

MEETING OF THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NORTH CAROLINA

VELVET CLOAK HOTEL
Raleigh, North Carolina

September 15-17th, 1965

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The Board of Medical Examiners of the State of North Carolina held a special meeting at the Velvet Cloak Hotel, Raleigh, North Carolina, September 15-17th, 1965, for the purpose of holding two formal hearings. At that time some other matters were considered.

The Board convened for dinner at 6:00 P. M. Wednesday, September 15th, and the following members were present: Drs. H. Lee Large, Jr., President, Joseph J. Combs, Secretary-Treasurer, Frank Edmondson and W. Boyd Owen were present.

Dr. Ralph G. Templeton was absent from the meeting on account of illness. Drs. James E. Davis and Clark Rodman came in on September 16th and were present for all other sessions.

The Minutes of the July 22-24th, 1965 meeting were approved as read.

Attorney John H. Anderson, Jr. was present and conferred with regard to the hearings for this meeting.

The meeting was adjourned.

Thursday, September 15th
9:00 A. M.

RE: Dr. T. H. Millman, formerly of Leaksville, North Carolina, now of Rupert, West Virginia - The following Charges and Accusations were made against Dr. Millman by the Board of Medical Examiners of the State of North Carolina and were read by Attorney Anderson:

"You are hereby given notice that the Board of Medical Examiners of the State of North Carolina has made and does hereby make and present against you the following charges and accusations, to-wit:

"1. That on or about July 30, 1963, and between that date and August 10, 1963, you administered to Mrs. Charalene Frances Grandner Bond certain drugs and medicines, and used and performed upon her certain procedures, in your office at Leaksville, N. C., for the purpose of and with the intention of interrupting her pregnancy and causing her to abort a living fetus, and you did thereby attempt to perform a criminal abortion.

"2. That as the result of the medicines administered by you and the procedure used and performed by you upon the said Charalene Frances Grandner Bond on or about July 30, 1963 and between that date and August 10, 1963 you did perform a criminal abortion.

"3. That on July 30, 1963 and between that date and August 10, 1963, by the administration of drugs and medicines and the performance and use of certain procedures you caused Mrs. Charalene Frances Grandner Bond to commence to abort a fetus and to commence an interruption of her pregnancy, as the result of which she died on August 11, 1963, all of which drugs and procedures were administered and performed by you upon said Mrs. Charalene Frances Grandner Bond with knowledge on your part that she was pregnant, and with knowledge on your part that the administration of such drugs and medicines and the performance and use of such procedures was not the proper procedure or treatment for the continuation of her pregnancy, and with knowledge on your part that the interruption of her pregnancy was not necessary for the protection of either the life or health of said Mrs. Charalene Frances Grandner Bond.

"4. That in your treatment of Mrs. Charalene Frances Grandner Bond on and between July 30, 1963, and August 11, 1963, you were guilty of unprofessional and dishonorable conduct unworthy of and affecting your profession of medicine.

"5. That in your treatment and advice to Mrs. Ruby Hal lman at your office Leaksville, N. C. on July 27, 1963 you were guilty of unprofessional and dishonorable conduct un-

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Dr. T. H. Millman continued

"worthy of and affecting your profession.

"6. That on or about December 26, 1964 you performed a criminal abortion upon Mrs. Margaret Moffitt Searcy at your office in Leaksville, N. C.

"7. That on the night of December 26, 1964 by the use of instruments you performed a procedure upon Mrs. Margaret Moffitt Searcy for the purpose of and knowing that the procedure could have the effect of inducing and causing an abortion, with knowledge on your part that she was pregnant, which procedure and treatment was not necessary to either save the life of or to protect the health of Mrs. Margaret Moffitt Searcy.

"8. That on or about December 26, 1964 in your treatment of Mrs. Margaret Moffitt Searcy in your office in Leaksville, N. C. you were guilty of unprofessional and dishonorable conduct unworthy of and affecting your profession.

"9. That in each of the above respects grounds exist for the revocation of your license to practice medicine.

"You are further notified that the Board of Medical Examiners of the State of North Carolina will conduct a hearing upon the foregoing charges and accusations at its meeting to be held in the Sir Walter Hotel at Raleigh, N. C. on the 16 day of June, 1965, at 9:00 A. M. o'clock, at which time you will be privileged to be represented by counsel, to cross examine witnesses and to present evidence upon your own behalf and to be heard before the Board, and that in the meantime you may file a written answer to the above charges and accusations if you so desire, although you are not required to do so; that following said hearing the Board will take such action as may be justified and warranted.

