

MEETING OF THE BOARD OF MEDICAL EXAMINERS
OF NORTH CAROLINA

Sir Walter Hotel, Raleigh, North Carolina
June 20th-24th, 1948.

The Board of Medical Examiners of the State of North Carolina met in the Elizabeth Room of the Sir Walter Hotel, Raleigh, North Carolina, Sunday, June 20th, 1948, at 7 P. M. for a dinner meeting.

The meeting was called to order by Dr. Malory A. Pittman, President. Drs. Charles W. Armstrong, M. D. Bonner, Thomas Leslie Lee, R. B. McKnight, Paul G. Parker, Ivan Procter, Secretary-Treasurer, and Mrs. Louise J. McNeill, Assistant Secretary-Treasurer, were present.

The agenda for the meeting was discussed.

The following letter under date of June 5th, 1948 from Dr. H. S. Willis, Superintendent, North Carolina State Sanatorium, was presented to the board:

"The matter under consideration in respect to the Sanatorium is this: Dr. Sun has agreed to come to the Sanatorium for one year. He is in this country in training for a two year period, having spent his first year at Bellevue Hospital. In view of the fact that he is not a resident of this country, the Emigration Bureau will not allow him to assume a position at a regular salary appointment. It had been the Sanatorium's hope, therefore, to pay him a stipend agreeable with the Emigration Service and let that stipend stand as a fellowship. The contact with your office was to have approval of this venture so that the man could take his place here among us on a fellowship basis for one year. Perhaps if the Board does not require a license for one working in an institution as an interne for one year it would not require it also for one working for that time on a fellowship appointment. If that is true, I should be very happy to hear from you."

The board voted to grant Dr. Sun permission to serve one year at the North Carolina State Sanatorium and the secretary so advised Dr. Willis.

Dr. Ernest Hofbauer, graduate of the University of Vienna in 1930, a diplomate of the National Board of Medical Examiners and licensed in New York and New Jersey, appeared before the board and applied for permission to take its written examination for licensure.

The following letter under date of April 30th, 1948 from Dr. J. F. Robertson, Wilmington, N. C., was presented to the board:

"I am enclosing a letter that I have just received from Dr. Hofbauer. He is a Viennese refugee, who came to this country in the early days when Hitler was just taking over Austria. He served a one year Internship at our hospital and since has practiced at various places, mostly doing Industrial work. He obtained a license in New York State and I think he passed the National Board. He married a very nice Wilmington girl, and of course she and he would like to come back here to locate. What would be the attitude of your board towards his applying for license at this time?"

The board advised Dr. Hofbauer to apply to Dr. David A. Young, General Superintendent of the North Carolina Hospitals Board of Control, for an appointment to work in the State's mental institutions as per the resolution of the Board of Medical Examiners on January 12th, 1948. Dr.



Hofbauer indicated that he would follow the advice of the board.

The following are letters from Dr. F. Burnarde Hill, Secretary of the Cabarrus County Medical Society under date of May 13th, 1948, and the reply of the secretary, Dr. Ivan Procter, under date of May 19th, 1948.

"At the May meeting of the Cabarrus County Medical Society, 6 May 1948, there was a discussion of the two resolutions passed by the State Board of Medical Examiners on January 12, 1948; by a hand vote this Society voted to disapprove the resolution concerning temporary approval of certain physicians to practice within the confines of our state mental institutions. Also by hand vote, the second resolution concerning permission to take the examination for medical licensure in North Carolina by Class B graduates prior to 1946 following a minimum of two year internship, was approved. As secretary of this Society, I have been advised to inform you of these actions."

"I have your letter of May 13th relative to resolution by the North Carolina State Board of Medical Examiners attempting to alleviate the shortage of physicians necessary for minimum care of patients confined within the state mental institutions.

"The board is very sorry that your society can not agree with its action, but it is placed that you have frankly advised us of your opinion.

"Attached is a copy of letter reporting this action to the president of the North Carolina State Medical Society and also a copy of his reply.

"The board feels that its action was in the best interest of patients confined in the mental institutions, the public at large, as well as the profession in North Carolina."

The board tabled the matter of setting the date and place of the fall meeting until the meeting on July 22nd, pending the need for same. If there are as many as twenty-five applicants for licensure by endorsement, a meeting will be held.

Dr. Charles W. Armstrong moved that the winter meeting of the Board of Medical Examiners be held at the Sir Walter Hotel, Raleigh, North Carolina, January 17th, 1949. This motion was duly seconded and passed unanimously.

