

# DEATH OF RADIUM CASE CONVICTS CRIME

### Health Officer Pohl Says Bare Secret of Young Woman's Tragic End.

### ASKS FOR INVESTIGATION

#### Reports to Board That Miss Golda W. Rowland Died After Crimi- nal Operation - Scandal In- volves X-Radium Institute.

Dr. Esther Pohl, City Health Officer, at a meeting of the Board of Health yesterday morning, submitted a written report declaring that a young woman who died at the X-Radium Institute, on Third and Alder streets, last September, was given out of the line from heart disease, in reality succumbed to the effects of a criminal operation. The alleged victim of malpractice was Miss Golda W. Rowland, 22 years of age, the daughter of respectable parents, who formerly lived in St. John, but who recently moved to Portland. Up to within a few months she had been a young woman taught school at Arlet, Coville County, Wash. In the death certificate filed at the time, the cause was given as acute endocarditis, the name of Dr. Carey Talbot, a local physician, was signed to the paper by Ernest Heymans, one of the proprietors of the establishment where the girl died. Heymans maintains that he was authorized by Dr. Talbot to sign for her, she being ill, but the doctor denies his story. The case has been referred to the Board of Health for action. That District Attorney Manning will also take a hand in the case.

Coroner Finley, although fully cognizant of the facts at the time of the young woman's death, made no report of the matter to the District Attorney or to any other official. He has since explained by saying that he acted solely as an undertaker in taking charge of the body; that it was not a coroner's case. He told the girl's father to make out everything to Mr. Manning, or to keep the secret, as might be most advisable.

### Heymans Quits Business.

While there seems to be no evidence at hand to show who performed the criminal operation, or that it was performed at the X-Radium Institute, it is significant that, after Dr. Pohl made her report to the Health Board, Heymans announced that he had retired from the business, having sold out to others. His statements involving Dr. Talbot, who, he declares, was in the employ of the institute at the time of the young woman's death and had been in charge of the case personally for three weeks before Miss Rowland was admitted to the "hospital," as Heymans calls the institute.

Dr. Talbot denies having had anything whatever to do with the case, and emphatically declares that she never authorized Heymans to affix his signature to the death certificate.

Coroner Finley admits that he knew most of the facts, and he himself declares a crime was committed. He denies that he asked Dr. Talbot to perform an autopsy, but that Dr. Locke did perform one in a fact. It developed, says Dr. Locke, that death was due to acute endocarditis, and a blood clot on the heart, and revealed to a certainty, he states, that a criminal operation had been performed at least ten days prior to the girl's death. He is, therefore, positive that the operation was not performed at the X-Radium Institute.

Dr. Pohl, in her official capacity, took up the case as soon as she learned of the suspicious circumstances, and yesterday reported that acute endocarditis was the secondary cause of death, not the primary, and that the death certificate was fraudulent, and misleading in every particular.

"When Miss Rowland wished to enter our hospital," said Heymans yesterday, "she was under the care of Dr. Talbot. When I was made aware of her condition, I first demanded that the girl sign a written statement, releasing me and my establishment from any responsibility for her condition at that time, which she did. Dr. Talbot drew up the statement for Miss Rowland. During the girl's confinement I visited her daily. She died after being in our establishment less than three days. I called in Coroner Finley, whom I told that I desired a full investigation. He consulted with the young woman's parents and later called in Dr. Locke, who performed an autopsy.

Did Not Attend Autopsy.

About that time Dr. Talbot reported to me that she was ill, having an attack of heart trouble. She said she wished me to attend the autopsy, and to sign her name to whatever report Dr. Locke made. This I did. I now realize that I was not at the autopsy, and I do not know who was there. I never did so, as the responsibility should have been assumed by Dr. Talbot, to whom it belonged.

"The case was not one which called for official action by me," said Coroner Finley. "I knew that a crime had been committed, and so told the girl's father. I informed him that he could report the facts to District Attorney Manning, or could keep the whole matter a secret for a few days. He decided to say nothing, as he had no evidence upon which to base a complaint."