"BY ORDER OF THE BOARD this 29th day of March, 1965."

Signed H. Lee Large, Jr., President"

"ATTEST: Joseph J. Combs, Secretary"

Dr. Millman appeared and was represented by Attorneys Jesse S. Moore and Clark Holt. Attorney John H. Anderson, Jr. represented the Board of Medical Examiners.

Mr. Jesse S. Moore, attorney for the defendant, entered a plea of not guilty.

Witnesses for the Board were as follows:

Dr. R. A. Groat, Pathologist, Greensboro
 Dr. E. H. Reynolds, Reidsville
 Dr. Robert E. Balsley, Corner, Reidsville
 Mrs. Jean Bowman, Creedonre
 J. D. Minter, Special Agent, State Bureau of Investigation

See page 143, 147 these Minutes for continuation of this case.

The meeting was adjourned.

September 15th- 2:00 P. M.

The following physicians were interviewed for license by endorsement of credentials:

RE: Dr. William Hill Cherry, Jr. appeared applying for license by endorsement of credentials. He has been just released from military service and plans to do Obstetrics-Gynecology with Dr. R. A. Boyd of Statesville.

Dr. Large: Have you ever used barbiturates or narcotics or drugs? A. No
 Q. Have you ever used alcohol to excess? A. No
 Q. Have you ever had any difficulty with an examining board? A. No

Dr. Edmondson: Have you practiced before?
 A. Just in the Air Force.

Dr. Combs: Did you not practice out west?
 A. I went out to Montana, but did not practice.



VERDICT: Dr. Clark Rodman moved that Dr. William Hill Cherry, Jr. be granted license by endorsement of credentials. This motion was duly seconded and passed unanimously.

RE: Dr. Russell Enoch Graf, now in the Army at Tripler Hospital, Hawaii, appeared applying for license by endorsement of credentials. He stated that he planned to be released from service in January, 1966 and will locate in Charlotte for the practice of Radiology.

Dr. Large: Is your arrangements with Dr. Sternbergh reasonably firm or do you have it under advisement?

A. Not firm, wanted to see me, to discuss financial arrangements after seeing me. If this is agreeable it will be firm. It hope it is firm.

Q. Have you ever been accused of a crime? A. No

Q. Have you ever used barbiturates or narcotics? A. No sir

Q. Have you ever used alcohol to excess? A. No

Q. Have you ever had any difficulty with an examining board in medicine? A. No sir

VERDICT: Dr. Russell Enoch Graf was approved for license by endorsement when he has a firm contract to practice in this state. (His application withdrawn as he is not going to come to North Carolina)

RE: Dr. Edgar Earl Marlowe, Jr. appeared with incomplete credentials applying for license by endorsement of credentials. He is a native of Kings Mountain, North Carolina and plans to begin practice with Dr. Joseph P. Smith in Gastonia as early as possible. He has just been discharged from service.

Dr. Davis: What committment have you made?

A. It has been verified, his lawyer is drawing the contract.

Q. Do you have residence there?

A. In Kings Mountain.

Q. You anticipate you and his lawyer will work this out at an early date?

A. Yes

Q. What type of practice?

A. Mostly Medicine and Obstetrics

Dr. Large: Have you ever been convicted of a crime? A. No

Q. Have you ever used narcotics, barbiturates? A. No

Q. Have you ever used alcohol to excess? A. No

Q. Have you ever had any difficulty with an examining board in medicine? A. No

VERDICT: Dr. Edgar Earl Marlowe, Jr. was approved for license by endorsement of Credentials, if and when his credentials are completed satisfactory to the secretary.

RE: Dr. Roy Glen Nation appeared with incomplete credentials applying for license by endorsement of credentials. He stated that he planned to do general practice in Goldsboro.

Dr. Combs: What have you done since 1960?

A. Internship 1960-61, Surgical Residency 1960-62, Seymour Johnson Air Base 1962-1965.

Q. Dr. Nation is in Goldsboro and it was a question that Dr. Vitols is very anxious to use him to work at Cherry Hospital and he plans to help him for one month.