The following letter under date of June 8th, 1948 from Mead Johnson Fellowships was read to the board:

"I hold the position of Executive Secretary of the Mead Johnson Fellowships of the Society for Pediatric Research. The objective of these Fellowships is to bring over physicians or surgeons from abroad for postgraduate training in pediatrics. Since I am responsible for the proper placement and supervision of the training of these Fellows, I am writing to ask if there are any State regulations governing their professional activities during the year of their Fellowship."

Dr. M. D. Bonner moved that the secretary reply that the board would consider each applicant individually. This motion was duly seconded and passed unanimously.

The minutes of the board for the meeting May 4th, 1948, were read and a correction was made to insert the word "medical" on page 165, paragraph 4, line 1, to precede the word "license". Dr. Thomas Leslie Lee moved that the minutes be approved as corrected. This motion was duly seconded and unanimously passed.



IN RE: Dr. John S. Stone: Dr. M. D. Bonner advised that Dr. Stone had not reported to him since the May 4th, 1948 meeting; that he had directed Dr. Stone to request Dr. C. V. Tyner to make a report to him, which report had not been received. The board directed the secretary to procure such report from Dr. Tyner.

The members of the board signed their names to the certificates.

The meeting was adjourned.

Monday, June 21st, registration of applicants for Part I and Parts I and II of the written examination was completed.

Sixty-seven applicants registered for Part I and twenty-five for Parts I and II of the examination.

The schedule for examinations was as follows:

Monday, June 21st	10 A. M.	Anatomy, Embryology, Histology
	2 P. M.	Chemistry and Physiology
Tuesday, June 22nd	10 A. M.	Pathology and Bacteriology
	2 P. M.	Surgery
Wednesday, June 23rd	10 A. M.	Pharmacology, Pediatrics, Hygiene
	2 P. M.	Medicine and Therapeutics
Thursday, June 24th	10 A. M.	Obstetrics and Gynecology

Tuesday, June 22nd, registration of applicants for Part II of the written examination was completed. Eighty-eight registered for Part II; making the total number of applicants one hundred and eighty.

Candidates for licensure by comity were interviewed and thirty-six physicians were granted license, said physicians being as follows:

<u>NAME</u>	<u>MEDICAL SCHOOL</u>	<u>ADDRESS</u>
Acree, Page Waddill	Jefferson Med. Coll.	Aberdeen, N. C.
Brenizer, Addison Gorgas, Jr.	Harvard University	Charlotte, N. C.
Burnette, Howard Olsen	Medical College Va.	Richmond, Va.
Cochran, Carlisle Callahan	Medical College Va.	Monroe, N. C.
Corkey, Elizabeth Moon Conrad	University Michigan	Goldsboro, N. C.
Dalton, Horace Milton	University Virginia	Norton, Va.
Davis, Cornelius Carter, Jr.	University Penn	Clarksburg, W. Va.
Derrick, Walter Ansell	University Virginia	Asheville, N. C.
Gobbel, Walter Gothard, Jr.	Duke University	Durham, N. C.
Hall, James Brownlee	University Penn	Charlotte, N. C.
Harnsberger, James Power	Medical College Va.	Davidson, N. C.
Marks, Edgar Seymour	Bowman Gray	Greensboro, N. C.
Mease, Willis Eugene	University Nebraska	Hot Springs, N. C.
McGavran, Edward Grafton	Harvard University	Chapel Hill, N. C.
McLeod, John Calvin, Jr.	Tulane University	Bay Minette, Ala.
McMahon, Daniel Patrick	University Buffalo	Canisteo, N. Y.
McMurray, Dorothy Elizabeth Gore	University Oklahoma	Winston-Salem, N. C.
McPherson, Samuel Dace, Jr.	Johns Hopkins Univ.	Durham, N. C.
Quisenberry, Rhodes Woodford	Medical College S. C.	Raleigh, N. C.
Ramsey, William Arnold, Jr.	Medical College S. C.	Tryon, N. C.
Reeder, Oscar Samuel	Medical College S. C.	Washington, D. C.
Roth, Lionel Andre	College Medical Evan.	Midland, N. C.
Segerson, John A.	University Rochester	Durham, N. C.
Sheehan, Fred M.	Northwestern Univ.	Chicago, Ill.
Smith, Amaziah Parker	Johns Hopkins Univ.	Los Angeles, Calif.
Stephens, Freeman Irby	Columbia University	Asheville, N. C.