### THOMAS C. MALONE DEAD

#### Ex-City Councilman's Funeral to Be Held Today.

The funeral of Thomas C. Malone, who died at his home on the Macadam road Friday, will be held this afternoon at 2 o'clock from St. Lawrence Church, Third and Sherman streets. Mr. Malone was 40 years old and was long prominent in the city. He was elected three terms in the Council, being elected the first time under the Pennoyer administration. He was a prominent member of the World, being elected from the Second Ward. After his service in the Council he held a position in the Alaska customs service, being appointed by Collector Ivey. Mr. Malone was a very well known here and leaves a wide circle of friends. His acquaintance was particularly extensive among those who are interested in politics.

### County Fair at Roseburg.

ROSEBURG, Or., Feb. 1.—(Special.)—The annual meeting of the Roseburg Park and Fair Association is definitely decided to hold a county fair the coming Fall, the date not being definitely decided yet. The district fair was held in this city last Fall, but will be held at Eugene the coming Fall. The following officers for the fair association were elected: President, F. E. Alley; vice-president, E. A. Hinkle; treasurer, J. H. Booth; secretary, F. G. McClellan.

### Your Child's Inheritance.

Rev. Minot J. Savage.

No boy or girl can ever come to be utterly bad who remembers only love

and tenderness and unselfishness and sweetness as associated with father and mother in the old-time home. Give them mainly and womanly example, give them training, give them the inspiration of devoted lives, give them these higher, deeper things. Do not care so much as to whether you are accumulating money, so that you can leave them a fortune. I really believe that the chances are against their inheriting a blessing for a boy. But leave them an accumulated fortune of memories and inspirations and examples and hopes, so that they are rich in brain and heart and nerve and character. Then if you happen to leave them the fortune besides, if they have all these, the fortune will be shorn of its possibilities of evil, and will become an instrument of higher and nobler good.

### CONFIDENCE IN FUTURE

#### East Side Business Men Talk of Proposed Improvements.

H. H. Nowhall, who has kept in close touch with financial affairs, says: "We can see that there is a decided improvement in all directions. Financial affairs have practically assumed normal conditions. Depositors are coming in with their money, and money is being loaned for improvements."

W. L. Bols, president of the United East Side Push Clubs, said in a recent talk at the annual meeting of the East Side should not go forward in 1908 even better than last year. The North Bank railroad will be completed into Portland. The financial setback is passing away even now, and we will soon be going ahead even better than ever before. Business centers are being developed on the East Side. We want to see to it that active steps are taken to rebuild the Madison-street bridge, and get our petitions ready for another bond issue as soon as the Supreme Court passes on the matter. It is assumed that the decision of the lower court will be affirmed and the bond issue will be authorized. We will hoove every citizen to get busy as soon as the decision is handed down. And the question of another pipe line to the East Side should be taken up at once. We want the pipe line as soon as we can get it. We shall need the water even before it can be built. We want the Madison-street bridge and that second pipe line.

Dr. C. H. Rafferty, of the water committee, indicated something of the growth of the East Side by telling of the treatment of the water mains in all portions of that portion of the city, especially from the suburbs, in his talk before the United East Side Push Clubs. He said that a stack of petitions was on file more than two feet in depth with the superintendent which could not be acted upon under present conditions.

"For 1907," he said, "it would have taken \$500,000 to meet all the requests for water pipe, but of course that year the United East Side was completed and paid for. The water main will remain in force unless the Council should change them, and hence we will have about \$300,000 for extensions."

It may be said in this connection that at no time was the East Side so well organized as far as civic clubs are concerned at present, and every neighborhood is pulling for water improvements, sewerage and water mains, or something else. It had been found that more can be done through club organizations than by individual effort, even if a few members are left to do the actual work. At none of the meetings of the numerous civic clubs has there been a single word of discouragement, but every one seems filled with hope for a constant progressive movement.

