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GOLD LEAF

THAD R. MANNING, Publisher.
VOL. XXVI.

"CAROLINA, CAROLINA, HEAVEN'S BLESSINGS ATTEND HER."
HENDERSON, N. C., THURSDAY, JUNE 20, 1907.

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CHEMIST FINDS NO POISON.

Dr. D. S. Rowland Acquitted of Awful Charge of Murdering His Child.

Hearing in the Case Friday Afternoon—Everything Depending on the Analysis of the Stomach and Other Organs of the Dead Boy, Prosecution Fails When Prof. Withers Reports that Chemical Examination Does Not Reveal the Presence of Poison—A. C. Zollicoffer Representing the Solicitor and Appearing for the Prosecution Relates the Circumstances that Led to the Belief that Dr. Rowland's Son Had Come to His Death by Foul Means—Immediately After His Discharge Dr. Rowland is Again Taken into Custody.

Warrant Charging Him With the Murder by Poison of Engineer Charles R. Strange in Raleigh Served on Him and He is Taken Back There for Preliminary Hearing as Soon as the Chemist Who is Making the Analysis in this Case is Ready to Report.

[In order to get an intelligent understanding of the following it must be recalled that this article was intended for publication last week (the hearing being held on June 17th.) The case against Dr. D. S. Rowland charged with the murder of his little son by poison, particulars of which have been published in this paper, came to an abrupt termination Friday afternoon when upon the facts against the accused was adjudged not guilty and was acquitted of the awful charge against him. Everything hinged upon the report of the chemist who made a chemical analysis of the viscera or stomach, intestines and other vital organs for the purpose of detecting the presence of poison, if any, by which David Austin Rowland came to his death. The hearing had been in progress nearly three hours, the case being heard in the court house which was crowded, when Prof. W. A. Withers, the expert chemist who made the chemical analysis, was called to the witness stand.

The first witness introduced was Dr. K. M. Clark who was called and saw David Austin Rowland before he died. After being asked by Mr. Zollicoffer, who represented Solicitor Daniels and as attorney for the prosecution conducted the examination for the State, as to his residence, profession, the time and place he lived, he testified that he was a practicing physician, etc. Dr. Clark said he knew David Austin Rowland and had known him most of his life. He lived about 2 1/2 miles from Mr. Lew Rowland's where the boy resided and died, and he saw him just before his father, Dr. Rowland, arrested him. He was sick in bed. This was on May 4th, 1907. When he was called to him he seemed to be very restless and was vomiting a good deal. He was suffering from depression. He was not able to sit up and was lying down on the bed. From the expression of his face he seemed to be suffering a good deal. There were no evidences of suffering that he noticed especially. He didn't complain of pain, simply said he was sick. He was conscious but did not call witness' name. He was very restless but did not complain of any special suffering—nothing except nausea and sick stomach. In answer to a question as to what was done to relieve the child's suffering, he testified that he had given water to quiet a sick stomach, and we thought best to give him some also." In reply to a question from Mr. Zollicoffer as to what he meant by saying "witness answered" Dr. Rowland and myself. Being asked what else he did, the reply was elicited that morphine was administered. In answer to a question as to who suggested administering morphine, Dr. Clark answered that Dr. Rowland did. This was done about ten minutes after he arrived. After waiting awhile to see what effect the morphine had Dr. Clark suggested to Dr. Rowland to give him a small quantity of cocaine to produce a quieting effect on the stomach. Dr. Rowland said he thought this was the best thing to do and it was done. Dr. Rowland had Dr. Clark administer it, hypodermically. Dr. Rowland got the cocaine. Witness told Dr. Rowland how much to fix—not less than 1/4 of a grain, but he did not notice the package or bottle from which Dr. Rowland got this cocaine. Being asked about administering a hypodermic of morphine (as already testified to) Dr. Clark said he did not give it, nor did he know how much morphine was given. The child lived about 15 or 20 minutes after witness administered the cocaine. It was about half or three-quarters of an hour as near as witness could remember after the morphine was administered before the cocaine was given. Being asked further as to the condition of the child, his symptoms and suffering after Dr. Clark got there he said he suffered a good deal. He was much nauseated. He vomited a green and white and watery substance, caused by drinking ice water, the witness thought. The white, watery looking part, he meant. Dr. Clark could not say positively how long the child lived after he was taken sick, but from the time that he heard of it, it was about an hour or an hour and a half. He thought it was fully 15 or 20 minutes after the last hypodermic was given before he died. Dr. Rowland told witness he had given a hypodermic of digitalis and strychnine. Asked if he saw the child immediately after death, Dr. Clark replied that he had, and did help to prepare the body for burial. The