<u>NAME</u>	<u>MEDICAL SCHOOL</u>	<u>ADDRESS</u>
Stephenson, William Vincent	Ohio State Univ.	Toledo, Ohio
Taylor, Eugene Emerson	Washington Univ.	Mocksville, N. C.
Turner, John Riley	Emory University	Louisburg, N. C.
Valk, Henry Lewis	Duke University	Winston-Salem, N.C.
Van Epps, James McCone	Loyola University	Chicago, Ill.
Vick, Herbert Walter	Meharry Medical Coll.	Fayetteville, N. C.
Watkins, William Thurman, Jr.	Duke University	Durham, N. C.
Woods, James Watson, Jr.	Vanderbilt Univ.	Philadelphia, Pa.
Yount, Ernest Harshaw, Jr.	Vanderbilt Univ.	Newton, N. C.

Dr. R. B. McKnight moved that ^{Dr.} John Riley Turner be granted a medical license by endorsement of credentials if he is considered an alumnus of Emory University, a grade A medical school. This motion was duly seconded and passed unanimously.

The following applicants for licensure by endorsement of credentials appeared and requested a personal appearance, though their credentials were not completed:

Dr. Noah Hampton Childs
 Dr. Pratt Cheek
 Dr. H. M. Dalton
 Dr. J. C. Bovill
 Dr. P. W. Acree
 Dr. James W. Woods
 Dr. H. J. Hancock

Dr. R. B. McKnight moved that the credentials of the above named physicians be reviewed by Dr. Ivan Procter, Secretary, and if satisfactory, that license be granted. This motion was duly seconded and passed unanimously.

Dr. Renzo H. Sutter, graduate of the Medical School of the University of Havana, who was granted a limited medical license to practice in the County of Surry, North Carolina for one year, June, 1947, appeared and requested the board to grant him an unlimited license to practice in the State of North Carolina.

Dr. Paul G. Parker moved that Dr. Sutter's license limited to the practice of medicine in Surry County, North Carolina, be extended for one year. This motion was duly seconded and passed unanimously.

Dr. Ellanor Lockhart Waterhouse stated at the time of her appearance requesting licensure by comity that she had previously had a positive diagnosis of pulmonary tuberculosis.

Dr. R. B. McKnight moved that Dr. Waterhouse be instructed to report to Dr. H. S. Willis, Superintendent of the North Carolina State Sanatorium, McCain, North Carolina, for examination to determine whether or not she is in an infectious state in order that the board may have information pertinent to the granting of medical license. This motion was duly seconded and passed unanimously.

IN RE: Dr. Wiley Royster Young: Dr. Young, whose medical license was revoked on October 20th, 1947, appeared before the board with the request that his license be restored upon the grounds that the reason for revocation had been removed; that is drug addiction.

Dr. Procter: When was the last time you took any narcotic drugs?

Answer: August, 1947.



Dr. Procter: Tell the board what you have done since the time of the revocation of your license October 20th, 1947.

Answer: I was admitted to the State Hospital August 29th, 1947 and discharged October 28th, 1947. Since that time I have been back at home.

Dr. Pittman: We will hear from Dr. Paul C. Parker, who lives near you, as to whether or not he has made any investigation.

Dr. Parker: I have made some investigation and am convinced that he has been free of drugs since August, 1947.

Dr. Young presented letters from Dr. S. Glenn Wilson, Angier, N. C., T. F. Adams, County Commissioner, Willow Springs, N. C., and Garland E. Midyette, United States Probation Officer, stating that Dr. Young had made every effort to rehabilitate himself and that in their opinion he and the public need of physicians would be benefited by restoration of his medical license at this time.

The following letter under date of November 29th, 1947 from Dr. R. G. Blackwelder, Superintendent of the State Hospital at Raleigh, North Carolina, was presented to the board:

"This will certify that the above named patient was admitted to this hospital on August 29, 1947, by self commitment, for the treatment of drug addiction. He was discharged on October 28, 1947.

"At the time of admission he gave a history of having taken morphine periodically over a period of several years. He was placed on the reduction schedule, and was gotten completely off of morphine on the 7th day following admission. He received no further opiates during his stay in the hospital. He was cooperative, and expressed a sincere desire to rid himself of the habit. At the time of his release his general physical and nervous state was good. He had gained weight, and it was my opinion, and the opinion of other physicians seeing him while he was here, that he could get along without the use of opiates if he had a sincere desire to do so.

