



Dr. Mitchell House 307 South Church Street-Richland County History Room photo.

Dr. Mitchell Houses 307 S. Church St. and 288 S. Park St. circa 1860s & 1880s.

Dr. George R. Mitchell was attending medical school in Chicago at the time of the Chicago fire in 1871, after further study in Detroit he came to Richland Center in the fall of 1872, to look over the town. In the spring of 1873 he brought his bride, Laura Douglas Mitchell, to live in a little frame house at the SE corner of Haseltine and Church Streets, across from the Center Hotel. Dr. Mitchell was a homeopathic physician and was to serve Richland Center and the surrounding area for forty years. In the early 1880s, Dr. Mitchell moved his little white frame house to the south and built a venerated brick one in its place.



Dr. Mitchell - Marie Faber photo.

Dr. Mitchell's patients came to consult him at this residence until the early 1890s. It was at this house on Jan. 8th, 1891, that the infamous murder case involving Rose Zolduski and Ella Maly occurred. Zolduske was found guilty but was later pardoned by Governor Upham in 1897. After the Zoldusketrial Dr. Mitchell sold this home to Dr. Coates and moved to the former Dodge property located at 288 S. Park St. This house was also known as the Crumbecker house, for the man by who purchased it after Dr. Coates and operated a store in the building on the corner across Haseltine Street to the north.

At the new house, Dr. Mitchell saw patients in an addition at the back of the house before building a little white frame office to the south of the home. Dr. Mitchell was a typical hometown and country doctor that made many rural calls, summer or winter over rough country roads. Dr. Mitchell also served as the city health officer until 1914.

Dr. Mitchell also owned the Center Hotel for a brief time in the 1890s to early 1900s calling it the Mitchell House. He sold the hotel in 1903 to A.D. German who renamed it the Badger Hotel and he

eventually built the German Warehouse on that site. Dr. Mitchell married Minnie German, a sister of A.D. German, after the death of his first wife Laura. There was speculation that Rose Zolduske had also poisoned her 9 months prior to the death of Ella Maly. One of Dr. Mitchell's sons, George, served as a governor on the Federal Reserve Board.



Minnie (German) Mitchell and daughter Margery - Marie Faber photo.

The following narrative, written by D.A. Wilson of the Grant County Historical Society, recounts the tale of the most infamous murder case in the History of Richland County.

“Rose Zoldoske, calculating murderess or victim of circumstance?”

Rose Zoldoske (also spelled “Zoldoski” in some accounts) was born and raised in Ithaca, Wisconsin. She moved to Richland Center in 1888 and rented a room in the home of Doctor George R. Mitchell and his wife Laura. She became a friend and confidant of Mrs. Mitchell, and helped care for their ten year old son Freddy. Rose found work in Mrs. Wilson’s millinery shop, and became friends with other young women in her church. In February of 1890 Laura Mitchell had a baby she named Lottie. She was ill for weeks after the baby’s birth, and Rose took on the job of caring for the child. On March 25 her illness worsened and she went into convulsions. She died within hours. In the months that followed Rose, along with an elderly roomer and a hired girl named Annie McLaren cared for Freddy and the baby.

Later, when the shadow of suspicion fell on her for the poisoning death of one of her friends, the stories and rumors flew. She was alleged to be in love with the handsome doctor, and insanely jealous of others who received his notice.



Ella Maly and sister Lilly - Richland County History Room photo.

On the night of Jan. 8, 1891 Rose Zoldoske invited a few of her friends to her home (Dr. Mitchell’s house) for a party. Among those invited were sisters Ella, age 23, and Lilly Maly. The guests were served oyster soup, oranges and cake. Before eating, Rose said she was sick and went up to her room. A friend went up to see her, and Rose, she alleged asked her to send up Ella Maly. They talked for a while and then Rose came down and joined the group. At about eight o’clock Ella and Lilly decided to go home. Rose called them into the room where their coats were and from a bag she poured some chocolate creams into her hand and gave them to Ella, then she poured more into her hand and gave them to Lilly. She had purchased chocolate creams earlier in the day from two different shops. As she

left, Ella ate one of the chocolate creams she had just received. Within minutes she felt a strange sensation in her legs, then in her arms. She said she could walk no further and fell in the snow beginning to convulse. Doctor Mitchell and another Doctor named Haskell were called.

Ella was taken to her parent’s home where she suffered convulsions until midnight when morphine and chloroform were administered by the doctors to ease her suffering. Soon the convulsions returned and she died at 7 a.m. on Jan. 9, 1891.

