

1

MEETING OF THE BOARD OF MEDICAL EXAMINERS
OF NORTH CAROLINA

Grove Park Inn, Asheville, N. C.
September 29th - October 1st, 1946.

The Board of Medical Examiners of the State of North Carolina met at the Grove Park Inn, Asheville, North Carolina, September 29th-October 1st, 1946, in extra session.

On September 29th, 1946, at 8 P. M., the meeting was called to order by Dr. Roy B. McKnight, President. Drs. Charles W. Armstrong, M. D. Bomer, Thomas Leslie Lee, Paul G. Parker, Malory A. Pittman, and Mrs. Louise J. McNeill, Acting Secretary-Treasurer, were present. Dr. Ivan Procter, Secretary-Treasurer, was absent due to a recent illness.

The agenda for the meeting was discussed and credentials of the applicants for endorsement of credentials were studied by the members of the board.

The following letter under date of September 27th, 1946, from Dr. Ivan Procter was read:

"Dr. R. B. McKnight, President
North Carolina State Board Medical Examiners
Charlotte, N. C.

Dear Roy:

"I regret deeply my inability to attend the meeting in Asheville but my physician has insisted upon inactivity for three months after my attack, which occurred on July 17th.

"Mrs. McNeill has been kind enough to come to my home many times in an effort for us to organize the work for September 30th-October 1st.

"We have tried to attend to some matters at this office in order not to overload your agenda. For example, we have taken the case of Dr. S. W. Fleming of Columbia, N.C., who is a grade B graduate without a license and there is belief among the physicians and the councilor that he is practicing medicine in the hospital and outside. An SBI investigation is being made and he will probably have to come before the board in December.

"There is also the case of Dr. J. W. Miller, osteopath, at Englehard, who is believed to be practicing medicine. It seems that this osteopath is the only physician in Hyde County and the councilor is reluctant to make any recommendations on that account.

"On September 30th there are fifty-six applicants for reciprocity.

"On October 1st is the case of Drs. S. G. Wright and J. R. Spencer for a preliminary hearing. Dr. Wright has signed a confession of issuing certificates without performing examinations. Dr. Spencer is alleged to have been guilty of the same practice of signing marriage certificates without examination of the patient and of issuing blood test certificates without performing the test. Dr. Spencer has visited me and requested specific charges; likewise his attorney has asked for the same. I explained to Dr. Spencer that this would be an opportunity to present all the facts and information concerning his part in the examination and signing of certificates for marriage licenses.



3

"Dr. Fuiman Angel of Franklin, N. C., has been summonsed to appear before the board for a preliminary hearing following a report by the secretary of the Haywood County Medical Society that he had been convicted in the Haywood County Superior Court for misconduct. We have a transcript of the record from the Clerk of the Haywood County Superior Court.

"Dr. Irma Henderson Smathers and Lt. C. B. Relph are to appear before the board to report on the alleged unauthorized taking of photographs of the birth of a baby at St. Josephs Hospital. In the opinion of the secretary, this matter does not properly come within the jurisdiction of the board.

"The case of Dr. Theodore Antonakes of Greensboro on narcotic addiction charge is to be considered.

"I am sure that the membership realizes the amount of work carried on by this state board. It is growing larger in volume and becomes more complex as each year passes. As physicians become more interested in a higher standard of medical practice for our state they are more alert to report irregularities. When physicians are personally very busy they are more prone to consider the State Board of Medical Examiners an agency for detailed investigation and prosecution when they have been furnished only meagre or hearsay evidence. An effort is being made to systematize the policies and procedure of the board and to acquaint the physicians of the state with the procedure and their obligation in it.

"I think that we, the 1944-50 board, should resolve to place this agency upon the most business-like basis in its history. Upon looking at the duties from an overall and permanent viewpoint, we should give consideration to:

- "1. Full time, first class, assistant secretary (which we have and hope to keep).
2. Permanent files and easily accessable records
3. Permanent office
4. Annual audit
5. Counsel for the State Board of Medical Examiners on an annual retainer fee basis for routine work
6. Close association of the board with membership of the Medical Society through its officers and executive committee
7. The concensus of opinion of the society membership could best be obtained by an officer of the State Board of Medical Examiners being named on the executive committee. For example, the State Board of Medical Examiners and the State Medical Society both must take into consideration that there is a shortage of physicians in the state and especially in the sparsely populated districts; that under certain conditions physicians have grade B medical men assisting them and probably can not procure an A grade physician. The B grade physician can not obtain a license and sooner or later each one of these cases will come before the board for review as to whether or not he is practicing medicine without a license. Dr. S. W. Fleming, Columbia, N. C., who is assisting Dr. S. C. Chaplin in the hospital, is an example.

"We have again the matter of influential members of the State Medical Society, for example past presidents, who urged the board to admit by reciprocity a physician from a B grade medical school, who is licensed in another state with which we have reciprocal relations.