"Dr. Young came by the hospital on November 28th and I talked with him personally. He appeared to be in good condition, and showed no evidence at that time of having resorted to the use of opiates since leaving the hospital on October 28th. A test for the presence of morphine in his urine was made and this was negative. It is impossible for me to say from examination and interview of Dr. Young that he has not taken any narcotics since his release. However, it is my opinion that he has refrained from their use, and this is further borne out by the test from specimen of his urine which was taken in my presence, and without Dr. Young being aware that this test would be made before he came to the hospital. As previously stated, I believe that he can get along without the use of opiates if he has a sincere desire to do so. According to examinations made while he was a patient here he has no organic condition that would require the use of opiates in any form."

The following letter under date of June 17th, 1948 from Dr. Allyn B. Choate, Chairman of the State Mental Hygiene and Rehabilitation Committee, was presented to the board:

"At a meeting of the Mental Hygiene Committee held at Pinehurst 1st February, we discussed Dr. Wiley Royster Young of Angier, N. C. at some length.



"Dr. Young had been to Duke to confer with Dr. Leslie Holeman and after his report to the committee it was unanimously recommended that Dr. Young work in some field outside of medicine for a year, probably manual labor. At the end of the year if a good record has been made, this committee will be glad to have Dr. Young find institutional work for a period of a year and if at the end of that time his record is clear, we would request the Board of Medical Examiners to grant him a license.

"Dr. Young felt that he could not meet with these recommendations and then we suggested that he see Dr. Burke Suitt at Duke or Dr. Lloyd Thompson at Bowman Gray and we would be glad to review his case if either of these men recommended it. This he has not done. The committee feels this is a pretty stiff recommendation but Dr. Young's record of relapses are many and at the time of his trial we went to bat for him and we feel that we were very influential in getting him off with a suspended sentence."

Dr. Young stated that it would be difficult to do manual labor; that he would have to leave home to procure that type of work and could not support his family. He said that it was necessary that he make some financial arrangements for his family immediately; that he had earned no money in one year. Dr. Young said he felt the two most important things in rehabilitation were a satisfactory home life and satisfactory work and to break up his home would not seem the best way of rehabilitation. He also said that he was not asking for a narcotic license; that he did not feel it advisable; that he was not asking for an unlimited, permanent license, but was asking to practice medicine under any supervision the board desired. Dr. Young stated that he had been working on his father's farm, had a vegetable and flower garden, and had planted fruit trees.

After due consideration the Board of Medical Examiners decided to communicate with the chairman of the State Mental Hygiene and Rehabilitation Committee and asked Dr. Young to appear again before the board on Wednesday, June 24th.

The following letter under date of June 22nd was sent to Dr. Choate, Chairman:

"The State Board of Medical Examiners has asked me to send this letter and enclosures concerning the request of Dr. W. R. Young for restoration of his license.

"Dr. Young has been working hard at manual labor for a period of six months. The board has every reason to believe that he is entirely off of narcotics and barbiturates. His general appearance verifies this belief. In addition Dr. Paul G. Parker, a member of this board, has kept in close contact with Dr. Young and substantiates this belief; namely, that he is off of drugs. Dr. Young's financial situation is such that he considers it necessary that he resume practice at the earliest possible moment.

"This board does not feel that it should restore a license without making contact with the Committee on Rehabilitation of the State Medical Society. Do you believe your committee would object to Dr. Young's license being restored with a definite understanding that permanent revocation will take place should he fail to abstain from the use of narcotics? The board would like to restore his license but we would prefer to have your opinion as chairman of this committee. The board feels that the immediate restoration of Dr. Young's license is urgent if he is to be rehabilitated.

"We have no intention of recommending to the Narcotic Bureau that the narcotic license be restored at this time. .

"I will call you at home Wednesday morning at eight o'clock."

Signed R. B. McKnight"

The meeting was adjourned.

Wednesday, June 23rd.

IN RE: Dr. Wiley Royster Young: Dr. R. B. McKnight reported to the board that he had talked with Dr. A. B. Choate, Chairman of the State Mental Hygiene and Rehabilitation Committee, over long distance telephone. Dr. Choate advised that he had communicated with other members of his committee with reference to letter written him as to Dr. Young; that it was the unanimous opinion of the committee not to recommend that Dr. Young's medical license be restored as he had not co-operated with the committee nor the Board of Medical Examiners; that he had relapsed four times. Dr. Choate also stated that any action taken by the Board of Medical Examiners as to restoration of Dr. Young's medical license was perfectly satisfactory to the committee.