### GRANTS OREGON PENSIONS

#### Congressman Ellis Receives Notice of More Increases Given.

OREGONIAN NEWS BUREAU, Washington, Feb. 1.—Representative W. R. Ellis has been notified by the Bureau of Pensions that the following persons have been allowed increase of pensions:

Thomas H. Henderson, Milton, \$12.	Charles J. Smith, Portland, \$12.
William S. Powell, Portland, \$20.	Edward A. Cushman, Gresham, \$12.
John P. Baker, Linn, \$12.	Sarah Rea, widow John T. Rea, Baker City, \$8.
Leonard S. Thomas, Lamonia, \$12.	John S. Palmer, Baker City, \$12.
Jonathan H. Meyers, Portland, \$12.	James H. Smith, Portland, \$12.
James R. Mathers, University Park, \$12.	Herz Kerkos, Portland, \$12.
Robert T. Williams, Preswiter, \$12.	William H. Hawkins, Rainier, \$12.
William E. Hanna, Enterprise, \$15.	Jacob L. Barrett, Astoria, \$12.
Chas. W. Vreuk, Vernonia, \$15.	Duncan McKay, Portland, \$12.
John S. Galt, Baker City, \$12.	John Schaefer, Astoria, \$12.
Frederick Riegler, Portland, \$12.	Thomas H. Smith, Portland, \$12.
Andrew McGrover, Ontario, \$12.	Andrew C. Coulter, Portland, \$12.
James F. McMillin, Baker City, \$12.	Stephen L. Reed, Hood River, \$20.
Charles H. Herick, Umatilla, \$12.	Silas N. Hillis, Portland, \$15.
Peter C. Stewart, Yankton, \$20.	Allen Rhodes, McKay, \$12.
John H. Ross, Astoria, \$12.	John H. Beckner, Astoria, \$12.
John H. Gibson, Pendleton, \$12.	Charles M. Lewis, Klondike, \$12.
James A. Deane, Portland, \$15.	George L. Freeman, Baker City, \$10.
Leonard B. Wright, Portland, \$12.	Joseph L. Forber, Portland, \$12.
David H. Reavis, Enterprise, \$20.	Nathaniel H. Smith, \$12.
Joseph D. Regner, Gresham, \$15.	

# JUDGE REBUKES EDWIN MAY'S

### Pert Answer of Hall's Assistant Receives Censure From Court.

### HENEY SAYS "FAVORITISM"

#### Ex-Deputy United States Attorney Is Charged With Neglecting His Duties in Order to Protect Brother's Clients.

### DEVELOPMENTS IN HALL TRIAL.

Edwin Mays, Deputy United States Attorney under John H. Hall, tells Henev that he does not approve of Henev's policy of prosecuting the land-fraud cases and is rebuked by Judge Hunt. Henev charges witness with neglecting his duties as assistant prosecutor for the Government in order to protect his friends and the clients of his brother, F. P. Mays, from prosecution for alleged fraudulent land entries. Mays testifies that Government's exhibit is not the map Putnam sent to Hall in 1901.

Hall tells of conference with Fulton and Mitchell in Washington in 1901, and denies that there was any understanding by which Brownell and Campbell were assured immunity from land-fraud prosecution.

Harry C. Robertson, former private secretary for Mitchell, contradicts Hall's testimony by testifying that Fulton was present at conference in Mitchell's apartments in Washington in January, 1901. Hall denied that Fulton was present.

Introduction of testimony will probably be continued tomorrow. Final argument will occupy two days and case may go to jury Wednesday night.

It remained for Edwin Mays, Deputy United States Attorney under John H. Hall, yesterday to furnish the first real protechnics in the Hall conspiracy trial in the Federal Court. On cross-examination, Henev for about half an hour, grilling the witness with severity, intimating that Mays, while assistant prosecutor for the Government, had slighted his official duty and protected from prosecution for land frauds Claude Thayer and others who were represented legally by F. P. Mays, brother of the ex-deputy District Attorney. By a direct questioning Henev had succeeded in getting the witness into deep water and it was then that Mays retorted sharply by informing Henev that he (Mays) did not indorse Henev's charge of conducting the land-fraud prosecutions.