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things that would cause ptomaine poison. If the stomach was weak it might be caused by excessive eating of fruits, confectioneries, etc. In reply to question as to whether Dr. Rowland told witness if he had given strychnine and digitalis at the same time or not, and which he gave first, the answer was that he simply said he had given them both. Witness felt the pulse of the child as soon as he arrived, and the condition was small, weak and intermittent. There was a beating, slight and irregular, which was called a flutter. No symptoms were given by Dr. Rowland or any one present that indicated there had been a change in the symptoms of the child since he was first taken sick. Strychnine and digitalis are given to stimulate, being administered in small quantities. Digitalis is given to strengthen the heart and make it beat full and strong. Morphine is a form of opium and is quieting and soothing in effect. Hot water, not hot enough to burn, but to be swallowed safely, was given to soothe the stomach. This was administered by vomiting because the child was vomiting and could not retain it (on the stomach if taken through the mouth) as to the relative quickness of the effect by hypodermic and taken by mouth, it put in the arm it gets into the veins more quickly than if taken in the mouth. A mustard poultice to quiet vomiting and relieve nausea was also applied. In answer to the question as to whether the child died before he was taken to what he said he did not know. He did not say anything about his suffering except that he complained of being sick at the stomach, expressed himself enough to let it be known that he was in possession of his mental faculties. Mrs. Lew Rowland was in the room most of the time. The child had been living at the home of Mr. Lew Rowland about 5 or 6 years witness thought. Asked as to the insurance on the child's life and the request of Dr. Rowland to fill out certificate of proof of death, witness answered in effect as testified in direct examination. (Gastritis and ptomaine poison was inserted in the certificate as the cause of the child's death. On May 18th, 1907, witness went to a notary and made oath that this was the cause of the child's death, and he has not seen or read anything to cause him to change from this opinion and he still thinks that gastritis and ptomaine poison is the only thing that he can attribute the death of the child to. Witness was told that the child had eaten confectioneries, but nothing was said about its eating cherries. He was told by Mr. Lew Rowland that he had eaten confectioneries, and also that he had eaten cake and drank some milk when he returned home the night of the school entertainment, about 12 o'clock. This was the school entertainment at Bobbitt, which closed at a late hour, about midnight.

place, said he did not try to buy it himself. Witness could not be positive whether he brought up the selling of the place or not, but thought the first of it was that he asked him about selling it. Witness said he told about Kittrell that the place could be bought. He did not know that three persons wrote to buy the place and had not heard that two people wrote to buy it and that Mr. Kittrell cut them off by phoning.

CROSS EXAMINATION.
On cross examination witness said the policy was issued in March. Dr. Rowland did not seem to be very anxious for the insurance on the child's life. Witness told him what he had to offer a child of that age, and when he decided to take the policy, witness considered it quite a compliment to him and his company. Asked whether or not at any time Dr. Rowland told him not to issue the policy, witness said he had sent the application to Henderson, thinking the child was there or near there, and Mr. Moss, who is agent for the Virginia Life at that point, said let it go by that it did not amount to anything. In reply to this witness said he would not say until he got it. Dr. Rowland had been witness' regular physician and he owed him a medical account. The policy was paid for by Dr. Rowland receiving the bill, there being a small difference which Dr. Rowland gave him. The premium on the policy could have been collected by the week or month. It is the general custom in Raleigh for parents to insure the lives of their children. Witness had been in Dr. Rowland's office and he thought he had a fine practice.

