

MEETING OF THE BOARD OF MEDICAL EXAMINERS
OF NORTH CAROLINA

Robert E. Lee Hotel, Winston-Salem, North Carolina
January 14-15th, 1951

The Board of Medical Examiners of the State of North Carolina met at the Robert E. Lee Hotel, Winston-Salem, North Carolina, January 14-15th, 1951, for consideration of applicants for licensure by endorsement of credentials and other business.

The board convened following luncheon at 2 P. M. January 14th.

The meeting was called to order by Dr. Newsom P. Battle, President. Drs. J. Randolph Doffermyre, Clyde R. Hedrick, Amos N. Johnson, James P. Rousseau, Heyward C. Thompson, Joseph J. Combs, Secretary-Treasurer, and Mrs. Louise J. McNeill, Assistant Secretary-Treasurer, were present.

RE: Mental and Tubercular Institutions - Dr. David A. Young, General Superintendent of the North Carolina Hospitals Board of Control, and Dr. H. S. Willis, Superintendent of the North Carolina Tubercular Sanatoria, appeared before the board with reference to procuring physicians in the said state institutions.

Dr. Young stated that he hoped to be able to work out something satisfactory in order to keep up his staffs; that at the present time he had one physician who graduated from the University of Aberdeen, who had passed the written examination for licensure, and one who graduated from a German medical school, who failed to pass the written examination for licensure, which he took in 1950. At the present time he stated he has five physicians who are graduates from various foreign medical schools which are not accredited by the American Medical Association. These physicians are as follows:

Dr. Lorant Forizs, graduate University in Szeged, Hungary, 1936
Dr. Mintauts Vitols, graduate University of Hamburg, 1947
Dr. Edite Vitols, graduate University of Hamburg, 1946
Dr. Oskars Bergmanis, graduate University of Riga, Latvia, 1924
Dr. Maris Koropectka, graduate University of Frederick Alexander, Erlangen, Germany, 1944

Dr. Young said he thought his problem might be divided into two different possibilities, (1). If used for a period of time stipulated by the board and allowed to take the examination for licensure upon his recommendation. (2). The other, which would be less helpful, that a physician might come and work for a period of one year, which is already permitted, as the status of interne. Possibly that might be extended without expectation of taking the board's examination. This, of course, would cause some physicians to decline to come in. Dr. Young said that physicians who come in under the above conditions have to take him on faith; that many would not be interested in doing an outside practice but want to be on a sound basis; that he did not want men who could not take their part of the responsibility. Dr. Young said his problem in procuring physicians is due to the salary scale, that many physicians do not wish to do institutional work, particularly mental institutions, and there is a considerable shortage in psychiatry. Dr. Young said that he is at present making an effort to procure British physicians who are graduated from schools approved by the American Medical Association. (NOTE: Dr. Young's condition was such when he approached the board, though he did not use it as a threat, that unless something was done it would be necessary to go to the Legislature).

Dr. Willis said that his problem in procuring physicians is because of the fact that tubercular institutions are isolated from urban units; that many are afraid of tuberculosis; that his problem was about the same as that of Dr. Young though not of the same magnitude. He said his salary scale is more liberal than that of the mental institutions. Dr. Willis advised that he is making every effort to bring in approved physicians; that the sana-

torium at McCain is recognized by the American Medical Association as a training school; that residents from the teaching institutions would be of assistance. He said he was making a plea not to lower standards but to actually take care of the patients.

Dr. Willis asked that the board allow him to put on physicians who had graduated from grade B or foreign medical schools and that they be allowed after a given period to take the written examination for licensure.

RE: Motion - Dr. Clyde R. Hedrick moved that five concurring votes be required to pass a motion. This motion was duly seconded and passed unanimously.

RE: Grade B Graduates

Verdict: Dr. Joseph J. Combs moved that we do not issue license to other than graduates of grade A medical schools. This motion was duly seconded by Dr. L. Randolph Doffermyre and was passed unanimously.

RE: State Mental Institutions

Verdict: Dr. Joseph J. Combs moved that the personnel now associated with Dr. David A. Young, General Superintendent, North Carolina Hospital Boards of Control, in mental institutions be allowed to take the written examination of the Board of Medical Examiners for medical licensure upon Dr. Young's recommendation and that in his opinion they have a grade A medical education and have had three years under his supervision. This motion was duly seconded by Dr. Heyward C. Thompson and passed unanimously.

RE: Licensure of Resident Physicians - The following representative physicians appeared to discuss with the board the requirement that all resident physicians in the state have license to practice medicine:

Dr. W. M. Coppridge, Durham (spokesman)
 Dr. W. D. Forbus, Durham
 Dr. C. C. Carpenter, Winston-Salem
 Dr. Robert Cadmus, Chapel Hill
 Dr. Joseph Lichty, Greensboro

Dr. Coppridge stated that when he was on the Board of Medical Examiners it was the feeling that the training of physicians was too long and that some might be performing duties for which they were collecting fees and such physicians should be required to have a license. He was interested from the standpoint of the staff training program at Watts Hospital; that it was difficult to maintain standards and that most liberal terms possible offered residents would result in more physicians coming to the state. He asked that the restrictions be lifted for those residents coming into the state who had little idea of remaining. He suggested that no license be issued, but that all internes and residents be required to register and report to the board once a year and that possibly a registration fee be charged. Dr. Coppridge said that the regulation requiring licensure of resident physicians had not been enforced to date and that something more enforceable should be worked out. He recommended that the Board of Medical Examiners appoint a committee from the board to work with a committee to study the matter and lay down regulations, then let everyone abide and see that the rule is enforced.

Dr. Carpenter said that he had little to add to Dr. Coppridge's statement but that he was very disappointed when this regulation was adopted and that he had never co-operated in an effort to have the residents procure medical license. He brought up the problem of foreign exchange students coming into the state.

Dr. Forbus said that it was very difficult to meet the regulations with a group as large as that at Duke University School of Medicine. He said some physicians were in resident status for as much as six to seven years and during that time derive no financial benefit; that a clear distinction should be made between residents and those in employment status. He said in his opinion license was not desirable from the standpoint of medical education and would eliminate many people. He also said that some means must be found whereby state institutions may be staffed by graduate students and that is another reason why a liberal policy should be attempted in order to encourage resi-



dents to come to the state. When asked, Dr. Forbus replied that it was the general policy to appoint residents three to four months in advance.

Dr. Cadmus stated that ^{at}the University of North Carolina School of Medicine they have a regional school, particularly in public health, the only one in the southeast; that residents are sent by other states to get training and be there for more than one year and are in all intent practicing medicine. That they desire to have a certain amount of academic freedom of training men and understand the desire to have control. He said that the University will naturally conform with the ruling of the board.

The board advised after the questions were raised that citizenship is not a requisite for medical licensure; that a resident whose activities are confined to the laboratory and is doing experimental or research work, if not seeing patients, is not regarded as practicing medicine.

Dr. Amos N. Johnson recommended that the representatives going to the meeting of the Federation of State Medical Boards attempt to make an uniform law as to requirements of residents.

The secretary presented the following statistics to the committee:

That from 41 states reporting a total of 22 states require licensure of hospital residents.

