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## Dr. John R. Brinkley: A Kansas Phenomenon

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DR. JOHN R. BRINKLEY: A KANSAS PHENOMENON

being

A thesis presented to the Graduate Faculty  
of the Fort Hays Kansas State College in  
partial fulfillment of the requirements for  
the Degree of Master of Science

by

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Date Aug. 4, 1952

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John

John

## FOREWORD

Across the pages of Kansas history with the brilliance of a meteor, flashes the name of a man around whom controversy has raged for two full decades. This is the story of that man -- John R. Brinkley. The controversy, made bitter and vindictive by his enemies, was to his followers a fight against his persecution and the upholding of a great surgeon and a greater man. Constant vilification and defamation of his character plus slander and scurrilous attacks on his work have secured for him an element of martyrdom. To say that he thrived on persecution might be an overstatement, but it is no exaggeration to say that he wore the cloak of a martyr closely around him.

Kansas in the course of its history has produced many colorful characters, but none more so than John R. Brinkley. His life is shrouded in conflict to the extent that it is well nigh impossible to separate fact from heresay, truth from fiction. Nor is the story made plain by any one objective observer, for it was impossible to be objective about the man. He is among that rare group of individuals that inspire love, confidence, and devotion bordering on fanaticism among his satillites; and hate, condemnation, and fanatical persecution by his enemies.

It is not within these pages that you will find an answer to his goodness or his villainy, but rather a dispassionate attempt to tell the facts as they were and as they are today a decade after his death.

This work is an attempt to evaluate the impact of John R. Brinkley on the history of Kansas. It is not a definitive study of any phase of his life. Rather it is, within the limitations of available material, an attempt to gain a closer, truer look of the man and his activities, during the period of conflict that he engendered in Kansas.

The material for this study has been brought together from a myriad of sources. Of particular importance is the biography of John R. Brinkley, The Life of a Man, by Clement Wood, the files and scrapbook of Ernest A. Dewey, and W. G. Clugston's Rascals in Democracy. Newspapers of this state and others printed millions of words about Brinkley. The files of the Kansas City Star give a running account of his activities in Kansas, and practically all daily papers through their Associated Press service have given many columns to the career of Brinkley.

To Elon Torrence of the Associated Press for the use of his files, to W. G. Clugston for his scintillating conversation and his insight on this period, to Mary Healy for her effort in searching for material, and to Ernest Dewey for the use of his invaluable materials, the author owes a debt of thanks that cannot be here expressed. Lastly, for the patience and help so willingly given by Dr. F. B. Streeter, Dr. Raymond L. Welty, and Mr. Eugene Craine the author is truly grateful.

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## CHAPTER I

### THE UNKNOWN QUANTITY

"If you want men, you must look to the hills to give them to you. Valley folk can follow; it takes a hill man to lead. This is a story of a son of the hills."<sup>1</sup> John Romulus Brinkley was born at Beta, Jackson County, North Carolina,<sup>2</sup> July 8, 1885. His father Dr. John Richard Brinkley was a graduate of Davidson College located near Charlotte, North Carolina, a veteran of the Civil War, and a practicing country doctor. His mother, the fifth wife of Dr. John, was Candace Burnett, a member of the Mingus family, whom he wed at fifty-six. The family was poor in worldly wealth, but a strong sense of duty and religious fervor sustained the family on the bleak turbulent Tennessee hillside they called home. Young John's mother died in 1891, when he was five; and his father died while making a medical call on April 14, 1895. Left an orphan at ten, young John Brinkley was cared for by his Aunt Sally.

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<sup>1</sup> Clement Wood, The Life of a Man (Kansas City: Goshorn Publishing Company, 1934), p. 1. The first portion of this thesis giving the background of Dr. John R. Brinkley is taken from his biography as cited above. The book is autobiographical in nature and is the only detailed account of his early life. Many facts taken from Wood's biography have been disputed -- they will be brought out at the proper chronological time.

<sup>2</sup> Neither Brinkley nor his aunt who raised him are sure that this was his birthplace. See Wood, op. cit., p. 51.

From the time of his father's death young Brinkley's ambition was to become a doctor like his father, and to that end he bent himself. In 1902 he graduated from Tuckasee High School, and became a mail carrier between Tuckasee and Sylva, North Carolina.

On a visit to Ashville, the nearest large town, (1902) Johnny Brinkley saw his first electric light, street car, and city water system. In the same year he presented himself to the dean of the medical department of John Hopkins University. The dean looking over the young hill-billy told him that John Hopkins required a bachelor of arts degree to matriculate and continued by telling him that he was probably a good mail carrier, and advised him to stick to that.

While in Baltimore a kindly stranger secured Brinkley an introduction to William Heaps, the head of Milton Academy, Baltimore, Maryland. When Heaps appraised young Brinkley's background and desire to become a doctor he matriculated him in Milton Academy in 1902; the young man was to carry the college work by home study. This account and its ramifications was later to come into dispute.

In 1903, Brinkley became a relief agent for the Southern Railroad Company, at Sylva, North Carolina, and by 1907, he had become a telegraph operator, and freight and ticket agent traveling throughout the South. Also in the latter year he married a former schoolmate, Sally Wike. He had continued his homework with Milton Academy, and on the basis of that work entered Bennett Medical College, Chicago,



Illinois, now the medical department of Loyola University. It was an eclectic school of medicine which allows its graduates to select from all systems of medicine. In 1908, he passed the Illinois examinations in all high school subjects, and also attended Jefferson Park College (later called Carnegie University) for academic credits. Also this fateful year saw the birth of his first daughter, Wanda, and an occasion on which Brinkley fainted in the medical classroom, from starvation. He attended Bennett Medical College from June 26, 1908 to 1911, inclusive. This period was replete with family troubles, and he was forced to leave Bennett College without completing his fourth year because of lack of funds. In 1911 more family trouble led him to North Carolina to begin practice as an undergraduate doctor with the permission of the State Board of Medical Examiners. After a roving career attended by little success we find that he passed an examination in academic subjects at National University of Arts and Sciences, St. Louis. Brinkley's wife secured a divorce from him in 1913 after bearing him three daughters, Wanda, Maxine, and Beryl, and a son who died two weeks after birth.

In July of 1913, Brinkley decided to go to China as a medical missionary. He was attracted to this by a young friend whom he met in Chicago. While in Memphis, farewell-ing his friend's family he met Minnie Telitha Jones, daughter of Dr. Tiberius Gracchus Jones, a Memphis doctor. After a hurried courtship they were married August 23, 1913, and in an effort to secure money enough to pay his tuition in medical school the newly married Brinkleys moved to Earl, Arkansas,

where Brinkley practiced as an undergraduate physician. By a chance happening, Brinkley secured an announcement from the Eclectic Medical University of Kansas City, Missouri. He corresponded with the school and upon making affidavits of his three years of medical work in Chicago and paying one hundred dollars' tuition he was matriculated in the fall of 1913. Graduating on May 7, 1914, from the university, his class took their examinations for licenses before the Eclectic Medical Examining Board of Arkansas. Following this, Brinkley took the Tennessee examinations and received a license to practice in that state as a graduate physician. In the summer of 1914, as a way of broadening his medical contacts, he joined the Medical Reserve Corps of the army and received a commission as a first lieutenant. In the summer of 1914, he practiced in Judsonia, Arkansas.

Hearing that Kansas was a good state to practice in, Brinkley applied for and received on February 16, 1916, a Kansas license to practice medicine on the basis of a reciprocity agreement between the states of Arkansas and Kansas.

In March of 1916, Brinkley became plant surgeon for Swift and Company at Kansas City, Missouri. It was while employed at this company that Brinkley learned from the United States Meat Inspectors that the healthiest animal slaughtered was the goat. The inspector had seen some five hundred thousand goats slaughtered, and had never found a single one of them infected with a disease communicable to a human being. Quitting after one month, he moved to Pratt, Kansas, to practice with another doctor, whom he discovered to be performing abortions. When Brinkley learned of this he left.

Hearing that Fulton, Kansas, needed a doctor Brinkley and his wife journeyed there and established a practice. Over a minor dispute with the mayor Brinkley ran for that position on the platform Clean Up, Clean Out, and Keep Clean, and won.

In 1917, the United States declared war on Germany, and Dr. John R. Brinkley was taken into the service.

A chronological statement as shown by his official army record in 1917 is as follows:

June 2 - 3, en route from his home to Fort Sam Houston.  
 June 4 - 6, at Fort Sam Houston awaiting orders.  
 June 7 - 8, en route to El Paso.  
 June 9 - July 10, on duty as surgeon and assistant to surgeon, 64th Infantry, Fort Bliss, Texas.  
 July 11 - August 14, under observation in Base Hospital No. 2, Fort Bliss, Texas.<sup>3</sup>

Brinkley's own account tells something of the tribulations of this short period of service.

No secret about my Army service. (sic) In 1916<sup>4</sup> I made application to the War Department for the privilege of taking the examination for appointment as a Reserve Officer in the Medical Corps of the United States Army.

I was ordered to Fort Leavenworth where I was examined as to my knowledge of medicine and surgery and physical fitness and received my commission as first lieutenant, Medical Reserve Corps, United States Army.

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<sup>3</sup> Cited from, "John R. Brinkley -- Quack," Journal of the American Medical Association, 90:134, January 14, 1928. Hereafter cited A.M.A. Journal.

<sup>4</sup> Cf. p. 3. Brinkley's biography gives the time of entering the Reserve as the summer of 1914, page 323.

Some time along about the first of May, 1917, before war was declared with Germany,<sup>5</sup> I was ordered to Fort Sam Houston, Texas, and later transferred to Fort Bliss, where I was Regimental Surgeon to the Sixty-fourth Infantry. I had 2208 raw recruits, without medical supplies, clothing, or anything else. I was the only medical officer and worked day and night trying to get my troup (sic) vaccinated against typhoid and small pox, besides looking after the sanitation of the regiment, building latrines, putting in sewers, besides looking after one company of men I had to keep at the Internation Bridge at El Paso and another company of men that I had to keep at the smelters over in New Mexico, and another company of men on a firing range in the Chihuahua Mountains, other companies out in field practice, besides, my raw recruits were coming down with all kinds of infectious diseases like measles, meningitis and besides I had to do the operating on those that needed surgery and treat those I had in quarters, visit my sick ones I had in the hospital, make out my technical reports and on top of all this, about twice a week I got orders to every evening about six o'clock be ready for debarkation the next morning. Meaning, that twice a week I had to get all my regiment together, keep every man fully equipped as far as possible, tear down and roll up all my tents and then the next morning the order would be cancelled.

When you take into consideration that one lone medical officer was doing all this work, it is no wonder that along in August I broke all to pieces and landed in the hospital and they did not know what was the matter with me so they gave me a surgeon's certificate of disability and I went to Milford, Kansas, and rendered private service to our government, served out my five year enlistment period and received an honorable discharge.<sup>6</sup>

Following this episode in Dr. Brinkley's career, he returned to Fulton, Kansas, where he discovered that another doctor had moved into his location. There was not enough business to support two doctors,

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<sup>5</sup> Note that the war was not actually declared until December 7, 1917.

<sup>6</sup> Letter from John R. Brinkley to William T. Chambers, February 27, 1932, from the Ernest A. Dewey files. Hereafter cited Dewey files. It is interesting to note in this letter touches of self pity that border on a persecution complex. Brinkley's biography states the cause of breakdown as heat stroke brought on by over work.

so he began to look for another location. Axtell, Kansas, seemed at first to fit his needs, but after studying the situation he found that so many of the people did not speak English that he feared he would never be able to understand their statement of their cases. The next location that presented itself for approval was Milford, Kansas.

When Dr. John Brinkley looked at the little town he told his wife he believed they would stop there; she cried, and with reason. The town was run down, without city water, lights, sewers, sidewalks, a butcher shop, all the things a self-respecting little town boasts of. Milford had nothing, except the reputation of good surrounding territory for medical practice.

Dr. Brinkley began his practice in the combination office, and country drug store that also served as their living quarters. Their joint capital was twenty-three dollars, the remains of a fee for removing some tonsils at Axtell.<sup>7</sup> "I know it's awful, honey," he said. "But we don't have to stay here long . . . I may get better (regain his health), and be called back into army service, for a little while, this is certainly the best thing for us to do."<sup>8</sup>

On October 7, 1917, he opened his office and drug store officially for business. About the end of two weeks, around ten o'clock at night, a farmer came in and engaged Brinkley in conversation. After

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<sup>7</sup> Wood, op. cit., pp. 89-94.

<sup>8</sup> Ibid., p. 94.

every topic seemed exhausted the farmer came to the point of his visit. There followed a conversation in which the farmer declared he was impotent, and wondered if Brinkley had learned anything in the army that might help him. The farmer was forty-six, his wife, forty-two, and their youngest boy eighteen years old. For the last sixteen years they had desired a child but had been unable to have any. Dr. Brinkley told him that medical science knew of nothing that could help him. They talked of Brinkley's work at the stockyard while working for Swift and Company<sup>9</sup> and the doctor made the statement, "You wouldn't have any trouble, if you had a pair of those buck glands in you." The farmer was taken with the idea and ask Brinkley to "put 'em in" for him,<sup>10</sup> and when the doctor protested, the farmer became insistent and threatened to ruin the new doctor's practice unless he performed the operation. They argued until three in the morning: and the doctor finally yielded. Jake X, the farmer, had the operation which was performed in complete secrecy, but secrecy is only a relative matter in a small town and within a couple of weeks another farmer appeared desiring the same operation; the second operation was successfully performed. A month later the second patient brought his wife in for an operation. Dr. Brinkley concluded that if the male glands did any good for a man, the ovary might help a woman; and so he performed this operation, too. In this case, in a year's time a ten pound baby

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<sup>9</sup> Wood, op. cit., pp. 95-97.

<sup>10</sup> Ibid., p. 97.

boy was born to the rejuvenated couple. They named him Billy, after the goat.<sup>11</sup>

A fourth patient suffering from insanity brought about by onanism was operated on with complete success. A fifth and sixth operation showed "success in every case".<sup>12</sup>

The above account drawn from Brinkley's biography differs in some respects from an earlier account given by Brinkley in an interview to John W. Gunn in 1923. The following resume is drawn from that interview.

William Stittsworth, a business man of Milford spoke to Dr. Brinkley one day about his condition of impotency. He and his wife wished a baby, but for sixteen years he had been sterile. (Their youngest child was sixteen years of age.) An experiment appealed to Dr. Brinkley and from his experiences in college where he had heard lecturers by Dr. Henry R. Harrower (1909) on glands and his observations at Swift and Company he concluded that an operation with gland transplantation might be successful. He felt there was no danger,<sup>13</sup> and he was anxious to test his idea of taking the glands from a goat and placing them in a human being. He knew that all the medical books declared that it was impossible to transplant successfully the sexual

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<sup>11</sup> Ibid., pp. 98-102.

<sup>12</sup> Wood, op. cit., p. 102.

<sup>13</sup> In Brinkley's biography the author makes an outstanding point of the fact that Brinkley only with great reluctance performed his first operations.

glands or any gland from one animal to another. But Dr. Brinkley questioned the wisdom of the books.

Mr. Stittsworth agreed to the operation which was performed. A year later Mrs. Stittsworth produced a baby boy, christened "Billy". The gland operation revealed an immediate increase of health and energy in Mr. Stittsworth; he had a new and astonishing supply of "pep".

Results were so conspicuous that within a month another Milford business man, Charles Mellinger came to Brinkley for an operation. Mellinger suffered from ill health and was all but an invalid for a number of years, and so quickly did he recover after the operation that his wife also submitted to the operation. Within a year they too had a baby boy, whom they named in recognition of the event, Charles Darwin Mellinger. Mrs. Mellinger was Dr. Brinkley's fourth patient. His third and fifth patients offered even more startling examples of the virtue of gland transplantation for these patients were insanity cases; one from the Kansas insane asylum.<sup>14</sup>

On March 23, 1918, Brinkley and his wife left for Chicago to do some intensive postgraduate work in surgery. Returning from this schooling he decided that he needed a hospital in which to do his surgery, and so purchased ten lots in the middle of Milford. Then he formed a ten thousand dollar corporation, the Brinkley-Jones

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<sup>14</sup> John W. Gunn, "Interview of John R. Brinkley of Milford, Kansas," Life and Letters, 2:9, December, 1923.



Hospital Association, letting his wife's maiden name appear beside his own in the project. He sold thirty-five shares to nearby farmers at a hundred dollars a share, on his personal promise that some day he would redeem, and would pay back the purchase price, with eight per cent interest. For further money, he arranged by super salesmanship and personal magnetism to borrow six thousand dollars on the building when it would be finished from the First National Bank at Manhattan, Kansas, and four thousand dollars on a second mortgage from a bank in Salina, Kansas. The Frank S. Betz Company, makers of surgical material agreed to give him an initial credit of five thousand dollars, for X-ray equipment, operating equipment, sterilizers, beds, and other necessary equipment.

On August 26, 1918, the completed building was thrown open to the public. Dr. Brinkley had put in a power plant, city water, city sewage; he built according to local needs to make Milford a thriving town. When the project was completed he had spent all his capital and had exceeded the amount of the loans; he was thirty-five thousand dollars in debt.<sup>15</sup>

The hospital thrived, being filled with patients both medical and surgical, but the Kansas climate proved so intemperate that he looked for a better place to practice. He remembered the agreeable climate of Texas and decided he might wish to practice there some day. So he reciprocated from Arkansas to Texas, and received a license to

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<sup>15</sup> Wood, op. cit., pp. 105-7.

practice as a doctor there.

In August, 1919, Milford was visited by a devastating fire that destroyed Brinkley's drug store and the whole business block as well. Brinkley proceeded to borrow fourteen thousand dollars and built a new business block containing a grocery store, a barber shop, and drug store. He went into debt twelve thousand dollars more, for fountain supplies and fixtures. He forgot only one thing: the tile floors and modern fixtures did not appeal to the farmers of the surrounding territory who felt uncomfortable in such surroundings in their overalls and work clothes. Brinkley was left with a marvelous new plant and no customers; the hospital was empty for he had operated on nearly everybody in the community and "made them all well; and there wasn't any additional source of income in sight."<sup>16</sup>

Dr. Brinkley's creditors soon got wind of his financial difficulties and there was a rush to the courthouse to file suits against him, on which judgements were granted. The Brinkleys were about sixty thousand dollars in debt, and their income had practically ceased.

There followed an interim period during which Brinkley taught at the Kansas City College of Medicine and Surgery. His alma mater, the Eclectic Medical School of Kansas City, had been a casualty of the war, and its secretary, Dr. Date Alexander organized the new institution. Thus, in the winter of 1919, Dr. Brinkley taught and did

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<sup>16</sup> Wood, op. cit., pp. 108-109.

research at the new institution at Dr. Alexander's request. At the end of the year in recognition of his teaching, the title of Doctor of Medicine and Surgery was conferred upon him. While he was in Kansas City teaching, his wife sold a quart of alcohol to a dentist to use in his office. The dentist had gone to Junction City, in-bibed too freely, and became drunk and was picked up by the police and made to tell where he got the stuff. Brinkley was called from Kansas City, and he returned to pull what strings he could and had the county attorney change the charge to him rather than his wife.<sup>17</sup>

The case tried in a justice of the peace court is a matter of record. On the twenty-seventh day of February, 1920, L. B. Morrise signed a complaint to the effect that:

. . . on or about the 13th day of February, 1920 . . . John R. Brinkley did unlawfully sell and barter, malt vinous, fermented and other intoxicating liquors. Second count: did then and there sell and barter, malt, vinous, spirituous, fermented and other intoxicating liquors, on or about the 18th day of December, 1919. Third count: did then and there on lots 378 and 379, Ward 4, the Town of Bacheller, commonly called Milford, on the 1st day of December, 1919, and continuously, until the 25th day of February, 1920, keep and maintain a common nuisance, in violation of the liquor laws of the state of Kansas. Warrant issued February 27, 1920.

Brinkley pleaded guilty to all three charges on March 15, 1920, and was sentenced to thirty days in jail on all three accounts, the sentences to run consecutive, not concurrent; and fined one hundred dollars on each account. Also he was to pay the court costs of

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<sup>17</sup> Wood, op. cit., pp. 109-111.

\$94.25.<sup>18</sup>

Five days later Brinkley appeared before Judge R. L. King of the Eighth Judicial District and was placed on parole for twenty-four months.<sup>19</sup>

Looking for a method of recouping his losses, Dr. Brinkley decided to call in an advertising expert to help him tell the world about his magnificent hospital plant, empty and ready for patients. The advertising man informed him that in order to get people into such an out of the way place he must have something different to attract patients. Brinkley remembered the gland transplantations he had done and told the advertising expert about them.<sup>20</sup>

The advertising expert listened as if he were hypnotized. When Brinkley had finished, he jumped up from where he was sitting, rushed over, and excitedly pumped the hand of the astonished doctor up and down. "We've got it! By God, we've got it! Dr. Brinkley, you've got a million dollars within your hands, and you don't even realize it!"<sup>21</sup>

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<sup>18</sup> Photostatic copy of State of Kansas vs. John R. Brinkley, defendant, Criminal Docket F., No. 56, page 59, in the Kansas State Historical Library, Topeka, Kansas.

<sup>19</sup> Typed transcript of State of Kansas vs. John R. Brinkley, Cases No. 5422. Temporary Restraining Order, and Case No. 5572, Recognizance to Keep the Peace, in the District Court, Eighth Judicial District, Gerry County, Kansas, attested to by the clerk of the district court, in the Kansas State Historical Library, Topeka, Kansas.

<sup>20</sup> Wood, op. cit., pp. 112-115.

<sup>21</sup> Ibid., p. 115.

## CHAPTER II

### THE COMPOUND OPERATION

How was this great boon to humanity to be given to the public? Not by unethical advertising, said Dr. Brinkley, but by going through approved channels that would be above impeachment. He attempted to lay his discovery before the world by having it announced through the medical journals, and personally before the medical associations and societies. A booklet was prepared and a copy sent to every doctor in Kansas. Not one doctor replied. He had a copy sent to every doctor in Colorado, Nebraska, Iowa, Missouri, Oklahoma, and Arkansas. Not one single doctor replied. He appeared before most of the medical societies in the state, and told them what he had done. They sent him no patients. He attempted to have an article printed in the American Medical Association's Journal. They refused him publication. In desperation he told his advertising expert to go ahead with publicity releases before he was overwhelmed financially. The story was sent to the hundred leading newspapers of the country. Only two ran the story.

Chancellor Tobias of the Chicago Law School saw the brief item in one of the two papers and came to Milford and was operated on successfully.

In June, 1920, out of gratitude, Dr. Brinkley was called to Chicago, and the faculty of the Chicago Law School conferred on him the degree of Doctor of Science, in appreciation of his contribution

to humanity. This was the event that started the publicity that Brinkley needed. Milford became flooded with prospective patients.<sup>1</sup> "All of them, men and women alike wanted to be young again, and filled with the ability to taste and relish life's physical raptures again. This sickened the doctor, a little."<sup>2</sup>

The few who received the operation were allowed to pay whatever they desired to. The majority paid him fifty dollars or at the most seventy-five, for the operation. But he found himself going further in debt due to undercharging for his gland transplantation cases.

Brinkley's first break came in February of 1922, when he was invited to California by Harry Chandler, owner of the Los Angeles Times to operate on one of Chandler's elderly employees. Dr. Brinkley was granted a thirty day permit to go to Los Angeles and perform some operations, in association with a licensed California physician. He performed a number of operations and among those operated on were United States Circuit Judge Ross and Judge Unangst. Brinkley made forty thousand dollars, and the Los Angeles Chamber of Commerce offered to build and present to him a one hundred thousand dollar hospital, if he would settle there. However, the California State Board of Medical Examination refused him a permanent license, on the technicality that it did not reciprocate with Arkansas.

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<sup>1</sup> Clement Wood, The Life of a Man (Kansas City: Goshorn Publishing Company, 1934), pp. 120-125.

<sup>2</sup> Ibid., p. 125.

Dr. Brinkley had prescribed successfully for Mrs. William Jennings Bryan, and was asked to operate secretly on Woodrow Wilson. Brinkley refused, unless it could be done with full public knowledge.<sup>3</sup>

In 1922, Brinkley's second book, The Brinkley Operation, was published, by one of his former satisfied patients Sydney B. Flower. In it he said:

Today I am able to announce to the world, without mincing words, that the right method has been found, that I am daily transplanting animal glands into human bodies, and that these transplanted glands do actually continue to function as live tissue in the human body, revitalizing the injured, atrophied, or sluggish human gland, stimulating the human gland to a new activity, enabling the human gland to perform its proper work of pouring its special hormone into the human circulation for the benefit of the system generally.

If I could not prove this statement true in hundreds of cases today, or if I could not prove its truth to any skeptical member of our profession, I should be wary of putting myself on record in this positive manner. . . . I have this work developed now to such a point that I can fairly claim to control my operations to get the effects aimed at. The results are no longer happy accidents checked by numerous failures, but proceed along the level lines of repetitive success.

This is also the proper time to say frankly that those who say that animal glands, e. g., of the goat, cannot be successfully transplanted into human beings do not know what they are talking about, . . . (and) before they make any more such statements they should be able to say that they came here, looked into what I was doing here every day, and that I then failed to prove my statement to them. Failing to do this . . . (they are) not entitled to have an opinion on the matter at all.<sup>4</sup>

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<sup>3</sup> Wood, op. cit., pp. 127-140.

<sup>4</sup> John R. Brinkley, The Brinkley Operation (Chicago: Sydney B. Flower, 1922), pp. 12-13.

. . . it is proper to say that I have used the glands of the Toggenberg goat exclusively in the fifteen hundred successful transplantations already made. I have transplanted human glands and monkey glands. I prefer goat-glands for reasons which will be made clear. During the past year I have been at some trouble to prepare, and have shipped to all parts of the world, a Goat-Gland Emulsion which is guaranteed to be pure. . . . Remarkable results have followed the use of this Emulsion, but it is to be clearly understood that the use of the Emulsion is not to be considered as at all equal to the transplantation of the glands by the Brinkley Operation. . . . <sup>5</sup>

The book also contains a list of men on whom the operation was performed includes the following: Harry E. Andrews, Managing Editor of the Los Angeles Times; U. S. Circuit Court Judge Ross of California; Judge Unangst of California; Joseph Ford of the Los Angeles Times and a Mr. Eschemann.<sup>6</sup>

Brinkley's operation is described by him as follows:

Today, the Brinkley Compound Operation, the crowning point of all my previous effort, stands out as a marvel of surgical science. It is new in conception, demonstrably uniform of results in practice, embodying sound principles, and I am convinced will live forever as my contribution to the grand science of Surgery.

The Brinkley Compound Operation is permanent, and absolutely without risk of any harmful consequences to the patient. It is performed with a local anesthetic, Apothesine, made by Parke, Davis and Company, . . .

. . . . .

In performing the Brinkley Compound Operation the Steinach principle of the important part played by the vas deferens has its value. . . .

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<sup>5</sup> Ibid., pp. 19-20.

