, or else she couldn't have gone on the same train. I had \$3.00 excess baggage, so it amounted to quite a bit. I suppose Fred knew just what I had, but he don't care as much as he pretended he did. "Well, dearest, I will say good night. Hoping to hear from you every day—also hoping to see you soon, love and kisses. Be sure and write. Tell your loving up, and I trust you, dear. Your loving up, "JOSE." These notes have been addressed by Mrs. Beers and obtained from sources which should not be doubted.

COMPLICATED CASE.

But a strange feature is that Mrs. Walker has not yet heard of Beers' death with the papers and wires carrying all sorts of stories about the affair. The inquest came to a close yesterday just a week from the assault upon Dr. Beers. When this case comes to trial it will prove one of the most interesting ever tried in this state as there are so many different odd phases and features yet to come to light. The "unwritten law" in Utah is a written law and to clear himself of the murder charge Walker must prove his wife's dishonor and the strictly proven in the case. Mrs. Beers, by Tuesday evening for Kearney, Neb., where the body of her dead husband will be interred. She will return to take an active part in the trial.

TO PINE VALLEY RAISERS.

The Gardner brothers, alone, have lost 24 head of cattle. The animals were in some instances mutilated and partially eaten. The bear has descended into the fields around St. George but strange to say had never yet been seen alive until he ran across Mr. Moody. Then things happened.

Mr. Pulphier, issued a mountain lion last winter and became the town's

Advertisement for Grape-Nuts cereal. Text: "SOLID SUBSTANTIAL FLESH and good brains are made from Grape-Nuts. There's a Reason".



The smart dressers are delighted with the showing of "Money Back" Shoes for fall styles, lasts and patterns that are individual and only to be seen here. Price and quality in keeping with "Money Back" dealings. DAVIS SHOE CO.



HATS FOR THE FAIR.

Hardly a day passes that some New York manufacturer does not send some new hat style to Benke, the south mall. They are now showing fashion favorite. New shapes that have been adopted from the best French and domestic designers since the first of the present month.

here. His glory is now under a shadow, a new idol has been set up. When Bruin began his slaughter of cattle stock-raisers appealed to the county commissioners to post a cash prize for the person who would put the hunter to an end but the commissioners said they had no authority for any such step, an appeal was then made to the government forest service. A hunter was engaged to lay low for Mr. Bruin but the salary paid was so small the hunter "laid low" just one week and then resigned.

The daughter of helpless cattle and small livestock grew more serious. Finally disgusted with the indifference or helplessness of the misnamed "authorities" the farmer started a subscription, raising over \$200 as a reward for the person or persons who would kill the ravenous bear.

Charles G. Y. Higgins, chief of the District, secured two men from Smithfield, Utah, to join in the hunt but when they arrived at Lund it was discovered they had no bloodhounds as they had announced, so their expenses were paid back. Mr. Moody then started out after the ferocious, mysterious animal with a special 20-20 on his shoulder and soft-nosed steel bullets in his belt. He got his first sight of the animal Saturday as Bruin was crashing through the dense underbrush. The hunter took a chance shot which seemed to hit as the bear reared and loosened its spines. Mr. Moody followed the trail until darkness set in. A party was organized Monday morning. The hunters divided into two bunches. Mr. Moody followed the trail and followed it eagerly and rapidly; he followed the tracks for some time and then saw the immense brute charging down at him.

He got his first sight of the animal Saturday as Bruin was crashing through the dense underbrush. The hunter took a chance shot which seemed to hit as the bear reared and loosened its spines. Mr. Moody followed the trail until darkness set in. A party was organized Monday morning. The hunters divided into two bunches. Mr. Moody followed the trail and followed it eagerly and rapidly; he followed the tracks for some time and then saw the immense brute charging down at him.

Paris engagement in May the English actress will give a few performances at Brussels, Berlin, Munich and St. Petersburg, and it is rumored that when her season finally ends, next June, she has promised herself a rest for 12 long months, during which time she will abstain from all public appearances, and part of the period she proposes to devote to a prolonged journey around the world in company with a party of friends.