Henev undertook to prove by Mays that the latter was at no time vigorous in his investigation of alleged land frauds in this state and that in 1902 he deliberately failed to call before the grand jury witnesses who were prepared to give the truthful operations of Thayer and his co-conspirators. Henev charged that Mays did not give either Charles E. Hayes, an attorney, or Morris Leach, an ex-deputy District Attorney, the information which investigated the alleged land frauds in Tillamook County, although both had requested the privilege of being witnesses for the Government. Henev charged that Hayes assured Mays that he had sufficient documentary evidence against Thayer and his alleged confederates to prove the existence of a conspiracy to defraud the Government, and fraudulently acquiring about 90 valuable timber claims in Tillamook County. Repeating, Mays insisted that when he began his investigation of the reported frauds by Thayer before the grand jury, he knew nothing of the facts and had to depend altogether on the testimony of the witnesses that had been suggested to him by Special Agent R. Greenawald, who had worked up the case. He insisted that he subpoenaed all of the witnesses whose names had been furnished him by the special agent and that he had to have known that Hayes or Leach desired to give the character of testimony Henev had said they possessed.

### Fall to Identify Map.

The purpose of the defense in calling Edwin M. Mays was to strengthen the testimony of Hall in one important detail—the identification of the map showing the unlawful fences of the Butte Creek Company. It is the contention of the Government that this exhibit is the same map that was furnished Hall in April, 1901, by E. A. Putnam, the settler who first reported the Butte Creek Company's illegal inclosure to the District Attorney. Hall testified that the Government's exhibit was not the same map that Putnam sent him. Mays, to whom Hall requested him to turn over the map, showed the map to the grand jury, and yesterday declared that the map offered in evidence by the Government was a different one and not the plat submitted by Putnam.

Robertson contradicts Hall. Hall denied that Fulton had ever interceded with him not to prosecute Brownell (he Hall) and did not neglect his duty. The witness further testified that he did not remember having seen Harry C. Robertson, private secretary to Mitchell, in his rooms on the occasion of his visit to the Senator in Washington in January, 1904. This part of Hall's testimony was discredited during the afternoon session of the Government called Robertson, who testified that both Fulton and Hall called on Mitchell in the latter's apartments on the night of January 17, the day before Hall left Washington for Portland. Robertson testified that he saw Mitchell on the night of January 17, and that he saw Mitchell on the night of January 18, 1904, when the Government directed to establishing the cordial relations existing between Hall and Robertson, Sorenson, F. P. Mays and Peter. In the afternoon Henev managed to draw from the witness an account of his visit to Washington in January, 1904, when the intervention of Fulton between Hall and Senators Fulton and Mitchell when, it is asserted by the prosecution, the arrangements were completed whereby Hall should be reappointed in consideration of protection of Brownell and Campbell from indictment and prosecution for any violation of the land-fraud laws. Hall emphatically denied that during his visit in Washington, he met both Senators Fulton and Mitchell on one day, and insisted that no agreement or understanding was ever reached by which Brownell and Campbell were to have immunity from prosecution for violating any law.

### Hall Tells of Famous Conference.

"I think it was on the afternoon of January 18, 1904, that I met both Senators Fulton and Mitchell in Washington," testified Hall on cross-examination. "On the afternoon of January 18, I took luncheon that day with him and Mitchell. I do not remember that at any time during my visit Fulton mentioned the subject of United States Attorney. On my first talk with Mitchell after reaching Washington, he asked me what was the matter with Brownell; that I was doing to him. I told him I was not doing anything to Brownell, but he said Brownell seemed badly scared and he wanted to know what there was to it. I related to Mitchell the various conversations I had had with Brownell, also my talk with Special Agent R. Greenawald regarding his investigation of charges against Hermann. He informed me that from what he had discovered in his investigation, it appeared that persons by the name of the subject of United States Attorney, had been doing to him. 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