<sup>6</sup> Ibid., pp. 14-18. Mr. Eschemann was later accused of being a paid testimonial writer for Dr. Brinkley.



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Now, if we merely ligate the vas deferens, whatever of living cells may be in the Gonads or whatever may be manufactured there following the ligating, must remain there intact, indefinitely shut off from service to the individual, except such amount as can escape from its confinement through the blood stream by osmosis, or infiltration, and it is clear that if good old Mother Nature does not provide such an avenue of escape the important secretions are locked up for keeps. But in the Brinkley Compound Operation we have first of all the gland of a young Toggenberg goat, the testis being used for men and the ovary for women, transplanted into certain tissues of the patient near the Gonads, which is adding living, cell-making substance to the patient's glands to create new energy from the new gland and feed this new energy to the patient's gland. Young, undeveloped goat-glands must be employed, and must be transplanted quickly after removal from the animal, no freezing or cold-storage process being satisfactory. When these goat-glands are youthfully undeveloped they are most satisfactory, results having proved to me that if the development has taken place in the animal previously to transplanting, the gland will show less vigor, and make less growth, than if it is asked to do its developing in human tissue.

This mere transplanting of the youthful gland is only the first step. In its new location the gland must be safeguarded, and not left to "short-circuit," and run down in a few months. Certain anastomotic technic is necessary at this point, conserving the potency of the young gland, so that its energy is "on tap" to be used as needed, just as the starting battery in your automobile is unused except when you need it for light and starting purposes.

We have made two steps, therefore, in the Brinkley Compound Operation. We have transplanted the right sort of gland from the right sort of animal in the right place and in the right manner, and we have safeguarded its energy. Now, if we stop here, many wonderful cures would result from this operation alone. But it is not enough.

Let us take the third step. We proceed to the spermatic cord and open this, exposing the vas. We open the vas, and prove its patency, or free channel. None but those who have performed this operation hundreds of times, and are so familiar with the anatomy concerned that they could safely perform it blindfold, should attempt it. We must not cut the vas, but incise it on its long axis, and the canal, which is very small,

must be opened. This is all done under the simple local anesthetic already spoke of, and the patient experiences no pain or sensation of any kind, supposing me to be still busy on the transplantation. He does not know that part of the operation is already concluded.

Now, with our vas canal open, and its patency proven, we shall borrow a blood vessel and a nerve supply. Why? Because we must have more nerve-energization directed through this vas into the human Gonad to produce the desired proliferation of the life-giving, energizing, vitalizing Leydid cells.

Now you see that we have energized and caused to proliferate these important Leydid cells without ligating the vas, as in the Steinach operation, and therefore sterilizing the patient, but have accomplished our purpose by employing the patient's own nerve and blood-supply to connect the new gland with nourishment and direct its energies through the channels of the unligated vas into the human Gonad. This produces a worth-while result. It makes no difference whether the patient is 40 or 100 years of age, the good results are bound to be uniform in every case, regardless of age, because we are not depending upon ligation, resultant, shock, or irritation, but upon direct nerve force directed into the Bonad without intervening "blocking."

Now we borrow the services of a branch artery, and this is delicately anastomosed down alongside the vas into the epididymis. Why do I transplant this artery? Because, as I have already said, the testis might be unable to unload its supply of hormones, and they never would be able to escape into the patient's bloodstream to find their way to the parts where they were needed, if this passage-way were not provided.

The general detail of the Brinkley Compound Operation should now be clear to you. The young gland is transplanted; the gland is safe-guarded; the vas is exposed; the vas is split on its long axis; the nerve is transplanted; the artery is anastomosed; the finishing technique completes the operation.

This, a unique operation, conceived, attempted, perfected, worked out to its last detail solely by myself, is the crowning achievement of my career . . . I have given my life to this thing, and I stand or fall by it. . . .<sup>7</sup>

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<sup>7</sup> Ibid., pp. 29-40.

There follows in the book a discussion of the diseases and body ills the operation is supposed to cure or help. Leading the list (a chapter is devoted to its discussion) is impotency. These follow: diabetes, nephritis, prostatitis, enlarged prostate, high blood pressure, arterio-sclerosis, mental and physical decline, dementia praecox, paralysis agitans (shaking palsy), true epilepsy, and sterility.<sup>8</sup>

In a testimonial chapter by Sydney B. Flower closing the book, Brinkley's praises are sung, and the operation's benefits extolled as follows:

After spending four days in bed, following the operation, . . . the operation occupying altogether not more than fifteen minutes, and practically painless throughout, the writer got up and took walks . . . returning to his home in Chicago in one week from the date of operation. The incisions healed without difficulty. He (Flower) was aware, almost from the second day following the operation, of a change in his mental attitude. It would be excessive to speak of it as exhilaration, but it could be called increased enthusiasm and a general feeling of well being. . . .

. . . . .

Secondly, the condition of physical endurance, while always good, has kept even step with the mental improvement.

Thirdly, the level grey of the thought-attitude is distinctly altered, . . . to the extent of a practically constant cheerfulness. . . .

Fourthly, the interest is lively, the appreciation of beauty, whether, as said above, of the rose, the landscape, or the woman, is again active, and it is worth while to be alive, because it is worth while to See and Do.

Fifthly, the sexual instinct has shown the most clearly marked alteration.<sup>9</sup>

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<sup>8</sup> Ibid., pp. 41-80.

<sup>9</sup> Ibid., pp. 83-84.

.....

You will, therefore, find in Dr. Brinkley this lovable characteristic of genius, that money is not an aim, or an end in itself, but a means of enlarging the central idea of his life-work.

.....

The time is coming when he (Brinkley) will be able to devote his skill chiefly to that class which, in his view, his work is intended to assist; to aged or aging men and women of genius, whose labor is of distinct value to the world. . . . <sup>10</sup>

In the summer of 1922, Dr. Brinkley practiced for six months at Ensenada, Mexico, at the request of Harry Chandler and President Álvaro Óbregon of Mexico. Óbregon wanted Brinkley to build a hospital and radio station there, but transportation difficulties made this impossible. <sup>11</sup>

The fall of 1922 found the doctor torn by inner discension the cause of which is best set down as follows:

At this time, in the fall of 1922, he (Brinkley) was still a member of the medical associations. This means that he was still torn internally between their selfish swine ethics, and his clear urge to tell suffering people that he had a relief for their sufferings which no other doctor could offer. Today, out of the greedy oligarchic medical associations forever, he has slowly grown above their low ethics into a realization that he owes it to the public, . . . to keep on reminding them that he has a balm to be found nowhere in the sterile American Medical Association Gilead. <sup>12</sup>

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<sup>10</sup> Ibid., p. 89.

<sup>11</sup> Wood, op. cit., p. 151.

<sup>12</sup> Ibid., pp. 153-154.

He must soon have lost his qualms to advertising, for in 1923, Brinkley wrote and published a book, Sunshine and Shadows, that is in its entirety an advertising publication containing in the main case histories, if they could be called such, of people he had cured.<sup>13</sup> A few examples will suffice to illustrate the context of the book and its appeal.

I am fifty-seven, hale and hearty, weigh 190, height 5 ft. 10 in. and as far as I know have no ailment except impotency. Since arriving at fifty there has been a gradual loss in sexual power, until at the present time there is . . . but a small sexual appetite. I have a disinclination for work, and although carrying on my business, find it hard to do so. Can work only three or four hours a day.

AFTER OPERATION

Complete recovery.<sup>14</sup>

I am fifty years old, in good health, weigh 200 pounds. Three years ago lost sexual power entirely. Parts became shrunken and of late have been annoying me quite a little.

AFTER OPERATION

I am benefitted by the operation and believe I will improve more in time. I am telling my friends that I think it is the greatest discovery of the age.<sup>15</sup>

I am fifty-one years old; am slightly paralyzed on the left side, but have improved in the last year. I have writer's cramp and sciatica. I am also afflicted with hernia.

AFTER OPERATION

Wonderful recovery.<sup>16</sup>

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<sup>13</sup> John R. Brinkley, Shadows and Sunshine (Milford: Dr. John R. Brinkley, 1923), p. 21.

<sup>14</sup> Ibid., p. 21.

<sup>15</sup> Ibid., p. 24.

<sup>16</sup> Ibid., p. 26.

I underwent an operation removing one ovary and both tubes about eight years ago. I am very nervous, despondent and depressed at times and naturally unable to have children for which I long. I menstruate very regularly, but scanty.

AFTER OPERATION

Now happy and life worth living.<sup>17</sup>

My main illness is chronic dysentery which I contracted while in the trenches in France, and nervous trouble. I feel like an old man with no vitality and no interest in life whatever.

AFTER OPERATION

Complete recovery.<sup>18</sup>

I hope to learn if I can recover from some of my troubles. One is a bad throat trouble. Then I am suffering from stomach, kidney and liver trouble and cramping in limbs and feet. I am constipated and have hemorrhoids.

AFTER OPERATION

This man now feels fine and is happy.<sup>19</sup>

I am fifty-five years old, have stomach and heart trouble, bad eyes and am out of order like an old clock.

AFTER OPERATION

Repaired him.<sup>20</sup>

I am all run down like many men who did not take care of themselves in their younger days. I am now fifty-one years old and am lazy and drowsy all the time; don't seem to have any "pep" to go out like I used to. I have taken all kinds of dope to restore my vigor but have found nothing that did me any good.

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<sup>17</sup> Brinkley, Shadows and Sunshine, op. cit., p. 33.

<sup>18</sup> Ibid., p. 41.

<sup>19</sup> Ibid., p. 46.

<sup>20</sup> Ibid., p. 62.

## AFTER OPERATION

I am feeling better than I have for ten years and if I keep on improving in the future like I have in the past I will be like a new man.

Improvement did continue.<sup>21</sup>

A reporter visiting Brinkley's establishment in Milford in 1923, had this to say of his visit:

Milford is village enough. In fact, when you first alight from the train, you are doubtful if it deserves the name of a village. There is a station, a cornfield and a great deal of perfectly good sky . . . a bus takes you to the hospital.

.....

Inside as well as outside this (the hospital) is an exceedingly restful place. The woodwork is all white and spotless . . . the walls uniformly coated in a color scheme of light blue and gray that is very soothing to the eye; absolute quiet -- it is one of the strict injunctions of this hospital that there shall be the irreducible minimum of noise, and it has been reduced apparently to zero; and this quiet is due to that air of efficiency already mentioned -- to the fact that this hospital is conducted with utter and uninterrupted smoothness according to as deft and well-nigh automatic a system as one could wish to see.

Dr. Brinkley himself is, quite naturally and sensibly, insulated from unnecessary petty contact with the outside world and especially from idle curiosity-mongers. It is his business to perform operations and he preserves himself carefully for this supreme and all-important work.<sup>22</sup>

The reporter mentions that the hospital is a white building of thirty-five rooms which can take care of eighteen patients every

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<sup>21</sup> Brinkley, Shadows and Sunshine, op. cit., p. 68.

<sup>22</sup> John W. Gunn, "Interview of John R. Brinkley of Milford, Kansas," Life and Letters, 2:1-2, December, 1923.

ten days. Admission to the hospital, he reports, is arranged solely by correspondence. If anyone comes to the hospital without writing, he is sent home to duly communicate his case.<sup>23</sup> The hospital is closed during the summer because of the heat, and usually runs from September through April or May.<sup>24</sup>

Probing the doctor's personality with a starry eye, the reporter gives the following account:

He looks at first glance, more like the artist than the scientist; in truth, he represents a rare union of the artistic and scientific type of intelligence. A man of thirty-eight, well-poised years, the Doctor has a trim, alert figure of average height; a neat mustache and goatee; auburn hair crowning a statuesque head that a phrenologist would admire; a broad, high forehead; dreamy light-blue eyes, with a shrewd and friendly twinkle in them; and, to complete the artistic picture, he wears tortoise-shell spectacles. Dr. Brinkley strikes you at once as a man of utter sincerity; he is free from guile, pretense and flippancy. He is quietly sure of himself in conversation. He is a man, above all, who is tremendously interested in his work; that to him is the chief and central thing in life and you instantly feel, however unflattering it may be, that he is interested in you only as you relate to his work.<sup>25</sup>

It was in the early fall of this year (1923) that Dr. Brinkley installed his own radio station at Milford, Station KFKB, for the purpose of speeding his patients convalescence, by taking their minds off of their own symptoms. The station was a hobby with

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<sup>23</sup> Gunn, op. cit., p. 2.

<sup>24</sup> Ibid., p. 8.

<sup>25</sup> Ibid., p. 2.



Brinkley, and it never occurred to him that it could be made to pay.<sup>26</sup> However, it was one of the ten largest radio stations in the United States, and every night, except Sunday night Dr. Brinkley lectured over the air on gland transplantations or related subjects from 7 until 7:30 and from 10:30 until 11:00.<sup>27</sup>

In June of 1923, Brinkley took the Missouri Medical examination, and received full license to practice there. This eventful year saw Brinkley's name linked with a diploma mill scandal. As he and his wife were beginning a trip around the world, with a stop at Shanghai to operate on some wealthy Chinese, the news broke in screaming headlines. California, Arkansas, Missouri, Illinois, and Connecticut were among the states mentioned as having "fixers" who would sell a medical diploma complete with all the paraphernalia of credentials needed to practice -- medical diploma, high school certificate, college credits, and license to practice from the State Medical Board. Brinkley had had dealings with all of these states. Brinkley's alma mater was accused of being a diploma mill. His second degree from the Kansas City College of Medicine was made worthless and a detriment by the exposure of the schools head, Dr. Date Alexander. Dr. Alexander's school it was claimed had granted medical diplomas to chiropractors, osteopaths, and others, who had

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<sup>26</sup> Wood, op. cit., p. 157.

<sup>27</sup> Gunn, op. cit., p. 8.

never attended any medical college. Worse, some of the rackateers had been advertising that Dr. Brinkley was one of their "boys". Beginning the planned trip a cable reached Brinkley at Shanghai telling him that his license to practice medicine in Connecticut had been revoked.<sup>28</sup> On March 24, 1924, Henry Ford's Dearborn Independent began an attack on Brinkley characterizing him as a quack. This caused most of his prospective patients to cancel their appointments for operations. Another blow fell on July 8th, when he was notified that he had been indicted in California, charged with conspiracy. Brinkley claimed that he had been received openly in California, and had done nothing wrong, this apparently was a personal matter directed solely against Brinkley.<sup>29</sup> "The unsleeping American Medical Association," was apparently "determined to harass him, because of his eminence as an independent . . ."<sup>30</sup>

The Governor of Kansas, at this time, was Jonathan M. Davis, and he knew Brinkley personally, for his home was near Fulton, Kansas, where Brinkley had previously practiced. When California attempted to extradite Brinkley Governor Davis asked them, "Why do you want to take Brinkley back with you to California anyway?" The answer was, "Because we believe that Dr. Brinkley isn't properly educated in medicine. We think he's liable to poison somebody." To which the

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<sup>28</sup> Wood, op. cit., pp. 160-170.

<sup>29</sup> Ibid., pp. 198-201.

<sup>30</sup> Ibid., p. 201.

Governor replied: "You go back to California, and tell the people out there to quit worrying about Dr. Brinkley's poisoning them. We people in Kansas get fat on his medicine. We're going to keep him here so long as he lives."<sup>31</sup>

In 1925, Brinkley sold his broadcasting station, and on the 1st of March went to Chicago and took three months of intensive post-graduate training in medicine and surgery. Later in the year he went to Europe and attempted in London, Dublin, Glasgow, and Edinburgh to get a license to practice, as an answer to his libellers, mainly the American Medical Association. He was refused in all cases because he was a graduate of an eclectic medical school.<sup>32</sup>

With the rebuff in England, Dr. Brinkley went to Italy and through a contact arranged by an old instructor of his, Brinkley was admitted to the University of Pavia and after taking an examination over all fields of medicine and surgery, that took three full weeks to complete, he was given a diploma. In November of 1925, he took the examinations of the National Board and received a license to practice in Italy. Armed with his Italian degree and his license, he received a license from the Kingdom of England on December 14, 1925, to practice in all its territories. He returned to the United States armed with these convincing proofs of his medical and surgical

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<sup>31</sup> Ibid., pp. 202-203.

<sup>32</sup> Ibid., pp. 204-205.

knowledge. This, he believed would prove that he was not a quack or an uncredentialed and illiterate practitioner.<sup>33</sup> This did not happen, for "his resplendent credentials only angered the American doctors more than ever, and caused them to persecute him even more vigorously."<sup>34</sup>

In January of 1926, after returning to Milford, Brinkley constructed another radio station, using his old call letters, KFKB, and a year later an event of unparalleled importance happened. Brinkley decided to boost the power of his Milford station and applied to the Federal Radio Commission for 5,000 watts power. At the same time the Kansas City Star applied for the same power, for its station WDAF. Brinkley received authority to increase his power, the Star was refused. As an innovation to increase his listening audience, Dr. Brinkley, in 1927, began a program of "Answers to Mothers" which developed into the famed "Medical Question Box". This latter led to the organization of 1,500 selected druggists who filled and retailed prescriptions which Brinkley prescribed over the air.<sup>35</sup>

Dr. John R. Brinkley, M. D., had fought a good fight up to the present. His practice was thriving in Milford, his radio station was powerful and had a large listening audience, but any attempt to stop

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<sup>33</sup> Ibid., pp. 205-208.

<sup>34</sup> Wood, op. cit., p. 208.

<sup>35</sup> Ibid., p. 328.

him previously was merely a calm before the storm. Now a gale broke around his head, the fury of which few men have ever known. And when the storm broke it was powerful, sustained and determined.

## CHAPTER III

### THE STAR BEGINS THE FIREWORKS

The first intimation of the sustained attack which was coming fell in 1928, with an attack against Brinkley in the Journal of the American Medical Association, entitled "John R. Brinkley -- Quack".<sup>1</sup> By innuendo and photostatic copies of documents they blasted him. Samples of their attack are enlightening:

In and from the little village of Milford, Kansas, John Richard Brinkley demonstrates the commercial possibilities of "goat glands." Brinkley is no modest violet. He obtains his publicity through sensational articles in newspapers that cater to such stuff, and by means of the privately owned radio broadcasting station KFKB.<sup>2</sup>

The article claimed that Brinkley had stated in his application to practice in California that he had attended Milton Academy, Baltimore, from 1902 to 1906, and that his advertising material stated that in 1902 he was a traveling relief agent for the Southern Railway Company, and that in 1903 he went to New York, where he was employed successively by the Western Union Telegraph Company, the Central Railway Company of New Jersey as traveling auditor, and by

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<sup>1</sup> "John R. Brinkley -- Quack," Journal of the American Medical Association, 90:134-137, January 14, 1928. Hereafter cited A.M.A. Journal.

<sup>2</sup> "John R. Brinkley -- Quack," Journal of the American Medical Association, 90:134-137, January 14, 1928. This is a modified reprint (Ca. 1930) for public distribution. Hereafter cited, Modified A.M.A. Journal.

the Delaware, Lackawanna and Western as a yard agent. The paragraph concludes:

. . . Just how he carried on all these multifarious activities in New Jersey while, at the same time, he was attending Milton Academy in Baltimore, we leave Brinkley to explain -- and no doubt he has an explanation.<sup>3</sup>

The expose continues that according to an article in the Greenville, South Carolina News, on December 9, 1913, one J. R. Brinkley, "electro-medic" was brought back to Greenville charged with forgery. However, the A.M.A. was not certain that it was the same J. R. Brinkley, but they are certain that there was no J. R. Brinkley licensed to practice medicine.<sup>4</sup>

The Journal continues in the same vein on Brinkley's education:

Brinkley's own claims as to his whereabouts in the interim between 1911 and 1915 vary. In statements made under oath, Brinkley has declared that from September, 1911, to June, 1913, he was attending the National University of Arts and Sciences at St. Louis, Missouri. The list of matriculants and special students of this institution from 1910 to 1914, inclusive, fails to reveal any one by the name of J. R. Brinkley. The documentary evidence offered by Brinkley of his alleged attendance at the National University of Arts and Sciences was a document (there is a photostat of the document) issued by W. P. Sachs, State Superintendent of Public Instruction of the State of Missouri and Dean of the College of Liberal Arts of the National University of Arts and Sciences. Sachs, it will be remembered, is the person who played one of the star parts in the diploma mill scandal, and who was placed under arrest on the charge of having issued some thousand or more fraudulent preliminary education certificates. Sachs later admitted,

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<sup>3</sup> "John R. Brinkley -- Quack," A.M.A. Journal, p. 134.

<sup>4</sup> Ibid., p. 135.

under oath, that he had never met Brinkley and that the Brinkley certificate dated June, 1913, was issued for a cash consideration and without an examination.<sup>5</sup>

The A.M.A. article also goes into the history of Brinkley's alma mater, the Eclectic Medical University of Kansas City, stating that it was not recognized by the licensing boards of forty states, and that it had now gone out of existence.

The expose also pointed out that Brinkley had worked for Swift and Company in Kansas City for only one month; that his army career was of only one month duration; that he had been convicted of selling "booze"; that his second medical diploma was from the Kansas City College of Medicine and Surgery, a diploma mill; that in the summer of 1920 he was performing his "rejuvenation" operation in Chicago without a license and the Illinois medical authorities were preparing to take action when Brinkley left the state; and that his Connecticut license of 1921 had been revoked in 1923.<sup>6</sup> Also that he had been denied a license to practice medicine in California, that within four years of his operation Harry Andrews, managing editor of the Los Angeles Times, died; the State Senator Wesley Staley of Colorado on whom Brinkley had operated in 1922, died in 1924;<sup>7</sup> and that California had attempted to extradite Brinkley in 1924 after he had

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<sup>5</sup> Ibid., p. 135.

<sup>6</sup> Ibid., pp. 135-136.

<sup>7</sup> A.M.A. Journal, op. cit., p. 136.



been indicted on a charge of conspiring to violate the laws of that state.<sup>8</sup>

In discussing Brinkley's Compound Operation and advertising campaign the Journal gives the following excerpts from Brinkley literature and treats that literature in the following fashion:

While Brinkley has done some magazine advertising and because of the sensational character of his claims and the sex slant that they have, has had free newspaper publicity worth a king's ransom, his chief means of publicity is by means of his radio station KFKB. Those who write to the station are immediately put on the Brinkley "Sucker list" and receive miscellaneous printed matter and a follow-up series of letters that seemingly, never ends. One of the advertising booklets set out by Brinkley is entitled "The Compound Operation," or "The Modern Passport to Successful Rejuvenation." . . . According to Brinkley, "taking out the prostate means impotency from which there is no relief"; therefore, he has devised "an operation to reduce the size of the prostate without danger to the patient and without producing impotency." Says Brinkley:

"And now about wives. Don't get the impression that women are icebergs and are content with impotent husbands. I know of more families where the devil is to pay in fusses, temperamental sprees, etc. -- all due to the husband not being able to function properly. Many and many times wives come to see me and say 'Doctor, my husband is no good.'"<sup>9</sup>

. . . . .

In discussing the results that may be expected to follow his "compound operation," Brinkley modestly admits that not every one of his cases makes a complete recovery, but he suffers from no inferiority complex. Thus:

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<sup>8</sup> A.M.A. Journal, op. cit., p. 136.

<sup>9</sup> Ibid., p. 136.

"My batting average is high. That is what counts. . . . Well, what is my batting average? Oh, about 90 to 95 per cent! How's that?"<sup>10</sup>

In regard to Brinkley's diploma from the University of Pavia the Journal had this to say:

. . . As part of the newspaper publicity, the public was told that Brinkley had been awarded a degree by the Royal University of Pavia, Italy. Just how Brinkley "put over" this coup is not altogether plain, but unlimited effrontery may travel far. According to the newspapers, the degree (was) awarded . . . "following a nineteen day examination of the most strenuous sort." . . . Brinkley the report added, was the "first foreigner of any kind to receive a degree from the university" for "an Austrian doctor, who had been there for a year trying for a degree, failed to pass." The Italian institution, it seems, did actually issue a diploma to Brinkley, based on his scholastic attainments at the egregious Eclectic Medical University of Kansas City. When the University of Pavia found out the facts in the case, it annulled the diploma. . . .<sup>11</sup>

In March, 1927, Brinkley wrote to the American Medical Association asking that in the next American Medical Directory his graduation - listing be changed to show that he graduated from the University of Pavia, Italy! Could unblushing impudence go further?<sup>12</sup>

As its parting shot the Journal reproduced in its article a three-quarter page article on Brinkley. The newspaper article is interesting to note, both for the effect it had on the A.M.A. and the clues it gives to Brinkley's practice in 1926. The headline reads: "How a Famous Surgeon Combines Old-Time Religion and New-Fangled Operations on a Strange Medico-Gospel Farm". Parts of the article follow:

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<sup>10</sup> Ibid., p. 137.

<sup>11</sup> Ibid., p. 136.

<sup>12</sup> Modified A.M.A. Journal, op. cit., p. 3.

Meet the most unusual scientist-fundamentalist in the whole world. Dr. John R. Brinkley of Milford, Kansas, who saves souls with the word of God and repairs human bodies with glands from lively goats.

A surgeon of distinction, whose services have been recognized here and abroad, the doctor is today a devout and literal believer in the teachings of the Bible. This strain of faith strongly permeates, the Brinkley institute, a community centre ("teaching and promoting Bible, health, citizenship, recreation and music") at Milford. But it does not detract from the fact that Dr. Brinkley began his career, in 1911, as the first goat-gland transplanting expert in the United States, some say in the world.

Today, chief surgeon, and owner of the Kansas General Research Hospital, at Milford, ten miles from the stone marking the geographical centre of the country. (sic) Dr. Brinkley gained scientific distinction during World War. At the onset of hostilities between American and the central empires, as an A.E.F. veterinary surgeon, he continued to make his daring gland transplantation experiments to renew functional powers that in men and women had been weakened or worn out.

He discovered among other things, that certain quadrupeds' glands wouldn't do for human beings -- those of the bull were "too strenuous," those of apes were too short-lived and too prone to physical decay. Finally he came to the conclusion that goats, preferably the Toggenberg species of Switzerland, approached the ideal, since they were practically diseaseless and their glands strongly resemble those of homo sapiens.

With the war at an end, he found it possible to devote the major part of his time to the importation of the frisky Toggenbergs and the conversion of their glands into human agencies. More than 4,000 individuals of both sexes, many of them prominent people were treated by him -- and successfully.

Brinkley's signal triumphs in this newest and most delicate form of medical science were not received with a unanimous shout of approbation. Old-time surgeons got quite hot under the collar, and he was even charged with practicing under a license obtained by fraud. Dropped from the list of practitioners in Missouri, Connecticut, and California, he appealed to the courts, receiving a complete vindication.

Rightfully flushed with his victory on native soil Dr. Brinkley went abroad for study and research. The Royal University of Pavia, Italy, which had awarded degrees to Napoleon, Michael Angelo and

various Italian rulers, licensed him to practice. He was the only American ever accorded such an honor. In London, later, the British Medical Association gave him similar laurels after he had passed its rigid examination.