- 5
- "8. (a) Annual registration of all physicians. Once a physician is licensed the State Board of Medical Examiners, which is the legal agency for licensure, loses contact with a large number of physicians. The board has no means of knowing where the physician is located, whether dead, alive or retired, whether doing a specialty or general practice, and other information which would be desirable. This annual registration would give close contact between the board and all physicians and thereby, help to a large degree in controlling irregularities and managing addicts. (To be added as an amendment to the Medical Practice Act)
- (b) Registration of all internes in the state, which would give control of practicing internes.
- (c) Registration of all resident physicians. This would give direct control over physicians remaining in a hospital year after year without obtaining a license.

"9. Procedure as to reporting illegal practice:

1. Report the complaint and evidence to the president or secretary of your local county medical society.
2. The officer of the local society will in turn refer the matter to its board of censors.
3. The censors will make investigation, gather such evidence as it deems proper, take into consideration both sides of the question so that the medical profession will not become involved in issues that do not have sufficient evidence and a fair chance of eliminating the irregularity or conviction of the defendant. The board of censors will report its findings and recommendations to the county medical society.
4. The local medical society shall then approve or disapprove the censors' recommendations. If the medical society votes in favor of preferring charges against the physician, the secretary of the local society will then refer the case to the secretary of the State Board of Medical Examiners. The secretary of the local society shall furnish the State Board of Medical Examiners a bill of particulars with specific charges against the physician.
5. The State Board of Medical Examiners may request the local county society to present the information available before the board either in the form of affidavits or oral testimony by witnesses in a hearing before the board in support of the charge. If the Board of Medical Examiners considers that the information produced warrants prosecution, the matter will then be referred to the Attorney General for recommended action.

"10. Rules as to licensure:

1. Graduate of a grade A medical school
2. Original license with a state board with which we have reciprocal relations.
3. Five affirmative votes required to grant license by reciprocity.
4. A year's interne work in a hospital approved either by the Council on Medical Education of the American Medical Association, the College of Surgeons or the North Carolina State Board of Medical Examiners.



5. Physicians on active duty the Veterans Facility, United State Public Health Service, Army and Navy Medical Corps, doing no outside practice, are not required to have a North Carolina license; that physicians at the State Sanatorium are required to have license.

"11. Procedure Charging Unprofessional Conduct is under consideration.

"Attached you will find a tentative basic science law. This has been prepared following our study of the laws in 18 states and the new law in Alaska. We have used as a basis the basic science form furnished by the Legal Department of the American Medical Association and Attorney John Anderson has assisted me in the preparation of the same. It is hoped that the board can find time to study this while in session in Asheville, making such additions or changes or subtractions that it sees fit. I have just talked to Bill Coppridge on the telephone and he is very anxious that the over-all Basic Science Committee have a 100% attendance meeting at the earliest possible date so as to lay plans and take action in this program. In order to help expedite and assist you as chairman, we are planning to have copies of this tentative act made and forwarded to members of the over-all committee."

The case of Dr. S. W. Fleming, Columbia, N.C., who is alleged to be practicing medicine without a license and who at the present time is under investigation by the State Bureau of Investigation, was presented to the board. Information was received from the councilor of the Second District of the North Carolina State Medical Society that Dr. Fleming is graduated from a grade B school and that he is working under the direction of Dr. S. C. Chaplin, Columbia Hospital, Columbia, N. C. On September 17th the following letter was written by the secretary of the board to Dr. Fleming:

"By authority invested in me by the North Carolina State Board of Medical Examiners, I hereby request that you report to my office, 226 Hillsboro Street, Raleigh, N. C., at 10 A. M., September 23rd, for an interview relative to your practice of medicine."

The following is letter under date of September 18th, 1946, from Dr. Fleming in answer to the letter of the secretary:

"In regard to your letter of the 17th, I am not licensed to practice medicine in North Carolina and I am not practicing medicine. I am a resident in the Columbia Hospital, as I have been in the past at the Highsmith Hospital, Fayetteville, The Beebe Hospital in Turner, Del. I have stopped by to see you several times during the past few years at which times you happened not to be in. I hope this answers your question, if not let me hear from you."

Dr. Paul G. Parker moved that Dr. Fleming be written that from information we have he is practicing medicine without a license; that it is illegal for any physician in North Carolina to practice medicine without a license whether in or out of a hospital, working for a salary under another physician being no exception. This motion was duly seconded and unanimously passed.

The matter of Dr. J. W. Miller, Osteopath, Englehard, North Carolina, practicing medicine, which was reported to the board by Dr. Claudius MacGowan, was discussed by the board. The following is a letter under date of September 14th from the councilor of the Second District in reply to a report made to him by the acting secretary:



"In regard to Dr. Miller, an osteopath from Englehard, I wish to state that I know Dr. Miller and he is a smart man. I think he is practicing medicine and prescribing drugs and I understand that he has admitted drugs to his office as the average drug store. Dr. Miller is situated peculiarly in that he is the only person in Hyde County who is trying to practice medicine. I really believe he is doing a tremendous amount of good and he is the only one who can give medical service in that county, however, I feel sure that he is practicing medicine and using narcotics which I believe, but have no proof, that he gets from Dr. Chaffin of Columbia, N.C. I certainly agree with Dr. McGowan that if this man is investigated to get anything on him, you will have to do it in an undercover way as people will not tell on him. The people of Hyde County are very grateful to Dr. Miller as they have no other medical service there. It is my opinion that if a young, energetic, hard working practitioner would go to Hyde County it would be the finish of Dr. Miller but economically the county is very poor and the work is very hard."