Rose went to work the next day not knowing that Ella had died. When she was told she became ill and was assisted in getting home by her employer Mrs. Wilson. Later in the morning Dr. Mitchell came home and told her she was under suspicion of poisoning Ella Maly. After he left she became ill again and went to her room where, Annie McLaren testified she commenced to moan. McLaren said she went up to check on her and later testified that Rose said to her “Suppose there was poison found in Ella’s stomach, could they tell what that poison was taken in? If one was sentenced to the

penitentiary, would it be a life sentence?" The hired girl replied "I suppose the house will be searched, so that they can ascertain if there is anything about the house to cause suspicion to rest upon it."

She testified that Rose went upstairs and soon returned with a small package in her hand that she threw into the stove. The hired girl testified that Rose then discussed with her the death of Mrs. Mitchell and said that she might have eaten poison also and been persuaded by Dr. Mitchell to take it. Rose went to the funeral of Ella Maly, collapsed and had to be assisted out of the church. A post mortem examination of the body of Ella Maly was conducted by a specialist, Professor Haines, who later testified that he had extracted three eighths of a grain of strychnine from the contents of her stomach and liver. One half grain of the poison was stated as sufficient to constitute a fatal dose. The body of Mrs. Mitchell was exhumed and her stomach was sent to Rush Medical Institute in Chicago where a small amount of strychnine was extracted from her stomach as well. During the trial Dr. Mitchell was questioned about Mrs. Mitchell's final illness. He stated that he listed her death as from convulsions. When asked how he treated his wife he stated he had administered "nux vomica" to her. Nux vomica is a medication made from seeds of the strychnine tree, *Strychnos nux-vomica* L. In those days doctors used opiates, cocaine, and poisons fairly regularly in treatment regimens.



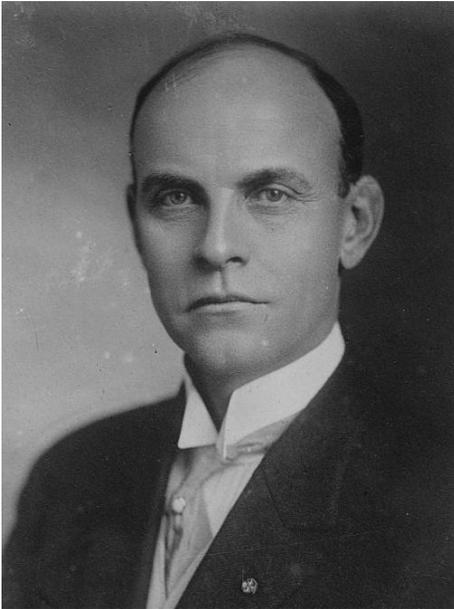
Rose Zoldoske - Richland County History Room photo.

Dr. Mitchell testified that he had a labeled bottle of strychnine kept in his medicine cabinet which he used before his wife's death to treat cheese used to kill mice and rats which had gotten into the house. He said that he had examined the bottle and could notice no difference in the amount of poison in the bottle after his wife and Ella Maly had died. Rose Zoldoske was taken to jail on Jan. 14 and charged with the murder of Ella Maly. Her trial began in June 1891. At the request of her lawyer the trial was moved to Grant County. Large numbers of people witnessed the trial and it was the talk of the county. Rose made a good impression on the people of Lancaster. She was photographed in her jail cell surrounded by floral wreaths and bouquets sent by the young women of Lancaster. Mr. Joseph T. Bennett of Lancaster said that the demand for photographs of her was so great they could not keep up. When the trial began Zoldoske's lawyer requested that the witnesses for the prosecution not be allowed to be present in the courtroom to hear the testimony of the other prosecution witnesses. Judge Clementson said, "I see no really good reason why this rule should be enforced in this case" and denied the request.

Testimony was given that Ella had accompanied Dr. Mitchell to practices for church concerts and had walked her home a time or two, the inference being that this had caused Rose to become jealous and fear that he would marry Ella rather than her. A witness also testified that before her death Mrs. Mitchell had said that if she should die the doctor would be paying attention to Rose within two months and would marry her within six months. Others testified that Rose had asked several women to put in a good word in for her with Doctor Mitchell as well as asking Doctor Lovering to do the same. Those witnesses said she had offered them money for this service.

