

BRINKLEY  
STEPHENS

BRINKLEY: DR. J.R.: FLETCHER'S EFFORTS TO OBTAIN CALIFORNIA MEDICAL LICENSE FOR BRINKLEY

From the papers of Ed Fletcher, the following letters were removed to the alphabetized correspondence files

CHANDLER, Harry

Fletcher to Chandler, [12 letters] 2/13/22, 2/23/22, 3/1/22, 4/10/22, 4/15/22, 5/2/22, 5/8/22, 7/3/22, 7/28/22, 7/31/22, 9/12/22, 10/18/22  
Chandler to Fletcher, [4 letters] 2/13/22, 2/21/22, 2/28/22, 5/11/22

ENCELL, Harry A.

Encell to Phillips, 2/24/22  
Encell to Fletcher, [4 letters] 6/20/22, 6/30/22, 7/17/22, 8/14/22  
Fletcher to Encell, [11 letters] 6/28/22, N.D., 7/13/22, 7/17/22, 7/17/22, 7/23/22, 7/29/22, 8/3/22, 8/9/22, 8/9/22, 8/18/22

PINKHAM, C.B.

Pinkham to Fletcher, [4 letters] 7/29/22, 8/15/22, 8/17/22, 11/3/22  
Fletcher to Pinkham, [4 letters] 8/14/22, 8/17/22, 8/19/22, 10/28/22  
Yates to Pinkham, 8/29/22

PHILLIPS, P.T.

Fletcher to Phillips, [13 letters] 4/15/22, 4/15/22, 5/2/22, 5/9/22, 5/22/22, 6/27/22, 7/7/22, 7/14/22, 7/17/22, 8/9/22, 8/15/22, 10/11/22, 10/16/22,  
Phillips to Fletcher, [7 letters] 4/29/22, 5/1/22, 6/20/22, 8/12/22, 10/17/22, 10/17/22, 11/3/22

STEPHENS, Wm. D. (Governor)

Fletcher to Stephens, [3 letters] 7/26/22, 7/28/22, 8/9/22  
Albright to Fletcher, 8/4/22  
Fletcher to Albright, 8/4/22  
Mahoney to Albright, 8/17/22

YATES, JOHN C.

Fletcher to Yates, [2 letters] 8/30/22, 8/31/22  
Yates to Strahlman, 6/27/22  
Yates to Pinkham, 8/29/22

July  
Twenty-sixth  
1922

PERSONAL

Governor Wm. D. Stephens,  
Sacramento, California.

My dear Governor:

Dr. Brinkley came to see me yesterday, claiming that he had had a talk with Harry Chandler, and that Chandler was so enthusiastic over the wonderful results of the operations on Mr. Andrews, Judge Ross and others, that he was willing to back Dr. Brinkley to the limit financially for the establishment of a sanitorium in California, providing he was allowed a license to practise. Andrews had been pronounced incurable, and dying by Los Angeles physicians; Dr. Brinkley had, thru his operation, put Andrews on his feet again, and Andrews was coming back to work and take over the management of the "Times" again very shortly; that he, Harry Chandler, was so anxious to have Dr. Brinkley get his license that he would be glad to stop pounding you in the "Times" and also in the "Herald", I believe, if the administration would let Dr. Brinkley have a license immediately.

To verify this I rang up Harry Chandler and asked him if he was still interested in Dr. Brinkley. He said he certainly was; that the man had performed a remarkable cure on several of his friends; that Dr. Brinkley was justly entitled to recognition and a state license and he would consider it a personal favor, and would be glad to cooperate with me, if I would go the limit to get Dr. Brinkley a license.

Of course, I did not mention the subject of supporting you, or any consideration, to Chandler, but I want you to back into past history a little, and bear with me for a while. Doctor Brinkley and Chandler asked for a license, and if I could not get that, to get permission for Dr. Brinkley to come into the state and perform the operation. It is true we did not get the permit. We did allow Dr. Brinkley to come into the state for a few days and operate, and for six solid weeks the "Times" never printed a dirty article attacking your administration.



Page Two/  
Governor Stephens  
7-26-22

In the meantime I had gone to San Francisco, had met with the Medical Board and am absolutely satisfied that Dr. Brinkley is entitled to that license. He is a recognized physician, with a license from five Eastern states. He has taken the written examination in three states, Arkansas, Kansas and Connecticut, has passed in all three states, and has the right to practise in those states today. The other two states he secured a license to practise thru reciprocity. Now at the time he took the written examination in the three states above mentioned, those three states were in good standing with the State of California, and he is entitled to a license to practise without a written examination, thru reciprocity thru those three states.

The State of California reciprocates with Eastern states and vice versa, where each state is in good standing, and on the certification of the State of California it is customary, without a written examination, to give a license in another state. This is what they call reciprocity.