Dr. M. A. Pittman moved that the matter of Dr. J. W. Miller, osteopath, practicing medicine without a license be referred to the State Bureau of Investigation and that the same be reported to the councilor of the Second District and Dr. Claudius McGowan. This motion was duly seconded and unanimously passed.

Dr. M. D. Bonner suggested that at each district meeting of the State Medical Society a speaker be obtained for the purpose of discussing the Basic Science Law.

The board was advised of the alleged treatment of cancer with cancer paste by Mrs. J. L. Broughton, Raleigh, N. C., which was reported to the Board of Medical Examiners by Dr. Francis L. Owens, Pinehurst, N. C.; also that this case is under investigation by the State Bureau of Investigation.

The board was also advised of the alleged treatment of tumors by applying poultices by Mrs. Case, who lives near Greenville, which was reported to the Board of Medical Examiners by Dr. Rachel Davis, Kinston, N. C.; also that this case is under investigation by the State Bureau of Investigation.

Dr. R. B. McKnight and Dr. M. D. Bonner were selected to represent the North Carolina Board of Medical Examiners at the 1947 meeting of the Federation of National Boards in Chicago.

RE: MEDICAL LICENSE REQUIRED

Dr. Charles W. Armstrong moved that all persons practicing medicine in North Carolina be required to have a license after his first year's internship in a hospital approved either by the Council on Medical Education of the American Medical Association, American College of Surgeons or the State Board of Medical Examiners. This motion was duly seconded and unanimously passed.

Dr. M. D. Bonner moved that the preceding resolution be sent to each councilor, each county society, every hospital in North Carolina, and the North Carolina Medical Journal for publication. This motion was duly seconded and unanimously passed.

The board resolved unanimously, after giving careful consideration, that it was necessary due to the stress of other business to dispense with the December, 1946 meeting for written examination.

Dr. M. D. Bonner moved that the 1947 meeting for written examination be held June 23-26th, 1947, inclusive, at the Sir Walter Hotel, Raleigh, North Carolina. This motion was duly seconded and unanimously passed.



The board was advised that the case of State vs Richard C. Baker, Osteopath, which was to have been set for the September, 1946, term of court, was continued due to a heavy docket consisting of two capital cases.

The acting secretary's minutes for the July 5th, 1946 meeting for the consideration of licensure by endorsement of credentials were approved as read.

RE: EXAMINATION QUESTIONS IN MEDICAL JOURNAL

The board resolved that the examination questions should be included in the annual report of the State Board of Medical Examiners made to the Executive Committee of the State Medical Society in order that the same may be published in the Transactions of the State Medical Society.

The question of Dr. Jerome Sylvan Harris' request for a corrected license was presented to the board. Dr. Harris reported that upon returning from the armed services he found that his 1940 certificate to practice medicine in North Carolina was written in error in the name of James Sylvan Harris. Information furnished by him as to home address, high school education, and medical school education corresponded with that on the records of licensure as that of James Sylvan Harris and his medical education was verified with his medical school.

Dr. Charles W. Armstrong moved that upon receipt of the certificate issued in the name of James Sylvan Harris a corrected certificate be issued in the name of Jerome Sylvan Harris. This motion was duly seconded and unanimously passed.

Dr. Thomas Leslie Lee moved that Miss Betty Pitts, secretary of Dr. Roy B. McKnight, President, be paid the sum of Fifty (\$50.00) Dollars for services rendered. This motion was duly seconded and unanimously passed.

The acting secretary reported from information divulged in a newspaper report of a recent trial in the Superior Court of Cumberland County, North Carolina, that a physician with the Veterans' Administration had been engaged in the private practice of medicine. It was unanimously resolved that the following letter be forwarded to the commanding officer of each veterans' hospital in the state:

"It has been called to our attention that a medical officer attached to your institution has been called in consultation in civilian practice for the purpose of establishing diagnosis. We wish to advise you that the Medical Practice Act forbids not only treatment but diagnosis for compensation in the State of North Carolina without license by the State Board of Medical Examiners.

The meeting was adjourned.

The board convened at 10 A. M., Monday, September 30th, 1946, in order to interview applicants for licensure by endorsement of credentials. The meeting was called to order by the president and all members were present with the exception of Dr. Ivan Procter.