When the carcass of the bear was skinned it was found the fat over the ribs was five inches thick. The bear was a grizzly and ferocious monster. Pine valley is still celebrating the death of the brute which in its life has done many thousands of dollars worth of damage.

JAPANESE transparent toilet and bath soap made from the whitest, purest and best vegetable OILS THAT YOU CAN OAT. Made by KIKKO—sold by all druggists and grocers.

WILL ERECT BUILDING.

As sufficient funds have been assured for the erection of the woman's building on the Westminster grounds, excavation will begin within two weeks. By the time that the third building has been erected, the Collegiate Institute will sell its Second East street buildings and remove to the Westminster grounds. A large tract in that vicinity has been platted as Westminster Heights, and is being sold in building lots. A number of attractive residences are being put up there, not far from the state prison.

CURED HAY FEVER AND SUMMER GOLD.

A. J. Nisbaum, Batesville, Indiana, writes: "Last year I suffered for three months with a summer cold so distressing that it interfered with my business. I had many of the symptoms of hay fever, and a doctor's prescription did not reach my case, and I took several medicines which seemed to only aggravate my case. Fortunately I inhaled upon having Foley's Honey and Tar in the yellow package, and it quickly cured me. My wife has since used Foley's Honey and Tar with the same success. For sale by F. J. Hill Drug Co., The Nerve Substitutes."

SEE'S HOST OF HIS OLD FRIEND

Daniel McCallum Has Hallucinations That He Receives Visits From Former Companion.

SENT TO MENTAL HOSPITAL.

Men Worked Side by Side for Years—McCallum's Mind Unbalanced By Teakle's Death.

Daniel McCallum believes that the ghost of "Tommy" Teakle is his constant companion and that he may talk with it and sit by it and that on his walks it accompanies him. Because of this state of his mind, McCallum was committed yesterday by Judge G. G. Armstrong to the state mental hospital in Provo.

McCallum and Thomas Teakle worked side by side at Z. C. M. I. for many years. They were almost constantly associated with each other, ate their lunch together and wore fast friends. At noon of each day they would go to the basement of the institution to eat their lunch together. Some time ago, Mr. Teakle was walking through the O. S. L. yards, as was his custom on the way to and from work. He was run down by a train and killed. The death of Teakle so preyed upon the mind of McCallum that it is thought that the loss of his friend drove him insane.

TALKED WITH TEAKLE'S SPIRIT.

Every day since that time, McCallum has acted "queer." Witnesses who were in court yesterday say that McCallum has been accustomed to go to the same old lunch place and that while he was eating he talked continually. When he was asked whom he was talking, he would say that Teakle's spirit was with him and that he was talking to it. When he was asked why he did not join other workmen at the lunch hour, he would tell them that "Tommy" would feed about it.

SUDDEN ATTACK OF DYSENTERY CURED.

A prominent lady of Brooklyn, N. Y., writes to inquire where she can obtain Chamberlain's Colic, Cholera and Diarrhoea Remedy. She says: "While stopping at a ranch in South Dakota I was taken ill of what seemed to be cholera. They gave me some of the medicine and it cured me. I brought a bottle home and have just used the last of it today. Mother was taken suddenly ill of dysentery and it helped her immediately. For sale by all druggists."

RATES BUT NO CONVENTION.

Peculiar Situation Develops in Connection With Dry Farm Congress.

A peculiar and rather funny situation has arisen out of the changes made in the dates for the meeting of the Dry Farm congress in this city. At first it was to be held here next January. Then President Fisher Harris saw many advantages in having the dry farmers out here during the state fair and conference. So the dates were changed to Oct. 2-5 inclusive. While east on a boosting tour, Mr. Harris became ill. He all but lost his voice in Washington and his whole system gave out beneath the strain to which he was subjected. He went to a hospital in this city but he simply could not be idle in a few weeks he was back to his feet at the club where his duties are multitudinous and various. He now is thinking of getting a well earned rest along the banks of some trout-filled stream for bringing the speckled beauties to shore is his greatest pleasure and his long suit.