That licensure of residents is under consideration in two states.

That in one state, though not required by law, practically all approved hospitals require residents to be licensed.

One state allows a resident to serve only one year before obtaining license.

One state allows a resident to serve not more than three years without license.

VERDICT: Dr. Amos N. Johnson moved that a committee be appointed from the Board of Medical Examiners to co-operate with a committee from the teaching institutions and approved institutions for resident training as to licensure of resident physicians and that this matter be discussed and brought to a final decision at the May 7th, 1950 meeting of the board. That the representatives from the board to the meeting of the Federation of State Medical Boards bring up the question of licensure of residents to see if some uniform regulation might be worked out with all state boards of medical examiners.

Dr. Rousseau offered an amendment to the above motion which was acceptable to Dr. Johnson; That this board continue the same policy as the previous board during the interim until a final agreement is made with reference to licensure being required of resident physicians. The motion, together with the amendment, was duly seconded by Dr. Clyde R. Hedrick and was passed unanimously.

The president appointed the following committee to study the question of licensure of resident physicians: Dr. James P. Rousseau, Chairman, Dr. Joseph J. Combs, and Dr. Amos N. Johnson.

Dr. Amos N. Johnson moved that all internes and resident physicians entering the state of North Carolina on a program of exchange teaching basis, who are to be in the confines of the state not to exceed one year be exempt from procurement of medical license. This motion was duly seconded by Dr. L. Randolph Doffermyre and was passed unanimously.

RE: Report of Revocation of Medical License - The secretary presented the question as to whether or not when a physician's license is revoked a report should be made to the American Medical Association and secretary of all state boards of medical examiners and whether this should apply when a license is revoked, judgment suspended.

Dr. Clyde R. Hedrick moved that when license is revoked in North Carolina notification be sent to the American Medical Association and all other state medical boards. This motion was duly seconded by Dr. Joseph J. Combs and was passed unanimously.

RE: Dr. Hans N. Naumann - Dr. Naumann, graduate of Berlin University in 1926, diplomate of the National Board of Medical Examiners and certified by the American Board of Pathology, has requested whether or not he is eligible for medical licensure. The following is letter from the American Medical Association:



"We do not have available any detailed information on the status of the University of Berlin Medical School in 1926. However, it certainly can be said that at that time the school at Berlin was one of the outstanding German medical schools."

VERDICT: Dr. Clyde H. Hedrick moved that Dr. Hans N. Naumann be granted permission to appear before the Board of Medical Examiners looking to licensure by endorsement of credentials from the National Board of Medical Examiners. This motion was duly seconded by Dr. L. Randolph Doffermyre and passed unanimously.

RE: Application for licensure by endorsement of credentials - The question was raised as to the wording of the application with reference to submitting diploma, as it is not required by the board that diploma be submitted.

VERDICT: Dr. Joseph J. Combs moved that the wording of the application on page 2, line 3, be changed to read: "I am the person named in the diploma or satisfactory evidence submitted in lieu of diploma and am the lawful possessor of same." This motion was duly seconded and passed unanimously.

RE: Requirements for Written Examination - The secretary submitted requirements of the previous board for approval or suggestions.

Dr. Joseph J. Combs moved that if applicant failed to pass the written examination that no refund of fee be made; that in the event applicant failed to appear to take the written examination that \$2.50 of the fee be retained, the balance to be refunded. This motion was duly seconded by Dr. James P. Rousseau and passed unanimously.

Dr. Joseph J. Combs moved that all examinees be required to come prepared to write all examinations with pen and ink. This motion was duly seconded by Dr. L. Randolph Doffermyre and passed unanimously.

RE: Requirements for Certification to Practice Medicine Through Endorsement -

Dr. Joseph J. Combs moved that said requirements be approved as read. This motion was duly seconded by Dr. Clyde R. Hedrick and passed unanimously.

RE: Meeting of the Board in May, 1951 - The meeting of the board to be held during the meeting of the State Medical Society was set for May 6-7th, 1951, at the Carolina Hotel, Pinehurst, North Carolina, the board to convene at dinner at 6:30 P. M. May 6th. Applicants for Licensure by endorsement will be interviewed May 7th, the board to convene at 9 A. M.

RE: Annual Examination - Dr. Joseph J. Combs moved that the meeting of the board for annual written examination and other business be held June 17-21st, 1951, at the Sir Walter Hotel, Raleigh, North Carolina, the board to convene for dinner at 6:30 P. M. June 17th. This motion was duly seconded by Dr. Heyward C. Thompson and was passed unanimously.

RE: Publication of Written Examination Questions - The secretary presented letter from the North Carolina Medical Journal with reference to holding space for publication of annual written examination questions.

Dr. L. Randolph Doffermyre moved that the secretary advise the North Carolina Medical Journal that the board would use space reserved in the August issue. This motion was duly seconded by Dr. Clyde R. Hedrick and was passed unanimously.

RE: Office Space - The secretary reported he had moved the office of the Board of Medical Examiners to the Professional Building where it was more convenient for him; that he was unable to procure a space, therefore, he subrented from a dentist who was going into the service. The secretary presented the contract made between him and Dr. John P. Swain, Jr. for a period of one year, which contract is on file in the office of the secretary.

Dr. L. Randolph Doffermyre moved that the contract between the secretary and Dr. John P. Swain, Jr. to subrent office space for the board be accepted. This motion was duly seconded by Dr. Heyward C. Thompson and passed unanimously.



RE: Purchase of Office Equipment - The secretary reported that he had bought one table for the office at the price of \$19.00. Dr. Clyde R. Hedrick moved that the purchase of said table be approved. This motion was duly seconded by Dr. L. Randolph Doffermyre and passed unanimously.

RE: Per Diem of Members of the Board - Dr. Heyward C. Thompson moved that the secretary be paid a per diem on a basis of $7\frac{1}{2}$ days per month, a total of \$75.00 per month, for routine work outside of regular meetings of the board; that the president be paid a per diem on a basis of one day per week outside of regular meetings of the board, to be paid at the expiration of the term of office; that each examiner be paid for preparation of examination papers and grading thereof on a basis of six days. This motion was duly seconded by Dr. Clyde R. Hedrick and passed unanimously.
(NOTE: The above motion is made in accordance with the opinion of the Attorney General, which is on file in the office of the secretary).

RE: Duke Students - State Board of Health - The following is letter from Dr. C. C. Applewhite, Director of the Local Health Division of the State Board of Health, to Dr. Ivan Procter, former secretary of the board:

"This office has recently received letters of inquiry from senior medical students at Duke University who will graduate in December relative to the possibility of securing employment with the State Board of Health for the six months period prior to beginning their regular internship. There is a possibility that some of these students may be used in some of the local health departments in the category of an intern, if such a procedure meets with the approval of the North Carolina Board of Medical Examiners. The procedure would make available for the public health program the services of these well trained young physicians, and at the same time should be of considerable educational value to them, and might tend to stimulate their interest in public health as a life career.