The following men were granted license by endorsement of credentials:



<u>NAME</u>	<u>MEDICAL SCHOOL</u>	<u>ADDRESS</u>
Adams, Raymond Atwell	Medical College Va	Roanoke Rapids, NC
Bailey, Harmon Jackson	Washington Univ.	New York, N. Y.
Bass, Robert Edwin, Jr.	Medical College S.C.	Chadbourne, N. C.
Branca, Henry Edward	N. Y. Medical Coll.	Statesville, N.C.
Brouse, Ivan Edwin	McGill University	Wilmington, N. C.
Brown, Frank Reid	Vanderbilt Univa	Greensboro, N. C.
Bullen, Bernard Christie	Coll. P & S, Columbia U.	Oteen, N. C.
Corcoran, Edwin Emmons	Medical College S. C.	Asheville, N. C.
Codnere, John Thomas	University Toronto	Asheville, N. C.
Crow, Marvin Bruce	University Arkansas	Warren, Ark.
Crowell, James Allen	La. State U. Sch. Med.	Charlotte, N. C.
Dorenbusch, Alfred Adolph	University Louisville	Charlotte, N. C.
Drooz, Irma Helene Gross	N. Y. U. Coll. Med.	Fayetteville, N.C.
Fagan, Philip John	Creighton University	Fairmont, N. C.
Farnsworth, David Ivan	La. State U. Sch. Med.	Oteen, N. C.
Garvin, Oscar David, Jr.	Medical College S. C.	Chapel Hill, N.C.
Harris, James Robert	Baylor U. Coll. Med.	Rockingham, N.C.
Hill, Frank Burnarde	Temple University	Atlanta, Ga.
Hohman, Leslie Benjamin	Johns Hopkins Univ.	Duke U, Durham, NC
Jones, Ransom Julianey	Emory University	Kinston, N. C.
Keller, John Haney	Tulane University	USN, Bainbridge, MA
Kerschgens, Lambert Joseph	Ohio State Univ.	Steubenville, O.
Kittelton, Horace Otis	Temple University	Asheville, N. C.
Kneedler, William Harding	University Penn	Philadelphia, Pa.
Kroh, Laird Franklin	University Penn	Kittanning, Pa.
Lide, Thomas Norwood	Duke University	Duke U, Durham, NC
Morgenstern, Philip	George Washington U.	Black Mt., N.C.
Moss, James Mercer	University Virginia	Durham, N. C.
Murphy, James Douglas	Northwestern Univ.	Oteen, N. C.
MacLauchlin, William Thompson	Medical College S. C.	Conover, N. C.
McGimsey, James Franks, Jr.	Harvard Medical School	Morganton, N. C.
Parnall, Christopher, Jr.	Harvard Medical School	Oteen, N. C.
Pennington, Glenn Walton	University Georgia	Charlotte, N. C.
Pine, Irving	N.Y. Medical Coll.	Oteen, N. C.
Powell, Charles James	University Tennessee	Wilmington, N.C.
Powell, William Flynn	Duke University	Asheville, N. C.
Rachlin, Stanton Alexander	New York University	Fayetteville, N.C.
Randall, William Spears, Jr.	Tulane University	Durham, N. C.
Reinhardt, James Franklin	Duke University	Lincolnton, N. C.
Riggsbee, John Bunyan	Vanderbilt University	Chapel Hill, N.C.
Sawyer, Walter Wesley, Jr.	Temple University	Elizabeth City, NC
Severn, Henry Doeller	Johns Hopkins Univ.	Baltimore, Md.
Silsby, Harry Zettlemeier	La. State U. Sch. Med.	Sanford, Fla.
Smart, Gardner Ford	Duke University	Ayden, N. C.
Smith, Erma Anita	Rush Medical Coll.	Duke U, Durham, NC
Stern, Henry Maximilian	Tulane University	Wilmington, N.C.
Stuckey, Charles LeGrand	University Virginia	Richmond, Va.
Sutherland, George Fraser	McGill University	Duke U, Durham, NC
Thomas, Ben David	Medical College S. C.	Jonesboro, N. C.
Thompson, Lloyd James	Washington University	Winston-Salem, NC
Tilt, LeRoy Wortendyke, Jr.	University Maryland	Towson, Md.
Trachtenberg, William	Duke University	Winston-Salem, NC
Waldrop, Graysen Spencer	University Maryland	Baltimore, Md.
Waller, Louis Clinton	Coll. Medical Evan.	Candler, N. C.
Wellborn, William Revere, Jr.	Tulanë University	Statesville, N.C.

56



Dr. Roy Mitchell of Mount Airy, N. C., appeared before the board on behalf of Dr. Renzo Sutter, who desires to take the North Carolina State Board examinations. Dr. Sutter, who has been at the Martin Memorial Hospital, Mount Airy, for four years, is a graduate of the University of Havana and desires a North Carolina license. Dr. Mitchell presented educational qualifications and affidavits on behalf of Dr. Sutter signed by every physician in the Surry-Yadkin County Medical Society and by the leading citizens of Mount Airy. The board ruled that Dr. Sutter would be eligible for licensure in North Carolina only if the University of Havana were classified as approved by the American Medical Association. The acting secretary was instructed to so advise Dr. Sutter upon receipt of the report from the American Medical Association.

Dr. Ivan Edwin Brouse, who was interviewed for licensure by endorsement of credentials, was requested to procure a recommendation from Dr. Graham Barefoot, Wilmington, N. C., and if satisfactory, to be granted license.

