

'Cancer specialist' accused of practicing without license

"Charged with practicing medicine without a license, E.L. Burns was placed on trial at 11 o'clock this morning before Mayor Malott and a jury of 12 men."

—Bloomington Evening World, March 30, 1908.

It was the death of a 3-year-old Ellettsville boy that brought E.L. Burns to the attention of the law. The man considered himself a cancer specialist.

As the story unfolded in Mayor Claude Malott's court, these were the facts: When Burns first saw the little Sherfield boy, the child was suffering from cancer of the eye. He had been injured in a fall, and his eye had been removed by a specialist, Dr. George Knapp of Vincennes.

When a cancerous growth appeared, Knapp gave the opinion that the boy could not live. That was also the opinion of three other specialists who practiced in Indianapolis.

Enter E.L. Burns, formerly of Columbus, but more recently in business in Bloomington.



LOOKING BACK

By Rose McIlveen

ton. His "business" was curing cancer with the application of mineral water. In the case of the Sherfield boy, the charge was \$25 immediately and another \$25 when the cure had taken place.

The boy's father testified that after the application of the mineral water, the boy seemed to improve. He could even take nourishment. Three days before his death the child contracted a cold, and grew steadily worse until he died.

Among those who testified was Mrs. Sherfield. She confirmed her husband's story about Burns' charges and what he did for the boy. Another witness, a neighbor of the Sherfields, James Keen, said he did not see Burns give the child any medicine.

Continued the *Evening World*, "J.M. Ferguson was the next witness. He is the Ellettsville undertaker, and buried the child on February 25th. Mr. Burns was present when he (Ferguson) called, and Burns said he was caring for the child."

The most important part of Ferguson's testimony was that Mr. Burns issued the death certificate "after Dr. Walter Harris had refused to do so."

After Ferguson's testimony, the State of Indiana rested its case, which was handled by Prosecutor William M. Loudon.

Burns' defense team, Miers & Corr, had not been sleeping prior to the opening of the case. When it was their turn, they produced first a Mr. Peake, whose wife was currently being treated by Burns for cancer of the tongue. Explained the *Evening World*, "Peake says Burns applied no medicine or surgery, but only a mineral wash and that Mrs. Peake was greatly benefited by the treatment."

At that point, Mayor Malott injected some ground rules into the procedure. He said that

"only evidence should be introduced as to the method of treatment and not as to results obtained."

Another witness for the defense was Daniel S. Rawlins, suffering from cancer of the face for some 14 years. Burns put on his face water and some kind of powder.

The mother of Mrs. Peake testified that Burns used mineral water and massage on her daughter's tongue. When she was asked if Burn's treatment helped Mrs. Peake, the mother replied, "Yes, indeed he did."

Burns testified on his own behalf, saying that he "never practices medicine or surgery. He had previously practiced in Peru, before moving to Columbus.

A jury composed of Cruden Spencer, Will Rogers, Edward Neeld, John Kerr, Rev. Perdue, Mose Kahn, Edward Jackson, Andy Hazel, Stanley Vernon, George Hays, H.C. McNeely and Harmon Creech found Burns not guilty. In spite of the verdict, it is likely that Burns decided to move on to share his expertise with citizens in another city.

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