"It is recalled that a few years ago two or three southern states followed this procedure with very satisfactory results for the states and the students. One southern state employed in the neighborhood of fifteen graduate medical students, some of whom were from Duke University. That particular state has an allotment for undergraduate medical students to increase the supply of doctors and to encourage practice in rural areas. A representative of the State Health Department reported that the expenditures on the senior medical students have been more economically productive in securing physicians for that state than had been the Grant-in-Aid to undergraduates. It is, therefore, requested that this office be supplied with definite information as to whether or not these graduates may be employed in the role of interns in public health for six months period beginning January 1, 1951." Signed: C. C. Applewhite, M.D.

The following is Dr. Procter's reply:

"This will acknowledge receipt of your letter of September 26th relative to the use of recent grade A medical school graduates by the State Board of Health (as public health internes) during the interim period between mid-winter graduation and internship beginning July 1st following.

"The secretary has discussed this matter with the president of the 1944-50 State Board of Medical Examiners and both of these officers are of the opinion that such procedure would be to the advantage of the recent graduate, the State Board of Health and the people of North Carolina, provided this service was performed under the direction and responsibility of the State Health Officer. And further provided that such a non-licensed, recent medical graduate make a personal application to the secretary of the State Board of Medical Examiners, furnishing him with identification data, a photograph certified by the dean of the medical school where he had recently graduated, together with any other data required by said secretary.

"This communication is not to be construed as a guarantee that such a permit will be issued to any particular person or applicant that may come within this scope. It is the personal reaction of the existing president and secretary but has not been presented to the membership of the board as a whole. Neither does it in any manner commit the incoming 1950-56 Board of Medical Examiners."

Signed: Ivan Procter, Secretary

VERDICT: Dr. Amos N. Johnson moved that approval be given the State Board



of Health employing medical students graduated from Duke University School of Medicine between graduation and beginning of regular internship, provided the applicant given this authority interviews the secretary of the Board of Medical Examiners and establishes the fact that he is qualified. This motion was duly seconded by Dr. Clyde R. Hedrick and was passed unanimously.

RE: Dr. Henry B. Dorr - Dr. Dorr was licensed by endorsement of credentials on September 25th, 1950. He is 64 years of age and had practiced in New York City and New Jersey for approximately 40 years. He came highly recommended by his constituents. Due to his age and the fact that he had practiced ophthalmology, he was questioned as to why he wished to move to North Carolina and he stated that he desired to move south to a more moderate climate; that he expected to practice legitimate ophthalmology. At that time Dr. Dorr gave as his address Hamlet, North Carolina.

On November 6th, 1950 Dr. M. E. Bizzell of Goldsboro contacted Dr. L. Randolph Doffermyre and reported that Dr. Dorr had moved from Hamlet to Goldsboro and had rented office space from an optical company. At this time Dr. Bizzell was advised by Dr. Combs that it was the duty of the local county medical society to make charges and present the same to the State Board of Medical Examiners. The following is letter under date of January 6th, 1951 from Dr. Bizzell to the secretary:

"I am enclosing a few newspaper clippings being put out by the Smith-Tolar Opticians in this locality. This outfit is the one that is evidently sponsoring Dr. Henry Dorr, and it is my understanding that Dr. Dorr is in the same building and directly connected with this group. I further understand that literature of this nature has been mailed to individuals throughout our locality in which they are offering eye examinations free. If I can get my hands on such a card, I will also mail it to you.

"To date, Dr. Dorr has not requested his membership to any of the local medical societies or to the staff of our local hospital. In fact, I do not believe that any of our profession have had an opportunity to meet him.

"It is my understanding through a physician who is connected with the Army, that he has a record at Fort Bragg which is not too complimentary. This was secured, I understand, by the Army when he applied for some type of commission or service in the Armed Forces. This statement, however, came from an individual that is not too dependable and I would not put much weight on it without I had more information.

"The Optometrists and other men here doing eye work do not think that this type of competition is good for the medical profession in any way.

"I would like to advise that you take this matter up at your next meeting and consider having this set-up investigated by the F. B. I. or some other method that is used in such cases. I am not saying this to hurt anyone, but to be sure that we do not create any condition here that will detract from the medical profession in the future.

"If I can be of any further service to you, I will be glad to do what I can. If you would like for me to appear before the board, I will be glad to do so, but I do not think that will be necessary, due to the fact that I do not know personally much about how this outfit is operating."

Signed: M. E. Bizzell, M. D.

Dr. Bizzell enclosed advertisements of the Smith-Tolar Optical Company, which stated it would arrange eye examinations free of charge; also a postal card mailed out to boxholder, which also stated it would arrange eye examinations free of charge. A copy of the announcement of the opening of offices by Dr. Dorr inserted in the newspaper was also forwarded by Dr. Bizzell, which gave the same address as that of Smith-Tolar Optical Company.

Dr. Doffermyre stated he talked with Mr. Smith of Smith-Tolar Optical Company, who lives and operates a business in Dunn, and he denied having anything to do with Dr. Dorr coming to Goldsboro; that he came to them. Dr. Doffermyre said that Smith does the work for the eye men in Dunn.

VERDICT: Dr. James P. Rousseau moved that Dr. Henry B. Dorr be requested to appear before the board or the president and secretary to answer the question as to his ethics. Dr. Clyde R. Hedrick seconded the motion and the same was passed unanimously.

The board directed the secretary to endeavor to obtain information with reference to Dr. Dorr while located in Hamlet, North Carolina.



RE: Dr. Samuel Victor - Dr. Newsom P. Battle reported to the board he had been advised that Dr. Victor had left Rocky Mount. On September 25th, 1950, Dr. Victor, a grade B graduate, was allowed to remain at the Coastline Hospital in Rocky Mount by the former board for a reasonable length of time in order that he might be replaced, to be extended until January 1st, 1951.

RE: Dr. Charles E. Fiman - The secretary reported that Dr. Fiman, who applied for licensure by endorsement on September 25th, 1950, withdrew his application after the board proceeded to make further investigation.

RE: Dr. Donald Thomas Evans - The secretary reported as follows to the board: That Dr. S. B. McPheeters, Director of Public Health in Wayne County, had petitioned that Dr. Evans be allowed to begin work under his supervision as his assistant; that he was greatly in need of his services. Dr. Evans, graduate of the University of Toronto, was advised, after furnishing credentials that he would be eligible to take the written examination for medical licensure in this state, and that he might proceed to work under the supervision of Dr. McPheeters in Public Health work until June, 1951, when he would take the examination.

VERDICT: The board approved the action of the secretary with reference to Dr. Donald Thomas Evans.

The Minutes of the September 25th, 1950 meeting were read and Dr. James P. Rousseau moved that the same be accepted as read. This motion was duly seconded by Dr. Clyde R. Hedrick and was passed unanimously.

Dr. Clyde R. Hedrick moved that the secretary be instructed to pay for photographic work of the board done in Winston-Salem. This motion was duly seconded by Dr. James P. Rousseau and passed unanimously.

Dr. Amos N. Johnson moved that in view of the increased cost of living the salary of the assistant secretary-treasurer be increased by 10%, to be effective January 15th, 1951. This motion was duly seconded by Dr. Heyward C. Thompson and passed unanimously.