REDIRECT EXAMINATION.
On redirect examination witness said he had heard that Mr. Kittrell bought the place for \$1,200.00. He had also heard that Guy Barnes tried to buy it but did not know why he did not buy it. Had never heard Dr. Rowland say why he did not sell it before the child died.

PROF. W. A. WITHERS.
Prof. W. A. Withers the most important witness to be examined was at this juncture asked to take the witness stand. All was expectancy and a death like silence pervaded the crowded court room. It was understood that the chemist would report the presence of poison or fall by what the report of the chemist showed—whether analysis of the stomach and viscera of the dead child revealed the presence of poison or not. Prof. Withers gave his age as 43 and his business as professor of chemistry in the Agricultural and Mechanical College. He graduated in 1881 and 1883 and a practicing chemist since 1884, his experience has covered a wide range of study and research. Asked what experience he had in toxicology witness said he had separated poison from three persons from one, strychnine from one, morphine from one, and located poison which was claimed to have been administered and when it was found not necessary to have analysis; examined one and found no poison, and the one in question. Did not know David Austin Rowland and had never seen him. On March 21 he received from Dr. John Hill Tucker what was said to be the stomach and other organs of David Austin Rowland, the case being referred to him for chemical analysis. He made the analysis, the instruments used being of the latest type, the same as those used by the chemist in the case of the child. Witness said he tested for all known poisons except those which Dr. Tucker said he was not necessary to test for. Asked by Mr. Zollicoffer what the results of his analysis was Prof. Withers stated that he found no poison present. "None whatever" was the question propounded. "None whatever" was the reply. "You found nothing in the stomach of a poisonous matter that would produce death?" "No poison." As if to emphasize the matter witness said he had analyzed the stomach of a poisonous matter that would produce death? "None," was the answer given. "Then I understand that you, having had 20 odd years experience in having used the most modern methods for observing and detecting the presence and character of poison, and having stated that there was none to be found, that he had eaten the mysterious matter of poison of any kind was found in the stomach or other organs?" "None, sir," Prof. Withers again declared, and this concluded the examination.

DEFENDANT IS DISCHARGED.
Mr. Zollicoffer then arose and stated that the case against the defendant had been made. The symptoms of the child's death and the suspicious circumstances surrounding it were such as to require a hearing. He said the examination conducted by Justice Garry with the idea that Dr. Rowland should not be presented but that the murder of the child, if it had been murdered, should be vindicated. No one present but Dr. Rowland's innocence to be established than he and in behalf of the Solicitor of the State, and as the representative of the State, he asked that Justice Garry should place the prisoner be released from custody.

WALTER FINCH.
Walter Finch of Kittrell, was called to the witness stand and examined as to the sale of the house and lot in Kittrell by Dr. Rowland, the property of Dr. Rowland, David Austin Rowland, by inheritance from his mother. On Monday after the child was buried Sunday he went to the depot and was talking with Dr. Rowland and he said that he would sell witness his house and lot for \$1,200.00. This was on May 8 and 9 o'clock in the morning.

CROSS EXAMINATION.
On cross examination witness said conversation took place at the depot in Kittrell while waiting for the train Dr. Rowland fixing to return to Raleigh, where he has lived for several years. He had a residence in Kittrell. He asked if he went to the depot to see Dr. Rowland, witness said he guessed so. He went to the depot just to speak to him as much as anything else. Witness did not remember if the train was an hour late or not. He was on the day of a party held at trial there and everybody had to wait for it. He told Dr. Rowland that he had bought Mrs. Persons' place and asked him if he would sell his and he said no, that it was paying 10 per cent on \$1,200.00. But he added after awhile that as the child was dead he would sell the place and he would have the money nearer him he could look after it and make it pay him better. Witness was not certain that Dr. Rowland said he would sell his place before he asked him. He attended the funeral of the child but did not speak to Dr. Rowland. Asked if he remembered that Guy Barnes and Mr. Grissom tried to buy the

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