Dr. Ivan Procter moved that the question of restoration of the medical license of Dr. Young be re-considered at the July meeting of the board.

VERDICT: Dr. Paul G. Parker moved that the medical license of Dr. Wiley Royster Young be restored on condition that he refrain from the use of drugs for a period of two years and that his license be automatically revoked if at any time he used drugs; also provided that he report to Dr. Paul G. Parker monthly and if at any time he failed to report that would constitute the same as a violation. This motion was duly seconded and passed by a vote of five to two.

Dr. Ivan Procter went on record that so many restrictions were placed on the restoration of Dr. Young's license that in his opinion it was wrong to restore the same.

RE: Dr. Vernon John Kinross-Wright

The following letter under date of June 18th, 1948 from Dr. Vernon Kenross-Wright, Assistant Psychiatrist at the Mental Hygiene Clinic, Charlotte, North Carolina, was submitted to the board:

"Dr. R. W. Southerland has recommended that I write to you to inquire about my position as a medical practitioner in Charlotte. I am a British psychiatrist and have come over here to take up an appointment as psychiatrist to the Charlotte Mental Hygiene Clinic on the recommendation of Dr. R. Burke Suitt. I graduated in England from both Oxford and London Universities. I also have a London diploma in psychological medicine. I would like to know what limitations are imposed on my practice here. Is it, for example, in order for me to examine patients outside the Clinic? What steps would I be required to take to admit me to the full status of physician in this State? I propose to remain here for a period of at least one year. I shall be most grateful for any help you can afford me in this matter."

Dr. David A. Young, General Superintendent of the North Carolina Hospitals Board of Control, appeared before the board in connection with the status of Dr. Kinross-Wright. He stated that he is an English psychiatrist, who was brought here as director of the Mental Hygiene Clinic and that no one anticipated the problem of licensure and that now the question has been raised that he would not be able to get a license. Dr.



Charles Gay asked him to ascertain what he could do. Dr. Young stated that Dr. Gay had been of some help to him, but did not know whether the same rule would apply as that covered under the recent resolution of the Board of Medical Examiners in regard to physicians working in State Mental Institutions.

Dr. Young stated that he would be willing for him to work under his supervision and be paid by state funds, though he was not certain whether he would be fully on his payroll and would probably be indirectly under his supervision, if that would make his status the same as that of foreign graduates working in the State Hospitals. If Dr. Kinross-Wright were indirectly under his supervision, he could have him serve directly under a licensed physician. Dr. Young stated that he did not know a great deal about this physician, but that he was certain the Charlotte Clinic had gone into his credentials thoroughly.

Dr. Bonner: Is there any likelihood that he would stay on after this year?

Answer: One year so far as he knows.

Dr. McKnight: He is employed for one year?

Answer: One year temporarily.

Dr. Procter: Could you fire him?

Dr. Young: Yes, if proper cause were brought before the Merit System.

Dr. Thomas Leslie Lee moved that Dr. Vernon Kinross-Wright be placed in the same category as other men working in the state mental institutions, provided he meets the requirements of the Board of Medical Examiners in its resolution of January 12th, 1948. This motion was duly seconded and passed unanimously.

Dr. Young: The Mental Hygiene Clinic has been operating since 1933 as an out-patient clinic, the personnel essentially consisting of psychiatrists, psychologists and social workers. It is supported by one-third local, two thirds state funds. If the local area is willing to contribute more money, we put in \$2.00 for every \$1.00 and the same rule applies as to other state employees under the merit system.

Dr. Lee: Is the clinic directly under your control?

Answer: Only sofar as certain personnel is concerned. I could withdraw funds.

Dr. Procter: If Dr. Young can write us that he has employed Dr. Kinross-Wright to work in an accessory institution of the state, then it would be covered by the resolution.

IN RE: Dr. James M. Northington: At the May, 1948 meeting of the Board of Medical Examiners Dr. Northington appeared and evidence was presented in regard to his violation of the Federal narcotic law, to-wit: certified copy of indictment and judgment in the Federal Court February 27th, 1948, and testimony of Federal Narcotic Agent H. G. Scholtens. Probable cause was found by the Board of Medical Examiners and a formal hearing directed in this matter. Dr. Northington was duly summonsed to appear before the Board of Medical Examiners.