RE: Dr. W. H. Ross, colored, Southern Pines, N. C. - The case of Dr. W. H. Ross was brought to the attention of the secretary on October 27th, 1950, just prior to his taking over said office from the former secretary. On November 3rd, 1950 the secretary advised Dr. Owens the proper procedure to be taken by the county medical society in the case of irregular or illegal acts on the part of a physician, a copy of said letter being sent to officers of the Moore County Medical Society.

The following is letter under date of November 22nd, 1950 to the secretary from Dr. H. A. Peck, Secretary of the Moore County Society:

"On Monday, November 13th at 8 P. M., a meeting of the Board of Censors of Moore County Medical Society, Dr. J. S. Milliken, Dr. H. A. Peck, Dr. W. F. Hollister, and Dr. M. T. Pishko, was held at the Moore County Hospital, at which time Dr. Owens presented a story concerning an alleged act of malpractice by Dr. Ross on the body of Ruth McCrimmon on August 15, 1950. The patient was brought to the St. Joseph of the Pines Hospital on that date by the husband, dead on arrival, with the story from her husband that she had been attended by Dr. Ross about one hour before. Dr. Owens performed an autopsy on the body which was witnessed by Dr. R. M. McMillan of Southern Pines. The internal organs except the brain were removed and sent in a fresh state to Dr. Kimmelstiel, pathologist at Charlotte, N. C.

"The autopsy report from Dr. Kimmelstiel gives the following anatomical impression: Focus of myometrial necrosis (?) Histological Interpretation: Histologic examination of the organs submitted for examination fails to show evidence of pathology in all of them with the exception of the uterus. Within the latter are found areas of extreme congestion and recent necrosis of portions of endometrium and myometrium, not only confined to the grossly visible area near one of the cornu, but microscopically throughout the entire cavity. There is no tissue reaction to the necrotizing changes indicating its terminal nature. The changes, however, can not be regarded as post-mortem because of the extreme congestion of veins and sinusoids, and filling of the latter (as well as few adjacent lymphatics) with laked blood and foreign material, including cellular debris and fatty substances. The material presumably injected by extrinsic force produced local hemolysis. There is no evidence of generalized hemolytic effect. Pregnancy can be excluded. The tissue changes observed are not explained as resulting from expelled pregnancy since the nature of the endometrium excludes this possibility.



"Dr. Ross was summoned to appear before the Board of Censors of the County Medical Society on 11/20/50, at which time all the facts that the Board of Censors had gathered from the two men were presented, together with the pathological report. General discussion followed:

"There were 16 members present at the call meeting and a resolution was presented to the Society by a member of the Board of Censors as follows: The Board of Censors feel that there is not enough evidence (1) as to intent, (2) as to the act, to accuse Dr. Ross of malpractice in this instance, and not enough evidence from a pathological standpoint as determined by the pathologist to pass along to the Board of Examiners as to the cause of death.

"A rising vote was taken among the members of the County Society, (1) Those in favor of recommending "no cause for action", 15 votes. Dr. Owens did not vote."

On December 19th, 1950 the editorial page of "The Pilot", a newspaper in Southern Pines, was received by the secretary, the same being sent in the envelope of "The Pilot" with no name given as to the sender, the same containing the following editorial:

"A CASE THAT MUST NOT BE DROPPED - A good deal of concern is being expressed over the fact that nothing more has been heard of the case of Julia McCrimmon, the negro woman who died shortly after she was removed in a fainting condition from a doctor's office. Actually, however, the delay is entirely legitimate. The report of the SBI investigation has not yet been handed to the county prosecutor.

"It is more than natural that there should be serious public concern over this shocking occurrence. The circumstances surrounding the case including the fact as reported that the doctor in question paid a large sum of money through a lawyer to the dead woman's husband, must arouse deep suspicion.

"There is little doubt, also, that the public has been troubled by what may have seemed, to some, indifference on the part of the medical profession. The finality with which the county society acted, apparently completely withdrawing its interest in the case, has increased the general uneasiness as to what will be the attitude of the county prosecutor. A case such as this is something nobody likes. Just as the doctors decided that it was a matter solely for consideration by the court, so the court might say that by their action the doctors had already made prosecution a waste of time and money. And both these are, definitely, legitimate concerns of any public official.

"But ahead of these comes concern for justice and the public welfare. We are confident that our county's legal matters are in the hands of men who will always put that first. The public may rest assured, we believe, that if prosecution is in the slightest degree warranted, it will be carried through.

"That is, of course, what the doctors are hoping. Their attitude has been clearly shown from the start in the general approval of the prompt action of the doctor who did the autopsy and the witnessing physician. There is little doubt that they feel the vital concern which the medical profession has in such a case and, while recognizing that guilt in a medical matter is hard to establish, are most anxious that the case come to trial. It is only to be regretted that they have not said so forcibly, to the reassurance of an anxious public and the strengthening of the hand of the law.

"It is certain that a death certificate, which presumably must read: "from causes unknown" presents to both the medical and the legal profession a direct challenge which must not be allowed to go unanswered."

The secretary contacted the director of the State Bureau of Investigation with reference to an investigation being made in this case, who advised that the investigation was not completed. He forwarded, however, a report of the investigation which was marked as pending.

VERDICT: The board directed the secretary to procure copy of report from the State Bureau of Investigation in the case of Dr. W. H. Ross, when the same is completed.

RE: Colorado Board of Medical Examiners - The Colorado State Board of Medical Examiners has communicated with the secretary with reference to continuation of reciprocal relations and forwarded a copy of its Medical Practice Act. The regulations of the Colorado Board appear to be on a par with that of North Carolina other than it requires a certificate from the Colorado State Board of Examiners in the Basic Sciences, which board has advised that it only accepts credentials from a basic science board. Therefore, a North Carolina licensee



would be required to take the basic science written examination in order to procure medical license in Colorado.

VERDICT: The board directed that the question of continuation of reciprocal relations with the Colorado Board of Medical Examiners be held in abeyance until the May, 1951 meeting; that the secretary talk with the secretary of the Colorado Board at the national meeting in February and that he procure a copy of the basic science law of Colorado and copies of examination questions for two years.

RE: Request for Duplicate License - Dr. John E. Evans - The following is affidavit and request for issuance of duplicate license under date of November 27th, 1950:

"As directed by letter from you I wish to state loss of license number 7751 to practice medicine in the State of North Carolina. I also wish to request that a duplicate license be issued. Please mail the license to me at my present address. The fee for such is enclosed.

Signed John E. Evans, M. D.

"State of Maryland
City of Baltimore

"Subscribed and sworn to before me this 27th day of November, 1950.
SEAL

Signed Marie E. Ryland, Notary Public"

VERDICT: Dr. Amos N. Johnson moved that Dr. John E. Evans be issued a duplicate license. Dr. Clyde R. Hedrick duly seconded the motion and the same was passed unanimously.

RE: Applicants for Written Examination - Requirements - Dr. Amos N. Johnson moved that applicants for written examination furnish photograph to be certified by the dean of the medical school. This motion was duly seconded by Dr. Clyde R. Hedrick and passed unanimously.

RE: Dr. Robert B. Bost, resident at Duke - The board on September 25th, 1950 granted Dr. Bost permission to remain at Duke 90 days without procuring license, since he was leaving the state. Dr. W. C. Davison, Dean, advised that Dr. Bost would go to New Orleans December 31st, 1950.