Harry Encell admitted that to be true the last time I was in San Francisco two weeks ago, said there was no question but what Dr. Brinkley should be given his license, and gave me his word that Dr. Brinkley would have a license in a short time, in his opinion. I am absolutely convinced that Dr. Brinkley is entitled to it, however, there seems to be one delay after another, and it seems to be programmed. The last excuse was that Dr. Brinkley had been unethical in his operations in Los Angeles. This was the charge made by certain Los Angeles physicians, and the Board of Medical Examiners has refused to take action until these charges were either substantiated or proven untrue. Harry Encell said they would soon have a mail ballot, after the investigation was concluded.

I just rang up Dr. Maloney of Los Angeles, who I understand, has been investigating the matter, and he was very fair about it, saying that he wanted to know the facts in the matter. I have made arrangements to furnish to Dr. Maloney sworn affidavits of the two physicians of Harry Chandler's, disproving any unethical conduct on the part of Dr. Brinkley, and hope tomorrow to get Dr. Maloney to telegraph Dr. Pinkham the result of the investigation. Thru reciprocity Dr. Pinkham has the right to issue this license at any time, without its going to a vote of the Board of Medical Examiners, so I am informed.

Page Three/  
Governor Stephens  
7-26-22

I have no interest whatever in this matter, directly or indirectly, except desiring to help you, altho after the investigation that I have made, and the admission of Harry Encell, attorney for the Board of Medical Examiners, I am convinced that it has been more prejudice than anything else that has kept this license from being granted to Dr. Brinkley, and that he could go into court on the grounds of reciprocity and force recognition. I am determined to see this thing thru to the end now, believing in the justice of Dr. Brinkley's claim, and I do hope that you will get your secretary to ring up Dr. Pinkham on receipt of this letter, and find out if Dr. Brinkley is not entitled to an issuance of his license on the grounds of reciprocity, and if so, in all fairness this license should be granted, and on these grounds alone, and at the earliest possible date.

Yours Sincerely,

EF:KLM



July 28, 1922

Governor Wm. D. Stephens,  
Sacramento, California.

My dear Governor:

Please watch the Los Angeles Times daily for the next week, and see how you are handled. I have been informed by Dr. Brinkley that Harry Chandler, in his presence, gave orders to stop certain cartoons derogatory to you, and has instructed his editor to leave you alone for a week.

There is no question but what Harry Chandler feels Dr. Brinkley has not had a square deal from the Board of Medical Examiners; that he thinks the world of Dr. Brinkley and is willing to go to any limit to secure justice for Dr. Brinkley or what he considers justice. I know you will not take offense at this, for I am simply trying to help out in any way I can and believe that Dr. Brinkley should have his license granted. It will be an easy matter to take away Dr. Brinkley's license if he is unethical after his license is granted, and it will hurt him a great deal more all over the country to have his license revoked than never to have it issued at all.

EP:KLM  
Yours sincerely,

POSTAL TELEGRAPH - COMMERCIAL CABLES		
RECEIVED AT	CLARENCE H. MACKAY, PRESIDENT.	DELIVERY NO.
	<b>TELEGRAM</b>	169

This is a fast Telegram unless otherwise indicated by signal after the number of words:—"Blue" (Day Letter) "N.L." (Night Letter) or "Nite" (Night Telegram) Form 16Db1  
STANDARD TIME INDICATED ON THIS MESSAGE.

10h gs n 11.406pm

Sacramento Cal Aug 4 1922

Col Ed Fletcher

San Diego

Have talked to doctor Phillips has some further investigation to make

Virginia B Albright



August 4, 1922.

Mrs. Virginia B. Albright,  
State Capitol,  
Sacramento, California.

My dear Mrs. Albright:

Your telegra, received and I appreciate same. Dr. Brinkley had a conference with Doctors Maloney and Brehm yesterday, and they assured him that they were satisfied, and that the rumors about him as to unethical conduct were unfounded, and Dr. Maloney, who has charge of the Los Angeles investigation assured him he would immediately report to Dr. Pinkham.

Harry Encell told me personally that the precedent had been established many times, and that Dr. Brinkley was entitled to a license. Dr. Brinkley has passed the written examination in Arkansas, Tennessee and Connecticut, and thru reciprocity has a license to practise in Kansas and Illinois. I believe.

They cannot find one single flaw in Dr. Brinkley's application for license, but it is only prejudice, and I know that Dr. Brinkley is entitled to his license. It has been promised me, and no action has been taken.

I do not feel that he is being treated right and I am in a position to state that in a short time Dr. Brinkley will proceed to mandamus the Board of Medical Examiners. He will openly proceed to operate. He will defy the Board of Medical Examiners to have him arrested, and when arrested there is a \$100,000 bond ready for him from his Los Angeles friends; and, further than that, Harry Chandler has had detectives investigating the Board of Medical Examiners, and as sure as the sun rises and sets, in my opinion, there will be the worst political mud slinging that has ever been pulled off by the Los Angeles Times over this Dr. Brinkley affair, and this is something that I have all along been trying to avoid, for the Governor's sake. Brinkley and Chandler mean business and quick action is necessary.