Back in the States, Brinkley found a storm brewing in his home state, Tennessee. The great Scope's trial was in process of incubation. The returning scientist, himself a Tennessean, saw and sympathized with the mountaineers' efforts to keep their beloved religion untouched by scientific fingers. Perhaps some hidden mental echo of his boyhood in that region awoke within him the latent sparks of devotional fervor. Perhaps the white-hot oratory of the late William Jennings Bryan struck a response in his heart.

Whatever the cause, Brinkley opened his hands to fundamentalism. He converted his spacious grounds at Milford into a glorified camp-meeting ground. At the same time he reserved the hospital for continued gland transplantations. Thus soul-saving and bodily repairing went hand in hand under the keen eye of one of the best scientists and firmest "believers" on the globe.

A first-hand pen picture of this extraordinary man is supplied by a friend of long standing. "Probably", says this individual, "there never was so odd a mixture of talents and tendencies as John. He is a thirty-second degree Mason. In 1923 he erected a broadcasting station at the cost of \$50,000 to put his medical (sic) lectures on the air and also to establish the Manhattan Agricultural College as 'the first college of the air.' When he first went to Italy, he sold this station at 'a total loss.' Back home, having gotten religion, he repurchased the station to broadcast fundamentalist doctrines and denounce evolutionists and 'other workers of the devil'."

Mrs. Brinkley, wife of the religious scientist and press representative of his institute, has embodied in letters to friends in the East the working pattern of the doctor's current philosophy. "You and your evolution theory are all wrong," she wrote to one New York acquaintance of the family. "You can't deny the Supreme Ruler of the Universe and get away with it -- with us. Remember, we are Tennessee people, not of the mountains, but the same heart, and we are a success in this world. We are afraid to know anyone who blasphemes as you did in your letter. You can't refuse our God and get away with it. We are not the kind of Christians who just play; we work."<sup>13</sup>

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<sup>13</sup> A.M.A. Journal, op. cit., p. 136.

Considering the fact that the above expose by the American Medical Association appeared in 1928, almost two years before the Kansas City Star warmed to the attack, it would be untruthful to say that the Star began the attack on Brinkley, but they did begin the fire-works. The A.M.A. Journal article had a limited audience and an extremely limited effect, for nothing was done to stop Dr. Brinkley's practice or radio at Milford. But when the Kansas City Star began its long warfare against their chosen enemy the fight was on in earnest and to the finish.

Before beginning the account of why the fight started and how it ended, let us look at the Star's own stated reason:

Occasionally a letter comes to this office inquiring why The Star has it in for Dr. Brinkley. "He has built up a big institution at Milford," the letter will say; "so he must be doing some good. Why are you after him so hard?"

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The Star knew in a general way that Brinkley had established a large institution at Milford and that he was using the radio in connection with it. Then letters of complaint began to reach the office from people who believed that they had been victimized by a quack. At length The Star decided to send an experienced and competent staff writer, A. B. Macdonald, to Milford to investigate. . . . What Mr. Macdonald found astonished him. He reported to the office that a huge business had been built by ingenious fraudulent methods; that for the first time the radio was being used for crooked ends; that it was employed to bring victims to Milford from every part of the country to pay Brinkley large sums of money for performing a fake operation; and in addition that it was used to induce people to buy prescriptions on which Brinkley got a rakeoff.

There were two aspects to the case. The first involved Brinkley himself, the second the probability that his continued success would bring other quacks into the field all over the country to use the radio to fleece the public.

There is no more dispicable fraud than the man who preys on the hopes and fears of the sick for his own enrichment. Brinkley had shown a positive genius for luring people into paying him their savings by promises that he knew were impossible of fulfillment.

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Recognizing these facts, The Star set out to expose Brinkley and his methods and to call the attention of the public authorities to the magnitude of the evils involved. With pains taking care Mr. Macdonald and others from the staff working with him accumulated and printed the evidence. Brinkley was rich and resourceful, and he had the help of a group of political lawyers who put private fees above public welfare.<sup>14</sup>

Brinkley had been forewarned that the Star was out to get him, but he did not believe it.<sup>15</sup> When one looks for reasons perhaps one should look a little deeper than the Star story. No matter which way Brinkley turned, he seemed to step on the toes of the Star. In prescribing over the air for his patients Dr. Brinkley was channeling a large portion of the drug business of Kansas and surrounding areas into drug stores that belonged to the Brinkley approved list. The Kansas City Star already unhappy because of their failure in 1927 to gain increased wattage, and Brinkley's success, now found that they were threatened with the loss of large advertising revenues, for Brinkley's radio station and the Star territory largely overlapped. The patent medicine companies warned the Star that sales within that trade territory had fallen to practically zero, and unless something were done about the condition the patent medicine companies would have

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<sup>14</sup> The Kansas City Times, June 16, 1930.

<sup>15</sup> Letter to author from Ernest A. Dewey, July 11, 1952.

no alternative but to discontinue advertising in the Star.

Then, in November of 1929, the Radio Digest magazine of Chicago conducted a nation-wide radio popularity poll that ran until the following April. The winner: Station KFKB, with 256,827 votes. The nearest competitor had only 64,557 votes, and the Star's station, WDAF, didn't even rank in the top ten. It received in the neighborhood of 10,000 votes.

The American Medical Association and its subsidiary state and county medical associations were organizing for the purpose of protecting themselves, for Brinkley was making terrific inroads into local medical practices with his habit of diagnosing and prescribing over the radio. Here was a worthy ally of the Star.<sup>16</sup>

More concisely stated by one who was close to Brinkley, the Star was out to get Brinkley "because of Macdonald, the radio station, to please the A.M.A., and to enliven a dull season with rousing reading matter."<sup>17</sup> A more complete statement by a veteran Kansas political observer, W. G. Clugston, boiled the story down to this:

. . . THE KANSAS CITY STAR . . . had a powerful radio station which came into competition with Brinkley's station in bidding for listener-support. Brinkley provided programs that were popular with the radio listeners in the rural districts and in the small towns. THE STAR management very naturally felt that if the goat gland broadcaster's air activities could be squelched more listeners would turn to STAR broadcasts and advertising revenues could thus be increased -- THE STAR would have more of a monopoly over the air.

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<sup>16</sup> Wood, op. cit., pp. 226-229.

<sup>17</sup> Letter to the author, from Ernest A. Dewey, July 11, 1952.

The second source of trouble developed when Brinkley decided to do a general practice over the air -- when he began inviting his listeners to write to him and tell him their ailments so that he could prescribe for them over the radio. This happy scheme, which was originated largely because of its advertising value, soon began to play hob with the practices of local doctors in every town and hamlet in Kansas and all the surrounding states. Their patients began buying postage stamps to send letters to Brinkley to tell him their ailments instead of going to the local doctors and paying them for professional appointments.

Brinkley soon apprehended that this might cause him trouble, but he was somewhat in the situation of the man who had the bear by the tail; he couldn't quit giving advice to those who wrote in to ask for it without losing them as followers and prospective patients. Originally, he had encouraged these people to send in their prescriptions to the drug store which he operated in Milford, but he soon began encouraging them to go to their local drug stores. In this manner he hoped to build up a local druggist support to offset local doctor opposition. And so many of his radio patients began going to the drug stores which he designated in their towns that an association of Brinkley-approved druggists was formed. . . .

But the local doctors began howling to the high heavens, and demanding that something be done to rid the country of the "quack radiopractitioner". Also, of course, their howls reached THE KANSAS CITY STAR, and that newspaper's henchmen who were in control of the Kansas state government. And, between them, they discerned that a great opportunity was presented to promote a crusade to crush Brinkley. THE STAR could accomplish a three-fold task by inaugurating such a crusade; it could build up a big reader-interest by making a sensational expose of the Brinkley operations; it could crush Brinkley and kill off the competition which his radio station offered to its station; it could win the undying gratitude of all the ethical doctors in every town and village throughout the land.

THE STAR cracked its whip over the heads of its political puppets, and things began to happen. The Brinkley rejuvenating institution was hit as with the force of a double-funnel cyclone. THE STAR started printing columns and columns daily, under its biggest headlines, which denounced Brinkley as a quack, and which accused him of almost everything short of rape and high treason. Several dissatisfied patients were discovered, and their complaints were magnified to their largest proportions. . . . Never was any citizen of Kansas painted as a blacker villain than THE STAR painted Brinkley day after day, week after week. . . . It is more than probable that the goat gland doctor could have been quietly



put out of business, and under proper legal procedures, as it is pretty well established that a state has a right to regulate practices of the healing professions. But THE STAR, and some of the ethical doctors, demanded that Brinkley be "rubbed out" professionally in the most sensational manner possible, and without too much regard for due process procedures, as a warning to all who might try to imitate him.<sup>18</sup>

A sample of why Kansas farmers and their wives listened to KFKB, Kansas First, Kansas Best, or as Brinkley liked to say Kansas Folks Know Best,<sup>19</sup> can best be seen by noting the variety of entertainment offered on an actual daily program schedule:

KFKB BROADCASTING ASSOCIATION, INC.

Power, 5,000 watts. Wave Length, 285.5 meters. Frequency, 1050 Kilocycles. Hours of Broadcast: Each week day from 5:00 a. m. to 8:00 p. m. Sundays from 8:00 a.m. to 9:00 a.m. and 12:00 noon to 8:00 p. m.

DAILY SCHEDULE

5:30 to 6:00 a. m.	Health Lecture by announcer.
6:00 to 7:00 a. m.	Bob Larkan and his Music Makers.
7:00 to 7:30 a. m.	Hints to Good Health by announcer.
7:30 to 8:00 a. m.	Bob Larkan and his Music Makers.
8:00 to 8:30 a. m.	Prof. Bert.
8:30 to 9:00 a. m.	Old time entertainers.
9:00 to 9:30 a. m.	Markets, weather, cash grain. Hauserman and Cook.
9:30 to 10:00 a. m.	Medical Question Box
10:00 to 11:00 a. m.	Special Features.
11:00 to 12:00 noon	Steve Love and his orchestra.
12:30 to 1:00 p. m.	Health Talk by Dr. Brinkley.
1:00 to 2:00 p. m.	Special Features.
2:00 to 2:30 p. m.	Dutch Hauserman and Cook.
2:30 to 3:00 p. m.	Medical Question Box.
3:00 to 4:00 p. m.	Bob Larkan and his Music Makers.
4:00 to 4:30 p. m.	Uncle Sam and Dutch Hauserman.
4:30 to 5:45 p. m.	Arthur Pizinger and his orchestra.
5:45 to 6:00 p. m.	Tell Me A Story Lady.
6:00 to 6:15 p. m.	Prof. Bert, French language instruction.

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<sup>18</sup> William G. Clugston, Rascals in Democracy (New York: Richard B. Smith, 1940), pp. 149-152.

<sup>19</sup> Wood, op. cit., p. 227.

6:15 to 6:30 p. m. Orchestra.  
 6:30 to 7:00 p. m. Dr. Brinkley.<sup>20</sup>

Space is all too limited to begin to do justice to the Star's expose of Dr. John R. Brinkley, but its outlines can be seen and its method studied. From a perspective of twenty-two years a pattern can be seen in the Star's handling of the subject: First, build up public indignation; secondly, get Brinkley off the air by taking his radio station away from him; thirdly, get his medical license away from him. Then and only then would he be properly crushed.

April, 1930, was D-day for the Star. The kickoff in the series was reserved for Morris Fishbien, and on April 9, 1930, the Star carried the front page story which initiated the day by day contest that was to follow for the next six months. This front page story carried the following quote by Mr. Fishbien:

In a few spots over the United States local stations continue to pour forth filth and falsehood. In the obscure Kansas village of Milford, a blatant quack, one John R. Brinkley, whose professional record reeks with charlatanism of the crudest type has for some years been demonstrating the commercial possibilities of goat gland grafting for alleged sexual rejuvenation. . . .

More recently Brinkley has tended his commercialism to medicine -- via the radio -- by prescribing for his unseen and unknown audience, and then entering into a financial arrangement with druggists whose professional standards are, apparently as low as his own. . . .<sup>21</sup>

Fishbien concluded that it was to the Federal Radio Commission that the public "must look for protection."<sup>22</sup>

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<sup>20</sup> Kansas City Journal Post, Gravure Picture Section, April 27, 1930.

<sup>21</sup> Kansas City Star, April 9, 1930.

<sup>22</sup> Loc. cit.

Brinkley never one to give way in the fight defended himself over his radio. He read a portion of Fishbien's editorial that had asserted that he was prescribing medicine for rejuvenation, and denied flatly that he had ever discussed such a thing over the radio. He commented: "I've never mentioned such a thing. I've never done anything of the kind. You people (his radio audience) know that."<sup>23</sup>

Dr. Brinkley explained that he had no quarrel with the "sort of a doctor who calls upon you and helps you and does everything possible to aid you in your trouble and sickness." But he was against the kind of a doctor "who wants to X-ray you, violet ray you; take out vital organs; study your case; leave you weak and suffering and does you no good, and then sends you a bill and keeps on bleeding you for money."<sup>24</sup> Regarding the Kansas City Star, Brinkley said,

I have received letters from several friends who said they never liked the Kansas City Star and that since this Fishbien attack on me was published they like it less. I'm sure the Kansas City Star has hurt its subscription lists more than it has hurt me.<sup>25</sup>

And thus began the contest. The Star for its own edification related the rest of the program that was given over to the "Medical Question Box." Brinkley according to the Star, read a letter written by a

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<sup>23</sup> Kansas City Star, April 11, 1930.

<sup>24</sup> Loc. cit.

<sup>25</sup> Loc. cit.

woman who intended to cheer him in his hour of need and urged him not to work too hard; that he must save his energies for the fight against "the enemy". The woman described an illness and asked the doctor to visit her home some time. To which Dr. Brinkley replied: "My good, darling woman. I know I am welcome in your home. I would like very much to visit you and your loved ones, but I cannot. I am too busy."<sup>26</sup> Then he prescribed No. 50, No. 61, (which he described as "high priced,") and No. 64. Later on he said he would like to have the patient have some No. 63. Dr. Brinkley then prescribed for several other patients by telling them to take prescription No. 60, some No. 50, No. 62, and several others of the nostrums designated by number. Most of the patients whose letters were describing symptoms were women. A typical diagnosis and prescription by Dr. Brinkley was: "This little lady needs prescription Nos. 60, 62, 50, and 51. She must have a very restricted diet."<sup>27</sup> Another patient was advised to have a blood examination and to take No. 60. Then Dr. Brinkley read a letter from a druggist in southeastern Kansas, which purported to state: "The more lies these doctors tell, the greater you will become."<sup>28</sup> Which caused Dr. Brinkley to interpolate:

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<sup>26</sup> Loc. cit.

<sup>27</sup> Loc. cit.

<sup>28</sup> Loc. cit.

This scrap on us has caused the people to come to us in such increased numbers we are swamped completely. We thought we were pretty busy but since this attack on us by 'Fishy' Fishbien and the ethical doctors we have been doing more business than ever before.<sup>29</sup>

A letter signed "Miller on the Dee" was read which stated:

"Let the enemy go. They are only digging their own graves. Remember, 'Whom the gods would destroy they first make mad!' More power to you and your work."<sup>30</sup> Concluding, Dr. Brinkley urged his hearers not to **rush** into operations which needlessly removed vital organs, and not to forget to say their prayers because "you are all going to leave this world some day."<sup>31</sup> The broadcast was interrupted by static from time to time, which made it difficult to distinguish between the prescriptions. Number fifty sounded like number sixty, and frequently the whole diagnosis was blotted out by static.<sup>32</sup>

The battle lines were now clearly drawn and the Star had wheeled out its heaviest cannon in the person of A. B. Macdonald, one of the Star's ace reporters. Macdonald had been digging up material on Brinkley for some time<sup>33</sup> and now he was ready to use it. The approach was to interview Dr. Brinkley and use the material in

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<sup>29</sup> Loc. cit.

<sup>30</sup> Loc. cit.

<sup>31</sup> Loc. cit.

<sup>32</sup> Loc. cit.

<sup>33</sup> Interview with W. G. Clugston, June 16, 1952. Clugston thinks Macdonald had been working for nearly a year on the Brinkley expose before a line was published.

future columns to besmirch the doctor. The interview ran as follows:

"Glad you came!" said Dr. John R. Brinkley. . . . "The American Medical Association has denounced me as a charlatan and quack, but there are two sides to everything and I know The Star will be fair enough to print my side of this fight." (Macdonald warned Dr. Brinkley that whatever he said would be printed.)

As I (Macdonald) sat down he opened a fresh packet of cigarettes. I began mentally to weigh his diamonds; to see which was the biggest, the one in his necktie, the one in a ring of platinum on a finger of his right hand or the one on his left hand. The one in his tie was as large as a hazel nut.

"I'll answer any questions you may ask me. Fair enough?"

"They say you charge \$750.00 for transplanting the glands of a goat to a man."

"I do, that is my lowest price. If a man is able to pay more I charge \$1,000 or even \$1,500."

"They say you ship your goats in from Arkansas, fifty and sixty a month."

"I do, and it won't be long until I am bringing them here at the rate of 1,000 a month. If I had accommodations for 1,000 patients I could be performing that many goat gland transplantings a month."

I began to figure it up; fifty operations a month at an average of \$1,000 a piece equals \$50,000 a month.

No wonder he could erect the buildings that were going up on every hand, the sound of hammers and saws was loud in the little village, and trucks loaded with lumber, bricks, and other building material crowded the two streets.

"How much have you invested here?"

"A half million dollars, and I've made every dollar of it in the last thirteen years, with the A.M.A. and most of the doctors fighting me. I get fat on fights," and he laughed.

All through the interview he laughed and joked.

I was curious to know why he (had decided) . . . to practice medicine in such a small, out-of-the-way place as Milford.

"I was too poor to light in a bigger place. I was sick. I had only \$23 in the world, and no equipment. I had to begin in some crossroads place. They wanted a doctor here, so I came. I treated whooping cough, measles, and so on, made a bare living, then hit upon the discovery that the glands of a healthy young goat transplanted to a man or woman would give them a new vim and pep, and that brought me fame and fortune.

"When I came here thirteen years ago this village was only a wide place in the road. It had a postoffice, bank, barbership, and store, and a few houses. It didn't even have a grocery store. Now it has a population of 350. I have 100 men and women working for me. I get 3,000 letters a day. Our postoffice is of the second class and has just moved into a new building. They are just finishing for me a new sanitarium of brick that cost me \$100,000. It was built under a contract to be finished in fifty days and the men worked night and day to get it done. I am building an apartment house for my employees and am building seven bungalows for my physicians and their families. The material is on the ground now for a Brinkley Methodist Memorial church and parsonage I am going to build. It will cost \$50,000 and will have chimes and a fine organ. The church and parsonage will be connected by a colonnade. Here is the tablet that will be on the front of the church." He read it aloud: "Erected to God and His Son, Jesus, in appreciation of many blessings conferred upon me: J. R. Brinkley."

"Of course, the doctors will say I'm a hypocrite, but my mother was a good Methodist. She died when I was a kid, in the Tennessee mountains, back in North Carolina, and I was raised by a good Methodist aunt; and so, whether they believe it or not, I am a Christian. I talk on Christian ideals twice each Sunday over the radio, and there's my Bible," and he pointed to a well-thumbed Bible on his desk.

"To get back to my building operations, I'm starting to build in June the Brinkley clinic building that will be different from anything in this country. It will cover a whole block, will cost me a million dollars, will have shops, stores, a gymnasium, a monster bathing pool, beauty parlors, rooms for my clinic and a theater almost as big as the Orpheum in Kansas City, where we will give the best theatrical shows and talking pictures."

"Where will the million dollars come from?" I inquired.

"Money rolls in on me. It all comes from satisfied patients. I've treated many a millionaire here. They come to me from all over the world. And after they go away they send me more money. I could send out a cry for help over the radio and get a million dollars in one week, if I needed it."

I had noticed that all the new buildings going up in Milford were of the most permanent form of construction, of brick and stone. His offices in the new postoffice building were richly furnished. I said to him, "Nothing here indicates that you have any fear of being put out of business."

"I should say not. Each of these new buildings I am putting up is intended to be a unit in a great medical and surgical institution that will be in operation, I hope, down through the ages. The Brinkley name will be perpetuated here."

.....

"Suppose they take the radio from you, what will happen to all this business then?"

"They can't take what I haven't got. I don't own any radio. These two great radio towers you see out here and the radio buildings are owned by the KFKB Broadcasting Association. The principle stockholders are Harry Montgomery, owner and editor of the newspaper in Junction City; John T. Kennedy, President of the First National Bank of Junction City; Ben Fegan, owner of the telephone plant of Junction City; and Hurst Majors, mayor of Manhattan, Kansas; I own only one share in it. I buy the time I use over it and that can easily be proved. Now, how are they going to shut me off?"

"The federal radio commission may have power to shut down this radio station," I suggested.

"They wouldn't do it without giving me a hearing first, and if they give me a hearing I will run five special trains, with sleepers and diners, to Washington, and take two or three thousand of my patients down there to testify that Dr. Brinkley cured them and made them happy. It would be the biggest advertisement any man ever had.

"Let them come with it. I can send out a call and get 10,000 volunteers to go to Washington. That many have written me already saying they would be glad to go, and, if they close down this broadcasting station to me, I have three other stations holding out their arms, asking me to talk over their systems. If the



radio commission starts to shut my mouth I can keep them on the jump for the next fifty years if I live that long. I don't think the doctors will ever succeed in stopping me from talking over the radio."

"Suppose the state board of medical examiners cancels your license to practice in Kansas; wouldn't that put a crimp in you?"

"No. Nothing the doctors can do now can hurt me. If they revoke my license I have five licensed physicians and surgeons, and six graduate nurses here with me now. They would keep right on, and if necessary I could bring here a staff of graduate doctors from the best medical universities in the world. I have on file the applications of over 1,000 of them who want to come to work for me; so it still would be Brinkley's hospital and sanitarium even if the doctors did take my license. They will never close me up. They have fought me for years and I have thrived on their opposition. I defy them now, as I always have. Just say for me to the doctors of Kansas and of America who are fighting me, that I am not even worrying. I am helping people and making money."

"Will you sue any of them for damages?" He laughed.

"No, I'm too busy with my vast medical practice to bother with that, let them snap and bark all they want to. The A.M.A. has been attacking me for years and all the time I have been making more friends."

"They say you are ignorant and especially, that you have never had a medical education, that you have never studied in a real medical college and have no diploma from one; that the only diplomas you have were bought from diploma mills that have since been exposed and run out of business. What have you to say to that?" I ask him.

(Brinkley then listed his educational background of three years at Bennett Eclectic Medical College in Chicago and one year and a diploma from Kansas City Eclectic Medical University.)

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I reminded him that the Eclectic Medical University of Kansas City has no standing with the American Medical Association, that the medical licensing boards of forty states did not recognize it, and that it went out of existence while under fire from the medical profession because of its unethical practices.

"It was a reliable school of medicine," he persisted. He admitted that he had another diploma from the Kansas City College of Medicine, a diploma mill which sold medical diplomas for cash to anyone who had the money to pay, but Dr. Brinkley denies that he bought the diploma.

"I thought the school was all right when I entered it as a teacher. I was working at the Swift packing plant. I taught for a year in that school and got an honorary degree as my reward. It turned out to be a diploma mill, and I regret very much that I had any connection with it."

This diploma mill was a nest of medical quacks, all of whom were exposed and driven out. Dr. Brinkley certainly knew its character when he taught there and knew the meaning of its diploma, and yet, in spite of his expressed regrets, long after the false medical college had been rooted out, he used his diploma from it to try to get a license to practice medicine in California, and his wife and one of the doctors with him now, have diplomas from it.

.....

"Doctors everywhere say your goat gland transplantings are pure bunk; and that your claim to restore lost youth stamps you as a charlatan and quack," I suggested.

"That's because they don't know how to do it themselves," was his answer.

"And your going to keep on importing goats by the carload from Arkansas and transplanting glands?"

"Am I going to keep on? Say, I haven't started yet. My ambition is to build up here in Milford a second Rochester, Minnesota, an institution like that of the Mayos, with the best physicians and surgeons in the world, great hospitals, clinics and so on. This summer I will spend a million dollars here. Before snow flies again I will have a thousand patients a week coming here instead of the 300 a week that come now. Remember, it is the doctors that are fighting me, and not my patients. And you can see I am not worrying in the least. The doctors can't worry me."

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(Macdonald asked him how much money he was taking in, and Brinkley laid his hand on Macdonald's knee and said pleadingly:)

"Now you have no right to ask me that, have you? I am doing quite well, thank you."<sup>34</sup>

Macdonald in the article tells about Brinkley losing his Connecticut license, how Brinkley according to the American Medical Association received his degree from the University of Pavia purely as a complimentary gesture, on the assumption that he was a practitioner of standing in America, and that the University annulled the diploma when it learned that the only diploma Brinkley held was from a questionable eclectic medical school of Kansas.<sup>35</sup> When Macdonald questioned Brinkley about his trouble with the licensing board of California, Brinkley answered as follows:

". . . I applied for license to practice medicine there (California) and said in my application that I held diplomas from the Eclectic and the Kansas City College of Medicine and Surgery. My application was on file when the great scandal broke about the latter being a diploma mill. I was indicted for conspiring to violate the laws of California by applying for a license, when, as they charged, I did not have a diploma from a reputable school. . . ."<sup>36</sup>

Macdonald stated that Brinkley denied that he was getting a dollar for every prescription of his that druggists fill, but he has prescriptions for different ailments which are in the hands of several thousand druggists throughout the West. They range in price up to as high as ten dollars, but are generally three dollars to five

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<sup>34</sup> Kansas City Star, April 13, 1930.

<sup>35</sup> Loc. cit.

<sup>36</sup> Loc. cit.

dollars. Each prescription has a key number. In his radio talks he describes certain ailments, gives the number that is good for it; the patient goes to a drug store for it and the druggist sends to Dr. Brinkley whatever amount he chooses. Dr. Brinkley commented on the drug business and his practice as follows:

"It is a matter of honor with the druggist; he sends what he likes and I do not get a cent of it; it all goes into the radio fund. I am not in the patent medicine business and never will be in it. I am a physician and surgeon. I make my money from the practice of that and from what grateful patients send me. In justice to me I wish you would say in the Star that I do not treat cancer, tuberculosis, chronic rheumatism, diabetes or any of the incurable diseases. I will not accept any patient who cannot be cured or who may die under treatment. No patient of mine has ever died here. If we should have a man die here the doctors who are fighting me would publish it all over the country, so I must be careful. Other doctors may kill 'em off, but I daren't."<sup>37</sup>

On April 15, 1930, Macdonald began his long sweep to ultimate victory. He took Brinkley's statement, that you never heard a complaint from my patients; they are satisfied as a heading, and added, "I found a few yesterday who are far from satisfied and are complaining."<sup>38</sup> His dissatisfied patient was John L. Zahner, a gardener and farmer near Lenexa, Kansas. Mr. Zahner told Macdonald the following:

For a year I sat here every evening and listened to Dr. Brinkley over the radio. I am 64 years old and have a prostate trouble, and Dr. Brinkley described my symptoms and sufferings exactly and he kept telling over and over how he could cure all such cases. I naturally thought that he must be all he claimed he was, for I

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<sup>37</sup> Loc. cit. Macdonald in a later issue listed thirty-six deaths since 1918 in which Brinkley was the attending physician.