The meeting was adjourned.

Monday, January 15th, 1951

The board convened at 9:30 A. M. in the Winston Room and all members were present.

Applicants for licensure by endorsement of credentials were interviewed:

RE: Dr. Joseph Shelton Bowers, at the request of Dr. Paul F. Whitaker of Kinston, was granted permission to appear before the board in lieu of completion of credentials. Dr. Bowers stated that he planned to go to Pink Hill to do general practice, which community at the present time is without the services of a physician.

VERDICT: Dr. Clyde R. Hedrick moved that Dr. Joseph Shelton Bowers be granted medical license when his credentials are in order and approved by the secretary. This motion was duly seconded by Dr. Heyward C. Thompson and passed unanimously.

RE: Dr. William Wallace Chiles - Dr. Chiles was granted permission to appear before the board in lieu of completion of credentials. He stated that he planned to practice in Claremont, which community is without the services of a physician at the present time. He stated his reason for leaving Texas was that he was practicing in an oil town which at the present time has greatly deteriorated and his income has declined. He procured the present location through the Lions Club in answer to an ad in the Journal of the American Medical Association.

Dr. Rousseau: Were your relations with the profession in Texas all right?
 Answer: Yes.

Dr. Combs: Have you ever had any trouble with narcotics or alcohol?
 Answer: No sir. I never prescribe straight morphine.

VERDICT: Dr. L. Randolph Doffermyre moved that Dr. William Wallace Chiles be granted medical license when his credentials are in order and approved by the secretary. The motion was duly seconded by Dr. Heyward C. Thompson and passed unanimously.

RE: Dr. Marion M. Estes was granted permission to appear before the board in lieu of completion of credentials. He stated that he had accepted a position with the State Hospital as clinical director to set up a teaching program in psychiatry. He stated that he is a diplomate of the American Board of Psychiatry. Dr. Estes said that his primary plan is to organize a residency program and plans that as his career; that he plans to stay in North Carolina permanently.

VERDICT: Dr. L. Randolph Doffermyre moved that Dr. Marion M. Estes be granted medical license when his credentials are in order and approved by the secretary. This motion was duly seconded by Dr. James P. Rousseau and passed unanimously.

RE: Dr. Kenneth L. Jordan, resident at Duke University School of Medicine, was granted permission to appear before the board in lieu of completion of credentials.

VERDICT: Dr. L. Randolph Doffermyre moved that Dr. Kenneth L. Jordan be granted limited medical license to Duke University School of Medicine when his credentials are in order and approved by the secretary. This motion was duly seconded by Dr. James P. Rousseau and passed unanimously.

RE: Dr. Louisa Chandler Littleton was granted permission to appear before the board in lieu of completion of credentials.

VERDICT: Dr. L. Randolph Doffermyre moved that Dr. Louisa Chandler Littleton be granted medical license when her credentials are in order and approved by the secretary. This motion was duly seconded by Dr. Heyward C. Thompson and passed unanimously.

RE: Dr. Julian Edward Mangus was granted permission to appear before the board in lieu of completion of credentials. He stated that he plans to go to Spray to do general practice; that he is leaving Wytheville, Virginia, as North Carolina offers better educational facilities for his children.

VERDICT: Dr. Clyde R. Hedrick moved that Dr. Julian Edward Mangus be granted medical license when his credentials are in order and approved by the secretary. This motion was duly seconded by Dr. Amos N. Johnson and passed unanimously.

RE: Dr. Robert L. Pedersen, resident at Duke University School of Medicine, was granted permission to appear before the board in lieu of completion of his credentials.

VERDICT: Dr. Joseph J. Combs moved that Dr. Robert L. Pedersen be granted medical license limited to Duke University School of Medicine when his credentials are in order and approved by the secretary. This motion was duly seconded by Dr. Heyward C. Thompson and passed unanimously.

RE: Dr. William Allan Phillips was granted permission to appear before the board in lieu of completion of credentials. Dr. Phillips is a resident at Duke University School of Medicine.

VERDICT: Dr. Clyde R. Hedrick moved that Dr. William Allan Phillips be granted medical license limited to Duke University School of Medicine when his credentials are in order and approved by the secretary. This motion was duly seconded by Dr. L. Randolph Doffermyre and passed unanimously.



RE: Dr. David B. Snelling was granted permission to appear before the board in lieu of completion of credentials. He has practiced as follows: 1933, two years C. C. Camp; practiced three years Montgomery, Alabama; one and a half years Alabama Health Department; in service five years; practiced two years Shreveport, Louisiana; Louisiana Veterans Administration three years. Dr. Snelling stated that he came to North Carolina in November, 1950 acting as assistant medical director for the Ecusta Paper Company, doing physical examinations for employment and for termination of employment, has not treated patients.

VERDICT: Dr. Amos N. Johnson moved that Dr. David B. Snelling be granted medical license after his credentials are submitted in order, approved by the secretary, and approved by the secretary of the Transylvania Medical Society; that he be granted medical license. This motion was duly seconded by Dr. James P. Rousseau and passed unanimously.

The following physicians were granted medical license by endorsement of credentials:

<u>NAME</u>	<u>MEDICAL SCHOOL</u>	<u>ADDRESS</u>
Joseph Shelton Bower	Univ. Virginia	Pink Hill, N.C.
Richard Lafayette Burt	Harvard	Winston-Salem, NC
William Wallace Chiles	Univ. Arkansas	Claremont, N.C.
Richard Henry Corales, Jr.	Tulane Univ.	Durham, N. C.
License limited Duke University School Medicine		
Frederick Thomas Eastwood	Temple Univ.	Raleigh, N. C.
Marion Monroe Estes	Univ. Georgia	Raleigh, N. C.
Elizabeth Sarah Linson Ford	Univ. Penn	Greensboro, N. C.
Herman Anderson Gailey, Jr.	Johns Hopkins	Durham, N. C.
License limited Duke University School Medicine		
Jack Chenoweth Horner	Geo. Washington	Spruce Pine, N.C.
Garry deNeuville Hough III	Harvard	Durham, N. C.
License limited Duke University School Medicine		
Kenneth L. Jordan	N. Y. University	Durham, N. C.
License limited Duke University School Medicine		
Harry John Kalevas	Duke University	Charlotte, N. C.
William Adolph Klauber, Jr.	Med. Coll. S. C.	Morganton, N. C.
Louisa Chandler Littleton	Geo. Washington	Arlington, Va.
Julian Edward Mangus	Jefferson	Spray, N. C.
Catherine Brown Middleton	Howard University	Raleigh, N. C.
Oscar McLendon Mims	Duke University	Florence, S. C.
Robert Lundberg Pedersen	Univ. Minnesota	Durham, N. C.
License limited Duke University School Medicine		
William Allan Phillips	Jefferson	Durham, N. C.
License limited Duke University School Medicine		
David Barrow Snelling	Harvard	Brevard, N. C.
Alfred Robert Stumpe	Cornell Univ.	Charlotte, N. C.
Barney Foreman Timmons	Med. Coll. S. C.	Durham, N. C.
License limited Duke University School Medicine		
William Waugh Turner	Emory University	Jamestown, N. C.

