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Experts Gather As Trial For Ogden Opens

Dr. Frank N. Ogden, 61, veteran fire department physician, today went on trial in Criminal Court in a case that is regarded of paramount importance to the medical profession and which has resulted in a large panel of medical experts sitting through the proceedings to express expert opinion.

Dr. Ogden previously had pleaded innocent to the five charges, which consist of four indictments charging issuance of narcotics prescriptions which were not in good faith and were not in the course of proper professional practice, as well as a fifth charge of failing to keep proper narcotics records.

A sidelight of the case deals with the police use of a portable recording device, which an addict wore concealed in his clothing when he consulted Dr. Ogden last May as a agent for the police.

Device Protested

Defense counsel, Edward A. Smith and G. C. A. Anderson, protested at the opening of the trial concerning the use of the recording device, saying that the person who went into the doctor's office already "bugged for sound" had gone, so far as the doctor was concerned, in a "physician-patient relationship."

The individual carrying the concealed recorder was a seaman, Marlin J. Parkhill.

The defense lawyers also protested that, in a prior demonstration of the recording, that was played back for them at police headquarters, the sound of the supposed dialogue "was just Donald Duck."

A well-known public court stenographer, who had been engaged by the defense to make a transcript of the dialogue had reported back that he was unable to make such a transcript, the court was told.

Treatment Criticized

The defense also criticized the treatment of the doctor by the police narcotics squad. In protesting the type of treatment, including the trap set for the recorded dialogue, Mr. Smith called Lieut. Joseph Carroll, "honest but pretty enthusiastic."

John C. Weiss, assistant State's attorney, arraigned two addicts who figure in the Ogden case, on separate charges of their own just before Dr. Ogden was called to trial. The cases were not disposed of, although both men entered pleas of nolo contendere, which did not deny guilt.

The two were Parkhill, the man who had carried the recorder into the doctor's office and who lives in the 800 block South Bond

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Ever Seen

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Dr. Ogden's Dope Trial Starting

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street, and Grady Wilbert Morris 48, ship engineer, of the 1500 block Lancaster street, for whom Dr. Ogden is charged with prescribing large amounts of dolophine, a synthetic morphine.

Not Soluble

The defense stressed the fact that most of Dr. Ogden's prescriptions were for dolophine. Dolophine tablets are not soluble, and therefore cannot be used by the so-called "main-line shooter" drug addicts who usually melt dope to inject it into their veins.

The charges assert that Dr. Ogden prescribed quantities of liquid dolophine to some patients.

According to the defense the case presents and accents some of the differences of opinion concerning the handling of the narcotic problem.

One defense expert is to be Dr. Laurance Kolb, of Washington, who some months ago in the *Saturday Evening Post* discussed the narcotics problem and proposed that addicts really should be handled as sick people, not as criminals.

The Maryland statute says that physicians may prescribe narcotics, pointed out the defense lawyers in urging that Dr. Ogden was carrying out his duty as a physician in prescribing for, on a medical basis, the various addicts who came to him for help.

Hours Arranged

Revealing that the trial is to be long and drawn out, counsel for both sides made arrangements with the court for early sessions beginning at 9.15 A.M., and late sessions running well after 6 P.M. Because of health of some persons attending, there was opposition to actual night sessions.

Mr. Weiss, in his opening statement before Judge Joseph L. Carter, noted that periodic check-ups by Federal authorities had brought to light the large number of prescriptions issued to certain addicts by Dr. Ogden.

In one instance, the prescriptions were for an addict that the Government, more than three years ago, had cautioned Dr. Ogden about prescribing for.

Addresses Cited

In many instances false addresses had been put down by the doctor, Mr. Weiss asserted.

He said that State witnesses would quote Dr. Ogden as saying that "names don't mean anything to him and that he would prescribe for any patient that is ill."

The State also contended that in addition to the four persons named in the indictments as receiving prescriptions, the police had unearthed 41 other prescriptions for various patients where "phony addresses" were used.

The defense protested against the bringing in of any data concerning patients not actually named in the narcotics indictments.