<sup>38</sup> The Kansas City Star, April 15, 1930.

could not conceive it to be possible that this great government of ours would give a license to a quack and charlatan to operate a radio broadcasting station with which to rope in victims.

I had read of the federal radio commission and of how careful it was to protect the public from frauds, and Dr. Brinkley himself used to emphasize it over the radio that if he were not all he claimed he was the government would soon put him off the air, and I reasoned that it must be so.

Well I wrote to Dr. Brinkley and then the letters from him began to pour in on me, urging me to come for an examination anyway. At last a date was set on which I was to go, November 3, last. This was on Sunday. On the same train out of the union station with me from Kansas City were twenty-odd other men all bound for Brinkley's. On the way out to Milford we all got pretty well acquainted and I found that all of them had been attracted to Brinkley by his radio talks and all were going for some kind of prostate trouble.

We were met at the train in Milford and taken to the hospital, arriving there at 4 o'clock Sunday afternoon. . . .

I was the second man to be examined by Dr. Osborn, I did not see Brinkley. Osborn pretended to X-ray me, and he jabbed an instrument into me that made me bleed and said my prostate was as big as his fist. I was sent to bed, and all night long, until 4 o'clock the next morning those men were being examined, one after the other, each being frightened and sent to bed.

Some time after midnight Mrs. Brinkley came to my room and said to me 'You have a bad case of prostate trouble.' She called it a 'border line case' and I understood that meant that I was close to the border line that separates life from death. She insisted that I must be operated on at once. I might not live to go home unless I did. She scared me. She guaranteed me that in three days after the operation I would have relief. She had a check all filled out for me to sign. It was for \$750. I believe I never would have signed it had she come to me in daylight, but at that uncanny hour of night, with the sick men all limping up and down the halls, lights flickering, examinations going on, I was unduly influenced and I signed it.

That morning at 9 o'clock Dr. Osborn operated on me. I was in bed only half a day. On Friday Dr. Brinkley came to my room, the first time I had seen him, and I said to him:

"Doctor, I am five times as bad as when I came."

"That's natural and to be expected; it will be a year before you are fully well," he said.

"But they told me I would be well in three days. Your wife told me that," I insisted.

"You must have misunderstood her; yours is a border line case, and you may have to come back for another operation later on," he said.

"I was given notice that I must leave Saturday, and all the patients who had gone there with me were cleared out before Sunday. That is the way they operate. They get patients to come in batches each Sunday and clear them all out before the following Sunday, when a new batch comes in. In my opinion, that is done so the newcomers will not have a chance to talk with those who have been operated on. They clean house each week.

All of those who went there with me from Kansas City went through the same procedure as I, and were told the same things, frightened almost to death, and all were operated on except one man who had diabetes too badly.

After I got home it began to dawn upon me that I had been victimized and I tried to stop payment of the check (there is a photostat of the check . . .)

I have written Brinkley from time to time telling him I was worse off than when I went to him, but he keeps putting me off, and advising medicines for me to take. I paid him \$7.50 for Caprokol, a preparation he puts up, but it did me no good.

While in Milford I took the names of several of the men who were operated on and have written them to see what experience they had. Here is a letter from E. W. Crawford, Morrilton, Arkansas, who was operated on as I was:

This letter said:

"I have not been able to do a day's work since I came home from Brinkley's hospital. I have taken six bottles of Caprokol at \$7.50 a bottle and am worse off than before."

Another letter to Mr. Zahner was from Otto Moore, Lineville, Iowa. It Stated:

"I have heard from several of the men that were at the Brinkley hospital when you and I were there, and they all report the same

thing: no better. Brinkley and his gang are a set of quacks. Well, they only got \$365 from me and I might as well have stuck it in the fire, for I am worse off than when I went there."

The Star has another letter from Alfred R. H. Wolff, an inmate of the National Military Home in California, in which he tells that Dr. Brinkley's assistant, Dr. Osborn, performed upon him the operation known as the transplantation of goat glands for the cure of tonsillitis, deafness, prostate trouble and other ailments, and that he paid Brinkley \$400 in cash and gave him his note for the balance, \$225.

"The operation has done me no good whatsoever, rather harmed me and I consider my money thrown away," Mr. Wolff writes. "When I was at Brinkley's hospital there were eleven men there, seemingly men of means, from different states, one from Alberta, Canada, who told me they paid him \$750 . . . I am willing to give my name to help poor suffering humanity from being exploited by these men in Milford who call themselves doctors."<sup>39</sup>

On page two of the same day in another large headline:

"BRINKLEY'S PRICE THE SAME IF YOU LIVE OR DIE, SON OF ONE WHO DIED SAYS."<sup>40</sup> This is a prelude to an opening tear jerking story beginning, "The Easter season always has been a very sacred time to me but especially so since I laid my father to rest on Easter Sunday two years ago. He died in the Brinkley hospital at Milford. . . ."<sup>41</sup>

The following day appeared a front page story that intimated that Brinkley lied about the ownership of the radio station when he

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<sup>39</sup> The Kansas City Star, April 15, 1930, p. 1. Re-read the first two paragraphs again and see if they read like a farmer or like A. B. Macdonald, ace reporter.

<sup>40</sup> Ibid., p. 2.

<sup>41</sup> Loc. cit. Recall that in Macdonald's interview of Brinkley, Brinkley stated he would not take patients who might die and that he dared not have a patient die in his hospital. Cf. p. 54.

said that he did not own the station. The Star found that the three stockholders Brinkley named held only one share each and that there were five other men owning one share. Brinkley held only one share. True Dr. Brinkley held only one of the 1,000 shares but his wife held 991 shares. Therefore, when Brinkley said that the prescription money coming in went to the radio station, the Star saw it going into Brinkley's pocket, and the Star reported a rumor going around Junction City, reputedly from banking circles that handled Brinkley's money, that the amount from prescriptions each week averaged about \$10,000.<sup>42</sup> This same article reports further on Brinkley advertising methods. The following is from a letter supposedly sent out by Brinkley to wealthy prospective customers:

You are able to pay the full price for the boon of youth fully restored -- why not do so? Why lower yourself to the level of the beast of the field by having the glands of a goat transplanted into your body when you may just as well have the glands of a healthy young man implanted in you?<sup>43</sup>

The letter goes on to say that \$5,000 in advance will guarantee that this operation will make him a young man again, and ends with the statement: "I often perform this operation and always with success. I guarantee that no harm shall come to you. I have just returned from California, where I received \$10,000 for this

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<sup>42</sup> Kansas City Star, April 16, 1930.

<sup>43</sup> Loc. cit.



transplantation of human glands which I recommend to you."<sup>44</sup>

Macdonald concludes the days work with his own statement: "Every patient of his that I have seen so far has said that he was attracted to Brinkley by his radio talks. . . . Probably 90 per cent of all patients . . . were lured over the radio."<sup>45</sup>

On April 18 the Star printed the case history of Mr. S. A. Hittle who stated for the Star: "I have been ruined by Dr. Brinkley and his assistant, Dr. Osborn . . . I am 71 years old and have worked hard all my life. . . . I used to sit here and listen to him every day and he always told he could cure cases like mine. . . ."<sup>46</sup>

The same article told the story of Grant Eden of Osawatomie, Kansas, who told the Star reporter, A. B. Macdonald:

"The first time I knew there was such a man as Brinkley was when I heard him over the radio," said Mr. Eden. I tuned in regularly for a month to hear him tell how safely and surely he could cure prostate trouble, for I was suffering from that. I sent for his literature and he wrote me that he had operated on thousands of cases and all had been successful; he emphasized that he never failed to effect a cure. . . . (Brinkley told me) how well I would be cared for and how quickly I would be cured. He said that in five days I would return home."

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"Late that Sunday night Mrs. Brinkley came to me and urged me to take the operation. Mrs. Brinkley guaranteed me a speedy

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<sup>44</sup> Loc. cit.

<sup>45</sup> Loc. cit.

<sup>46</sup> Kansas City Star, April 18, 1930.

cure, and I signed a check for \$356.50, and at 11 o'clock that Sunday night they operated on me. I was on the operating table exactly fifteen minutes.

"I had trouble from it and sent for Mrs. Brinkley and said: 'Go to sleep and forget it.' I continued to get worse, and on Friday they insisted that I go home. I told Mrs. Brinkley that I had made up my mind to stay until Sunday, but she made me go home.

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"I have been an invalid ever since I returned from Brinkley's hospital . . . I have laid all my correspondence with Dr. Brinkley before the medical board of Kansas and am ready to take the witness stand against Dr. Brinkley, Mrs. Brinkley, and Dr. Osborn. I demanded my money back from Brinkley, but he emphatically refused to return a cent to me. I am a ruined man, physically, all on account of being lured by radio to go to Brinkley. I can't understand how our government which is supposed to protect us from frauds, give a license to a quack to use a radio broadcasting station to lure victims into his net. That is a mystery to me."<sup>47</sup>

The same old story is told again April 18th, a new name is added, William K. Fuhman, who told of being lured by the radio, money taken under duress, suggestions of malpractice, ill treatment at the hospital, and that he is now suffering the tortures of the damned because of Brinkley's operation.<sup>48</sup>

A resume in a two column, front page story of April 19th, reviews Brinkley's medical education history carefully worded to

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<sup>47</sup> Loc. cit. Note in the few examples given the reoccurrences of certain figures of speech. The phrase, I was (or am) ruined appears over and over. Constant reiteration of the words "radio" and "victim" have interesting implications, since within a short while a move was made to take Brinkley's broadcasting station's license away from him.

<sup>48</sup> Kansas City Star, April 21, 1930.

give the impression that he was a super quack and a perjurer. It included testimony given by William P. Sachs, head of the National University of Arts and Sciences, that was made at the California Medical Boards hearing on Brinkley's application for a license. The testimony was that Sachs had issued a fraudulent certificate of credits earned to Dr. Brinkley for purported attendance ending in 1913. The testimony brought out that it was actually issued for a cash consideration in 1918. The article also attacked Mrs. Brinkley and Dr. Osborn as holders of "diploma mill" medical certificates from the Kansas City College of Medicine and Surgery.<sup>49</sup>

Also on April 19, the Star carried a story on the meeting of the Montgomery County Medical Society in which the society adopted resolutions protesting to the federal radio commission against the use of the radio by Dr. J. R. Brinkley to conduct "broadcast clinics"; a resolution of approval of the Kansas City Star in its fight against Dr. Brinkley.<sup>50</sup>

As a good indicator that the Kansas physicians were in arms and beginning to see success in attacking Brinkley, the Central Kansas Medical Association comprising seven counties of Western Kansas adopted a resolution commending the Star and "calling on the Kansas

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<sup>49</sup> Kansas City Star, April 19, 1930. The only license Dr. Osborn held was from the Kansas City College of Medicine and Surgery which was exposed as a diploma mill.

<sup>50</sup> Loc. cit.

state board of medical registration to act, through the office of the attorney general, to rid the state of Brinkley and "all other irregular practioners."<sup>51</sup>

The Star flushed with the sense of coming victory and the praise of the physicians ringing in their ears, pressed their efforts. The next expose carried the headlines: "Brinkley Laughs -- Scoffs at 'Old Fools' -- Especially when Drunk Would He Sneer at His Patients, Mrs. John Ferris Tells. Former Head Nurse Tells How the Milford Gland Doctor Ridiculed His Own Ideas. -- PARALYZED WOMAN VICTIM -- for \$1,000 He Performed a Fake Operation, with a Promise of Absolute Cure."<sup>52</sup> To one familiar with the Star's multiple deck headlines, the above tells the pertinent parts of the story. Mrs. Ferris had been Dr. Brinkley's head nurse and when Macdonald visited her and Mr. Ferris (they met at the Brinkley hospital which Mr. Ferris was being "rejuvenated") the first word Mr. Ferris said were:

"That fellow Brinkley ought to be in the penitentiary. He's a big fraud."

And as I (Macdonald) talked with Mrs. Ferris, who had been Dr. Brinkley's head nurse for a year, she shook her head and said slowly:

"He is diabolical! That is the very word that describes him."

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<sup>51</sup> Kansas City Star, April 22, 1930.

<sup>52</sup> Kansas City Star, April 23, 1930.

"Diabolical means devilish, fiendish," I said to her.

"I know it. I use the word deliberately. He is the most cruel pitiless, cold blooded man I have every known," she replied.

"What did he ever do that gave you that opinion of him?"

"It would take me all night to tell the half of it. He has a mania for money. One time a woman came, brought by her husband, all the way from California. She was paralyzed from her waist down. She could not move a muscle of her legs. Could Dr. Brinkley cure her? Huh! He never even hesitated. His goat glands would cure her. He gave an unconditional promise of cure, collected a big fee -- I think it was \$1,000 -- then made a small incision in the fatty part of each of her legs, put into each incision a little piece of goat gland, stitched it up and sent her home. I call that diabolical. Any man who will do it is nothing short of a fiend. I could not stand to see it done and not complain about it. I said to him:

"Doctor, you know that will not affect the condition of that woman!"

"He laughed and said, 'Of course, I know it.'"

"Then why did you do it and send them away with the false promise of a cure?"

"I need the money," he laughed.

"He often used to ridicule the idea that his goat gland operations were any good. Especially when he was drunk he would poke fun at the old fools, as he called them, that came to him for new glands."

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"Some may say that I have a personal animosity or grudge against Dr. Brinkley, but I have none. We had no quarrel. He knew that I knew he was doing wrong and that I could not countenance it. I know that he knows that goat glands cannot be successfully implanted or grafted into the human tissues. It is all a fake and fraud, and no one knows that better than Brinkley himself. I have known many of his goat-gland operations, but I never knew or heard of one that was

successful. They were all failures, and the majority were tragic failures."<sup>53</sup>

The Star of April 25 was ready with another broadside that stated that there was enough evidence accumulated, and they cited examples, to show that fraud was being perpetuated through the United States Mails. One example cited in the article follows in part:

I (Brinkley) will do this for you: If each of your friends come at the same time and will pay \$5,000 each for a genuine human gland operation, I will give you the same gland operation which I perform at a minimum fee of \$5,000. . . . Few surgeons can get human glands, but I have an old-time friend in one of our large cities that can supply me.

Of course, these human gland operations are expensive. I pay a big price for the glands. I must have advance notice. For instance, if you and your friends decide to do this you must notify me that you will be ready to leave any time within the next six weeks. Then I notify my purchasing agent and he gets busy. He may get the glands in a few days or he may wait weeks. So, it's necessary for my patients to be ready to come here when I am ready, . . .

I guarantee the human glands pure and healthy and absolutely free from disease. I also guarantee that the seller of them will not be over 35 years of age, thus insuring strong, virile glands. . . .<sup>54</sup>

The above passages are cited not for the purpose of belaboring

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<sup>53</sup> Kansas City Star, April 23, 1930.

<sup>54</sup> Kansas City Star, April 25, 1930.

a spectacular expose. These citations, it is hoped, serve a four-fold purpose. First, to show how the Kansas City Star was persecuting Dr. Brinkley;<sup>55</sup> secondly, to show how the Star was attempting to build up public indignation and disgust and at the same time build reader interest, for is it not true that there is a peculiar attraction to the revolting and ugly; thirdly, how such persecution could become magnified in Brinkley's eyes, requiring vindication; and fourthly, to show how months of the treatment accorded Brinkley by the Star could lead to public sympathy for Brinkley, as characterized by the Anglo-Saxon feeling for the under-dog.

The Kansas City Times of April 27 noted the effectiveness of the campaign:

The Kansas board of medical registration and examination started something when it asked the attorney general what would be required as evidence to warrant a hearing to cancel the license of Dr. Brinkley to practice medicine and surgery in this state.<sup>56</sup>

While the authorities in Kansas were seeking means of getting Brinkley before the medical board for a hearing to revoke his license, Brinkley was broadcasting from Milford with his usual fluency. He likened himself to Jesus, saying he was being "persecuted for healing the sick" and was suffering the anger of the "learned doctors." He

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<sup>55</sup> Webster's Collegiate Dictionary defines persecute as:  
1. To pursue in a manner to injure; 2. To afflict, harass, or annoy with urgent attacks . . .

<sup>56</sup> Kansas City Times, April 27, 1930.

said he would say nothing in reply. He would have his day in court, and then he would "say plenty."<sup>57</sup> And he would certainly get that day in court, for on April 29, 1930, a complaint signed by Dr. L. F. Barney, president of the Kansas Medical Society, was taken to Milford to be served on J. R. Brinkley.<sup>58</sup>

Pertinent parts of the complaint against Brinkley follows:

Complainant, L. F. Barney . . . complains of respondent, Dr. John Richard Brinkley of Milford, Geary County, Kansas, and alleges:

That on or about the 15th day of June, 1916, said respondent was granted state certificate No. 5845 by the board of medical registration and examination . . .

That, in his application to the board of medical registration and examination . . . respondent made the following statements in regard to his preliminary education:

'Illinois state board 16 Carnegie units. Tuckasee high school, 1908'.

That, in the year 1908, no such institution of learning existed as the Tuckasee high school and that respondent, by falsely representing . . . his preliminary education at such institution, perpetuated a fraud on said board and was guilty of gross immorality and unprofessional conduct in so doing.

That during the time the respondent has practiced medicine and surgery in the State of Kansas, as aforesaid, he has been, and is guilty of gross immorality and unprofessional conduct, to-wit:

That on or about the 15th day of March, 1920, . . . respondent pleaded guilty to selling intoxicating liquor on two counts and to maintaining a common nuisance on one count, in violation

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<sup>57</sup> Kansas City Star, April 29, 1930.

<sup>58</sup> Loc. cit.



of the intoxicating liquor law of the State of Kansas. . . .

That, on or about March 21, 1921, in the case of the State vs. John R. Brinkley, . . . respondent was charged with unlawfully and feloniously threatening to shoot one Jesse Wilson with a pistol, and said respondent was ordered by said court to enter into a bond to the State of Kansas in the sum of \$1,000 to keep the peace of the people of said state . . .

That, in the year 1920, respondent went to Chicago, Illinois, and began to practice medicine and surgery in said state without having a license to so do, . . .

That, on or about March 10, 1921, respondent was granted a license to practice medicine in the State of Connecticut, . . . that on or about December 4, 1923, respondent's license to practice medicine in the State of Connecticut was revoked . . . on the ground that his certificate to practice medicine in such state had been obtained by fraud.

That, in the year 1922, respondent applied for a license to practice medicine in California on the basis of reciprocity; that the California board made a careful and exhaustive examination of respondent's antecedents and educational qualifications, and denied his application to practice medicine in said state.

That in 1924, respondent was indicted in the state of California on the charge of conspiring to violate the medical laws of the state . . .

That, on or about July 23, 1925, respondent was granted a diploma in medicine and surgery by the Royal University of Pavia, Italy; that this diploma was later annulled on account of the low standing of the eclectic medical university of Kansas City, Missouri . . . but that, notwithstanding said annulment . . . respondent still continued to claim that he was a graduate of the University of Pavia . . .

That, for a number of years last past, respondent has maintained a hospital at the city of Milford . . . that at said hospital respondent performs what he calls 'the compound operation' for the purpose of curing diseases of the prostate gland, high blood pressure, impotency, sterility, some types of diabetes, neurasthenia, epilepsy and dementia praecox; that in connection with the compound operation where additional gland tissue is needed, respondent claims that he transplants animal or human glands to the patient and that respondent's fee for the compound operation with animal glands is \$750.

That the compound operation cannot be performed in the manner described by respondent; that such operation is of no benefit or value to the patient; that patients upon whom this operation has been performed are in many cases in a worse condition thereafter than before, and that respondent, in proclaiming that the benefits of the compound operation, is working a fraud and deception upon the public.

That when patients come to respondent's hospital for examination, they are examined and informed that they have a very complicated case and are in a dangerous condition; that the respondent frightens them into signing checks for exorbitant fees and submitting to his so-called compound operation.

That respondent advises wealthy patients, who desire a restoration of sexual vigor, not to be part goat and part human, but to be entirely human, and to have human glands instead of goat glands transplanted to their bodies; but the human gland operation comes high and the patient must pay \$5,000 for it; that respondent states that he has a purchasing agent in one of the large cities who secures the human glands for him; that respondent guarantees these human glands to be pure and healthy and absolutely free from disease; that the seller of these glands will not be over 35 years of age that respondent also guarantees that these human glands will not slough and that, if they do, respondent will replace them free of charge within sixty days after the first operation.

That in respect to the success of the compound operation respondent claims that his batting average is high, about 90 per cent or 95 per cent. That the fact is that this operation cannot be successfully performed either with human or animal glands.

That respondent at times becomes drunk, and when in such condition appears to tell the truth about the uselessness of his operations and ridicules the 'old fools,' as he terms them, who come to him for gland operations in the hope that their diseases will be cured.

That respondent claims that he will not accept any patient who cannot be cured or who may die under treatment; and that no patient of his has ever died in his hospital.

That the fact is that during the time that Dr. Brinkley has operated his hospital at Milford, Kansas, a number of patients have died in said hospital after having his operations performed upon them.

That respondent gives talks on medicine, religion, and Free Masonry over the radio; that he gives these talks over the radio for the purpose of enticing patients to his hospital and to induce persons to purchase medicines; that he diagnoses and prescribes for patients over the radio; that he gives prescriptions by numbers which have to be filled by and purchased at certain drug stores, from which he obtains a commission; that respondent, over the radio, slanders and derides other physicians in an effort to strengthen his own claims for exceptional and unusual talent and to induce patients to submit to his operations or treatments; that his language over the radio at times, is unfit for the public to hear.

That such diagnosing and prescribing by radio are necessarily inaccurate and dangerous, carrying too great a hazard of error in misinterpretation of symptoms, inaccuracy of patients' statements of the location and character of complaints, the risk of misunderstanding the respondent's directions, and confusion of numbers given of prescriptions, and lacking entirely in the information to be gained by the usual ordinary routine physical and laboratory examination of the patient, without doing which respondent is grossly negligent.

That respondent advertises over the radio and through the mail by circular letters, pamphlets and newspaper of his ability to cure diseases and promises and guarantees cures, in violation of the code of ethics of the American Medical Association, but respondent boasts that he is not bound or governed by professional ethics.

That by reason of the foregoing the certificates of respondent, Dr. John Richard Brinkley, permitting and authorizing him to practice medicine and surgery in the State of Kansas, should be revoked by the board of medical registration and examination of said state.<sup>59</sup>

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<sup>59</sup> Kansas City Star, April 29, 1930. These charges filed officially on April 29, 1930, were nothing new by any means. There is no charge listed above that had not previously been made in the press by A. B. Macdonald and the Star staff writers. In many cases the language is so similar that one could well ponder who wrote the charges. The State Medical Board practically had to force Attorney General William Smith to action with threats. The Board had called on Smith three times previously for action only to be stalled off because of forthcoming elections. Kansas City Star, April 28, 1930.

To say that the "enemy" had thrown the book at Brinkley would be an understatement. Progress was being made toward putting Brinkley out of his medical practice, and things had proceeded even better and faster in shutting Brinkley up by taking his radio station away from him. When his summons before the medical board on July 17,<sup>60</sup> to answer the charges against him were served he was already well on the way to losing his radio station.

The phase of Brinkley's career that follows is so complicated and interwoven that in order to bring order out of confusion the various happenings must be treated topically rather than chronologically. However, it must be kept in mind that these events were inter-related and happening at the same time. The major happenings were the state medical board's fight to revoke Brinkley's medical license, the attempt to keep Brinkley's radio license from being renewed, the Missouri medical board's attempt to revoke Brinkley's medical license, Brinkley's libel suit against Morris Fishbien, Brinkley's libel suit against the Kansas City Star, and each of the above are greatly complicated by constant court action, appeals, followed by new court cases, and new appeals.

Brinkley's fight to keep his radio license has been termed by his partisans as a fight over free air.<sup>61</sup> With the forthcoming fight to be held in Washington, D. C., Brinkley needed succor, and where

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<sup>60</sup> Kansas City Times, April 29, 1930.

<sup>61</sup> Wood, op. cit., p. 211.

better to turn than the people. On May 9, 1930, Brinkley was on the air telling his listeners that he needed at least 1,000 people to go to Washington with him. He told his listeners that he had been their friend for years, given them free entertainment every day, and now all he wanted was for them to go to Washington to testify for him before the federal radio commission. He would charter all the Pullman cars necessary to take them to the gridiron.<sup>62</sup> When Brinkley started for Washington he had one Pullman car with thirty-five "guests" aboard including babies, gray-haired women and business men, and most interesting perhaps was the fact that with him were several high officials of a building and loan association which had loaned Brinkley money for his Milford projects.<sup>63</sup> Arriving in Washington, Brinkley checked his party in at the Mayflower Hotel and readied himself for the beginnings of the hearings on the following day, May 20.<sup>64</sup>

The radio commission began the hearings for the purpose of deciding whether or not the station was being "operated for the public interest." Testimony was taken on Brinkley's compound operation, solicitation of inquiries, and the question of whether Brinkley's medical question box was point to point service.<sup>65</sup>

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<sup>62</sup> Kansas City Star, May 10, 1930.

<sup>63</sup> Kansas City Star, May 18, 1930.

<sup>64</sup> Kansas City Star, May 19, 1930.

<sup>65</sup> Kansas City Star, May 21, 1930. Point to point service is forbidden by law. It is individual service that is conducted by commercial radio and prohibited to broadcasting stations.

The question of censorship of Brinkley's broadcasts was brought up by his lawyers as being prohibited by law, and the prosecutors countered by claiming that the station was merely an adjunct of Brinkley's practice and hospital which represented a complete commercialism that was against the public's best interests.<sup>66</sup>

The Star, under a headline, "QUACK WON'T TALK", broke the news that Brinkley refused to take the witness stand and testify in his behalf.<sup>67</sup> The reason: There were parties in the audience who would use his testimony against him at the Kansas medical board hearings in July.<sup>68</sup>

On May 22, the federal radio commission ended its hearings and ten days were allowed to file documents and arguments and then the commission would make its decision.<sup>69</sup> On June 11, Brinkley's lawyer offered a compromise measure to the commission. Brinkley had authorized him to say that he would stop broadcasting prescriptions and discontinue the medical "question box" if the commission felt this part of his program was not in the public interest.<sup>70</sup> When the decision of the commission came it was against the renewal of Brinkley's license by vote of three to two.<sup>71</sup> When Brinkley

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<sup>66</sup> The Kansas City Times, May 22, 1930.

<sup>67</sup> The Kansas City Star, May 22, 1930.

<sup>68</sup> The Kansas City Star, May 23, 1930.

<sup>69</sup> Loc. cit.

<sup>70</sup> Kansas City Star, June 11, 1930.