Dr. Heyward C. Thompson moved that the board members be paid per diem for two days for the September, 1950 meeting. This motion was duly seconded by Dr. Amos N. Johnson and passed unanimously.

RE: Dr. John E. Costello, graduate of College of Physicians and Surgeons, Boston, Massachusetts in 1947, grade B school. Dr. Costello appeared and stated that he is 49 years of age; that he is now employed at the State Sanatorium at McCain; that he had been instructed that requirement for medical licensure in North Carolina was graduation from a grade A medical school. He said that he did not come to North Carolina with the idea of doing anything improper; that he was told if he came and worked in a state institution, arrangements would be made for him to take the state board; that he only had someone's word; that he had been at the sanatorium since September 1st. When asked why he went to an unapproved medical school he stated he could not get in a grade A medical school on account of his age; that he was unable to get license in Massachusetts as he had enrolled in the medical school (grade B) after January 1st, 1941. A law was passed in Massachusetts prohibiting anyone who enrolled in the grade



B medical schools after 1941 from being eligible for license in Massachusetts. This law was passed to force the grade B schools to close. Dr. Costello stated he was a native of Rhode Island.

VERDICT: Dr. Amos N. Johnson moved that Dr. John E. Costello be notified that he will not be permitted to take the written examination of the North Carolina State Board of Medical Examiners for medical licensure and that he will not be permitted to practice medicine in any manner in the State of North Carolina at the conclusion of this intership at the State Sanatorium September 1st, 1951. This motion was duly seconded by Dr. Clyde R. Hedrick and passed unanimously.

RE: Dr. H. Kutteh, graduate of Beirut University of Medicine, Lebanon, Grade A.

Dr. J. S. Holbrook of Davis Hospital, Statesville, appeared with Dr. Kutteh and advised that Dr. Kutteh is there as an exchange of persons working under the Department of State; that he came to the Davis Hospital in December, 1950 to be there one year; that he is not a displaced physician and plans to go back to Lebanon. Dr. Holbrook stated that the State Department investigated all persons thoroughly before they are allowed to come into the country. He said that Dr. Kutteh is a resident in the hospital and is doing obstetrics only. Dr. Kutteh told the board that he had no definite plan to stay after one year, however, he would like to take the written examination for medical licensure to be given in June of this year.

VERDICT: Dr. Amos N. Johnson moved that Dr. H. Kutteh remain at Davis Hospital as an exchange resident until the meeting of the State Board of Medical Examiners in June, 1951, and at that time he be required to take the written examination and procure medical license or if he fails to pass that he be required to cease work in North Carolina as of that date. This motion was duly seconded by Dr. James P. Rousseau and passed unanimously.

RE: Foreign Exchange Students or Physicians

Dr. L. Randolph Doffermyre moved that Dr. J. W. Davis, Statesville, be advised that in the future all foreign exchange students or physicians who have had one year internship or more will be required to obtain a medical license before they can practice in the hospital. This motion was duly seconded by Dr. Clyde R. Hedrick and passed unanimously.

RE: Dr. John S. Scott, Assistant Resident at Bowman Gray School of Medicine.

Dr. Scott, graduate of the University of London, Middlesex Hospital Medical School in 1947, which is grade A, appeared and advised that he desired to take the written examination of the Board of Medical Examiners. His present residency is pending approval for two years. He came to Bowman Gray School of Medicine January 1st and hopes to stay in this country, however, he has no definite plans.

VERDICT: Dr. Clyde R. Hedrick moved that Dr. John S. Scott be allowed to take the written examination in June and to continue his residency at Bowman Gray until that time. Dr. Amos N. Johnson duly seconded this motion and the same was passed unanimously.

RE: Old North State Medical Society (for negroes)

The board instructed Dr. James P. Rousseau to see Dr. J. C. Jordan, President of the Old North State Medical Society, Winston-Salem, and advise him that the Board of Medical Examiners desires to co-operate with the society in pertinent matters.

RE: Dr. Alton B. Freeman, Randleman, North Carolina

The following is letter from the Narcotic Bureau under date of November 7th, 1950:

"Your attention is invited to the case of Dr. Alton B. Freeman, Randleman, North Carolina, whose narcotic records were inspected by one of our agents on May 9, 1950. It was found that during the previous twelve months the



"doctor had purchased on his Government order forms 300 1/16 grain dilaudid tablets, 5000 1/4 grain morphine tablets, 5,244 ampoules (30 cc) of demerol, and 3,636 ampoules (20 cc) of dolophine. The agent reported that Dr. Freeman admitted that he had personally used all of these drugs because of an ulcerated stomach caused by drinking whiskey. Dr. Freeman told the agent that he had entered the Hot Springs Sanitarium, Hot Springs, Arkansas, in January 1950 for treatment and had been discharged as cured on February 7, 1950; and that he again entered the sanitarium around the first part of April 1950 and left on April 24, 1950 without being cured. He surrendered his narcotic special tax stamp and unused Government order forms and promised not to reregister under the Federal narcotic law for eighteen months.

"On May 15, 1950 Dr. Freeman was admitted to Appalachian Hall, Asheville, North Carolina, where he remained until June 26, 1950 on which date he was discharged as free from the use of narcotic drugs.

"Our records show that on July 7, 1936 we advised your Board of Dr. Freeman's conviction under the Federal Narcotic law on December 2, 1935, when he was fined \$500 and placed on probation for five years.

"Will you please advise this Bureau of any action taken by your Board in this case."

The following is extract from the Minutes of the North Carolina State Board of Medical Examiners under date of July 11th, 1936:

"At this point the secretary read a rather long communication from Mr. Will Wood, Acting Commissioner Narcotic Bureau. The communication dealt with the case of Dr. Alton B. Freeman of Randleman; Dr. John Smythington of Carthage; Dr. Edward V. Barbeck of Weaverville, North Carolina. After considerable discussion of these cases there was a motion by Dr. Royal, seconded by Dr. Smith to the effect "That the letter from the Honorable Will Wood, Acting Commissioner, be received and that the secretary write the Commissioner and thank him for this communication." The motion was carried. It appeared to be the concensus of opinion that since two of these gentlemen had been fined, and that the Court had not seen fit to sentence them to imprisonment, there appeared to be little that we could do other than a gentle reprimand."

The following is report under date of December 15th, 1950 from the Board of Censors of the Randolph County Medical Society:

"The Censorship Committee of the Randolph County Medical Society, acting in accordance with your request of November 10th, 1950 has investigated and herewith reports to you concerning the alleged addiction of Alton B. Freeman, M. D., to the use of narcotic drugs. If you will recall our telephone conversation of December 12th, 1950, it is impossible for the committee to give first hand information or impressions concerning Dr. A. B. Freeman of Randleman, N. C., because of the fact that we seldom if ever see him either professionally or socially. He has not attended a Randolph County Medical Society meeting for the past several years, nor is he active professionally on the medical staff of the Randolph Hospital in Asheboro. Please be advised, therefore, that the following opinions were formed as a result of confidential interviews with several leading citizens, professional and non-professional, of the community and environs of Randleman, N. C.