Dr. William Henry Kneedler, who had filed credentials for licensure by endorsement of credentials, advised the acting secretary on September 28th, 1946, by telephone that due to the death of his young daughter he would be unable to appear before the board at this time. The board reviewed Dr. Kneedler's credentials, which were found to be in order, and resolved that he might interview one member of the board and if approved, might be granted license.

Dr. Henry Edward Branca, whose credentials for licensure by endorsement of credentials were reviewed by the board at the July, 1946 meeting, at which time he was unable to appear, came before the board at this time. The board agreed that he might be licensed after his credentials were again checked by Dr. Ivan Procter, if the same were found in order.

Dr. Benjamin L. Brock appeared before the board to apply for licensure by endorsement of credentials. His credentials were not completed. The board agreed that he might be licensed after his credentials were reviewed by Dr. Ivan Procter, if the same were found to be in order.

Dr. Bert J. Perciot, graduate of Miami Medical College, Cincinnati, Ohio, in 1894, appeared before the board seeking permission to apply for licensure by endorsement of credentials. He presented no credentials. Since the first classification of medical schools was made in 1907 by the American Medical Association, the board instructed the acting secretary to advise Dr. Perciot that after due consideration it did not find sufficient evidence to grant a license.

Dr. Joseph Marino, graduate of New York Homeopathic Medical College and Flower Hospital in 1925, appeared before the board requesting licensure by endorsement of credentials. This medical school was reported by the Council of Medical Education of the American Medical Association as a class B school in 1925, this corresponding to the current rating of approved but on probation. Licensure was unanimously declined Dr. Marino on the grounds that he did not meet the requirements, namely: graduation from a grade A medical school.

The board unanimously voted to send Dr. Ivan Procter, Secretary-Treasurer, a telegram of best wishes and regrets that he was unable to be present.

The meeting was adjourned.



The board convened at 9 A. M. Tuesday, October 1st, 1946. The meeting was called to order by the president and all members were present with the exception of Dr. Ivan Procter.

Drs. S. G. Wright and J. R. Spencer of Camden County, N. C., were subpoenaed for a preliminary hearing before the Board of Medical Examiners in connection with their participation in the so-called Camden County marriage mill. This matter was referred to the State Board of Medical Examiners by the Attorney General after an investigation had been made by the State Bureau of Investigation. The following is a letter under date of July 19th, 1946, from Dr. R. D. McMillan, Secretary of the North Carolina State Medical Society, to the secretary of the Board of Medical Examiners:

"At a recent meeting of the Executive Committee of the Medical Society of the State of North Carolina the question of Dr. Ray Spencer's re-opening his laboratory at South Mills was discussed at length. I am sure you are familiar with the situation of Dr. Spencer. A resolution was passed to the effect that the State Society make a report to the State Board of Medical Examiners of the situation at South Mills - in other words, to acquaint the Board of Medical Examiners with the type of practice that Dr. Spencer is carrying on at South Mills.

"I quote statement from the councilor of First District, Dr. J. Gaddy Matheson:

'I am councilor for the First District, and we have had a very unpleasant situation up here. Perhaps many of you do not know about it. At South Mills right on the Virginia border near Norfolk and Newport News, we have a Dr. Spencer who was granted a laboratory by the State Board of Health (by Dr. Hamilton.) There has been a great deal about it in the papers; it was a pretty rotten thing. The people there tried to get rid of it; and the Grand Jury called every doctor within a hundred miles, trying to find sufficient grounds for returning a true bill against Dr. Spencer. It got so rotten that certain people were ready to put a bill through the legislature to abolish all state laboratories throughout the State except the one here in Raleigh, and then re-establish them as they saw fit. Dr. Spencer, then about a year ago, voluntarily gave up his laboratory but now is trying to re-open it; and I think he has brought habeas corpus proceedings or some other kind of proceeding against the State Board of Health, to compel the State health authorities to show cause why he should not be given authority to re-open it. There were more people married in South Mills in 1944 than the total population of the county. No later than four days ago I read in the News and Observer that a soldier was granted an annulment of a marriage performed there. He was from California where he had a wife and four children. He said he did not know anything about being married in South Mills. We are powerless to do anything about it, because it has been bringing in a revenue of \$12,000 or \$15,000 a year to the county, which is a poor county. A lot of syphilitics and others who can not get a license elsewhere get married there. What I should like is to have the Society request the State Board of Health not to allow this laboratory to be re-opened. There seems to be a strong political undertow in some way, and it is purely a question of dollars and cents with the county authorities. It is hard for you to understand the situation unless you go up there and see how it is. What I should like is for the Executive Committee to make some recommendation or take some action to prevent Dr. Spencer's being allowed to open the laboratory again. I might say that right now he is being sued for \$30,000 by a man whose daughter contracted syphilis.'