<sup>71</sup> Wood, op. cit., p. 329.

heard the decision he rushed to his radio and allegedly accused the federal radio commission of being bribed and that Herbert Hoover had used influence to keep his license from being renewed.<sup>72</sup> Brinkley by telephone conversation to his lawyers vigorously denied that he had accused members of the commission of accepting bribes or that he had said President Hoover had used influence in having KFKB's license denied.<sup>73</sup> With the loss of their broadcasting licenses most individuals would have given up, but not Brinkley, he was a fighter and he had the money with which to fight. On June 16, he filed an appeal in the Court of Appeals in the District of Columbia. The radio commission petitioned the court that its order taking KFKB off the air the following Friday not be stayed and that Brinkley's appeal be dismissed.<sup>74</sup> Brinkley's appeal dealt largely with these main objections: First, the ordinary rules of evidence were not followed by the commission in its hearing; secondly, that the order amounted to censorship.<sup>75</sup>

After much maneuvering on the part of Brinkley's attorneys and the radio commissions counsel a decision was handed down February 2, 1931, sustaining the radio commission, and thus Brinkley legally

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<sup>72</sup> Kansas City Star, June 16, 1930.

<sup>73</sup> Kansas City Star, June 17, 1930.

<sup>74</sup> Topeka Daily Capital, June 18, 1930.

<sup>75</sup> Topeka Daily Capital, June 16, 1930.

was taken off the air waves.<sup>76</sup> Brinkley's lawyers informed the papers that there would be no further appeal, and the case was closed. Associate Justice Charles H. Robb, who wrote the decision, said there was substantial evidence in support of the findings of the commission that "the 'Medical Question Box' as conducted by Dr. Brinkley is inimical to the public health and safety and for that reason is not in the public interest."<sup>77</sup>

On January 22, 1931, it was announced that Station KFKB had been sold. A contract had been signed between the Farmers' and Bankers' Insurance Company of Wichita, Kansas.<sup>78</sup>

Only one last comment need be made on Brinkley and the fight centering around KFKB. For more than two weeks before the station's sale, Brinkley had daily talked about KFKB being the people's station, and denounced the money powers of Wall Street and the chain radio organizations for gobbling up the radio stations and silencing them except for use by big money propaganda. People began to write in suggesting that all the supporters of Brinkley send in a dollar each to buy the station. Brinkley approved the idea at first, but later, said he could not accept the money. The following day he announced that Cash Davis, Sedgwick County farmer, had undertaken to raise the fund of one-fourth million dollars to buy the station, every person

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<sup>76</sup> Topeka Daily Capital, February 2, 1931.

<sup>77</sup> Loc. cit.

<sup>78</sup> Kansas City Times, January 23, 1931.



being a stockholder who contributed a dollar. At the time Brinkley was urging the people to send their dollar to Mr. Davis he was negotiating to sell the station to the Wichita corporation. When the sale was completed one stipulation was that Brinkley would have nothing to do with the operation of the station.<sup>79</sup> And thus ended one phase in the struggle to "rub out Brinkley."

While the above struggle was taking place another more interesting and unusual conflict was taking place -- a fight to deprive a man of his right to practice medicine. It is a very serious thing to forceably eject a man from his profession and his means of livelihood. Seldom is a doctor subjected to the humiliation, and financial loss, of being deprived of his license. To revoke the license of a man who has spent his life studying, and working in the field of medicine is to deal him a crushing blow that may well ruin his life.<sup>80</sup> But it is no injustice to the doctors of Kansas to say that they were actively and vociferously demanding just that treatment for Dr. John R. Brinkley of Milford, Kansas.

Kansas law prescribes the procedure and reasons for the revoking of a physician's license for cause. First a complaint must be filed stating in detail the grounds for revocation; this complaint is considered by the Board of Medical Examination and Registration and if probable cause for revocation appears, the board then directs the secretary to serve upon the license holder a notice stating that

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<sup>79</sup> Ibid.

<sup>80</sup> Interview with Oliver Ebell, Secretary of the Kansas State Medical Society, June 17, 1952.

at a designated time and place not less than thirty days after the date of notice a hearing will be held upon the complaint. The board convenes and hears the evidence presented by both the complainant and the respondent. The respondent may introduce any evidence material to the hearings and may be represented by counsel. After the final hearing the board makes a written order of its findings, and if the board finds that the evidence is sufficient to warrant the revocation of the license, it orders the secretary of the board to strike the name of the physician from the rolls of licensed physicians.<sup>81</sup>

A physician's license may be revoked for five reasons under Kansas law: (1) been convicted of a felony, (2) is grossly immoral, (3) is addicted to the liquor or drug habit to such a degree as to render him unfit to practice medicine or surgery, (4) has been guilty of malpractice and (5) has been guilty of unprofessional conduct (A willful failure to abide by the principles of medical ethics promulgated by the American Medical Association and adopted by the board).<sup>82</sup>

The complaint had been filed and the procedure would normally be that all interested parties would wait until the Kansas Medical

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<sup>81</sup> Kansas Statutes Relating to the Practice of Medicine and Surgery, October 6, 1938, p. 26. The secretary of the Kansas State Medical Society assured the author that the summarized portions herein cited are the same as they were in 1930.

<sup>82</sup> Ibid., p. 25.

Board of Examination and Registration met on July 15 and both sides present their case. But Brinkley was no man to allow matters to follow their natural or normal course.

Before the hearing Brinkley employed a detective, who interviewed one by one every member of the State Medical Board, and without exception each member stated unreservedly that, regardless of the evidence, he intended to vote for the revocation of Brinkley's license.<sup>83</sup>

The members of the Brinkley National Pharmaceutical Association were notified by their president, Percy S. Walker of Topeka,<sup>84</sup> to gather favorable evidence, and satisfied patients for the defense of Dr. Brinkley.<sup>85</sup> The association also told its members to get over to their patients the fact that "Dr. Brinkley is fighting all the allegations; that he has employed local service . . . ; that he is not afraid of consequences when tried before any . . . impartial court in the land. . . ." <sup>86</sup>

Brinkley, fighting back, retained one of the best law firms in Topeka, Kansas, to handle his case, Jackson, Forbes and Smith.

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<sup>83</sup> Wood, op. cit., p. 248. A certain degree of skepticism is advised in regard to this statement considering its apparent source.

<sup>84</sup> Percy S. Walker was the brother-in-law of Attorney General William Smith whose office prepared the case against Dr. Brinkley.

<sup>85</sup> Kansas City Star, May 6, 1930.

<sup>86</sup> Loc. cit.

Mr. Fred Jackson, the senior member of the firm, had been for two years the attorney general of Kansas.<sup>87</sup>

The Kansas City Star blurbled on May 7, in their lead sentence, "Dr. John R. Brinkley is afraid to have his case tried before the commission the people of Kansas have set up for the regulation of medical practice."<sup>88</sup> It was not a cry of triumph but of pain, for Dr. Brinkley had filed the afternoon of May 6, an injunction suit in the district court of Shawnee County to restrain the Kansas Board of Medical Registration and Examination from hearing the charges against him. An ironic situation developed, for while the state medical society was in session, the afternoon of the sixth, listening to Dr. Morris Fishbien deliver an address on the subject of medical ethics, and the undersheriff of Shawnee County slipped up to Dr. John F. Hassig, chairman of the board, and served the injunction papers. Dr. Brinkley's petition attacked the constitutionality of the law under which the revocation of his license had been asked. The petition also made specific denial of the charges of gross immorality and unprofessional conduct contained in the complaint against him.<sup>89</sup> The case was carried to the district court with the idea that if an unfavorable decision was rendered there an appeal

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<sup>87</sup> Loc. cit.

<sup>88</sup> Kansas City Star, May 8, 1930.

<sup>89</sup> Loc. cit.

would be made to the Supreme Court of Kansas. The basis of Brinkley's case in the district court was that the medical board had no power to compel the attendance of witnesses for Brinkley which did not constitute due process of law, for what the board was doing was attempting to take away a property right (the practice of medicine).<sup>90</sup>

On May 20, Judge George M. Whitcomb of the Shawnee County District Court denied the application for a temporary injunction enjoining the state medical board from holding their hearing on the complaint against Brinkley.<sup>91</sup>

How the fight was to be carried to the Kansas Supreme Court, and the precedent was against him for in a court decision of 1903 the ruling had been that the state had the right to create a board to license physicians and that same board had the same right to revoke licenses.<sup>92</sup> The Supreme Court agreed to hear the appeal of June 1. Brinkley's petition asserted approximately the same contentions as those used in the district court.<sup>93</sup>

On the first day of argument, June 2, Fred S. Jackson, Brinkley's attorney, said that "a war had been started on Brinkley by the National Medical Society." Jackson then paid his respects to the Kansas City Star. "Recently," he said, "a powerful newspaper,

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<sup>90</sup> Kansas City Star, May 17, 1930.

<sup>91</sup> Kansas City Star, May 20, 1930.

<sup>92</sup> Kansas City Star, June 1, 1930.

<sup>93</sup> Loc. cit.

printed in a foreign state and free from fear of the Kansas laws, has lent itself a dupe to the American Medical Association." Jackson continued by explaining that Brinkley had practiced in Kansas for fifteen years, had treated 13,000 patients performed more than 5,000 surgical operations, and had invested more than \$240,000 in a hospital and equipment. These he contended were a great property right and as such could not be taken away without due process of law -- and the medical board hearing could not be called due process.<sup>94</sup>

On June 13, the Supreme Court of Kansas decided unanimously that Brinkley's petition be denied.<sup>95</sup> The decision of the court written by Mr. Justice Burch stated that Brinkley was:

. . . an empiric without moral sense, and having acted according to the ethical standards of an imposter, the licensee has performed an organized charlatanism until he is capable of preying on human weakness, ignorance and credulity to an extent quite beyond the invention of the humble mountebank . . .<sup>96</sup> (he was) fleecing the defective, the ailing, the gullible and the chronic medicine takers who are moved by suggestion, and is scandalizing the medical profession and exposing it to contempt and ridicule.<sup>97</sup>

With this ruling Brinkley was again in the position of having to face the medical board of Kansas to show cause why his license to practice medicine and surgery should not be revoked.

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<sup>94</sup> Kansas City Star, May 20, 1930.

<sup>95</sup> Kansas Reports, 130:874-884, (February 15, 1930 to June 13, 1930).

<sup>96</sup> Wood, op. cit., p. 255.

<sup>97</sup> Kansas Reports, 130:878, op. cit.

The Supreme Court did, however, grant a stay of ten days in the proceedings against Brinkley to allow Brinkley's law firm a chance to appeal the case to the United States Supreme Court.<sup>98</sup> Fred Jackson, Brinkley's lawyer, immediately went to Washington, D. C. seeking an order stopping the Kansas medical board from proceeding with Brinkley's hearing. The Supreme Court not being in session, Jackson approached Justice James C. McReynolds and Justice Willis Van Devanter seeking a stay, but both justices refused, and Jackson announced that no further attempts would be made to get the United States Supreme Court to intervene.<sup>99</sup>

All avenues now were closed to Brinkley and the hearing was July 15. Not quite so insolent in his defiance as he was several months before when he referred to the A.M.A as the meatcutters' union and to Morris Fishbien as "Little Old Fishy".<sup>100</sup> Brinkley now faced the crisis.

The hearing began at nine o'clock, July 15, in the Kansas Hotel at Topeka, with about seventy-five people present. Before the proceedings started Fred Jackson and A. B. Macdonald began a "spirited exchange of personalities" which for a time threatened to come to blows.<sup>101</sup> The first witness on the stand was Mr. R. J. Richards

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<sup>98</sup> Topeka Daily Capital, June 17, 1930.

<sup>99</sup> Kansas City Star, June 18, 1930.

<sup>100</sup> Kansas City Star, June 14, 1930.

<sup>101</sup> Hays Daily News, July 15, 1930.

who had had the Brinkley operation, and he testified at length that he had paid \$750 for an operation that took less than ten minutes; poor care had been taken of him, and he claimed he was still suffering from the effects of the operation. A Mr. Cross, 88 years of age, was placed on the stand and testified to his disabilities. Under cross-examination Mr. Cross admitted that he still owed Dr. Brinkley \$250 on the operation.<sup>102</sup>

On the second day of the trial a bomb shell was dropped when it became known that Dr. L. L. Marshall, president of the Arkansas State Medical Board invited Brinkley to move his hospital and radio station from Milford to Arkansas to escape his persecutors.<sup>103</sup> The rest of the day was spent listening to accounts of gunplay in which Brinkley wielded the gun, reading letters Brinkley had written in which he had made some rather wild claims, i.e., "In five thousand cases," one letter said "we have never had a known failure,"<sup>104</sup> and copious perspiring for the temperature was well over one hundred degrees and the room stifling.<sup>105</sup>

The next day, July 17, three men were brought to the stand to

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<sup>102</sup> Loc. cit.

<sup>103</sup> Hutchinson Herald, July 16, 1930.

<sup>104</sup> Hutchinson Herald, July 16, 1930.

<sup>105</sup> Interview with W. G. Clugston, June 16, 1952. Mr. Clugston attended all the hearings as a newspaper reporter.



testify against Brinkley, John L. Zahner, 65, of Lenexa, Kansas; Charles Ziegenhirt, 60, of Linn, Kansas; and William K. Fuhrmen of Atchinson, Kansas.<sup>106</sup>

Charles Ziengenhirt was one of the gentlemen whom the Kansas City Star had written up as having been fully dealt with by Dr. Brinkley. He had stated in the Star story: "After cutting into my abdomen Dr. Brinkley tried to close the opening by binding over it a piece of rubber shoe heel."<sup>107</sup> On the witness stand and under cross-examination Ziegenhirt testified that at the suggestion of one of Dr. Brinkley's assistants after one of his operations at Milford, he had tried to use a rubber heel to keep the wound leaking. He said, however, that he was unable to keep the rubber heel in place.<sup>108</sup>

On the eighteenth the proceedings were changed to allow two Brinkley witnesses to testify. And these men testified that they had known Brinkley when he had attended Tuckasee High School, that he had completed a four year course of instruction, and that he was at the head of his class.<sup>109</sup>

On July 22, Dr. Thomas G. Orr, Professor of Surgery at the

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<sup>106</sup> Hays Daily News, July 17, 1930.

<sup>107</sup> Kansas City Star, May 6, 1930.

<sup>108</sup> Hutchinson Herald, July 17, 1930.

<sup>109</sup> Hays Daily News, July 18, 1930.

Kansas University School of Medicine, took the stand. Dr. Orr and Fred Jackson engaged in an extended technical discussion of Orr's interpretation of Dr. Brinkley's description of the operation. Dr. Nelse F. Ockerblad, professor of urology at Kansas University School of Medicine, Kansas City, Kansas, testified that the operation Brinkley performed was "a fake."<sup>110</sup>

On July 23, the parade of satisfied Brinkley patients began their trek to the stand, and a dozen witnesses testified to the benefit of the operation. On the 24th C. L. Borwin, an oil operator, of Corsicana, Texas, testified that he would not take all his wealth (estimated at 25 to 30 thousand dollars) for the operation, and if he did not have it he would give all his wealth for it, for it had made him a new man.<sup>111</sup>

On the 25th, sixteen more satisfied patients were sworn in,<sup>112</sup> and Brinkley boasted he could keep them coming all summer. The trial was beginning to backfire against the board.<sup>113</sup> Brinkley attended on the 25th for the first time, and issued a statement asking the board to come to Milford and see his hospital and operation. At the suggestion of Attorney General Smith the board decided to hear no

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<sup>110</sup> Loc. cit.

<sup>111</sup> Hays Daily News, July 24, 1930.

<sup>112</sup> Hays Daily News, July 25, 1930.

<sup>113</sup> Interview with W. G. Clugston, op. cit.

more satisfied customers. W. C. Ralston of the attorney general's office said the board was not compelled to listen to "hundreds" of satisfied customers and there was a "reasonable limit."<sup>114</sup>

On July 28, as the hearings entered their third week, a number of character witnesses testified for Brinkley.<sup>115</sup> The board was faced with Brinkley's invitation to come to Milford and witness the operation. They were prejudiced against him. They had to accept; and they did, the date was set for September 15 and the board and witnesses were to meet in Milford on that day.<sup>116</sup>

The day of the operation was at hand, September 15, 1930, and two complaining little goats and two old men were to be at Brinkley's sacrificial offering before the state medical board. Members of the board were an hour late in arriving at Milford, for they had come from all parts of the state. The board's rendezvous had been Junction City, and the group from Kansas City had been delayed by bad roads.<sup>117</sup>

An impressive show of hospitality attended the arrival of the cavalcade at eleven o'clock. Members of Brinkley's business and surgical staff were on hand to greet the surgeons and physicians.

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<sup>114</sup> Hays Daily News, July 25, 1930.

<sup>115</sup> Hays Daily News, July 28, 1930.

<sup>116</sup> Wood, op. cit., p. 259.

<sup>117</sup> Kansas City Star, September 15, 1930.

Brinkley was not among the welcoming committee; he was making last minute preparations for the operation. The visitors were shown around the buildings and grounds. Finally Brinkley appeared, dressed for the operating room, he remained for a minute to greet his guests and then returned to the hospital to hurry preparations for the operation.<sup>118</sup>

The guests, physicians, and newspapermen were required to put on surgeon's coats before entering the operating room. An attendant brought from the basement the young goats that were to be a necessary adjunct to the operation.<sup>119</sup> Mrs. Brinkley operated on the goats cutting the testicles<sup>120</sup> out while the bleating of the kid rang through the corridors of the hospital. Mrs. Brinkley placed the testicles in a container filled with cotton being careful not to touch them with her hands. Then she trimmed the glands to about the size of a large pea.<sup>121</sup> Dr Brinkley was ready to begin the operation. Two patients had been made ready, and the first operation was performed on a man from Nebraska who was about forty and whose father had been operated on by Dr. Brinkley two years before.<sup>122</sup> The nurses helped Dr. Brinkley with his gloves and

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<sup>118</sup> Loc. cit.

<sup>119</sup> Loc. cit.

<sup>120</sup> Interview with W. G. Clugston, June 16, 1952. Mr. Clugston was an eye witness to the operation, being present in the capacity of a newspaper reporter.

<sup>121</sup> Loc. cit.

<sup>122</sup> Wood, op. cit., p. 259. The Star (September 15, 1930) said the first patient was fifty-five years old.

instruments, and Doctors C. C. Nesselrod of Kansas City, Kansas; E. S. Edgerton of Wichita, Kansas; Thomas G. Orr, instructor of surgery in the University of Kansas Medical College; and W. A. Carr of Junction City, Kansas, stood close to the operating table. These surgeons had been designated by the medical board as official spectators. They were instructed to study the operation in order to make a scientific report for the guidance of the medical board. Dr. J. F. Hassig, president of the Kansas medical board questioned Dr. Brinkley as each step in the operation was taken. Without diverting his attention from the operation, Brinkley explained the purpose and the process.<sup>123</sup> The first operation was consummated swiftly and without pain. The second operation was a case full of complications, requiring forty-five minutes with the patient obviously uncomfortable.<sup>124</sup>

Thus, was the epic making seven hundred-fifty dollar operation concluded. The board and observers left, once more, to discuss Brinkley's fate as a Kansas physician. W. G. Clugston reports that as they left the operating room Dr. J. F. Hassig told him that

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<sup>123</sup> Kansas City Star, September 15, 1930.

<sup>124</sup> Wood, op. cit., pp. 259-260. Brinkley's biographer quotes Brinkley as saying that following the operations, "They walked out, their heads hung in shame, with their tails between their legs like (sic) whipped curs. If they had spoke, they would have been bound to admit to the reporters that I was a master surgeon, with the greatest surgical skill of any man they had ever seen handle a knife; that I performed my operation exactly as I had described, which they had all said could not be done by any man. Instead, they had nothing to say." See Wood, p. 260.

Brinkley "was skillful as an operator."<sup>125</sup>

The board convened the morning of the 16th to permit the introduction of further testimony by the Brinkley defense and rebuttal testimony by the state.<sup>126</sup> On the 17th the board met in executive session in the Kansas Hotel in Topeka, and issued an order revoking Dr. Brinkley's license. Evidence in behalf of Brinkley had been given to the board on July 18, 23, 24, 25, 28, 29, 30, and September 16, 1930, and evidence in behalf of the complainant had been submitted on July 15, 16, 17, 18, and 22, 1930. The board, composed of Doctors J. E. Hassig, president; A. S. Ross, Secretary; H. Z. Hissem; G. R. Dean; C. H. Ewing, M. C. Jenkins; and O. S. Rich, had found Dr. John Richard Brinkley guilty of "gross immorality" and "unprofessional conduct as charged in the complaint."<sup>127</sup>

The Kansas physicians had the last word on the operation that had pained them so. In their October journal the following statement appeared:

One can hardly imagine that he (Brinkley) was sincere in extending this invitation (to watch the operation at Milford) but if he was he certainly underestimated the intelligence of the men invited. . . . The fact that such operations were impossible was a matter of no concern so long as his audience was composed of laymen. But little tricks with anatomical structures that are not there just can't be done under the critical eyes of such surgeons as Edgerton, Orr, and Nesselrode.<sup>128</sup>

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<sup>125</sup> Interview with W. G. Clugston, June 16, 1952.

<sup>126</sup> Kansas City Star, September 15, 1930.

<sup>127</sup> Journal of the Kansas Medical Society, 31:384, October, 1930.

A short time before the board's decision was made Brinkley had offered to surrender his Kansas license and to quit the practice of medicine personally if the board would permit him to keep his hospital open under the name of the Brinkley Health Institute, and allow it to be operated by his brother-in-law Dr. Tiberius Jones. The medical board did not even take the compromise offer under consideration. Nothing but complete abandonment by Brinkley of his "quackery enterprises at Milford" would satisfy the attorney general or the medical board.<sup>129</sup> On the same day that Brinkley's license was revoked his lawyers declared their intentions of filing an appeal to secure an injunction to prevent the medical board from carrying out its order to revocation.<sup>130</sup>

After the order of the medical board was made Dr. J. F.

Hassig gave the valediction:

It has been a long, drawn-out fight. The order of the supreme court required us to go into the testimony as fully as we did, and to give Brinkley's attorneys all of the time we did give them to prepare and present their case. And we got through just as quickly as we could.

The members of this board have made great sacrifices in business to attend these hearings, and I think the public owes a debt of gratitude to this board . . .

The public and the medical profession of Kansas especially owe an everlasting debt of gratitude to William A. Smith,

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<sup>128</sup> Ibid., p. 383.

<sup>129</sup> Kansas City Star, September 17, 1930.

<sup>130</sup> Loc. cit.

attorney general, and to his assistant, Judge W. C. Ralston for the untiring zeal with which they have aided this board and advised it in every move it has made.<sup>131</sup>

One last word must be said of this fight as it ended outside the realm of politics. Brinkley did attempt to get an injunction against the medical board's order revoking his license. The case was tried in the United States District Court at Topeka under Judge Tillman D. Johnson of Salt Lake City, Utah, (both Kansas judges, John C. Pollock and Richard J. Hopkins disqualified themselves). On June 15, 1935, Judge Johnson rendered a thirty-two page decision upholding on every point the Kansas State Board of Medical Examination and registration.<sup>132</sup>

Some people never know when they are defeated, and beyond a doubt John R. Brinkley may be classified as just such an individual for he appealed his case once more, this time to the United States Circuit Court of Appeals. In that court, sitting in Oklahoma City, Oklahoma, the struggle by Dr. Brinkley to retain his Kansas medical license was continued. Senior Circuit Judge Robert E. Lewis of Denver, Judge George T. McDermott, Topeka, Kansas, and Judge Orie L. Phillips heard the legal arguments on January 23, 1936. Judge Lewis and the other judges interjected comments during the legal arguments, none

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<sup>131</sup> Loc. cit.

<sup>132</sup> Kansas City Times, June 15, 1935. See Topeka Daily Capital, June 15, 1935, for a resume of Brinkley's fight up to this decision. Also for large selections from Judge Johnson's decision see the Journal of the Kansas Medical Society, 36:341-343, August, 1935.



of them favorable to Brinkley. Judge Lewis characterized Brinkley as an "out and out charlatan of the worst type."<sup>133</sup>

On April 7, 1936, we may write after this spectacular series of appeals -- finis. For on that date the Tenth Federal Circuit Court of Appeals upheld the revocation of the medical license of John R. Brinkley. The court said, and it is a fitting end as delivered by a high tribunal:

There is a twilight zone where doubts might perplex, but unless we can say from the record that there is no doubt that this is a mere disagreement among doctors, the findings of the medical board are not open to our review.

The proof here amply supports the conclusion that the compound operation is not an honest effort to relieve suffering, but a scheme for unjust enrichment.<sup>134</sup>

Brinkley's battle to keep his Kansas Medical license had been fought through four courts and an attempt had been made to get the Supreme Court of the United States to rule on it. The case had been in the courts more than four years, and the license had been revoked nearly six years before the curtain was run down on Brinkley's failure. If nothing else, this listing of court cases and decisions should show that John R. Brinkley was a fighter -- that is one title that was never denied him even by his enemies.

It is an unsuitable anti-climax that must follow the recounted tale, but told it must be to complete the picture of this period. For while Brinkley was engaging the Kansas state medical board, and fighting

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<sup>133</sup> Topeka State Journal, January 23, 1936.

<sup>134</sup> Kansas City Times, April 8, 1936.

his case up through the courts three other happenings were in process. They will be dealt with briefly and it is hoped concisely.

First: on June 12, 1930, the Missouri State Board of Health ordered an immediate investigation of Dr. John R. Brinkley with a view to cancellation of his Missouri medical license.<sup>135</sup> The hearing was originally set for October 9, 1930, but was postponed to October 30, to permit the attorney general of Missouri to prepare a better citation against Brinkley, and to give Brinkley the customary twenty days notice.<sup>136</sup> The hearing date was again postponed to November 25, and again Brinkley fought back and on November 18, 1930, secured a temporary injunction against a medical board attempting to deprive him of his license as a physician.<sup>137</sup> Lest we pursue this subject into a tangle of confusion let us leave it here, merely noting that here was another storm for Brinkley to stand against, another link in the neckpiece of a martyr, another fight to be fought.

The next episode illustrates the Brinkley method of counter-attack -- the law suit for libel. The first law suit filed was primarily against Dr. Morris Fishbien, editor of the Journal of the American Medical Association, and the chief detractor of Brinkley in a field that was crowded. On May 6, 1930, Brinkley filed a petition for damages against Morris Fishbien and William S. Yates praying judgment of \$600,000. The suit was instituted as a result of an

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<sup>135</sup> Kansas City Star, June 12, 1930.

<sup>136</sup> Kansas City Star, September 30, 1930.

<sup>137</sup> Kansas City Star, November 18, 1930.

article allegedly authored by Morris Fishbien and distributed by William Yates.<sup>138</sup> The article in question was one entitled "John R. Brinkley -- Quack," printed in the Journal of the American Medical Association of January 14, 1928.<sup>139</sup> The concluding paragraph of the article stated: "From what has been written, it is obvious that John R. Brinkley is a blatant quack of unsavory professional antecedents."<sup>140</sup> Brinkley's attorneys contended that the words "quack" and "blatant quack of unsavory professional antecedents" were libelous per se. Brinkley alleged that Fishbien had 100,000 copies of this article printed and sent into the State of Kansas and placed in the hands of the State Medical Association of Kansas, local medical associations, and others. Brinkley's attorneys contended that on or about April 5, 1930, William S. Yates with the intent of aiding Fishbien handed a copy to R. B. Fegan and other persons in Junction City, Kansas.<sup>141</sup> The physicians of Kansas chose to regard the suit as Brinkley's defiance to the whole medical profession. That Fishbien should "be met with a slap in the face from this lost-manhood quack

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<sup>138</sup> Kansas City Star, May 6, 1930. The petition in the lawsuit filed by F. S. Jackson and J. E. Smith, Brinkley's attorneys is printed in full in this article.