On Wednesday, June 23rd, 1948 Dr. Northington appeared before the North Carolina Board of Medical Examiners without counsel.



The following summons and accusations of the Board of Medical Examiners, which had been duly served upon Dr. Northington, was read by John H. Anderson, Attorney for the Board of Medical Examiners:

"Pursuant to a resolution duly adopted by the Board of Medical Examiners of the State of North Carolina at its meeting at Pinehurst, North Carolina, May 4, 1948, you are hereby summonsed and notified to appear before said Board at its meeting to be held June 23rd, 1948, at 10 o'clock a. m., the Sir Walter Hotel, Raleigh, North Carolina, to answer to the following charges which are preferred against you by said Board, to wit:

"1. That on or about the 25th day of September, 1947, in Charlotte, North Carolina, you did knowingly, willfully and feloniously barter, sell, exchange and give away to one C. C. Reeves a quantity of a derivative of opium, to wit 125 grains of morphine sulphate, not in pursuance of a written order of the said C. C. Reeves on a form issued in blank for that purpose by the Commissioner of Internal Revenue of the United States, and not in accordance with the professional practice of said James M. Northington, and not for legitimate medical needs, but solely for the purpose of satisfying the addiction of said C. C. Reeves, and in violation of the Narcotic Act of the United States, Title 26 U. S. Code Annotated, 2554 (a) and 2554 (b):

"2. That you did willfully, knowingly and feloniously obtain between the dates of July 29, 1947 and September 25, 1947, an official order form 16,625 grains of morphine, a derivative of opium, and 450 grains of cocaine, a derivative of coca leaves, for purposes other than the use, sale and distribution thereof by you in the legitimate practice of your profession, in violation of the Narcotic Act of the United States.

"3. That between the dates of July 29, 1947 and September 25, 1947, you knowingly, willfully and feloniously sold a quantity of morphine wholesale, as the wholesale dealer is defined in the Federal Narcotic Act, and in violation of the Act, and not in the course of your professional practice and not for legitimate medical needs.

"4. That you were convicted of a felony in the Federal Court of the United States, Western District of North Carolina, Charlotte Division, on the 27th day of February, 1948, in the case of United States of America v. James M. Northington upon information and charges for violating the Federal Narcotic Act and substantially as set forth in Paragraphs 1, 2, and 3 above.

"5. That in said criminal action by the United States of America against you in the District Court of the United States, Western District of North Carolina, on the 27th day of February, 1948, after the hearing of evidence by the presiding judge, and upon information charging the violation of the Federal Narcotic Act substantially as set forth in Paragraphs 1, 2, and 3 above, judgment was entered that you be imprisoned for seven months, suspended and placed on probation and good behavior for three years, that you pay a fine of \$500, and that your license to purchase narcotics was revoked.

"6. That between September 26, 1945, and September 25, 1947, your purchased large quantities of narcotic drugs, or approximately 25,600 one-half grain morphine tablets, 15,300 three-quarter grain morphine tablets, and 450 grains of cocaine, for the purpose of selling the same for profit to yourself and not in the course of your medical practice and not for legitimate medical needs.

"7. That between September 26, 1945 and September 25, 1947, you sold for your own profit and not in the course of your medical practice and not for legitimate medical needs large quantities of narcotic drugs in violation of the Federal Narcotic Act.

"8. That you have been guilty of unprofessional and dishonorable conduct



unworthy of and affecting the practice of your profession, in that you have purchased, furnished and sold narcotic drugs for your own personal gain and profit, not for legitimate medical needs, as more particularly set forth in the foregoing paragraphs.

You are hereby notified that you will be given an opportunity at the above time and place to answer to and to be heard with reference to the above allegations and charges against you, to be represented by counsel, and to present evidence and witnesses on your behalf in connection therewith, if you so desire. Prior to said meeting you may, if you desire, file a written answer to the above charges and allegations with the Secretary of the Board of Medical Examiners of the State of North Carolina, 226 Hillsboro Street, Raleigh, North Carolina.

You are further advised that following such hearing, the Board will take such action with regard to the revoking and rescinding or suspending of your license to practice medicine as may be warranted by the evidence, in accordance with the provisions of General Statutes of North Carolina, Section 90-14."

Dr. Northington plead as follows:

Paragraph #1: As read, I plead not guilty.

Paragraph #2: Not guilty.