Dr. Large : Have you ever been accused of a crime? A. No

Q. Have you ever had any difficulty with alcohol? A. No sir

Q. Have you ever used barbiturates or narcotics? A. Yes, antespasmodic for a period of a few months.

Q. Have you ever had any difficulty with an examining board in medicine? A. No sir

VERDICT: Dr. James E. Davis moved that certification of his photograph be temporarily waived and that Dr. Roy Glen Nation be granted license to practice medicine. This motion was duly seconded and passed unanimously. (Credentials completed)



RE: Dr. T. H. Millman (See Pages 137-9, 147 these Minutes)

The defense presented character witnesses and the testimony of Dr. Bayard Carter, witness for the defendant in a court trial in Rockingham County Superior Court, which was accepted by the attorney for the Board. Dr. Millman testified on his behalf.

(See Pages _____ these Minutes for judgment of the Board.)

The meeting was adjourned.

Friday, September 17th
9:00 A. M.

RE: Dr. Bennie Brooks Ward, Shallotte, North Carolina - The following Charges and Accusations were made against Dr. Ward by the Board of Medical Examiners of the State of North Carolina:

"You are hereby given notice that the Board of Medical Examiners of the State of North Carolina has made and does here by made and present against you the following charges and accusations, to-wit:

"1. That by means of the following prescriptions which you wrote and delivered to the Professional Pharmacy, Wilmington, North Carolina, you obtained narcotic drugs which you used yourself and which were not used in the treatment of any patient, to-wit:

"Prescriptions in the name of Charlie Russ as follows:

Dated May 11, 1964, one for 300 one-half grains of morphine sulphate, and one for 180 cc's of demerol

Dated May 21, 1964 for 60 cc's of demerol

Dated June 17, 1964, 60 cc's demerol

Dated July 21, 1964, for 150 cc's of demerol

Dated July 21, 1964, for 100 one-half grains of morphine sulphate

Dated July 21, 1964, for 92 one-half grains of morphine sulphate

Dated August 10, 1964, for 92 one-half grains of morphine sulphate

"2. That you did obtain from the Shallote Rexall Drug Store and the Coastal Drug Store at Shallotte, North Carolina, upon prescriptions issued in the name of Charlie Russ, 3101 morphine sulphate one-quarter grain tablets, 83 30 CC bottles of demerol, 26 20 cc bottles of dolopline, all of which you used yourself and which were not intended to be used for treatment of Charlie Russ.

"3. That on August 24, 1964, you obtained 30 cc's of demerol from the Thomas Drug Store, Shallotte, North Carolina, in the name of Mellisa Clemmons, which you consumed yourself, and when you had no permit of the United States Treasury Department to write prescriptions for narcotic drugs, all in violation of the laws of the United States and of the State of North Carolina.

"4. That on or about September 16, 1964, you did unlawfully enter the Shallotte Rexall Drug Store at Shallotte, North Carolina, and did unlawfully take therefrom a quantity of narcotic drugs belonging to the owners of such drug store, and did convert the same to your own use, in violation of the laws of the State of North Carolina.

"5. That you are habitually addicted to the use of narcotic drugs.

"6. That in May, 1965, at a time when you had no permit of the United States Treasury Department to write prescriptions for narcotic drugs, you induced Dr. James Marshall to write and deliver to you a prescription for the issuance of 30 cc of demerol, by falsely representing to him that you needed such a drug for the treatment of patients, and by the use of such prescription you did obtain said quantity of demerol from a drug store and used a part of the said quantity yourself, all in violation of the laws of the State of North Carolina and of the United States.

"7. That in the above respects you have been guilty of dishonorable and unprofessional conduct unworthy of and affecting your profession of medicine, and grounds exist for the revocation of your license to practice medicine in the State of North Carolina.

"You are further notified that the Board of Medical Examiners of the State of North Carolina will conduct a hearing upon the foregoing charges and accusations at its meeting to be held in the Velvet Cloak Motel, 1505 Hillsboro Street, Raseigh, North Carolina



Dr. Bennie Brooks Ward continued

"on the 16th day of September, 1965, at 9:30 A. M. o'clock, at which time you will be privileged to be represented by counsel, to cross examine witnesses and to present evidence on your own behalf and to be heard before the Board, and that in the meantime you may file a written answer to the above charges and accusations if you so desire, although you are not required to do so; that following said hearing the Board will take such action as may be justified and warranted.

"BY ORDER OF THE BOARD THIS 27 day of July, 1965."

"THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF
NORTH CAROLINA

By: Jos. J. Combs, Secretary "

Dr. Ward appeared and was represented by Attorney Ray Walton. Attorney John H. Anderson, Jr. represented the Board of Medical Examiners.

Through his attorney, Dr. Ward admitted the truth^{of} the Charges and Accusations, with the exception that he does not admit that he is now addicted to the use of narcotic drugs and that he states he did not personally use any of the drugs referred to in Paragraph 6 of the Charges and Accusations.

Attorney Walton informed that Dr. Ward has received treatment at the United States Public Health Service Hospital, Lexington, Kentucky, and following that Dorothea Dix Hospital; that he had returned to his practice in May, 1965, and had practiced consistently since that time; that he had taken no narcotic drugs since that time and his behavior at all times had been normal.

The following is the judgment of the Board of Medical Examiners:

"Following the hearing the Board, by a unanimous, found and finds that Bennie Brooks Ward, M. D. was guilty of unprofessional and dishonorable conduct unworthy of and affecting his profession of medicine in the respects and acts set forth in the charges and accusations appearing in the record as admitted by him, and that his license to practice medicine in the State of North Carolina be revoked, but that such revocation be suspended upon the conditions hereinafter set forth. It is therefore

"ORDERED, ADJUDGED AND DECREED, by order of the Board of Medical Examiners of the State of North Carolina, that the license to practice medicine of Bennie Brooks Ward, M. D. heretofore issued by this Board be and the same is hereby revoked. It is further ORDERED, however, that this revocation be suspended upon the following conditions, namely:

"That for a period of five years from this date Bennie Brooks Ward, M. D. shall be and remain of good behavior and shall not violate any State or Federal law.

"That for a period of five years from this date Bennie Brooks Ward, M. D. shall not take or consume any narcotic, barbiturate or any other habit-forming drug except upon the prescription of another licensed physician.

"That he submit to and receive psychiatric treatment from a psychiatrist of his choice licensed to practice medicine in North Carolina for a period of at least eighteen months from this date and that such psychiatrist submit to this Board his written report concerning the condition of Dr. Ward commencing October 1, 1965, and at the end of every three-month period thereafter, and that Dr. Ward personally appear before the Board at such times as he may be requested by the Board to appear.

"H. Lee Large, Jr., President, Board of Medical Examiners
of the State of North Carolina

"Attest: Joseph J. Combs, Secretary
BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NORTH CAROLINA"

Dr. Bennie Brooks Ward continued

The above judgment was given to Dr. Ward by the president and he was admonished as to the seriousness of any violation of the stipulations contained therein and was told that this imposed to aid him in rehabilitation. He was advised that if any of the exceptions were violated, his medical license could be revoked immediately.

RE: Dr. T. H. Millman- (See Pages 137-9, 143 these Minutes) - The following is the judgment of the Board of Medical Examiners, which was read to the defendant and his attorney, Mr. Clark Holt:

"Following the taking of the evidence and hearing of the argument of counsel for Dr. Millman, the Board by a unanimous vote postponed any decision upon charges set forth in paragraphs 1, 2 and 3 of the written charges and accusations, continued any hearing concerning charges No. 5, 6, 7 and 8 and concluded and found and now finds that T. H. Millman, M. D. was guilty of unprofessional and dishonorable conduct in his treatment of Mrs. Charlene Frances Gardner Bond between the dates of July 30 and August 10, 1963 as set forth in paragraph No. 4 of the charges and accusations appearing in the record, and as disclosed by the evidence appearing in the record, and that grounds exist for the revocation of his license to practice medicine in the State of North Carolina, and that his license to practice medicine in the State of North Carolina be revoked. It is therefore

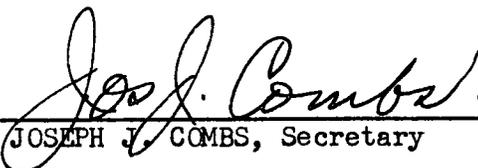
"ORDERED, ADJUDGED AND DECREED, by order of the Board of Medical Examiners of the State of North Carolina, that the license to practice medicine in the State of North Carolina heretofore issued to T. H. Millman, M. D. be and the same is hereby revoked, and that the Certificate of Licensure issued by this Board to him be surrendered for cancellation.

"H. Lee Large, Jr., President
Board of Medical Examiners of the State
of North Carolina"

"ATTEST:

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

The meeting was adjourned.



JOSEPH J. COMBS, Secretary