Though Levi Bancroft, Rose's attorney, never let her testify in her own defense, she later said Dr. Lovering lied about her having sent him a letter. She said the discussions with the women were in jest and that they often made this sort of prattle. She stated that she had not poisoned either Ella Maly or Mrs. Mitchell. There was no evidence submitted to show that Rose Zoldoske ever had possession of any poison, nor was any other physical evidence submitted tying her to the crime. District Attorney F.W. Burnham of Richland Center told the jury, mostly Grant County farmers, that the evidence was circumstantial, "little incidents standing alone seem of little importance," he said, but "when brought together to support each other they bring a great fact into view." Her attorney, Levi H. Bancroft said that the witnesses

against Rose were “vinegary old maids” and continued; “In March 1890, Mrs. Mitchell was confined. A babe was born who still lives. She was sick for a week, had convulsions through the week, such as the one in which she died. Soon after her death the gossips had it that Rose Zoldoske would now soon be Mrs. Mitchell, and the gossips did the rest of it...The defendant had nothing to do with preparing the supper at the party. She wanted him (Freddie) to get the candy, but he declined. The girls went into the room and Rose passed the paper of candy, both receiving some. For a period of 11 hours she (Ella Maly) survived...Physicians reported at the inquest that Ella Maly died a natural death.” After testimony from women she had called friends, and others she alleged were lying, she was found guilty by a jury that at first had been divided. Jurors later said that the foreman of the jury, Charles H. Baxter, later a state senator, had forcefully argued for conviction and had threatened physical violence against the last two men on the jury who held out for her innocence. They had acquiesced reluctantly.



Levi H. Bancroft - defense attorney - Richland County History Room photo.

After entering the penitentiary, large numbers of citizens signed petitions asking Governor Peck to pardon her. Signatures came from all the cities and towns of Grant County. Much of the opinion was that she had been convicted by the rumor mongering citizens of Richland Center and on no other real evidence. The case was appealed to the State Supreme Court for several reasons: that the guilty verdict was entirely based on circumstantial evidence and unsubstantiated witness testimony regarding her comments; that other hypothesis could be drawn from the testimony and evidence to implicate others, including Freddie and Dr. Mitchell; that the court in its instructions to the jury allowed a presumption of guilt solely because Rose did not introduce evidence or testify; that Maly lived too long after the onset of her symptoms for it to be attributed to strychnine, which was known to cause death in 2 to 3 hours; that evidence of the cause of Mrs. Mitchell’s death should not have been allowed in evidence because the issue at trial was the death of Ella Maly (Judge Clementson instructed the jury that if they believed that Mrs. Mitchell’s death was caused by strychnine poisoning and not the nux vomica Dr. Mitchell administered they could consider that in deciding whether Ella Maly’s death

was an accident or not); that the judge instructed the jury to determine if strychnine was the cause of death, and separately to determine if it was a suicide or accidental ingestion. The Supreme Court refused to overturn the conviction and in 1894 Governor Peck refused to consider a pardon.

In January of 1897 Governor W.H. Upham pardoned Rose on the last day of his term of office. Editorial opinion on the whole favored his action. “It has been the opinion of the greater part of the Wisconsin press” one editor wrote “that Rose was not guilty of the crime for which she was serving sentence. She was found guilty of murder in the first degree by a jury, which verdict was rendered after listening to a chain of evidence which was purely and wholly circumstantial.” The State Register editorialized, “The people of the state are nearly unanimous in the opinion that Miss Zoldoski was innocent and those who have followed the testimony and have judged from the circumstances surrounding the case and trial, outside of Richland Center, are practically unanimous in the opinion that she was not guilty.”

Judge George Clementson was outraged by Gov. Upham’s action; “The pardon of Rose Zoldoske I regard as a perversion of justice and an outrageous exercise of the pardoning power. When the trial was ended I was absolutely convinced that Rose Zoldoske was guilty of murdering Ella Maly with premeditated design and that it was also very probable that she had murdered Mrs. Mitchell a year before by poisoning her with strychnine. I regard this pardon as one that will greatly add to the feeling...that our present methods of dealing with criminals are inadequate for the protection of the people and that it will give another excuse for the exercise of mob law.”

After her pardon Rose left Wisconsin and moved to Oklahoma to live with her father. She does not appear in later census reports, so presumably she married and lived a quiet life. Dr. Mitchell continued to practice medicine in Richland Center. Initially his practice suffered. In Nov. 1892 he married Minnie German. Her family opposed the marriage. His son

Frederick “Freddie” Mitchell became a physician. Another son by Minnie German Mitchell, George W. Mitchell, became a member of the Board of Governors of the Federal Reserve. In 1917 Dr. Mitchell and his wife moved to Madison.



Mitchell House – 288 South Park Street - Richland County History Room photo.