Paragraph #3: If you will understand, I don't know whether -- I don't plead not guilty. I don't know what the amount was, but as to not in the pursuance of the practice of medicine, that's what I'm pleading, not guilty. And with regard to that as the whole-sale, as it is defined in there that any wholesald license is required in cases distributed in a real, unbroken package. That's the point. I didn't do that. It was in the course, as I understood it, of my professional practice.

Paragraph #4: I plead not guilty of aconviction.

Paragraph #5: That's true.

Paragraph #6: I plead not guilty as read. I don't know what the amount was. The amounts were provided for by consultation with the ----.

Paragraph #7: Not guilty.

Paragraph #8: Not guilty

The following evidence was introduced by Attorney Anderson as exhibits:

EXHIBIT 1, EXHIBIT 2, EXHIBIT 3, EXHIBIT 4, and EXHIBIT 5 - U. S. Internal Revenue Order Forms for Opium, Etc. of James M. Northington, M. D., Charlotte, North Carolina.

EXHIBIT 6. Record book (Blue) of James M. Northington, M. D.

EXHIBIT 7. Record book (Black) of James M. Northington, M. D.

EXHIBIT 8. Prescription dated July 29th, 1947, for Clarence Clay Reed by James M. Northington, M. D.

EXHIBIT 9. Prescription dated July 25th, 1947, for Clarence C. Reed by James M. Northington, M. D.

EXHIBIT 10. Letter dated September 23rd, 1947, signed by Claude B. Squires, M.D.

EXHIBIT 11. Invoice of Burwell and Dunn Company dated 9/25/47 to Dr. Northington



EXHIBIT 12. Brown paper bag

EXHIBIT 13, EXHIBIT 14, EXHIBIT 15, EXHIBIT 16, EXHIBIT 17, EXHIBIT 18, EXHIBIT 19, EXHIBIT 20, EXHIBIT 21, EXHIBIT 22, EXHIBIT 23 - U. S. Internal Revenue Order Forms for Opium, Etc. of James M. Northington, M. D., Charlotte, North Carolina.

EXHIBIT 24. Abstract of Taxable Narcotic Drugs and Preparations purchased by James M. Northington, M. D., Charlotte, North Carolina.

EXHIBIT 25. List of Narcotics ordered by Rex Hospital for 1947.

EXHIBIT 26. Certified Copy of Record in Federal Court RE: United States of America V. James M. Northington

Narcotic Agent H. G. Scholtens testified that he first called on Dr. Northington at the direction of the Bureau of Narcotics on April 22nd, 1947 for the purpose of checking his narcotic records due to the fact that unreasonable amounts of narcotics had been purchased by him. His narcotic order forms showed at that time that he had purchased from June 22nd, 1946 until April 22nd, 1947 a total of 6000 half-grain morphine tablets and 4,700 quarter-grain tablets, which was substantiated by the records of Burwell and Dunn Company of Charlotte, North Carolina. In addition Dr. Northington had on hand at the beginning of this period 100 half-grain morphine tablets and to half-grain morphine tablets. At that time Dr. Northington could not show records to account for the disposition of this morphine. He did not have any narcotic record as required by law to show for the dispensation of drugs. He stated that he had some patients he was supplying regularly with morphine; one Jesse Jones, address unknown, 75 half-grain morphine tablets twice per week; one H. L. Gray, 40 tablets of quarter-grain tablets every two days; one Marvin Henry Gribbel about 40 half-grain morphine tablets every two days. Agent Scholtens stated that he explained to Dr. Northington that it was necessary for him to keep the proper records, advised him he would be re-investigated in six months and furnished him through the United States mail a copy of the United States Narcotic laws and regulations.

Agent Scholtens stated that after he warned Dr. Northington on April 22nd, 1947, the wholesale records showed that he started buying larger amounts of drugs.