"After some discussion the following motion was offered by Dr. Hill, seconded by Dr. Tayloe, and adopted:



"Resolved, that the Executive Committee of the Medical Society of the State of North Carolina go on record as requesting the North Carolina State Laboratory of Hygiene to withhold its permission for the re-opening of the laboratory by Dr. Ray Spencer of South Mills, until after the State Laboratory authorities have made a thorough investigation of Dr. Spencer's conduct of his laboratory in the past and Resolved, further that the Secretary of the State Society make a report to the State Board of Medical Examiners on the situation described by Dr. Matheson."

Dr. Wright's signed statement which was procured by J. W. Powell, investigating agent, was read to the board and was as follows:

"I, Dr. S. G. Wright, make the following statement without any promise, threat or reward having been made to me. From about the 2nd day of July, 1945 it has been a practice in cooperation with Mr. J. G. Etheridge, Register of Deeds, Camden County, N. C., for him to submit to me at various times marriage licenses which had been issued and the ceremony had been performed and for which I would then issue the certificate of medical examination required by the State of North Carolina in such instances. I have read the above statement and swear that it is the truth. This the 18th day of June, 1946."

Dr. Wright admitted to the Board of Medical Examiners that this statement was correct.

The signed statement of J. G. Etheridge, Register of Deeds of Camden County, N. C., which was procured by J. W. Powell, investigating agent, was also read to the board:

"I, J. G. Etheridge, make the following statement voluntarily without any promise, reward or threat having been made to me. Practice of the doctors has been to sign medical certificates according to what the blood test is, one is for positive and one is for negative. On account of the doctor being out of town no medical certificates were issued on the 15th and 16th of June, 1946 and they were to be made out on the 17th day of June, 1946 by Dr. S. G. Wright. It has been customary practice in the past for Dr. J. R. Spencer and Dr. S. G. Wright to make out medical certificates, after the license was issued and the marriage ceremony performed, without actually making any physical examination of the parties involved. I have also observed Dr. J. R. Spencer taking blood samples and give a certificate of serological test and a medical examination certificate without actually performing any examination. I have read the above and all statements contained therein are true to the best of my knowledge and belief. This the 17th day of June, 1946."

Mr. Etheridge, who was subpoenaed as a witness, stated that the above report was correct. Mr. Etheridge also stated that Dr. Wright had never signed marriage licenses without the serological test being attached or if the same were positive, but that he had signed the same without doing the physical examination. He stated that Dr. Wright received Fifty Cents by him for every certificate executed; that he had never heard of an applicant being turned down on the physical examination; that applicant was always required to wait forty-eight hours for marriage certificate; that request for application at times was received in writing and mailed out. He advised that when Dr. Wright had signed the marriage certificate the applicant had procured serological test out of the state and was accompanied with an out of state certificate.

Mr. Etheridge advised that Dr. Spencer generally collected his fee of \$5.00 for laboratory and \$3.00 for the physical examination; that he had paid no fee to Dr. Spencer; that Mrs. Owens had substituted for Dr. Spencer on two occasions and made serological tests; that signed certificates came from Dr. Spencer's laboratory when he was out



of town; that Dr. Spencer signed certificates ahead of time when Mrs. Owens was in his laboratory. He stated that he did not know whether Dr. Spencer could prove he was in town when tests were done by Mrs. Owens. Mr. Etheridge also stated that no certificates were signed now without physical examination and that if Dr. Spencer were not present, applicants were sent to Elizabeth City.

Mr. J. W. Powell, investigating agent, advised the board that there was no concrete evidence in regard to irregularities by Dr. Spencer; that his laboratory had been closed for approximately a year when his investigation was made and there had been time for him to cover up any irregularities; that he did not believe further investigation would reveal other evidence.

Dr. J. H. Hamilton, Director of the North Carolina State Laboratory of Hygiene, appeared before the board. Dr. Hamilton advised that Dr. Spencer was issued a permit to open a laboratory in January, 1941 and he surrendered the same November, 1944, after a grand jury investigation in Camden County; that after considerable publicity Governor Broughton directed the State Bureau of Investigation and Welfare Department to investigate the Camden County marriage mill. Following the investigation an amendment was passed in the General Assembly requiring a waiting period for procuring marriage licenses in all the 15 counties in the northwestern part of the state. After this investigation by the grand jury Dr. Spencer voluntarily surrendered his license and stated that he realized he was an embarrassment to the State Board of Health and wishes to surrender his license. Dr. Hamilton stated that in October, 1944 he personally visited Dr. Spencer's laboratory in order to make a report; that his investigation was made without advance notice to Dr. Spencer; that in the light of his investigation at that time he did not feel he could defend his position in not allowing Dr. Spencer to re-open his laboratory, but that unless the court ordered he would withhold issuance of license on the grounds that he did not wish to be a party to the marriage mill in Camden County. Dr. Hamilton stated that Dr. Spencer's reports were as good as the average; that he was never found to be out of bounds in complying with the law in making serological tests or making his reports; that where applicants with syphilis were granted marriage license and Dr. Spencer was called on for an explanation, he had filed a contract with the Department of Epidemiology. Dr. Hamilton reported that approximately 5,000 serological tests were run a year in Camden County, the population of that county being 6,954.