But when he realized he was in no condition to handle a big convention he notified the various officials of his condition and they promptly changed the dates back to Jan. 23-26. Here is where some oversight seems to have been made. The railroads were evidently not notified of the change, as they went ahead advertising rates for the congress to be held in Salt Lake in October. The roads so doing complied nearly every western road; they filed their tariffs with the U. S. C. T. section newspaper space and went through all the heavy work necessary to advertise special rates and encourage business properly. The local agents of at least two roads did not know the dates of the congress had been changed yesterday morning; upon being notified of this step they promptly sent messages into headquarters, explaining the situation and thus stopping the needless advertising. The rates will undoubtedly be left unchanged, although they are not for the Dry Farming congress as first announced. A one-way fare of \$2 was given in by the majority of roads and heavy travel from all over the territory west of the Missouri to Utah should come in during the run of the fair. The situation is unique as it is not often people get the advantages of rates on account of a convention that isn't going to be held.

Advertisement for Keith O'Brien Co. Embroidered Waist Fronts. Text: "A sale of unusual interest to women because waist fronts such as these are never offered at special prices. They are nice enough for Christmas gifts. New style patterns—beautiful and no two alike. Some have maltese lace running through the patterns, all of which are made on batiste in close imitation of hand embroidery. Values to \$3.50 Special while they last. \$1.50 Big Sale of French Underwear—Third Reduction."

Advertisement for Ghirardelli's Ground Chocolate. Text: "Blacksmiths and others whose work and requires great physical strength and endurance need tissue building foods. Among these there is none so good or so sustaining as Ghirardelli's Ground Chocolate. Sold Everywhere. 1 lb. Cans 40c. 1-2 lb. Cans 25c."

Advertisement for Friday Surprise Sales. Text: "ESTABLISHED 1864. FRIDAY SURPRISE SALES. That Cannot Fail to Attract Large Crowds. A Great Surprise Sale is Awaiting You—New Man-Tailored SUITS. Specially Priced at \$10.75. This illustration shows the style and design made in pretty gray, navy or Brown mixtures, coat lined with satin, full pleated skirt, with folds of same material; sizes for all. These are our regular \$15.00 and \$17.50 suits, and we will sell them Friday only at \$10.75. A FRIDAY SURPRISE BLANKET SPECIAL. 200 pair Sheet BLANKETS. Extra large size, 11-4 and 12-4 gray, tan and white. Leaders at \$1.85; on sale Friday a pair \$1.37. FRIDAY SPECIAL IN Gents' Furnishings Department. MEN'S WOOL UNDERWEAR in medium and heavy weight. Values up to \$1.50; special at 89c. 100% COTTON UNDERWEAR, all styles and all sizes. Special at 1/2c each or 5 for \$2.45. FRIDAY SPECIAL. Ladies' Gun Metal Calf Shoes. With extension soles, military heels and blucher cut; all sizes; value \$3.00; special, at a pair \$2.45."

Advertisement for R.K. Thomas Dry Goods Co. Text: "A SPECIAL ANNOUNCEMENT!! We desire to make Cloaks to our girls attending the Public Schools as near free as possible. We shall therefore offer every Saturday, commencing Sept. 21st, the choice of our great assortment of CHILDREN'S CLOAKS. Ages from six to twelve years inclusive, at the small cost of \$5.00 each. This will include Cloaks as high as \$10.00 each. The first callers will get the best values, so don't delay. You may pay \$2.00 on a Cloak and we will keep it for you two weeks. This offer is for SATURDAYS ONLY!! on other days we will put BABY AND CHILDREN'S CLOAKS on sale at 98c, \$1.25, \$1.75, \$2.25, \$2.75, \$3.25, \$3.75, \$4.75 up. We have about three hundred styles to select from. R.K. THOMAS Dry Goods Co. For Sale, Rocky Mountain Bell Telephone at \$80.00 per share. GIVE ME A CALL. EDW. L. BURTON, 11 East First South St. JOHN G. CUTLER JR., INVESTMENT BANKER. (Established 1883) BONDS, SUGAR STOCKS, BANK STOCKS. Other High Grade Investments Bought and Sold. 8 Main St. Phone 107."