<sup>139</sup> A.M.A. Journal, op. cit., pp. 134-137. This article has been cited previously in this thesis.

<sup>140</sup> Ibid., p. 17.

<sup>141</sup> Kansas City Star, May 6, 1930. The instituting of this suit was not so much due to the injustice of the article, for Brinkley had been libeled before, but rather to effectively shut Fishbien up. It succeeded to a great extent. See Wood op. cit., p. 241. For its effectiveness in quieting Fishbien. See Kansas City Star, May 8, 1930.

and imposter the moment Dr. Fishbien entered Kansas" as a guest of the doctors of this state was humiliating to them beyond words.<sup>142</sup>

In order not to belabor this issue, suffice it to say here that the suit was dismissed from the district court on February 16, 1934, when the defense attorneys filed motions asking that Brinkley be compelled to post additional security for costs and the court ruled that he must post an additional one thousand dollars. Brinkley failed to do this and the case was dismissed.<sup>143</sup>

The last episode to be told here that relates to this phase of Brinkley's Kansas career is his attempt to strike down the behemoth Kansas City Star. For sheer, unadulterated vitrol and vituperation the Star had no peer. They had lambasted Brinkley whenever the opportunity presented itself, and when an opportunity was lacking they made one.

Brinkley's purpose in instituting the libel suit against the Star was to stop their persecution of him, and after the suit the Star ceased more open attacks.<sup>144</sup> The suit was instituted September 22, 1931,<sup>145</sup> with the Star being charged with having entered into a conspiracy with medical organizations which resulted in cancellation

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<sup>142</sup> Kansas City Star, May 8, 1930.

<sup>143</sup> Topeka Daily Capital, February 17, 1934.

<sup>144</sup> Wood, op. cit., p. 331.

<sup>145</sup> Loc. cit. Wood incorrectly gives the date as September 23, 1932.

of Brinkley's Kansas medical license. Specifically the petition named as defendants Harry E. Montgomery, publisher of the Junction City Daily Union, L. M. Paulsen and J. C. Wise, distributors of the Star in Junction City. Brinkley also alleged that the Star had entered into a conspiracy with the American Medical Association, with Dr. J. F. Hassig, secretary of the Kansas Medical Society and president of the state medical board, and others. The plaintiff also alleged that the newspaper had conducted through its columns a campaign of "vilification, libel, misrepresentation and persecution" of him.<sup>146</sup> On October 21, 1931, an order was signed by the Kansas Fifth District Court removing the case to the United States District Court, first division. The Star asked that the case be removed to federal court because the Star corporation's home was in Missouri and Dr. Brinkley was a citizen of Kansas, and because of the amount of money involved. (Brinkley had sued for \$2,500,000 actual damages and \$2,500,000 punitive damages).<sup>147</sup>

Once again Judge Tillman Johnson was named to hear the case when an affidavit of prejudice was filed against Judge Richard Hopkins by Brinkley. The case was argued October 7, 1933, and Judge Johnson upheld the Star on every point.<sup>148</sup> Ninety days were allowed for an appeal to a higher court, and when that date was

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<sup>146</sup> Topeka Daily Capital, September 23, 1931.

<sup>147</sup> Topeka Daily Capital, October 21, 1931.

<sup>148</sup> Kansas City Star, October 8, 1933.

passed the United States district court dismissed the case and Brinkley's attorney paid the six hundred dollar court costs.<sup>149</sup>

The amount of litigation to which Brinkley was a party during his life is a source of wonder. Court costs and legal fees undoubtedly cost him several fortunes. But worthy of a lesser man's admiration was his stamina and tenacity in using the courts of this country for both offense and defense against his enemies. He truly was one man who used the courts to his fullest benefit. Whether the benefit was immediate or long-range, whether the cost was great or small, or whether his case was good or bad never phased him. He could plunge into the endless pool of litigation without the least apparent qualm.

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<sup>149</sup> Kansas City Star, January 26, 1934.

## CHAPTER IV

### CULTIVATING THE VINEYARD OF VINDICATION

A man convicted of gross immorality, unprofessional conduct, disbarred from his profession, forced from the air waves, came within a hair's breadth of sitting in the gubernatorial chair in Topeka, Kansas. And therein lies a story about a man and an election. An election which is remembered over two decades after the event, as Kansas's most exciting political battle.

Brinkley had appeared crushed following his defeats by the Kansas medical board and the federal radio commission. To recuperate from the hearings and get a breath of sea breeze Brinkley flew to Florida. On his return to Kansas he stopped in Little Rock, Arkansas, to ask advice of an old "eclectic" doctor who had once befriended him. The doctor told him:

"Why the hell don't you go back up there and get on your radio and become a candidate for governor. You can get yourself elected, then you'll be in control of the State Medical Board. Go home and get on the radio and tell the people what a dirty deal you've been given. Give 'em hell, and don't quit fighting; you know there's no life without fight."<sup>1</sup>

Brinkley had no thought of entering politics, he had been too busy with his voluminous business (at \$750 per head) to contemplate such a scheme of righting his wrongs. When Brinkley got back to

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<sup>1</sup> William G. Clugston, Rascals in Democracy (New York: Richard R. Smith, 1940), p. 154. Mr. Clugston told the author that this was exactly the way Brinkley personally had related the story to him.

the airport a reporter was waiting to interview him. When asked what his future plans were he replied: "Why I think I'll go back up to Kansas and get on my radio station and get myself elected governor."<sup>2</sup>

Brinkley's biographer explains the decision made by his subject with slightly different facts and a more moderate tone. This treatment asserts that Brinkley almost immediately after being forceably ejected from his medical career was encouraged to run for governor. The people of Kansas wrote to Brinkley telling him of their indignation at his injustice, and cried: "Let us elect you governor!"<sup>3</sup>

But the ex-Kansas doctor knew that the laws of the state kept anyone from getting their names on the ballot if they had not filed by June 20 of the year of the election; he knew that no one had ever been elected to a state office whose name was not on the ballot; he knew the abuse, dirt and filth, lies and innuendo a candidate would have to face; he knew the idea was fantastic.<sup>4</sup>

An epidemic of infantile paralysis was sweeping Kansas at this time and the Brinkley's wanted to get their son, Johnny

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<sup>2</sup> Loc. cit.

<sup>3</sup> Clement Wood, The Life of a Man (Kansas City: Goshorn Publishing Company, 1934), p. 267.

<sup>4</sup> Ibid., pp. 267-268.



Boy,<sup>5</sup> out of the danger zone, so they decided to go to Little Rock, Arkansas, where Mrs. Brinkley had some relatives. They flew in a chartered plane to avoid the inevitable prying reporters who would accost them if they traveled by auto. Arriving at Little Rock, a sentinel of the press was awaiting them to ask, what are you going to do? The answer flashed to Brinkley's lips: "I'm going back to Kansas, and run as an independent for governor." The reporter shouted, "That's news!"<sup>6</sup> and unceremoniously rushed out. Brinkley hoped that the story would be a local one and that nothing would come of it, but within two hours his secretary in Milford was on the telephone: "Dr. Brinkley, are you drunk, or crazy? They say you've consented to run for governor - -"

"I have,"<sup>7</sup> and that was that -- the decision was made.

Brinkley's platform consisted of one plank at this time --vindication! It was the one idea the public and newspapers were taken with and it is the one that has stuck in their minds to this

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<sup>5</sup> John Richard Brinkley, Jr., born September 3, 1927, at Little Rock, Arkansas, was always referred to as Johnny Boy by his parents. He was not a goat gland baby. See Wood, op. cit., p. 328. John R. Brinkley Sr., had had his middle name changed to Richard by court action.

<sup>6</sup> Wood, op. cit., p. 268-270. Of the two accounts the first is the most credible. It sounds more logical; it was personally told to a friend whose veracity is impeccable, and lastly the second account is cited from a work of known bias, and is a justification of Brinkley's life, so it is natural that any literary embellishments would be to Brinkley's credit.

<sup>7</sup> Op. cit., p. 270.

day. Brinkley had no party label, his name was not on the ballot, and he had very little platform -- just Brinkley.<sup>8</sup> Apparently even an egotist such as Brinkley knew that you can not get elected just by calling the other fellow names, and so a platform of the widest popular appeal was written.<sup>9</sup>

In big two column advertisements running the length of a full page in the Hays Daily News J. R. Brinkley proclaimed his political platform. In a summarized form its contents were:

#### J. R. BRINKLEY'S PLATFORM

J. R. Brinkley entered the race as an independent candidate for Governor too late to have his name entered on the official ballot. When you vote for J. R. Brinkley, you must write his name on the blank line underneath the names of the other candidates for Governor, and put the cross mark in the square as follows:

J. R. Brinkley \_\_\_\_\_ / X /

#### THE GOVERNOR OF THE PEOPLE

I appreciate the fact that the welfare of the laboring people of Kansas is indelibly bound up with their ability to obtain continuous employment at fair wages and under favorable working conditions; . . .<sup>10</sup>

After this pointed appeal to the thousands who were suffering unemployment, and more thousands who were growing poorer and poorer and "madder" and "madder" he continued with his political planks which

<sup>8</sup> Op. cit., p. 270.

<sup>9</sup> Walter Davenport, "Gland Time in Kansas," Colliers, 89:50, January 16, 1932.

<sup>10</sup> Hays Daily News, November 1, 1930.

for the sake of brevity are here listed in a greatly abbreviated form:

1. The state of Kansas should use only products grown, produced, or manufactured in Kansas in state projects.
2. Only Kansas citizens should be employed on Kansas projects.
3. I favor the establishment of a Kansas Department of Labor.
4. A state compensation fund should be set up to care for state workers who are injured or suffering from occupational diseases.
5. A workingmen's compensation law should be passed.
6. Convict labor should not be brought into competition with free Kansas labor.
7. Free medicine should be given to the indigent; and should be made available at cost to all others.
8. Free medical attention for the poor.
9. Federal Child Labor Amendment should be ratified.
10. Child clinics and health clubs should be sponsored for the boys' and girls' of every county in Kansas.
11. Free textbooks for the children of Kansas.
12. I promise to work for the lowering of taxes.
13. A lake in every county in Kansas (to increase rainfall, and promote healthful recreation) to be built by increasing the cigarette tax one cent and impounding all the cigarette tax for that purpose.
14. In favor of short trains, and against the long train; against car limit, but in favor of foot limit. (This was an appeal to the Brotherhood of Railroad Trainmen).
15. For old age pensions, pensions for the blind and those unable to earn a livelihood. Opposed to the disgraceful county poor farm system.
16. Opposed to the Basic Science Law.
17. Opposed to corporate farming.

Brinkley concludes his platform to the impoverished and downtrodden with this appeal:

My platform is for the great masses of the people for their betterment and to remove from their necks a yoke that has been hung about them by clever political manipulators; and I want to reiterate that if I am elected your governor, I will devote my entire time to the administration of State affairs in behalf of all the people of the State -- no privileged (sic) few will dominate, but all the people shall have a voice. Your letters to me as Governor will be given wide publicity over the radio, through the press just as I am doing in the Open Forum at 6:45 to 7:30 a. m., 12:30 to 1:30 p. m., 5:15 to 6:00 p. m. each week day.

If you believe in my principles and platform, I appreciate your earnest support because your enemies and mine will use every means at their command to defeat this kind of a platform, because it is not a political platform; and I want to assure you that whether I am elected or not, I shall continue to endeavor to render service to you in the future as I have in the past.

Sincerely yours,

J. R. BRINKLEY

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One issue on which Brinkley was bitterly attacked was free textbooks. The Dodge City Globe stated this criticism and a rebuttal to Brinkley's plank. The Globe reminded Brinkley that Kansas law provided that grade school students whose parents could not afford books would have them furnished by the school district. Furthermore, Brinkley was trying to create the impression that people are going to get something for nothing, which always "pans" out to be a mistake, opined the Globe.<sup>12</sup>

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<sup>11</sup> Loc. cit.

<sup>12</sup> Hays Daily News, November 6, 1930. This was a reprinted editorial.

The new born radio as yet little used by political aspirants, was Brinkley's first line of attack. Speaking to his radio audiences three times daily, he asked his listeners to write in his name, he elaborated on his platform including a repeal of the industrial court law, and an enlarged highway building program to be financed by bonds to be retired by receipts from the state gasoline tax.<sup>13</sup>

Dr. Brinkley promised that in the event of his election he would install a radio microphone in his office in order to talk to the citizens of the state, to consult with them as to his problems, and read such suggestions as he received from the voters. He devoted a portion of his political talks to attacks upon the attorney general, William A. Smith's candidacy for a position on the Kansas supreme court bench.<sup>14</sup>

Especially enjoyed by his listeners, was Brinkley's caustic wit. He promised to rid the state capitol of "seat warmers", and requested his friends not to visit him at the state house for several days after his inauguration "because the exits will be crowded with departing job holders."<sup>15</sup>

The former country doctor flew up and down the state in his airplane, educating the masses in the spelling and placing of his

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<sup>13</sup> Associated Press Files, Supplemental Service, Topeka, Kansas. Hereafter cited A. P. Files.

<sup>14</sup> Loc. cit.

<sup>15</sup> Loc. cit.

name. He distributed thousands of sample ballots. He gave away thousands of pencils showing the correct spelling and marking required to get a vote for Brinkley counted. His political slogan CLEAN UP, CLEAN OUT, AND KEEP KANSAS CLEAN reached many a responsive ear.

One of the most humorous aspects of the campaign was the sessions of spelling that were invariably held. At all Brinkley rallies, and at many personal appearances the huge crowds in attendance would spell Brinkley's name. Often leading the tremendous chorus himself, Brinkley listened to crowds of fifteen and twenty thousand spell out his name -- J-o-h-n R. B-r-i-n-k-l-e-y.<sup>16</sup>

While a political amateur, Brinkley was a political power even before he decided to run for governor. Politicians who were up for re-election or had further political aspirations had been afraid to tackle Brinkley. As A. L. Schultz remarked in his column, "No candidate enjoys tackling a man who can fire back by air, and shoot his remarks to various sections of the country every day."<sup>17</sup> Even the Star admitted that Brinkley had become politically entrenched through his radio station at Milford.<sup>18</sup> Brinkley's private political machine, as it was called by the Star, had been built mainly by the

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<sup>16</sup> Davenport, op. cit., p. 50. This must have been before the ruling that J. R. Brinkley was the legal spelling.

<sup>17</sup> A. P. Files, op. cit.

<sup>18</sup> Kansas City Star, September 18, 1930.

doctor giving free radio time to politicians who were only too happy to use the "quack's" high powered station. For five or six years before Brinkley's bubble burst the doctor had invited the candidates to come -- without cost-- to Milford and use his radio, and when they came he entertained them in his home. The Star noted that there is hardly "a man holding state office in Topeka today who did not do an important part of his campaigning over Brinkley's radio broadcasting station."<sup>19</sup> Many of them, as they talked over his radio, endorsed him as a great surgeon and physician.<sup>20</sup> In the hearing before the federal radio commission D. D. Dever, manager of KFKB, had testified that Vice-President Charles Curtis, Governor Clyde M. Reed, William A. Smith, attorney general; Representative James G. Strong, and a national committeeman whose name he had forgotten had all talked over Brinkley's station in their campaigns for office.<sup>21</sup> If the Star exaggerated in calling these political debts that were unpaid a private political machine, yet it is apparent that they represented political entrenchment of a high and valuable order.<sup>22</sup>

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<sup>19</sup> Kansas City Star, May 8, 1930.

<sup>20</sup> Loc. cit.

<sup>21</sup> Kansas City Times, May 21, 1930.

<sup>22</sup> Many politicians were anxious to grab Brinkley's power with the voters for themselves, and after the election and his strength became known many were ready to hitch their careers to the Brinkley bandwagon. Much of this was done surreptitiously as will become apparent in the study of the election of 1932, for most of the politicians were afraid to openly embrace Brinkley because of the stigma attached to him by the Star and the state medical board.

Two other facets of this man of multiple talents must be mentioned before we look at his actual campaigning. First, his use of publicity and his consummate ability as an actor; and secondly, his use of religion and religious appeals in his campaigns.

John Brinkley had acquired a sense of the value of publicity that few men possess. In 1926, he had sponsored a baseball team called the Brinkley Goats the team actually winning the Rocky Mountain Tournament at Denver, Colorado. He had realized sooner than most of the great value of radio advertising, and had actually begun broadcasting before there was any federal radio commission with a little station of two hundred and fifty watts power. On the radio he could be delightful and chatty.<sup>23</sup> It has been written that he was the first outstanding radio personality in the history of that medium of communication.<sup>24</sup> But beyond a doubt he had a magnificent radio personality.

Brinkley had a pleasing platform personality, and he knew it. Sometimes he over-acted, but he seldom lost votes when people came to see and hear him.<sup>25</sup>

Kansans love their churches and their religion; they are a religious people. Religion can be a great strength and weapon -- it can be used humbly and wisely, it can be used to cloak hypocrisy

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<sup>23</sup> Wood, op. cit., p. 216.

<sup>24</sup> Ibid., p. 218.

<sup>25</sup> Letter to the author from Ernest A. Dewey, July 11, 1952.



and corruption; and possibly there is something to be said for the famous Marxian quotation that it is the opiate of the people. The reader will recall that when Brinkley had been interviewed by A. B. Macdonald, Brinkley had insisted that he was a religious man and a good Christian, having been raised by a good Methodist mother and aunt. Also it must be noted that he subsidized a minister and was erecting a church in Milford. In his campaigning he always took with him a minister or arranged for one to be at the rally. To question a man's sincerity in his religious belief is a serious thing. The fine line between humble belief, belief for a purpose, hypocrisy, and religious demagoguery is one that can seldom be probed. For this thread of belief runs in a human mind and when no overt act positively shows that religion is being "used" as a means to an end, it is best to accept the protestations of belief as stated. Brinkley over and over, on the radio, and in campaigning reiterated his belief and trust in God. His radio talks were spiced with religious allegory. An example that illustrated the point occurred in his fight against the A.M.A: "I am being persecuted even as Jesus Christ was persecuted," he said, and he spoke of one of Christ's apostles, Dr. Luke and said: "If I am a quack, Dr. Luke was a quack, too, for he did not belong to the American Medical Association."<sup>26</sup>

Each Sunday he would preach a sermon, it might be the

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<sup>26</sup> Kansas City Star, June 14, 1930.

"Immortality of the Soul" to be followed by an evening sermon on the "Beatitudes of Jesus."<sup>27</sup> God was one of his weapons.

Brinkley's principal competition in the election of 1930 consisted of two young men, one representing the Republican Party, the other the Democratic Party.

The Republicans had named Frank Haucke, the model farm-boy, who had by Kansas standards many political virtues, at least of a negative sort that frequently spell political success. He did not smoke, chew, drink, or gamble. He was friendly, not too polished, an avowed conservative, a veteran, state commander of the American Legion, and had served in the lower house of the state Legislature. Couple with these virtues the fact that he had been a football star at Cornell University and that he had the backing of Dave Mulvane, the Republican state chairman, and you have gubernatorial timber.<sup>28</sup>

The Democrats found a candidate to match the Republican standard bearer. In the little town of Neodesha, Kansas, Harry H. Woodring had enough of the Horatio Alger hero about him to permit him to tell his audience while campaigning how he had risen from janitor to bank manager. Woodring also enjoyed the distinction of being the only Past Department Commander of the American Legion in the whole United States who could knit and tat and do fancy needle

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<sup>27</sup> Kansas City Star, June 16, 1930.

<sup>28</sup> William B. Bracke, Wheat Country. (New York: Duell, Sloan and Pearce, 1950), p. 164.

work with the skill of an accomplished lady.<sup>29</sup>

It is not derogatory to say that these men lacked luster and showmanship in their campaigning. They followed the usual patterns laid down by generations of Kansas politicians who had attended small rallies, shook a lot of hands, and dutifully walked up and down the main streets of countless hot and dusty county seat towns to meet the voters and the merchants. They would follow the tried and true political formula that had won the vote of generations of Kansans. But their competition was not a usual sort of man. He was an innovator; he was a showman; he was a leader; he was out for revenge and vindication!

Time was short before election; the regular politicians scoffed at Brinkley's candidacy; they sneered at his optimism and his utter ignorance about people and public affairs. They were sure that only a few deluded cranks and crackpots would join him in trying to carry out such an absurd, irrational and foolish undertaking. They were confident that most of those who tried to vote for him would be so ignorant they would never be able to get his name and their cross-marks properly placed on their ballots.<sup>30</sup>

To understand Brinkley, he must be seen campaigning among the people. On October 30, 1930, Brinkley spoke at Memorial Hall in Topeka, Kansas, to a crowd estimated at 3,000. He arrived from

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<sup>29</sup> Ibid., p. 165.

<sup>30</sup> Clugston, op. cit., pp. 155-156.

Wichita in a big blue airplane shortly before dusk and was escorted to the hall by a brass band. Before Brinkley arrived at the hall the multitude gathered and listened to Brinkley's radio entertainers play and sing. In the distance sounded the strains of the Stein song played by the brass band -- the supreme moment was approaching. The chairman of the meeting was the Reverend W. E. Brandenburg, minister and chiropractor, and before the main speaker arrived the chairman had spoken of him as one who had roused a storm of indignation among right thinking citizens because powerful influences were persecuting and endeavoring to crucify him. As the band came nearer, he stopped and said, "Let us all rise and sing 'America' as our friend, my friend, and your friend, enters." As the strains of 'America' died away Brinkley made the grand entry and the chairman pointed to Brinkley neatly attired and completely composed and said: "That is the man."

"No doubt this voice is familiar to many of you," Brinkley began. "It has resounded over the radio until the name J. R. Brinkley has become a household word in the thousands of homes all over the country. It is the crux of a pioneering movement in Kansas for life, liberty, and justice.

"The Democrats are saying the Republicans are crooked and no good and should be thrown out of office. The Republicans say the same thing about the Democrats. Why shouldn't you vote for me I belong to neither party.

"You often hear about the efficacy of the two party system because the Republicans watch the Democrats and the Democrats watch the Republicans. Vote for me and you'll get double protection. They'll both watch me."<sup>31</sup>

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<sup>31</sup> Topeka Daily Capital, October 31, 1930.

A political writer for the Kansas City Kansan commenting on the above speech estimated the crowd at between 2,000 and 3,000. He estimated that ten per cent of the crowd were sincere Brinkley converts, and all the rest of them were curious. He noted that it was with considerable reluctance that the crowd heeded the request of the chairman to stand and give the "chautauqua salute" when the speaker of the evening arrived, and that Brinkley's remarks did not inspire any enthusiasm or much applause. The total effect according to this commentator of the meeting was colorless and cold.<sup>32</sup>

The previous Sunday, Brinkley had stirred the imagination of a less sophisticated crowd in a pasture near Wichita. All day the highways to the cow pasture (fifteen miles east of Wichita owned by Cash Davis) streamed with motor cars, many of them bearing stickers reading, "Vote for Brinkley, the people's candidate." Luncheons were spread on the grass and children napped in the parked cars. Farmers squinted at the sun and children shouted when-ever a crow or buzzard appeared on the horizon. "Brinkley's coming, Ma," they cried. "Look at it."

At the roadside entrance to the pasture several deputy sheriffs and Brinkley guards directed the never ending traffic. A crowd of 8,000 people and 2,000 automobiles had filled the pasture to overflowing.

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<sup>32</sup> Kansas City Kansan, October 31, 1930. From the A. P. Files.

And then the sound of airplane motors droned in the distance. The people broke and ran for the landing strip.

"Don't rush folks," shouted the chairman over the loudspeaker. "You'll be cut to pieces by the propeller. Huddle together." Brinkley was flying out of the blue heavens with an escort of two ships from the Wichita Airport.

The crowd surrounded the ship. Brinkley sat at the cabin window, his surgical hand resting on the sill. A large diamond sparkled on his hand, a larger one adorned a purple tie. His apparel was immaculate, his pompadour brushed carefully back from a slightly bald brow. Like a Messiah coming out of the blue, he now sat there looking impassively out upon the clamoring persons with a smooth, unlined, expressionless face, dignified by a beard and closely cropped mustache. As hands reached up to shake his, the smooth face broke into a calm smile. He took hands, held hands, and answered simple compliments with fulsome phrases of appreciation. The crowd sang "America", and "Faith of Our Fathers".

Then Brinkley began to speak. The amazed crowd had expected a political speech, but what they heard was the story of the passion. The story of the Regenerator who went up to Calvary 1,900 years ago. This man had been persecuted too, and had returned to save the people. At the close of the sermon which sounded like a political allegory of the trials and tribulations of Brinkley, he denied any great desire to control the government. Commenting on the latter he said: "I'd rather save a soul than be President of the United States or even king of the world." He continued:

"The men in power wanted to do away with Jesus before the common people woke up. Are you awake here?" He stopped impressively and drank a glass of water, and went on.

"I, too, have walked up the path Jesus walked to Calvary. I have spent much time in Palestine and Jerusalem. I stood in the Savior's tomb. I know how Jesus felt."<sup>33</sup>

When he had concluded there was a hush. Finally voices were heard saying "God bless you. I'm for you." As he left people tried to touch him, sick people, people on crutches, people with twisted limbs, women with goiters, and little children. Brinkley smiled, rolled his sad, blue eyes, and sometimes he pressed some child's head with his hand.<sup>34</sup>

Brinkley had others who campaigned for him. The night of October 28th witnessed a rally in the I.O.O.F. hall in Council Grove, Kansas, of about three hundred. The speaker was the Reverend C. W. Harper of Milford and he was accompanied by a staff of entertainers from KFKB who furnished a musical program. One incident marred the evening, Harper was handed a letter signed by the Haucke-for-Governor Club asking that he answer a number of questions. These included such leading questions as: 1. Won't the short train bill double costs for the shipper and for the railroad? 2. Was Dr. Osborn (a surgeon in Brinkley's hospital) a licensed physician, and if not wasn't Brinkley breaking the law he

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<sup>33</sup> Kansas City Star, October 27, 1930. Brinkley had traveled in the Holy Land on his trip around the world.