Dr. Spencer, when he appeared before the board, was advised that he might make a statement if he so desired, but that he would not be required to make any statement that might incriminate him; that any statement made might be used against him at any future hearing; that the Board of Medical Examiners was considering information which might or might not support a charge that he violated the marriage laws by issuing certificates of physical examinations for marriage when he had not made the examination. Dr. Spencer stated that he denied the charges one hundred per cent; that he did not wish to hold anything back. Dr. Spencer denied the allegations contained in Mr. Etheridge's statement which was read to him.

Mr. John H. Anderson, Jr., Attorney for the State Medical Society, questioned Dr. Spencer. Dr. Spencer denied that he belonged to any group who was seeking to induce persons to come to Camden County to be married; that his brother performed marriages during the time his laboratory was open; that other technicians had made tests for him; that Mrs. Owens had done tests for marriage certificates; that he had spent a night away from South Mills except with his practice since 1935; that he had issued certificates not permitted by law. When he was asked about a suit that had been entered against him he stated that he would not like to go into details. Dr. Spencer stated that trouble in his relations with Mr. Etheridge, Register of Deeds, came about his referring marriage applicants to ministers if they requested the same; that there was never any division of fees with Mr. Etheridge; that in thousands of instances he did not receive a penny.



The following letter under date of September 28th, 1946, from Dr. J. Gaddy Matheson, Councilor First District, North Carolina State Medical Society, to the North Carolina State Board of Medical Examiners, was read:

"After due consideration of the so-called South Mills marriage mill in connection with Drs. Wright and Spencer, it is my feeling that at the present time these doctors should be severely criticized and reprimanded and advised that they will be under careful scrutiny by the State Board of Medical Examiners. We realize that this situation has been embarrassing for the State medical profession as a whole and especially for the doctors in the First District, it being necessary to have a law passed through the General Assembly penalizing and reflecting on every doctor in the First District, namely: that an applicant must wait twenty-four hours after examination before being married. Furthermore, there was a grand jury investigation about a year ago to which practically every doctor in the First District Medical Society was summonsed and case after case was presented by the doctors attending, which showed conclusively that marriage applicants with syphilis were being passed through the marriage mill with clear bills of health. These records can be obtained on request; however, no true bill was found.

"Both Drs. Wright and Spencer practice in remote rural sections of Eastern North Carolina where doctors are badly needed and I feel that they should be allowed to continue to practice ethical medicine as I do not see how they would be replaced at this time."

Dr. Wright is a physician 68 years of age. Many letters were presented to the board from physicians in this locality stating that Dr. Wright is a man of good character and a conscientious practitioner; that his alleged error in connection with the signing of marriage licenses in their belief was through ignorance and inducement by parties for their benefit; that loss of Dr. Wright's professional services in a sparsely ^{settled} section of the state would bring hardship on the citizenship.

At the conclusion of the hearing Mr. Anderson advised the board that it could vote to present certain charges against Drs. Wright and Spencer if it were satisfied there was enough evidence to go on; otherwise there was nothing further that could be done.

The board resolved to take no final action at this time and the acting secretary was instructed to forward the following to both Drs. S. G. Wright and J. R. Spencer, the following having been read to Dr. Wright:

"The North Carolina Board of Medical Examiners has gone into the matter of your alleged participation in the so-called Camden County marriage mill and your professional conduct in the issuance of marriage licenses because of information which has come to its attention which warrants very serious consideration by this board. We consider the charges extremely serious and that is the reason that we have gone to this extent to have a hearing in Asheville.

"We do not intend to take any final action with regard to these charges at this time, but we wish to warn you that the matter is still open and pending for future action of the board and is being held under consideration by it. If there is any further action or hearing, you will be given due notice and an opportunity to be heard.

"Any other irregularities reported to us in the future will be investigated to the extent of our ability and charges will be pressed."

Dr. Irma Smathers Henderson, Asheville, N. C., and Lt. C. B. Relph, Veterans Hospital, Swannanoa, N. C., were asked to appear before the Board of Medical Examiners on account of a complaint, including affidavits and depositions, made by the North Carolina Veterans Commission, alleging that unauthorized photographs were taken at St.



Joseph's Hospital, Asheville, N. C., of a birth of a baby, the patient being the wife of a veteran. It was the opinion of the board that this matter did not come under its jurisdiction. The said Dr. Smathers and Lt. Relph were advised that in the future it would be a good plan to procure written permission before the taking of any photographs.

Dr. Furman Angel of Franklin, N. C., was subpoenaed to appear before the Board of Medical Examiners for a preliminary hearing on account of his conviction at the July, 1946 Term of Superior Court, Haywood County, North Carolina. This matter was referred to the board by Dr. Mary Michael, Secretary of the Haywood County Medical Society.

The Bill of Indictment contained four counts as follows:

Fornication and Adultery
 Maintaining a building for prostitution and assignation
 Maintaining a building for prostitution and assignation
 Prostitution and assignation

The defendant tendered a plea of guilty on three counts and judgment was as follows:

Fornication and adultery - payment \$1,000 fine and imprisonment in the common jail of Haywood County for a term of two years and assigned to do labor under the supervision of the State Highway and Public Works Commission, sentence suspended for five years. Prayer for judgment continued on the second and third counts. Fourth count continued.