"The opinion is held that Dr. A. B. Freeman is apparently addicted to the use of narcotic drugs. It would appear that the people of the community of Randleman, N. C. respect Dr. Freeman as a man and trust him as a physician during the intervals when he is not under the influence of drugs. It appears that most of the people of the community recognize Dr. Freeman's addiction. He has been a successful physician and still appears to command a large practice during the intervals when he is active professionally. Please be advised that none of the foregoing material is presented as factual. It is presented merely as a summation of the ideas, opinions and impressions of the several persons interviewed by us."

Dr. Alton B. Freeman was thereupon on December 12th, 1950 requested by registered mail, receipt of which he signed, to appear before the board at this meeting. No word has been received by the secretary from Dr. Freeman and he failed to appear as directed.



Narcotic Agent Atkinson, who was present, reported that 10 years ago Dr. Freeman was investigated and tried in Federal Court, at which time he paid a fine and was placed on probation for violation of the Narcotic Laws; however, at that time he was not addicted to drugs. A year ago he was investigated because of excessive purchase of narcotics, at which time he admitted addiction to drugs and voluntarily surrendered his narcotic license. He went to Hot Springs, Arkansas for treatment. Mr. Atkinson stated that he had made no investigation since that time.

VERDICT: Dr. Amos N. Johnson moved that Dr. Alton B. Freeman be subpoenaed to appear before the Board of Medical Examiners Monday, May 7th, 1951, in Pinehurst, North Carolina to answer charges that he is addicted to drugs, thereby disqualifying him to practice medicine; that at said hearing a decision will be made as to whether or not disciplinary action will be taken with reference to suspending or revoking his license to practice medicine in the State of North Carolina. This motion was duly seconded by Dr. L. Randolph Doffermyre and passed unanimously.

RE: Dr. John S. Stone was called before the 1944-50 Board of Medical Examiners on several occasions with reference to his narcotic addiction and failure to comply with the direction of the board that he appear before Dr. M. D. Bonner, Jamestown, at regular intervals. A complete record is on file in the office of the secretary.

On September 25th, 1950 the outgoing Board of Medical Examiners directed the secretary to write Dr. Stone that it had received encouraging reports on him regarding his unfortunate habit but in order to comply with the spirit and letter of the law and the direction of the board, it would be necessary for him to report to Dr. M. D. Bonner, Jamestown, within two weeks from date and unless he did, it would be the unpleasant duty of the board to revoke his medical license. Dr. Bonner advised on November 6th, 1950 that he had heard nothing from Dr. Stone. For the past year the narcotic agent had presented good reports as to Dr. Stone's addiction.

The secretary instructed Dr. Stone to appear at this meeting of the board and sent the same registered mail "marked return receipt, deliver to addressee only". This letter was returned unclaimed.

Narcotic Agent Atkinson was present and stated that in his opinion Dr. Stone was not taking drugs; that he had talked to several people, including the chief of police; that he stayed in his office all hours at night, as late as four to five in the morning with the light burning. Mr. Atkinson said he had talked to Dr. Stone on several occasions. He said though he did not think he was taking drugs, he did not know what was his trouble, whether he was mentally unbalanced or not. That when talking with him he would suddenly start talking on another subject. Mr. Atkinson said that Dr. Stone, Dr. Tyner and the hospital board did not get along; that Dr. Stone took his patients to Martinsville, Virginia; that he has quite a few patients and will go when called, at all hours. At the jail fire in Leaksville he was the first physician there and did all he could.

VERDICT: Dr. Amos N. Johnson moved that Dr. John S. Stone be subpoenaed (personal service) to appear before the Board of Medical Examiners at its meeting at the Carolina Hotel, Pinehurst, North Carolina, Monday, May 7th, 1951, at 3:00 P. M. This motion was duly seconded by Dr. L. Randolph Doffermyre and passed unanimously.

RE: Dr. Calvin Howard Cain: Dr. Cain was directed on two occasions by the 1944-1950 Board of Medical Examiners to appear to answer charges of alleged addiction, to which directions he failed to comply. The board on July 22nd, 1950, revoked his medical license.

Dr. Cain requested that the board grant him the privilege of appearing at this meeting, however, he failed to appear at the appointed time.

VERDICT: Dr. Amos N. Johnson moved that the case of Dr. Calvin Howard Cain remain status quo. This motion was duly seconded by Dr. James P. Rousseau and passed unanimously.



RE: Dr. James M. Williams, Warsaw, North Carolina, age 75, licensed 1902. (Complete file in the office of the secretary)

Dr. Williams was duly subpoenaed to appear before the Board of Medical Examiners to answer to charges of the State Board of Medical Examiners because of his conviction in the Federal Court, Eastern District of North Carolina, on the 20th day of November, 1950.

A court-like hearing was held. Dr. Williams appeared without counsel. Attorney John H. Anderson appeared as counsel for the State Board of Medical Examiners. The following charges of the board were read by Attorney Anderson:

"IN RE: JAMES M. WILLIAMS, M. D., NOTICE OF HEARING AND ACCUSATIONS TO JAMES M. WILLIAMS, M. D., WARSAW, NORTH CAROLINA:

"You are hereby summonsed and notified to appear before the Board of Medical Examiners of the State of North Carolina at its regular meeting to be held Monday, January 15th, 1951, at 2:00 o'clock P. M. at the Robert E. Lee Hotel, Forsyth County, Winston-Salem, North Carolina, to answer to the following charges which are preferred against you by said board, to-wit:

"1. That you have been found guilty in the Federal Court of the following offenses:

"Count One. That on or about 6 February 1950, in the Eastern District of North Carolina, JAMES WILLIAMS by means of a prescription by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away twenty-four (24) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to Ozy Gray, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in pursuance of a written order of the said Ozy Gray on a form issued in blank for that purpose by the Secretary.

"Count Two. That on or about 24 February 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of a prescription issued to William Moore and delivered to John C. Cross, by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away thirty (30) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to John C. Cross, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in pursuance of a written order of the said John C. Cross on a form issued in blank for that purpose by the Secretary.

"Count Three. That on or about 6 March 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of a prescription issued to William Moore and delivered to Ozy Gray, by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away thirty (30) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to Ozy Gray, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in the pursuance of a written order of the said Ozy Gray on a form issued in blank for that purpose by the Secretary.

"Count Four. That on or about 6 March 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of a prescription issued to William Moore and delivered to John C. Cross, by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away thirty (30) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to John C. Cross, not in course of the professional practice of the said JAMES M. WILLIAMS, nor in pursuance of a written order of the said John C. Cross on a form issued in blank for that purpose by the Secretary.

"Count Five. That on or about 9 March 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of a prescription issued to



William Moore and delivered to John C. Cross, by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away thirty (30) one-quarter morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to John C. Cross, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in pursuance of a written order of the said John C. Cross on a form issued in blank for that purpose by the Secretary.

"Count Six. That on or about 9 March 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of a prescription by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away thirty (30) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to Ozy Gray, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in the pursuance of a written order of the said Ozy Gray on a form issued in blank for that purpose by the Secretary.

"Count Seven. That on or about 10 March, 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of a prescription issued to William Moore and delivered to John C. Cross, by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away thirty (30) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to John C. Cross, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in pursuance of a written order of the said John C. Cross on a form issued in blank for that purpose by the Secretary.