<sup>34</sup> Loc. cit.

is asking to be intrusted to enforce? 3. Why isn't Brinkley in favor of the graduated income tax amendment? 4. Wasn't the compound operation a minor operation for which Brinkley charged \$750? 5. Does Brinkley's offer of free medicine contemplate putting the state in competition with Kansas druggists? 6. Isn't Dr. Brinkley's plank on corporation farming identical to the Republican plank promulgated two months prior to Brinkley's own? 7. How will the increased costs of Brinkley's platform be financed? Does he have some scientific plant to increase revenue and at the same time decrease taxes? If he does why doesn't he announce it publicly.<sup>35</sup>

In the next to the last week of the Kansas campaign the politicians of both parties began to panic, particularly the Republicans, for Haucke seemed in imminent danger. Reports of a big vote for J. R. Brinkley was throwing a scare into the politicians, and both parties were trying to guess which candidate would suffer or gain by the Brinkley vote. Each time Brinkley would read a new batch of letters over the radio from people telling him that the people were going to vote for him by the thousands the politicians would become more alarmed. The Brinkley vote was a ghost vote, that gave professional politicians nightmares. Neither party had attempted to fight Brinkley, for it was common currency that each party believed that if it started to fight him he would throw his strength to the

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<sup>35</sup> Kansas City Star, October 29, 1930.



other party. Most observers agreed that Brinkley's strength was in the central zone of the state centering around Hutchinson and Wichita.<sup>36</sup>

The political wiseacres whose business it is to predict the election estimated that if the Brinkley vote was between 20,000 and 30,000 it would hurt Woodring; if it should reach 50,000 it would hurt Haucke, and if it goes as high as 75,000 it probably would defeat him. This was admitted by Republican leaders in confidence.<sup>37</sup>

While the parties were afraid to attack Brinkley or were hoping to benefit by his vote, individuals were not shying away: C. F. Scott, editor of the Iola Register, commented that some editors were chaffing under the policy of not attacking Brinkley. Opinion had been split as to whether to attack him or ignore him. As a consequence nothing was done. Scott went on to ask some questions of his readers which paraphrased run thus: if Brinkley did not get a square deal at the hands of the medical board, does that qualify him to be governor? It has been proved he prescribed for the sick without seeing ~~them~~, is that any reason to vote for him? Many men testified that he had ruined them with his operation, is that any reason why anyone should

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<sup>36</sup> Kansas City Star, October 25, 1930.

<sup>37</sup> Loc. cit.

vote for him? He charged huge fees for his operation, is that any reason why anyone should vote for him? And numerous other questions in the same vein followed.<sup>38</sup> Some bets had been made in Wichita at the beginning of the last week in October that Brinkley would poll 100,000 votes but by October 31, the Star reported there were no more bets of that kind and it looked as if the crest of the Brinkley flood had passed.<sup>39</sup>

On November 1st, the attorney general's instructions to voters, judges, and clerks of election boards were printed in the newspapers. Instruction number two to the voters read: "If he (the voter) desires to vote for a name not on the ballot, write the name in the blank space under the appropriate title of the office and make a cross X in the square to the right of such name."<sup>40</sup> A number of things could invalidate a ballot, i.e., leaving out the X, putting an X behind more than one name for the same office would invalidate that portion of the ballot, and a single line instead of an X.<sup>41</sup>

On November 2, Brinkley spoke again in Topeka, to a capacity house at the city auditorium. Between 2,000 and 3,500 were in attendance that Sunday afternoon and the address was broadcast by remote control through KFKB. Once again, this being Sunday, he

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<sup>38</sup> Kansas City Star, October 31, 1930.

<sup>39</sup> Kansas City Star, October 31, 1930.

<sup>40</sup> Hays Daily News, November 1, 1930.

<sup>41</sup> Loc. cit.

preached a sermon which according to observers present would have been well received coming from the minister of any small town. The building had been filled by two o'clock, and when Brinkley arrived at 2:25 P. M. the street in front of the building was packed. There were loud cheers when Mr. and Mrs. Brinkley were recognized. At the beginning of the program Mrs. Brinkley spoke: "You are going to hear J. R. Brinkley.<sup>42</sup> I wish to tell you how much we appreciate your coming, and we hope to see you all at Milford sometime."<sup>42</sup>

Brinkley was introduced as J. R. Brinkley, our candidate for governor, by the chairman, and he was greeted with clapping, waving handkerchiefs, and cheers; half the downstairs audience stood to applaud. Brinkley came forward dressed in a plain brown business suit with a sunflower in the botton hole. The glasses, the high forehead, the carefully pointed Van Dyke beard, and the well-groomed professional appearance helped furnish the Brinkley atmosphere. Beginning he said:

As is my usual custom, I will give this afternoon a Bible talk. As I came to Topeka to make this address, it was a

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<sup>42</sup> John R. Brinkley studiously referred to himself and had others campaigning for him call him consistently J. R. Brinkley. This was the way the name had to be written in to be acceptable to the counting boards.

problem, what to say that would be the greatest benefit to you. I decided to give a little glimpse of my personal life, and why its course led up to my giving these Bible talks.<sup>43</sup>

He then told of his boyhood in the mountains in North Carolina and how he discovered religion. "For a long time I was ashamed to proclaim Jesus Christ in public,"<sup>44</sup> he proclaimed waving his arms wildly and jumping up and down on his unusually small, well-shod feet.

"It took me a long time to get courage to talk about Jesus Christ. But I have learned that if you will step out and lead in the cause of right, you will always have followers ready to support you." Loud cheers followed this remark. After the speech which lasted thirty minutes almost to the second, several hundred people waited in the alley back of the auditorium to touch even the garments of the doctor.<sup>45</sup> In an interview given on the occasion of this speech Brinkley told reporters he would receive 300,000 votes and win by a 100,000. His workers, numbering 25,000, had reported that many voters pledged to him.<sup>46</sup>

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<sup>43</sup> The crowd was composed of a sprinkling of politicians, some negroes, but mainly the audience was made up of old and middle aged men and women approximately equal in number who usually do not take part in politics.

<sup>44</sup> Topeka Daily Capital, November 3, 1930. Some of the Brinkley rallies smack of the revival meeting and the sawdust trail type of enthusiasm. The Kansas City Times, November 3, 1930, reported the crowd at five thousand and told of Brinkley speaking to the audience over the radio from Milford and then announcing that he was leaving for Topeka by air. Frequently a KFKB announcer would report that Brinkley was on his way. The announcement would be followed by cheers.

<sup>45</sup> Loc. cit.

<sup>46</sup> Loc. cit. Brinkley said to Fred Jackson at this interview, "I can't stand much more of this. I made eight speeches yesterday, three in Hutchinson, and must fly back to Milford now to go on the radio again."

Nevertheless, experienced political observers were united in the opinion that Frank Haucke would win the governorship. Most of them placed Woodring second and Brinkley last. A. L. Schultz of the Topeka State Journal as a result of more than seven hundred personal letters to political observers throughout the state gave Haucke the governorship by a plurality of 50,000 votes or more. Only W. G. Clugston of the Kansas City Journal Post believed that Brinkley would place. He listed Haucke, first; Brinkley, second; and Woodring, third. He was the only political writer in the state who gave Brinkley a chance to place better than last.<sup>47</sup>

It is interesting to note the exaggerated claims of the candidates and their managers. John D. Hamilton, Republican state chairman, predicted Haucke would be elected by a minimum plurality of 110,000 votes. Guy Helvering, Woodring's manager, predicted that his candidate would win by a plurality ranging from 30,000 to 60,000 votes. Brinkley claimed he would get 300,000 votes and win by a 100,000 plurality.<sup>48</sup>

It was apropos that this turbulent election day should be ushered in by a serene November day. The weather was mild and pleasant and favorable for a large turnout.<sup>49</sup> It was reported on

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<sup>47</sup> Salina Journal, November 3, 1930.

<sup>48</sup> Loc. cit.

<sup>49</sup> Topeka Daily Capital, November 4, 1930.

election day that money was being wagered that Brinkley would poll 100,000 votes. The bets were coming from Wichita and Hutchinson over the board of trade private wires to Kansas City. The Kansas bettors were believed to be betting on Brinkley because of the large attendance at the Brinkley speeches on his tour through Kansas, and the Kansas City, Missouri bettors were calling the bets on the assumption that the crowds were attracted by curiosity.<sup>50</sup>

The Hays Daily News the day before election expressed belief that "the Republican party is due for a jolt tomorrow at least at the head of the ticket . . . (for) there is great discontent abroad in the land . . . (and) Harry Woodring has considerably more than an outside chance of being elected governor tomorrow. . . ." <sup>51</sup>

The Topeka Daily Capital closed their pre-election comment with the safe statement that a half-million voters would today write finis to one of the wildest, weirdest political campaigns staged in Kansas since the days of Populism, and that the election had brought about the bitterest feelings engendered in a quarter century of Kansas politics. Brinkley, in the Capital's opinion had appealed to the disappointed and disaffected, and the Brinkley onslaught made the brutal Republican primary of August look like a pink tea. Two other Capital comments deserve note: they predicted that Brinkley would get enough votes to decide whether Woodring or Haucke would be elected,

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<sup>50</sup> Kansas City Times, November 4, 1930.

<sup>51</sup> Hays Daily News, November 3, 1930.

and that in most Kansas communities "tonight" (election eve) there would be more interest among the average citizenry as to the size of the Brinkley vote than there would be as to which one of the two "boys" would be elected.<sup>52</sup>

The Salina Journal editorialized on election day that if it had not been for the Kansas City Star making a

. . . martyr out of J. R. Brinkley, his candidacy would have been more or less a flash in the pan. It is just another indication that the people react unfavorably to kicking a man after he is down. . . . the results is a paradox for the Star has built up the man it tried to tear down. Brinkley can thank the Star for his popularity.<sup>53</sup>

Election night in Topeka was a mad house. In the old Topeka State Journal building there was a large crowd watching the election returns, and some Brinkleyites threatened to blow up the building when they thought Brinkley was not doing as well as he should be. Fist fights had broken out in the streets in the afternoon and evening.<sup>54</sup> Haucke gained a slight but early lead of 4,000.<sup>55</sup>

The following day the Hays Daily News commented that Hays had given Brinkley 218 votes; "Well while we've always held Hays is a good town in which to live we've never maintained it was perfect."<sup>56</sup>

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<sup>52</sup> Topeka Daily Capital, November 4, 1930.

<sup>53</sup> Hays Daily News, November 4, 1930.

<sup>54</sup> Interview with W. G. Clugston, June 11, 1952.

<sup>55</sup> Salina Journal, Election Extra, 5:00 p. m., November 5, 1930.

<sup>56</sup> Hays Daily News, November 5, 1930.

On November 6 the headlines read: "Haucke's Lead Today Only 75."<sup>57</sup> And the big question was who had suffered the most from the "write-in" votes captured by Brinkley.<sup>58</sup>

But a more important question to Brinkley was that he believed he had been cheated out of the election. On election night he said he had been elected governor, and claimed he was being counted out by election officials "under the thumb of the two big political parties", and that the newspapers were not disclosing the actual facts of the election in an effort to discourage his supporters.<sup>59</sup>

"From the accurate and complete reports that I have received," Brinkley said over the radio just before the station closed for the night, "it is indicated to me that I have enough votes to have been elected governor twice, but must urge my friends and supporters to keep close tab on the count.

"The big political parties know that I am not tied to either one of them and they do not want me for governor and will do everything in their power to defeat me.

"I understand that in places they have the tables piled high with votes and if my friends are not careful they will slip them in when they are not looking. All day the press has been announcing Haucke or Woodring is ahead.

"What the papers are trying to do is to discourage my friends from voting for me by showing them I am behind and cannot win."<sup>60</sup>

On the fifth Brinkley had tacitly conceded defeat. Speaking

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<sup>57</sup> Salina Journal, November 6, 1930.

<sup>58</sup> Salina Journal, Election Extra, 5:00 p. m., November 5, 1930.

<sup>59</sup> Kansas City Star, November 5, 1930.

<sup>60</sup> Loc. cit.



over his radio station that afternoon he expressed appreciation for the support received and said that some people were advising him to demand a recount of the ballots but that "I am leaving this up to you people to decide." He said he had no complaint against anyone.<sup>61</sup>

Gradually Woodring pulled away from Haucke. On November 15th the outcome of the election still was in dispute. John D. Hamilton and Frank Haucke were unwilling to concede defeat.<sup>62</sup> It was not until the sixteenth that the outcome was undisputedly in Woodring's favor barring a contested election, and that had never occurred in Kansas. The final vote stood Frank Haucke, 216,920; Harry Woodring, 217,171; J. B. Shields, 3,866; and J. R. Brinkley, 183,278.<sup>63</sup>

What had happened in Kansas the night of November 4? The answer might make a thrilling "whodunit". W. G. Clugston says that when the voting returns began coming in on election night there was plenty of alarm, for the early returns showed Brinkley running far ahead of both Woodring and Haucke in many rural districts and some precincts in the towns and cities. Then the state headquarters of the two old parties began calling their leaders all over the state giving instructions to get word to the counting officials to throw out

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<sup>61</sup> Salina Journal, November 5, 1930.

<sup>62</sup> Salina Journal, November, 15, 1930.

<sup>63</sup> Twenty-Seventh Biennial Report of the Secretary of State 1929-1930, (Topeka: Kansas State Printing Plant, 1930), p. 103. See appendix for a county by county breakdown of the vote and the absentee vote.

Brinkley ballots on every possible technicality. And then shortly before midnight, the returns began to show Woodring and Haucke forging ahead. But not very far ahead. No matter how the precinct officials strained their consciences to get excuses for throwing out Brinkley ballots as the counting progressed, Brinkley kept within striking distance of the "boys". So many citizens had written in Brinkley's name that the officials could not put him out of the running even when they made that the chief objective of the count.<sup>64</sup> Brinkley estimated that he had received 239,000 actual votes if the intent of voter was paramount; by this figure about 56,000 votes had been cast out.<sup>65</sup> W. G. Clugston said that conservatively speaking between 25 and 50 thousand votes were thrown out, and that any truthful Democratic or Republican would admit it, and they had admitted it to him.<sup>66</sup> Ernest A. Dewey when asked if the two regular parties worked together to count Brinkley out replied, "They did some interesting conniving."<sup>67</sup> And when asked if Brinkley actually won the election of 1930, he answered:

"I know damned well he did. It is now admitted freely by everyone concerned, from the the attorney general (William A. Smith) down. It was no secret then. Judge Harvey had enough

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<sup>64</sup> Clugston, *op. cit.*, p. 157.

<sup>65</sup> Wood, *op. cit.*, p. 330.

<sup>66</sup> Interview with W. G. Clugston, June 13, 1952.

<sup>67</sup> Letter to the author from Ernest A. Dewey, July 11, 1952.

evidence for a contest but Brinkley's lawyers talked him down.<sup>68</sup>

Brinkley's name was written in for every position for which there was candidates. He got votes for both terms of United States senator, governor, justice of the supreme court, all minor state offices, for congress in different districts and many county offices.<sup>69</sup>

The main feature of the election had been the huge Brinkley vote. Nothing else was talked of for days and the newspapers had a heyday writing about it. It had been the closest race in Kansas since Arthur Capper lost the governorship to George H. Hodges by the narrow margin of 29 votes.<sup>70</sup> But it must be remembered every counted vote, 183,278 of them, had been written in. One election judge reported the 97 per cent of the Brinkley votes in his precinct was absolutely correct. Apparently illiteracy was not one of the voter's shortcomings.<sup>71</sup>

Glossing over the outcome of the election the Topeka Daily Capital, commented that there were many who believe that enough voters wrote Brinkley's name on the ballot in the wrong place, or wrote ~~it~~ in and failed to mark the necessary X after it to have

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<sup>68</sup> Loc. cit.

<sup>69</sup> Kansas City Times, November 6, 1930.

<sup>70</sup> Topeka Daily Capital, November 6, 1930.

<sup>71</sup> Topeka Daily Capital, November 8, 1930.

given Brinkley the election. The Capital continued, "It must be remembered there are ballots, hundreds and thousands of them thrown out for various perfectly good reasons in every election. There were Haucke and Woodring ballots thrown out in this election, tho (sic) not to compare with the defective Brinkley ballots."<sup>72</sup> To the Capital the Brinkley vote indicated two things: first, the average Kansas voter was perfectly capable of voting as he pleased; and secondly, the huge Brinkley vote "testified to the integrity and every day honesty of Kansas election boards."<sup>73</sup> In the same vein the article continues

. . . that those familiar with election machinery and political affairs are pretty well convinced that Dr. Brinkley was credited with practically every vote legally cast for him. And judging from the careful statement from KFKB . . . the doctor himself is inclined to this belief.<sup>74</sup>

Why did the huge Brinkley vote occur? Everybody had a guess. The depression was blamed, Brinkley's radio, the Star's persecution of Brinkley, Brinkley's magnetic personality, distrust of both political parties, seeds of hate sown in the Republican primary;<sup>75</sup> he captured the imagination of the people, the other candidates had no appeal, he quoted the scripture, he used the language of the lodge,

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<sup>72</sup> Topeka Daily Capital, November 9, 1930.

<sup>73</sup> Loc. cit.

<sup>74</sup> Loc. cit.

<sup>75</sup> Loc. cit.

he read newspaper clippings written by his enemies so he must be honest,<sup>76</sup> many voters never stop to think, he promised things the people would like to have,<sup>77</sup> there was no difference between the two regular party candidates,<sup>78</sup> and it was a protest vote.<sup>79</sup>

When all the guesses were tabulated, the Brinkley vote was still a question mark? The best guess, and a guess it must remain, is that if you take the business and agricultural depression, couple it with the abuses of power by the two old parties, add to this a martyred, radio self-advertised, crusading Brinkley, you'll have a fairly close estimate of what happened in Kansas.

Perhaps the Kansas City Star deserves to have its opinion of the Brinkley vote noted. With just a trace of "sour grapes" the Star sedately commented that the free and independent American voter liked to exercise his sovereignty in any way he pleases, especially in a time of discontent, and in Kansas he took the opportunity on a wholesale scale by making faces at both parties. In closing the Star said, "It seemed almost too bad that those whose bright hopes were centered in the independent candidate should not have the opportunity of trying out a governor who promised everything that the heart could wish, including a new climate for the state with a lake in every

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<sup>76</sup> Topeka Daily Capital, November 10, 1930.

<sup>77</sup> Topeka Daily Capital, November 13, 1930.

<sup>78</sup> Hays Daily News, November 10, 1930.

<sup>79</sup> Topeka Daily Capital, November 15, 1930.

county."<sup>80</sup>

Another interpretation of the election of 1930 must be noted. To a first hand seasoned observer the election was a spectacular demonstration of the way pure democracy can be made to function without working through the agencies of political parties. This observer believed that the genesis of this great anti-party uprising was unquestionably the flagrant abuse of the Republican leaders who controlled the state. This Kansas demonstration was the fore-runner of what will ultimately become an established practice if free government is ever perfected by intelligent franchise-holders.<sup>81</sup>

Other post election comment ran the gauntlet of prejudice and political sooth-saying. Speaking judicially the Topeka Daily Capital asserted that the Brinkley revolt was due to the floating vote; voters who had never voted before including many women went to the polls, and many regular Republicans stayed home rather than cast an adverse vote.<sup>82</sup> The Salina Journal opined that the Republicans took a terrific walloping, polling only 35 per cent of the total vote for governor, the smallest percentage of the total vote they had ever received.<sup>83</sup> William Allen White, the "sage" of Emporia, called attention to the haw haws of a gay and cackling nation laughing at Kansas for giving

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<sup>80</sup> Kansas City Star, November 5, 1930.

<sup>81</sup> Clugston, op. cit., p. 143.

<sup>82</sup> Topeka Daily Capital, November 8, 1930.

<sup>83</sup> Salina Journal, November 10, 1930.

180,000 votes to a goat gland quack. He contended that:

Any electorate contains qualities of dynamic folly. Whenever the morons can be segregated by an issue . . . into one crowd, it takes very little influx of the intelligent people to make that crowd a majority.<sup>84</sup>

The Capital in an editorial felt that:

. . . many good Kansans feel deeply humiliated because of the great vote given J. R. Brinkley. . . . But as a matter of fact the people who voted for Brinkley did not endorse his goat-gland practice. . . . What they endorsed was Brinkley's promises of things they wanted done.<sup>85</sup>

The Capital of the following day disposed of the canard that it was bootleggers, thieves, and other disreputable people who voted for Brinkley. It was people of good morals and habits, church goers and good neighbors, who had a fog thrown about them by Brinkley; a fog that had the odor of sanctity. Brinkley had given the protest vote an opportunity to be isolated and thus counted which seldom happens because the protest vote cannot normally express itself because the old party platforms and candidates are so nearly alike.<sup>86</sup>

One strange happening of this election must be told. It concerns three voting precincts in Delaware Township, Leavenworth County. These three precincts were located on what was commonly

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<sup>84</sup> Hays Daily News, November 10, 1930. A reprinted editorial from the Emporia Gazette by William Allen White.

<sup>85</sup> Topeka Daily Capital, November 14, 1930.

<sup>86</sup> Topeka Daily Capital, November 15, 1930.

referred to as the Old Soldiers' Home. In a news story of November 15, John D. Hamilton, Frank Haucke's manager, said that whenever in his opinion the votes thrown out in the election would elect Haucke he would file a contest. The same story notes that litigation had been instituted to consider evidence of fraudulent voting in the National Soldiers' Home precincts, the three mentioned above. A suit had been filed in Woodrings behalf after a controversy had arisen as to the legality of the vote of the Soldiers' Home inmates on the ground that they had not lived in the state long enough to become legal residents of the state. The supreme court of Kansas assumed jurisdiction in the case and set the hearing date for Tuesday morning, November 18.<sup>87</sup> The vote in the three precincts in question was:<sup>88</sup>

<u>Candidate</u>	<u>Precincts</u>			
	<u>No. 1.</u>	<u>No. 2.</u>	<u>No. 3.</u>	<u>Total</u>
Frank Haucke, Republican	160	121	72	353
Harry H. Woodring, Democrat	275	274	185	734
J. B. Sheilds, Socialist	13	11	5	29
J. R. Brinkley, Independent	13	13	23	49

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<sup>87</sup> Hays Daily News, November 15, 1930. No other newspaper comment was found about this interesting dispute, and no account of a supreme court ruling was published in any source available to the author.

<sup>88</sup> Letter to the author from the county clerk of Leavenworth County, Kansas, July 15, 1952.



Harry Woodring had won the election by a plurality of 251 votes over Haucke.<sup>89</sup> In the Soldiers' Home precincts Woodring had a plurality over Haucke of 381,<sup>90</sup> and if the ballots of these three precincts could have been thrown out, the final gubernatorial vote would have been Haucke, 216,567; Woodring, 216,437. Haucke would have been declared governor by a plurality of 130 votes.

Now since the Soldiers' Home vote had already been in dispute why didn't the Republicans contest these three precincts? Or were there sufficient grounds for a contest?

On December 28, 1938, the Kansas State Supreme Court ruled in the case of Herken vs. Glynn, "that the voters of those precincts were not qualified electors of Delaware Township, Leavenworth County."<sup>91</sup> Also, the court ruled that they had not been qualified voters since 1927 when the land had been ceded to the national government for a soldiers' home.<sup>92</sup> Why didn't the Republicans demand a contest? One fact suggests itself: The Republicans were afraid to ask for a recount that might become state wide and preferred to allow Woodring to be governor rather than to have a

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<sup>89</sup> Twenty-Seventh Biennial Report of the Secretary of State, 1929-1930, p. 103.

<sup>90</sup> Letter to the author from the county clerk of Leavenworth County, Kansas, July 15, 1952.

<sup>91</sup> Kansas Reports. 151:860, December 22, 1939 to May 4, 1940. Case No. 34,666. Bernard A. Herken, Appellee vs. John T. Glynn, Appellant. Appealed from the Leavenworth district court. The case was the outcome of a disputed election for county treasurer, and the votes in the three precincts would change the results.

<sup>92</sup> Ibid., p. 689.

state wide contest that would show that a gigantic fraud had kept the governorship from John R. Brinkley!

Why didn't Brinkley demand a recount? His advisers talked him out of the idea<sup>93</sup> because it was felt that he might not get a square deal on the recount and because of the tremendous cost involved.<sup>94</sup> His advisers persuaded him not to institute a contest and demand a recount. They told him it would be better sportsmanship to accept the decision, and then to run again in the next election with his name on the ballot. To make their arguments convincing, they pointed out that when Arthur Capper first ran for governor eighteen years before, he was defeated by only fifty-two votes and didn't contest the election -- and two years later he was elected by a landslide and had stayed in politics continuously from then on.<sup>95</sup>

As the newspapers of the state gradually pushed the election from the front page to the editorial page and then dropped it completely some last minute appraisals of the election were made. It was noted that Kansas got a good laugh from the rest of the United States, and that Kansans had joined heartily in the laugh themselves. But the political leaders had received a shock out of the huge Brinkley vote, and this would probably insure good candidates for governor in

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<sup>93</sup> Ibid., 689.

<sup>94</sup> Interview with W. G. Clugston, July 16, 1952. Clugston recounts that Brinkley told him in a telephone conversation that the count would cost about \$100,000.

<sup>95</sup> Clugston, op. cit., p. 160.

1932.<sup>96</sup> It was also noted that though the Brinkley platform received a great deal of ridicule, yet it could claim considerable merit as the first attempt of an amateur in politics. There was an unquestionable popular response to it, and the only thing really wrong with it was that its timing was somewhat premature. Free textbooks had existed in Massachusetts for forty years, free medical clinics are not bolshevistic or outlandish, a lake in every county is a healthy idea and was being considered by the Republicans as campaign material, a good road system would make for progress, and government waste of the taxpayers money should be curbed.<sup>97</sup> There was a movement for the establishment of a new political party in Kansas with Brinkley as the nucleus.<sup>98</sup> As the curtain closed on the election John R. Brinkley was the big question mark in Kansas politics. He loomed as a threat to both the old parties, he might run for governor again, or he might run for the United States Senate in 1932. But one thing was certain and that was that for the months to follow he promised to be the most talked about person in Kansas.<sup>99</sup>

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<sup>96</sup> Topeka Daily Capital, November 16, 1930.

<sup>97</sup> Topeka Daily Capital, November 7, 1930.

<sup>98</sup> Hays Daily News, November 13, 1930.