Agent Scholtens testified that he brought a confirmed narcotic addict from Mississippi by the name of C. C. Reeves and started a criminal investigation. Reeves was examined by Dr. Claude B. Squires, Federal physician, who certified that Reeves was in good physical condition and he could see no reason why he should be supplied with morphine or any narcotic. Reeves under the direction of Agent Scholtens purchased narcotics from time to time from Dr. Northington. On September 25th, 1947, accompanied by two detectives of the Charlotte Police Department, Agent Scholtens gave Reeves marked money to purchase narcotics from Dr. Northington. Dr. Northington met Reeves in a hotel room where he sold him a total of 125 grains of morphine for \$50.00. Dr. Northington, when he was arrested immediately thereafter, was carrying a paper bag containing 5 bottles of morphine tablets, containing 100 tablets each of half-grain and quarter grain. The paper bag also contained a bill from Burwell and Dunn on September 25th for 9 bottles of morphine, 5 bottles 100 tablets half-grain morphine and 4 bottles 100 tablets quarter-grain each. From September 26th, 1945 to September 25th, 1947 Dr. Northington purchased on his narcotic order forms the following narcotics: 25,600 half-grain morphine tablets, 15,300 quarter-grain morphine tablets, 400 cocaine tablets 1 1/8 grain. Dr. Northington accounted for 4,923 grains, which makes a shortage of 11,702 grains.



Dr. Claude B. Squires, Federal jail physician, testified before the board that he examined C. C. Reeves; that he did not know for what reason he had been referred to him; that he was apparently perfectly normal except that he was a narcotic addict; that practically every vein in his body was closed from taking intravenous injections or morphine and he had numerous places on his arms, legs and shoulders where he had been taking injections.

C. C. Holliman, City Detective of the City of Charlotte, testified before the board that he was assigned by the Lieutenant of Detectives to assist Agent Scholtens in an investigation on a narcotic charge and he substantiated the evidence presented heretofore by Agent Scholtens.

Sam P. Hall, Pharmacist and Manager of the Laboratory of Burwell and Dunn Company, Charlotte, testified before the board and verified the purchases of narcotics made by Dr. Northington, which were presented by Agent Scholtens. He stated that Dr. Northington's purchases represented more than he had ever sold one physician and called attention to the same on two occasions to a narcotic agent. Mr. Hall stated that half-grain morphine tablets as bought from him cost \$3.00 a hundred and quarter-grain tablets \$1.26 a hundred.

Dr. Northington stated that as far as evidence was concerned, he had already presented the same; that he had acted foolishly; that he had violated the law with regard to dispensing drugs in unbroken packages but with no criminal intent; that he dispensed the narcotic drugs in the legitimate practice of medicine. He stated that the total amount of drugs was dispensed to four people. Dr. Northington stated on cross-examination that prior to 1945 he had purchased practically no narcotic drugs; that he begun making large purchases of narcotics because of the fact that men who had been taking care of these people had gone to war. He also stated on cross-examination that he had not counted the amount of narcotic drugs purchased, but admitted that he bought the amount shown by the records; that this amount was dispensed to four different people.

A complete record of the testimony in the hearing of Dr. James M. Northington is duly filed in the office of the Secretary of the Board of Medical Examiners of the State of North Carolina.

VERDICT: After hearing before the Board of Medical Examiners of the State of North Carolina on June 23, 1948, at its regular meeting at the Sir Walter Hotel, Raleigh, North Carolina, pursuant to notice and summons duly given to the above-named James M. Northington, M. D., upon charges and allegations filed and made by the Board against Dr. Northington, and after the presentation of evidence supporting said charges and concerning the same, the hearing of witnesses and the hearing of testimony of Dr. Northington, the Board of Medical Examiners concluded and determined that Dr. James M. Northington has been guilty of unprofessional and dishonorable conduct unworthy of, and affecting, the practice of his profession, as alleged in the charges and accusations made and filed by the Board herein; end

At said meeting the Board of Medical Examiners of the State of North Carolina further resolved that the medical license of Dr. James M. Northington be revoked for a period of three years, the last two years of such revocation being suspended upon condition that the respondent James M. Northington be and remain of good behavior and not violate any of the provisions of the Medical Practice Act, Federal Narcotic Act, or of any provisions of the State or Federal criminal law.

It is therefore, pursuant to the foregoing action and resolution of the Board of Medical Examiners of the State of North Carolina, ordered and decreed that the medical license of Dr. James M. Northington be revoked and for a period of three years, the last two years of such sentence



being suspended upon condition that he be and remain of good behavior and shall not violate any provisions of the Medical Practice Act of North Carolina, the Federal Narcotic Act, or any provision of State or Federal criminal law, and that the said James M. Northington be and he is hereby directed to surrender his medical license issued by this Board to the Secretary of the Board to be held by the Secretary of the Board in accordance with this order.

Following the last examination on June 24th, the meeting was adjourned at noon.

SIGNED


IVAN PROCTER, M. D.
Secretary-Treasurer