"Count Eight. That on or about 10 March 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of a prescription by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away thirty (30) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to Ozy Gray, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in pursuance of a written order of the said Ozy Gray on a form issued in blank for that purpose by the Secretary.

"Count Nine. That on or about 22 March 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of a prescription issued to William Moore and delivered to John C. Cross, by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away thirty (30) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to John C. Cross, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in pursuance of a written order of the said John C. Cross, on a form issued in blank for that purpose by the Secretary.

"Count Ten. That on or about 23 March 1950, in the Eastern District of North Carolina, JAMES M. WILLIAMS by means of two prescriptions issued to William Moore and delivered to John C. Cross, by which the recipient obtained the drug hereinafter described, sold, bartered, exchanged or gave away sixty (60) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to John C. Cross, not in the course of the professional practice of the said JAMES M. WILLIAMS, nor in pursuance of a written order of the said John C. Cross, on a form issued in blank for that purpose by the Secretary.

"Count Eleven. That between the period of 1 June 1948 and 11 May 1950, inclusive, in the Eastern District of North Carolina, JAMES M. WILLIAMS sold, bartered, exchanged or gave away approximately Eleven Thousand Seven Hundred and Twelve (11,712) one-quarter grain morphine sulphate tablets, a drug mentioned in Section 2550 (a), Internal Revenue Code, to persons unknown to the Grand Jurors, not in pursuance of a written order of the persons to whom such articles were sold, bartered, exchanged or given away on a form issued in blank by the Secretary for that purpose, and not in the course of the professional practice of the said JAMES M. WILLIAMS."

"2. That on the 20th day of November, 1950, you were tried in the District Court of the United States, Eastern Division of North Carolina, on the above charges and the following is the judgment of the court:

"It is Adjudged that the defendant has been convicted upon his plea of not guilty, and a finding of guilty by the Court of the offenses of violating



the Narcotic Laws - Titel 26; Sec. 2554 (a); 2550 (a), as charged in Counts 1 through 11, and on November 21, 1950, the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

"It is Adjudged that the defendant is guilty as charged and convicted.

"It is Adjudged that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of:

"Count 1 - Eighteen Months (18); \$500.00 fine

"Counts 2 through 11 inclusive - Eighteen Months (18)

"Sentences to run concurrently.

"It is Adjudged that execution of sentence be suspended and defendant placed on probation for a period of five (5) years with a special provision that he pay fine imposed; defendant is to surrender the special tax stamp and narcotics opium order form to the United States Bureau of Narcotics."

"3. That you have thereby been convicted of a felony and grounds exist under section 90-14 of the Medical Practice Act for revocation of your license to practice medicine in the State of North Carolina.

"You are advised that at the above time and place you will be given an opportunity to appear personally and by counsel to answer said charges and to present evidence, if you so desire.

"You are further advised that after hearing upon the above allegations and charges the Board of Medical Examiners of the State of North Carolina will take such action with respect to the revocation or suspension of your license to practice medicine as may be justified.

"This the 5th day of December, 1950.

Signed Joseph J. Combs, M. C., Secretary
Board of Medical Examiners of the
State of North Carolina"

When Dr. Williams was asked how he plead, he stated he plead not guilty to the charges set out; that it was a shock when he got evidence that he was guilty; that he was not trying to escape any law or overcome the Harrison Narcotic Act; that he thought he was within the law.

The following evidence was introduced by Attorney Anderson as exhibits:

EXHIBIT A- Certified copy of Bill of Indictment in the Federal Court,
Case #5046

EXHIBIT B- Certified copy of Judgment in the Federal Court, Judge Donald Gilliam presiding, Case #5046

Narcotic Agent W. T. Atkinson was cross-examined and testified as follows: That he made a routine check on Dr. Williams in 1947, at which time he found from his duplicate order forms that he was purchasing 500 one-quarter grain morphine tablets per month; that he was prescribing and dispensing narcotics to addicts well known to the Narcotic Bureau. Dr. Williams was so informed and warned to stop prescribing to drug addicts. Dr. Williams said that he would. That reports continued to come in with reference to Dr. Williams and an investigation was again made in August or September, 1948. At that time Dr. Williams was still prescribing for drug addicts known to the agent as shown by prescriptions in the drug stores and he was again warned. Three months later a report came from Warsaw, North Carolina, that the narcotic addicts were about to take over the Town of Warsaw. At that time undercover investigation was started and Dr. Williams was arrested on evidence obtained in this investigation.

The following is record of prescriptions taken from Clark's Drug Store presented by Agent W. T. Atkinson, during June, 1948 to May, 1950:



2,338 prescriptions calling for a total of 48,822 one-quarter grain morphine tablets
 5,650 one-twentieth dilaudid
 178 one-half grain pantapon
 2,260 cc dolophin

In 1948 Dr. Williams only wrote 213 prescriptions, which leaves 2,125 written from January, 1949 to May 11th, 1950.

He purchased on order forms from January 1st, 1948 to May 11th, 1950, the date of arrest, 12,700 one-half grain morphine.

Dispensing records showed only 588 one-quarter grain morphine tablets on May 11th, 1950, he had approximately 400 one-quarter grain morphine tablets on hand, which left approximately 11,712 unaccounted for.

Mr. Atkinson said that two weeks ago two prescriptions bearing the signature of J. M. Williams, M. D. for nembutal $1\frac{1}{2}$ grains, capsules 12, the other for morphine sulphate one-quarter grain, were found on the person of a drug addict when arrested; that he did not know whether or not they bore the signature of Dr. Williams. These prescriptions were presented as EXHIBITS C and D. The narcotic agent stated that he had personal knowledge of each of the counts in the Bill of Indictment; that he directed the investigation and had all of the prescriptions referred to. The undercover agent paid \$2.00 for a narcotic prescription.

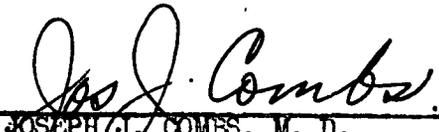
Dr. Williams was given the privilege to question the witness, Narcotic Agent W. T. Atkinson, which he did not do. When Dr. Williams was questioned his answers were inconsistent. He said he denied some of the allegations as his records did not show it; that some of the evidence presented against him was fictitious and should not be accepted. He stated he did not know he was giving morphine to addicts.

After presentation of the evidence as above summarized, the board went into executive session to consider and pass upon the charges. After thorough discussion the following resolution was made by Dr. Clyde R. Hedrick, duly seconded by Dr. L. Randolph Doffermyre, and duly adopted by a vote of five ayes, two nos, Dr. Combs and Dr. Johnson voting in the negative:

VERDICT: RESOLVED: That the Board of Medical Examiners of the State of North Carolina find and conclude that Dr. James M. Williams is guilty of having violated the Federal Narcotic Act; that he was convicted of a felony in the Federal Court as set forth in the charges, upon which his case was heard, and that his license to practice medicine in the State of North Carolina should be revoked. And resolved further, that the license of Dr. James M. Williams be and the said is hereby revoked as of January 15th, 1951.

The meeting was adjourned.

Signed


 JOSEPH J. COMBS, M. D.
 Secretary-Treasurer