This letter is not written as a threat; it is written by one who loves the Governor so well he is giving

Page Two  
Mrs. V.B. Albright 8-4-22

his time trying to avoid such a blow-up as I know is in sight. It is unfortunate; it is unnecessary and it might have disastrous results.

If you will ring up Harry Encell, he will tell you that a precedent has already been established and there is no reason why Dr. Brinkley should not have his license. If you will ring up Dr. Pinkham, he will not deny that a precedent has already been established. I have heard all sides of this question, and I am free to admit that as a matter of justice and equity, Dr. Brinkley is entitled to his license, and on my word as a brother Shriner I have said I will go the limit to help him, for I believe in him.

On receipt of this letter, kindly telephone the men above mentioned, and see if I cannot get something definite, for it is going to be hard for me to control the situation but a few days more at the most.

Yours very truly,

EF:KIM



August 9, 1922.

File 160-1

Governor Wm. D. Stephens,  
Sacramento, California.

Attention Mrs. Albright

My dear Governor:

Enclosed find copy of telegram I have received from Dr. Brinkley. I know just what is going to happen. Brinkley will commence to operate in Los Angeles next week. He will be arrested and Chandler will get behind him, and there will be an attack on the administration, and particularly the Board of Medical Examiners. This is sure to happen. It is something I have been trying to stall off for the sake of Governor Stephens and failed.

I am frank to admit my sympathies are with Dr. Brinkley, because I think he has had a rotten deal from the Board of Medical Examiners, owing to personal prejudice.

Yours sincerely,

EF:KLM

P. T. PHILLIPS, M.D., PRESIDENT  
HIGH BUILDING, SANTA CRUZ  
HARRY V. BROWN, M.D., VICE PRESIDENT  
GLENDALE  
CHARLES B. PINKHAM, M.D., SEC.-TREAS.  
BUTLER BLDG., SAN FRANCISCO  
SPECIAL OFFICERS  
HARRY A. ENCELL, CHIEF COUNSEL  
344 FLOOD BLDG., SAN FRANCISCO  
CHARLES D. BALLARD, ASSOCIATE COUNSEL  
306 CALIFORNIA BLDG., LOS ANGELES

BOARD OF MEDICAL EXAMINERS

STATE OF CALIFORNIA



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JOHN C. YATES, M.D., SAN DIEGO

\* Los Angeles, Calif.  
\* AUGUST 17, 1922

Mrs. Virginia Albright  
Governor's Office  
Pacific Finance Bldg.  
Los Angeles, Calif.

Dear Mrs. Albright:

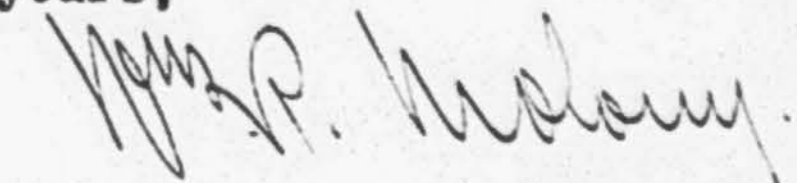
In the matter of the application of Dr. Brinkley for license to practice medicine and surgery in this state, which application has been pending before the Board of Medical Examiners for several months, and in consideration of the issuance of said license it was considered by the Board at the June meeting in San Francisco. By action of the Board owing to various rumors of misconduct on the part of Dr. Brinkley, a committee consisting of Dr. Pinkham and myself was appointed to make an independent investigation of these various rumors and charges, and were instructed to submit this report to the Board.

Dr. Brinkley came to California for the purpose of seeing in consultation certain patients, and before coming to California inquiry was made of the Board as to what his rights in this regard were. Our chief counsel, Mr. Harry Encell, rendered an opinion that in accordance with the Medical Practice Act, any regular licensed physician from any other state had the right to come to California and see and operate for any patient providing he was in actual consultation with a regularly licensed physician and surgeon of this state. I am in possession of accurate information that Dr. Brinkley violated the terms of this opinion and did see approximately forty cases without being in consultation with any regularly licensed physician of this state. On this account, in addition to other irregularities in his medical education and state license, it is my opinion as one of the special committee to investigate these charges that the license be not issued to Dr. Brinkley at this time and further consideration be given this matter at the regular meeting in October at Sacramento.

I am writing this letter to you that you may be apprised of all of the facts regarding this application.

Very cordially yours,

WRM:RR



**Ed Fletcher Papers**

**1870-1955**

**MSS.81**

**Box: 27 Folder: 24**

**General Correspondence - Stephens, William D.**



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