Dr. D. M. McIntosh, Sr., Councilor Tenth District, State Medical Society, was present; also John H. Anderson, Jr., Attorney for the State Medical Society. Dr. Mary Michael was asked to appear at this time, but she declined to do so.

Dr. Angel failed to appear and Dr. Wilkes of Sylva and Attorneys George Patten and Horner Stockton of Franklin appeared on behalf of Dr. Angel. Dr. Wilkes advised that since Dr. Angel's trial in the Haywood County Superior Court he had not been in the best of health and that he was thrown to pieces when subpoenaed to appear before the board; that he did not feel competent or able to appear at this time and was confined to his bed.

Dr. Angel's representatives were advised that he had been summonsed before the board on account of his unethical and immoral conduct. The Bill of Indictment against Dr. Angel was read by Mr. Anderson to Dr. Angel's representatives, who advised that Dr. Angel was married a second time in South Carolina, without having been divorced from his first wife; that he had maintained a home for his second wife in the adjoining county to Macon, in which Dr. Angel resides, where he went back and forth and lived with his second wife, at the same time living with his first wife; that he and his first wife have never been separated. Mr. Patton advised that Dr. Angel was indicted on the above lesser counts instead of bigamy in order that he might be given a chance to come back; that proceedings have been instituted to annul the so-called second marriage in South Carolina. On being questioned, Dr. Wilkes stated that Dr. Angel was erratic, a "screw ball" and that he did not stand too high in his community from an ethical standpoint; that his mental attitude had not been too good for the past ten to fifteen years, but that it was improved; that he was a splendid physician and surgeon and had done much good in his community. When asked if it would have endangered Dr. Angel's health to appear before the board at this time Dr. Wilkes stated that it would have caused him to go up in the air; that he was sick in bed and could not have stood it.



Dr. McIntosh advised the board that Dr. Angel has a reputation as a surgeon, but he has a reputation of being unethical in every way, shape and form.

Dr. M. D. Bonner moved that photostatic copies of Dr. Angel's two marriages be procured; that the board summons Dr. Angel to appear before the Board of Medical Examiners at its next meeting to answer charges that he has been found guilty in the Haywood County Superior Court of fornication and adultery, maintaining a building for prostitution and assignation, of prosecution and assignation, and of bigamy. This motion was duly seconded and unanimously passed.

Dr. Theodore Antonakes, Greensboro, N. C., was subpoenaed to appear before the Board of Medical Examiners on account of alleged addiction to narcotics. Special Agent W. T. Atkinson of the Narcotic Bureau was present. The following report under date of August 16th, 1946, from the Bureau of Narcotics, was read to the board:

"Reference is made to the matter of this Bureau furnishing State licensing boards with information concerning their licentiates who are found to be addicted to narcotic drugs.

"Your attention in this connection is invited to the case of Dr. Theodore Antonakes, 123 Church Street, Greensboro, N. C., who was visited by one of our agents on January 8, 1946. An inspection of the doctor's duplicate Government order forms on that date disclosed that he had purchased on the originals since August 14, 1945, a total of 2300 1/16 grain dilaudid tablets and 200 1/20 grain dilaudid tablets. He stated that he had received a medical discharge from the Army on July 18, 1945, due to an asthmatic condition and that, after returning to Greensboro to practice he had begun using dilaudid in an effort to obtain relief. The doctor further stated that with the exception of a few tablets, he had administered all of the above mentioned dilaudid to himself. He surrendered his narcotic special tax stamp and promised not to re-register under the Federal narcotic law for one year. He also indicated his intention of undergoing treatment for drug addiction.

"Our latest information is to the effect that Dr. Antonakes was admitted to the Saint Albans Sanatorium, Radford, Virginia, on June 1, 1946, for treatment for narcotic addiction.

"It will be appreciated if you will advise this Bureau of any action which the State Board of Medical Examiners may decide to take as a result of this physician's reported drug addiction."

The following is a letter from Saint Albans Sanatorium, Radford, Va., under date of September 12th, 1946:

"Dr. Theodore Antonakes was admitted to this hospital on June 1, 1946, and discharged on July 12, 1946. At the time of discharge he was in very good condition. We have not seen him or had any report of his condition since he left the Sanatorium."

Dr. Antonakes stated that he had been free of narcotics since before his discharge from Saint Albans; that he will not apply for reinstatement of his narcotic license until the year is out sometime in January, 1947. Dr. Antonakes appeared to be free of narcotics at this time and the board did not feel that there were any grounds for action at this time. Dr. Antonakes was advised of the importance of remaining free of the use of narcotics.

Dr. Paul G. Parker was unanimously elected president for the ensuing year.

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

The meeting was adjourned.

SIGNED *R. B. McKnight*
R. B. MCKNIGHT, M. D.
President

SIGNED *Louise J. McNeill*
LOUISE J. McNEILL
Acting Secretary-Treasurer