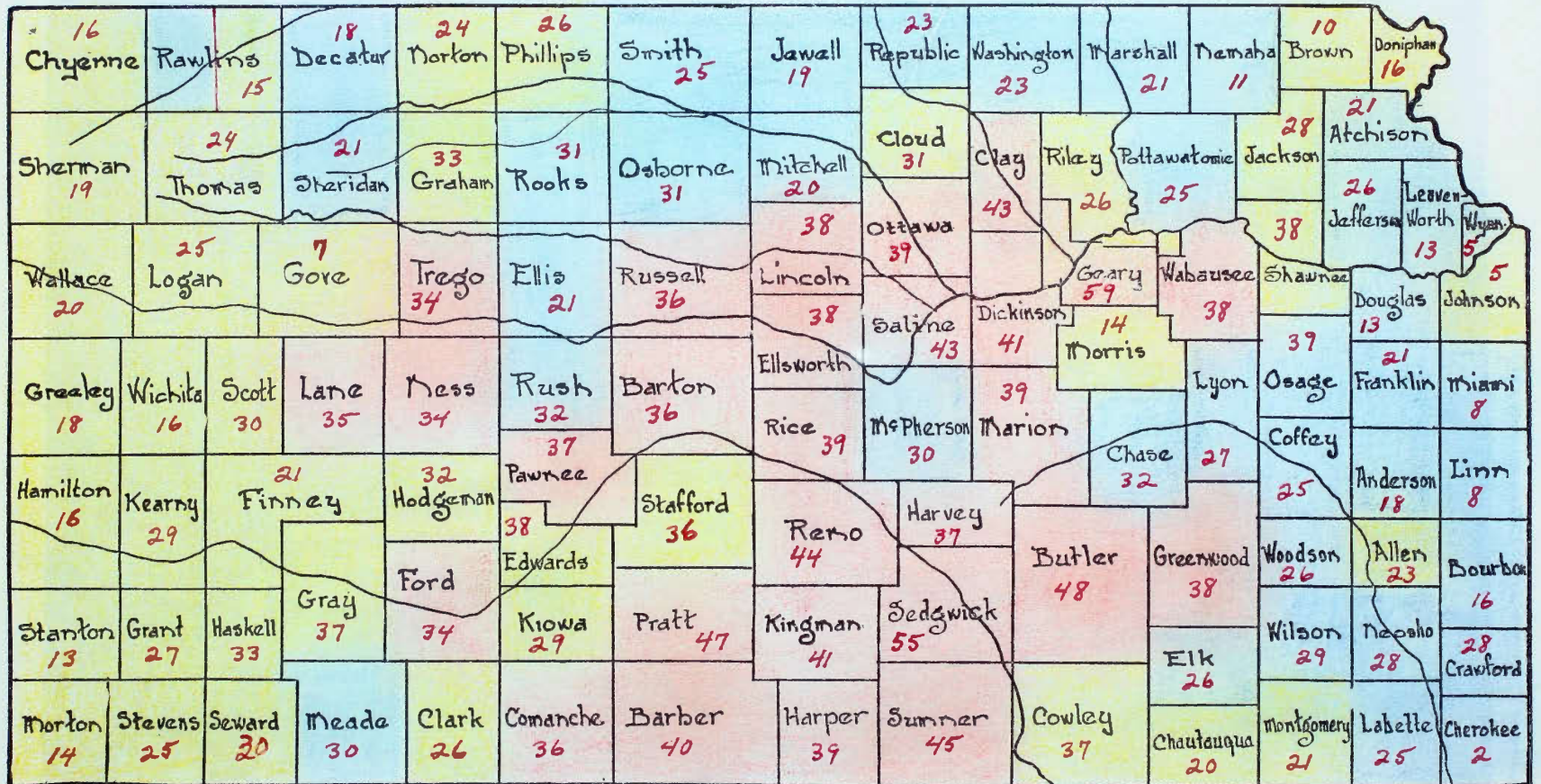
<sup>99</sup> Topeka Daily Capital, November 9, 1930.

As a last prophetic portent of things to come Clif Stratton, the prolific political reporter for the Capital, noted that Dr. Brinkley showed all the signs of one permanently bitten by the political bug. His clubs were meeting right along. Brinkley had felt the thrill of popularity, he had been applauded, complimented, idolized, -- even voted for.<sup>100</sup>

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<sup>100</sup> Topeka Daily Capital, November, 16, 1930.

The number in each county represents the approximate percentage of the total vote received by Brinkley.



ELECTION OF 1930

BRINKLEY

WOODRING

HAUCKE



## CHAPTER V

### HELL BENT FOR ELECTION

If the cards were stacked in 1930, in 1932 the chips were down! J. R. Brinkley was out to win, and he was confident he would win.<sup>1</sup>

On June 1, 1932, the newspapers of the state carried the news that John R. Brinkley had at last ended the suspense of all politicians and both political parties by declaring himself a candidate for governor as an independent.<sup>2</sup>

It would not have taken an oracle to have foreseen the inevitable event. In the fall of 1931, he had toured the state much as a candidate for office would, speaking everywhere; and the ovations had been enthusiastic.<sup>3</sup> In a full page advertisement in the Wichita Beacon in December, 1931, Brinkley made a public statement about people offering in his name to sell public offices in case he was elected governor. One statement deserves note,

. . . no man, woman, or child can buy an appointment  
. . . from me, and I will gladly prosecute to the fullest  
extent of the law any such persons, and if I am a candidate

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<sup>1</sup> Letter to the author from Ernest A. Dewey, July 11, 1952.

<sup>2</sup> Topeka Daily Capital, June 1, 1932.

<sup>3</sup> Clement Wood, The Life of a Man, (Kansas City: Goshorn Publishing Company, 1934), p. 288.

for office of governor next year and am elected I will send to the penitentiary any man . . . found guilty of graft. . .<sup>4</sup>

There is considerable evidence to show that Brinkley was having a bit of mental anguish trying to decide whether to run as an independent or whether to try and get the Republican nomination in the August primaries. In a letter to his publicity director in February, 1932, Brinkley says:

If I file on the Republican ticket, I will naturally file as an Independent Republican, or at least class myself as such, as we could leave the Independent on this or we could take it off as seems best.

.....

If developments make it necessary for me to run in the primaries in August, my campaign will be easier and the heavy part of it will be of shorter duration than if I don't begin until after August, and will be less expensive because I believe that if I win in the primaries I will only have the Democratic candidate to fight and not both Republicans and Democrats.

.....

Note Vorheis' statement that if Brinkley comes out on the Independent ticket his chances will not be worth much when we all get through with him. Please run to earth what he had in mind and leave no stone unturned until you know, because X can get this from E and you tell her I said that's what she's being paid for - is to get the information I want.<sup>5</sup>

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<sup>4</sup> Wichita Beacon, December 21, 1931. Underlining mine. This is an excellent method of keeping a coming candidacy before the public.

<sup>5</sup> Letter from John R. Brinkley to Ernest A. Dewey, February 19, 1932. From the Ernest A. Dewey files. Hereafter cited Dewey files.



Another letter of this period is so illuminating that it is reproduced here:

February 19, 1932.

Hon. Harold McGugin, M. C.,  
Washington, D. C.

My dear Harold:-

My letter to you has been somewhat misunderstood. My letter was not, by any means, final, but was outlining what would be final if I ran as an independent, because if I run as an independent, I must be an independent. In other words, I was trying to tell you what would be necessary on my part if you ran on the Republican ticket for the Senate and I ran as an Independent for Governor, and I believe I told you the truth and I don't believe that any other policy would be possible. I would find myself in one hell of a mess supporting you and you supporting the candidates for Governor on the Republican ticket and you would find yourself in an equally hell of a mess running on the Republican ticket and receiving my support unless you support me in return, because my friends would say that you were an ungrateful cuss and I think we would both be pretty well scarred up before we were through.

Now remember this, Harold. I have never gotten myself into any situation yet, by a declaration or otherwise, that I could not very easily get out of. You will note that I have consistently stated that I was going to do what the people of the State of Kansas wanted me to do and I have encouraged them to write me and wire me, getting their sentiments expressed to me personally and, of course, I have never made any public statement as to what my straw vote on public sentiment disclosed. There is a class of people that want me for Governor and want me as an independent and it will be hard to change them, but I am not convinced that they will not be changed by August.

Now I have private detectives traveling over the State, stopping in filling stations, cheap hotels, bakeries, and things like that -- just visiting around and reporting to me the gossip they hear.

Here's what's going on now. The ward-healers of the Republican party are telling the people that this is a presidential year and that we must stick to the old party

and not vote for Brinkley as an independent. Out in Garden City a man who voted for me last year, who owns and operates an automobile shop and filling station, says that he does not believe that I can be elected as an independent because it is a presidential year and there is about 200,000 Republican majority that I would have to overcome, which would be hard to do.

The editor of the Marysville, Kansas, paper says the way for the parties to beat Brinkley is for both parties to unite just like Siamese twins.

The Republicans are already spreading the propaganda amongst the Catholics that the K.K.K. is supporting me and God knows I don't think there are enough K.K.K.'s in the State to support anybody.

.....

Another piece of propaganda that's being put out is that people who vote in the primaries can not vote for me in the general election, and you know the people are just damn fool enough to believe that.

Now I am going ahead having nomination blanks printed, having them okayed by the Attorney General of Kansas and the Secretary of State, getting my petitions signed up, sworn to and all ready for filing -- in my safe at Milford, Kansas, and not with the Secretary of State at Topeka. I will require until April or May to get these petitions out, signed up and in proper form. In the meantime, Harold, I am trying to smoke out the candidates that are going to be in the Republican primaries. I know that there are several men that want to run and they are afraid to run against me. Furthermore, you know and I know that if I lead the parties on to believe that I am going to be an independent candidate, that I am causing them to build up a certain line of defense, and if I go ahead and have petitions signed up and everthing looks like that I am slated to be an independent, the parties are naturally preparing themselves against me as an independent; then if I hold off from filing until June 20th and file on the Republican ticket as an Independent Republican, I have thrown more or less consternation into the camps of my opponents, because you know, as an attorney, that there is nothing so hurtful to you as to be forced to change the method of handling your case at the eleventh hour and that all the work you have done was for naught.

. . . I am depending on you to say nothing about what I have written you.

What I want you to know is - if I run as an independent and you run on the Republican ticket, we will be at criss-cross just like I outlined in my previous air mail, registered letter to you. If, on the other hand, I file on the Republican ticket in the primaries and the trend of sentiment changes like it is beginning to, which it may do, both of us will be on the same ticket and I will be in excellent position to support you as my friend who helped me with Curtis, and you will be in an excellent position to support me as a man that you believe in.

Since I sincerely believe that you and I control more votes in the State of Kansas than any other two men put together, and since we are not able to sit down and talk with one another, I think the proper thing to do is to have an out and out understanding with one another like we are now doing.

I know very well why you dislike being an Independent in the Senate. I don't blame you in the least and I want to assure you that I have never been so hot on being an Independent for Governor, but it's been necessary for me to abide by the will of the people and if, between now and filing time, the people fall in love with Hoover again and the present administration, I would be a damn fool to run as an Independent, and of course I know you will give me credit for having more sense.

I am sure that if business picks up, which it probably will do, and the people of the State get over their mad spell, that I will have just as many votes in the primaries on the Republican ticket as I now have as an Independent, and by being on the Republican ticket will gain the votes of many worth while business men and probably strengthen myself very much over the state. I should be able, with your help, to beat Landon or Simpson in the primaries, and being on the Republican ticket in the general election I would only have the Democratic candidate to whip, which I don't believe would be hard to do, and if elected Governor, my administration would be much easier in every way.

I am sending this letter to you by air mail and want you to keep it confidential, but at the same time I want you to keep your ear to the ground and let me know how acceptable or non-acceptable you believe I would be to the

leaders in the Republican party.

Cordially,

JRB:bw

J. R. Brinkley, M. D. <sup>6</sup>

Brinkley by the latter part of February, 1932, was rushing the completion of his platform in order to get it into printed form. He wanted a half million or million of them printed. Then he planned to get the pamphlets into the hands of the majority of the people of the state by

. . . distribution through Brinkley Clubs, through women's organization, through lodge organizations, city directories and rural directories, so that we can more or less flood the state, and on top of this we must flood the state with stickers for automobile windshields.<sup>7</sup>

Another campaign innovation that Brinkley was prepared to try on a large scale was transcribed speeches on records. He had heard an excellent speech over the radio that he was positive was transcribed. He envisioned using the recordings in the following fashion:

I just realized that I could put a talking machine on my truck and it could stop in a lot of little towns where I would not appear in person to make speeches and, of course, the truck would attract the crowd and the man in charge, after the crowd was collected, could play some of the records and I could make a speech or two from the record.

. . . These speeches of mine could be sent into ever (sic) county. These records could be distributed and played before

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<sup>6</sup> Letter from J. R. Brinkley to Harold McGugin, M. C. February, 1932, from the Dewey files.

<sup>7</sup> Letter from J. R. Brinkley to Ernest A. Dewey, February 19, 1932. From the Dewey files.

the Brinkley Club meetings. They could go into peoples homes. Besides, I could make a record of my Sunday talks to boys and girls which would give me entre to certain Sunday Schools. Possibly some secrete (sic) organizations, women's clubs, some restaurants use records for entertainment. (Sic)

I am sure you see the far reaching possibilities of putting some of my best speeches on records. . . .

You can see the far reaching possibilities of my covering the state almost in person by this method. More direct value will be had by this method than any other we could adopt, excepting the "talkies", like you are working up now. If we can work out the "talkies" make the records, besides my personal appearance as much as possible over the state, both by radio and to audiences, I can simply out-class, out-talk, out-general and out vote all the other candidates and run them crazy. Getting all of this stuff together and distributed over the State for a state-wide release on a certain date, would dumb-found and astonish my opponents.

I think it the biggest idea I have had. What do you think?<sup>8</sup>

Two other portents of things to come in the gubernatorial election of 1932 may be noted as early as April. On April 28, 1932, Brinkley writes that by placing an order now, a half million stickers five inches by five inches can be purchased for \$675.00. As he suggests that, "If you (his publicity director) have some friend that is going to donate the \$675.00 and you know where you can get the cash, why my advice . . . is to place the order at once."<sup>9</sup>

On April 29, 1932, Brinkley's publicity director, Ernest

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<sup>8</sup> Letter from J. R. Brinkley to Ernest A. Dewey, March 6, 1932, from Dewey files.

<sup>9</sup> Letter from W. E. Branch to Ernest A. Dewey, April 29, 1932, from the Dewey files.

A. Dewey, was notified that the installation of a public address system in a Chevrolet truck and been completed. This was to become the famous Ammunition Train No. I.

Indicative of the fact that Brinkley was looking ahead was that in regard to the truck and public address system, he informed the company doing the work that he could not pay for the equipment. He said in a letter regarding the matter:

I find that I cannot spend more than \$500.00 towards my campaign for Governor. Any candidate who spends more than this is liable to impeachment after being elected.

.....

It is such a common thing for my friends to speak of Dr. Brinkley buying this or buying that, or paying for this or paying for that, that we must henceforth go to stating facts as they actually exist.

So since I have not paid you anything on this installation, it is quite natural and reasonable that I have not bought it myself but it has been bought and paid for with contributions made by my friends. . . .<sup>10</sup>

By May 5, 1932, Brinkley had received copies of his forthcoming platform and was preparing to use them in his radio broadcasts.<sup>11</sup>

By May 27, Dr. Brinkley still had not told his supporters whether he would run as an independent or try for the Republican

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<sup>10</sup> Letter from J. R. Brinkley to W.E. Branch, April 26, 1932, from the Dewey files.

<sup>11</sup> Letter from J. R. Brinkley to Ernest A. Dewey, May 5, 1932, from the Dewey files.

nomination in August. A letter from E. J. Garner the editor of Publicity (which in its letter head used the phrase the "Original Brinkley Paper") is enlightening:

Here is where you are kidding yourself -- we are not asking Davis (Jonathan M. Davis) to run for anything, but he is the main spoke in the wheel back of this independent movement and will very materially aid in filling the ticket with real he men -- and if you can come down to earth among us common herd promoting this movement and will agree to head the independent ticket and allow the people to have a say so in selecting a house and senate to aid in legislation that will relieve the situation I am for you. If you cannot get your own consent to join the independent people in an independent move that is endorsed by the Taxpayers then don't blame me.

.....

(I) . . . hope that you may see fit to consider the desire of the Independent Voter's league to head the Independent ticket within the next few days. Hope that you will re-consider all of your former refusals to run with US Independents and derive the benefit of the continued support of Publicity which, if you do -- I feel sure you will merritt. (sic)<sup>12</sup>

On the evening of May 31, 1932, Brinkley announced over his radio that he would be an Independent candidate for governor.<sup>13</sup>

Other campaign plans were shaping up for Brinkley. His grasp of detail was amazing, and he seemed to have spent a tremendous amount of time making the preparations as complete as possible. A campaign song was written and published and made ready for distribution. The song entitled He's The Man has a catchy tune that is quite good for singing at rallies and large meetings. The words are simple

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<sup>12</sup> A.P. files, May, 1932.

<sup>13</sup> Letter from E. J. Garner to J. R. Brinkley, May 27, 1932, from the Dewey files.

enough to be remembered and the tune is one that can be remembered and whistled. The lyrics are:

Now listen everybody there's a man you ought to know,  
 He'll always be a friend to you no matter where you go;  
 He's not afraid to speak his mind and when he does look out!  
 That's why we want you all to come and join us while we shout!  
 He's the man who's known as Doctor Brinkley;  
 He's the man, (Who's the man?) He's the man, (Who's the man?)  
 He's the one and only Doctor Brinkley.  
 He'll tell you wrong from right, He'll stand right up and fight  
 to clean out, and keep clean you'll see;  
 He's the man, (Who's the man?), He's the man, (Who's the man?)  
 He's the man, just the man, He's the man we want to guide us  
 Doctor Brinkley.<sup>14</sup>

On June 1, 1932, what might be called a declaration of independence by Dr. Brinkley was issued by campaign headquarters. A statement signed by Dr. John R. Brinkley, M. D. of Milford, Kansas, was placed in circulation and its topic thought was that Brinkley would represent no newspaper, no man, no individual, no association, no organization, no group or combination. Nor would Dr. Brinkley enter politics or affiliate with any politicians. He would remain free as an individual, speaking for the people and the people only, and according to the statement that meant all the people regardless of politics, race, creed, religion, color; and regardless of whether it was farmer or business man, whether clothed in silk shirt or overalls. All were entitled to the same fair and square consideration and they

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<sup>14</sup> Maudie B. Shreffler, He's the Man, (Milford: The Vosberg Publishing Company, 1932), pp. 1-5. This is sheet music.



would get it from Brinkley.<sup>15</sup>

By June 4, 1932, Dr. Brinkley had progressed with campaign plans far enough to consider his personal safety when it would be time to take to the road for personal appearances. And one thing that he feared was an assassin's bullet as illustrated by a letter to his right-hand man, Ernest Dewey:

What I want Dewey is a bullet proof vest that goes down below the waist line and protects both front, back, and sides, and fits up around the neck because I am not going to be any too safe along in October and November of this year facing some of these crazy mobs.

The main thing is that this is to be kept an absolute secret. In your negotiations you should never let the people you are negotiating with have any idea as to who wants it or anything about it. Should it become known that I am wearing one, the fellow would aim his bullet towards the head or some unprotected spot, and for it to be known that I had one on would destroy the equivalent of whatever value it had.

Just call me by phone and let me know if you can take care of it, and my chest is about 38 and my belly is about 40, and I wear a 15 $\frac{1}{2}$  collar, and I think that's enough.<sup>16</sup>

In an attempt to anticipate every move of his opponents against him Dr. Brinkley employed one C.N.W. to locate and interrogate

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<sup>15</sup> Campaign tract entitled "Dr. Brinkley's Position," June 1, 1932. In a letter of July 13, 1932, from Dewey to Brinkley it was noted that 170,000 copies of these were going to be ordered.

<sup>16</sup> Letter from J. R. Brinkley to Ernest Dewey, June 4, 1932, from the Dewey files. An invoice of July 11, in the files indicated that a size 40 vest was purchased from the Detective Publishing Company for \$75.00. Dewey notes in a letter to Brinkley (July 13, 1932) that the vest "is exactly like the one worn by Al Capone, and therefore, ought to be the best available. Maybe its the same one -- I understand he has no use for one now."

one Jim Crawford who had once given some very damaging deposition against Brinkley that will be brought out later. Its importance at this point is to show how thorough were Brinkley's plans for the forthcoming campaign.<sup>17</sup>

Anticipation of political pitfalls were considered, and in a letter of this period even possible events after Brinkley's election were under scrutiny:

He (George Strong) warns me again, which he told me in person, to get more than one-third of the Senate absolutely pledged to me, as it takes two-thirds for impeachment and George told me they would certainly try to impeach me.<sup>18</sup>

Another dreadful possibility loomed on the horizon for the Brinkley family, and whether the fear was justified or not, Brinkley certainly believed there was something to it. A letter dated July 27, was received by Brinkley from Mrs. Don. Murphy of Herington, Kansas, and enclosed was a letter from her husband who was in the state penitentiary at Lansing, Kansas. The letter stated:

"You write Dr. Brinkley and tell him to be on the watch between now and election time tell him that I will explain as soon as I get out. I have reason to think that harm will come to him or little Johnnie . . . Tell Dr. Brinkley that

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<sup>17</sup> Confidential report of C.N.W. to J. R. Brinkley, concerning J. E. Crawford, Kansas City, Missouri, August 31, 1932. Dewey files. Crawford was a convicted felon serving time in the Oklahoma Penitentiary.

<sup>18</sup> Letter from J. R. Brinkley to Ernest Dewey, August 11, 1932, from the Dewey files. Brinkley is using the popular connotation of the word impeach. He means convicted rather than impeach which means to accuse.

I will write him as soon as I get out and explain everything, but to be on his guard till then."19

The agitation that this letter and other information caused Dr. Brinkley can be noted in the following letter sent to close friends:

For some time Dr. Brinkley and his family have been on the "spot" so to speak.

The American Medical Association and the Kansas City Star together with Woodring and Helvering are desperate. Helvering and Woodring know that if I am elected Governor that no doubt I will force wholesale prosecution and because of their 5% levy and other crookedness that I would go after, both of them might be sent to the penitentiary.

The Kansas City Star and the American Medical Association are frantic because they realize that their entire case is lost and ruined if I am Governor.

Serious consideration has been given as what is best to do to stop Brinkley and effectively dispose of him, and two suggestions have been given and two methods discussed.

One method that has been discussed was to kidnap Johnny Boy and supposedly hold him for ransom, but of course kill him. Get all the money that Dr. and Mrs. Brinkley had, and break them financially so that they could not carry on their political campaign and radio station work. Disposing of their son would break their morale and probably cause them to give up in despair.

The opponents to the Johnny Boy proposition say that this would probably make the matters worse. The kidnapping Johnny Boy (Sic) would make the Brinkley family more of a martyr and produce more martyrdom and the whole thing would be ruined. Therefore, at their last session it was decided that Dr. Brinkley himself must be disposed of at all costs.

It is reported through the same channels that Governor Woodring is extending executive clemency to certain inmates

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19 Copy of letter from Mrs. Don Murphy to J. R. Brinkley, July 27, 1932, and a copy of the letter from Mr. Don Murphy to Mrs. Don Murphy, n.d., from the Dewey files.

of the Lansing Prison and for this executive clemency, those inmates are to kill Brinkley before November 8, or if they fail in that to kill him before he is sworn into office on January 12, 1933.

The above explanation as I have given it to you is just as accurate as if I had sat in on these conferences and heard the discussion because I have contacts that no one knows anything about, and there is very little that takes place in this state that I do not hear of.

Whether it would be best for me to come out with the plain statement that I know what is going on and what is being framed and demoralize the bunch, is more than I am able to decide at this time.

However, this letter is being sent to a few of my friends to let them know the serious situation in which we are in. Of course, we have night watchmen and day watchmen, but we do not have enough to safe-guard (sic) an assassin's bullet directed at me.<sup>20</sup>

As August closed the campaign platform was developed into final shape and Brinkley was ready himself to go before the people as an independent candidate (with his name on the ballot) for governor of Kansas. The platform was compiled from over ten thousand letters, filled with suggestions that had been sent to Brinkley.<sup>21</sup> Brinkley had made it a practice to ask for these letters and suggestions from the people. Ernest A. Dewey, Brinkley's publicity director, sorted the suggestions and wrote the

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<sup>20</sup> Letter from J. R. Brinkley to Ernest Dewey, August 2, 1932, from the Dewey files.

<sup>21</sup> Letter to the author from Ernest A. Dewey, July 11, 1952.

platform. His comment on the platform and its composition was, "I wrote that platform by wading through fully 10,000 letters and it was a hell of a job."<sup>22</sup>

As a means of helping finance the campaign Brinkley stamps were sold to the people. These stamps were gummed  $1\frac{1}{2}$  by  $1\frac{1}{2}$  inch portraits of Brinkley bearing the legend: Dr. J. R. Brinkley, Milford, Kansas -- Our Next Governor. An indication of Brinkley's purpose may be gleaned from a letter in which he stated that our advertising should be along the line that this is the people's movement, and the "whole campaign is for good government and the expenses of the campaign are not mine alone nor in my interests alone, but in behalf of all candidates who stand for the things for which I stand."<sup>23</sup>

The platform was released to the Sunday papers on June 5, 1932, and consisted of sixteen closely printed pages containing promises and Dr. Brinkley's philosophy of government. A greatly abbreviated summary of the platform follows:

1. Lower taxes.
2. Abolition of unnecessary boards, bureaus, commissions and state jobs.
3. If the people approve, the establishment of a state income tax; and this tax should be applied for the relief of the tax burden on real estate.

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<sup>22</sup> Loc. cit.

<sup>23</sup> Letter from J. R. Brinkley to Ernest A. Dewey, August 11, 1932, from the Dewey files.

4. Lower automobile license fees.
5. Drastic economy in state affairs.
6. Appointment of office holders on the basis of ability and honesty.
7. A state wide policy of consolidation of schools.
8. Free school books.
9. Immediate attempts to remedy unemployment.
10. A lake in every county where the terrain permits.
11. Injustices in the workingman's compensation law should be revamped.
12. The remains of the industrial court law should be expunged from the statutes.
13. Favored ratification of the child labor amendment.
14. Support for any measure protecting consumers in Kansas cities from excessive and unjust utility rates.
15. An investigation of the highway commission.
16. Free medical attention and medicines to those unable to pay for them.
17. A state system of pensions for the blind and aged.
18. Improved treatment of persons in state hospitals.
19. At least once each year every physician should be required to undergo examination for physical fitness to practice, and once every five years he should be examined as to his qualifications, knowledge and ability in surgery and medicine.
20. Establishment of a hospital for colored people with state assistance that would also serve as a training school for colored nurses and doctors.
21. A reforestation program should be carried out replacing and restoring our trees.

22. Promote the development of Kansas industry to decrease the dependence on agriculture and to develop payrolls.
23. Revision of the Kansas blue sky law to better protect investors.
24. Full protection of state funds.
25. Opposed to the basic science law as unjust and discriminatory against healing groups other than allopathy.
26. Frankness in state government by keeping the people fully informed.
27. The state should practice home consumption of Kansas raw and manufactured products.
28. Greetings to my friends in Kansas and everywhere. This is your platform made up of the most constructive and urgent pleas of the people of the State of Kansas.<sup>24</sup>

With a platform of such wide appeal, Brinkley had placed a platform before the people in which all could find something to support.

In August Brinkley had been warned by George Strong of some attempts to undermine the confidence of the people in him. Strong was of the opinion that attempts would be made to link Brinkley with the utility and corporation interests, and with the rich and the Republican old guard. The strategy against Brinkley would be one to discredit and cause the people to lose

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<sup>23</sup> Campaign platform for the election of 1932 of John R. Brinkley, in the Kansas State Historical Library, Topeka, Kansas, no title, no date.

confidence in Brinkley, and Strong warned that the people were in a mood to believe anything.<sup>25</sup>

Few campaigns if any could compare with the vilification, vituperation, and dirty personal tricks used in this campaign of 1932. Brinkley was in a very vulnerable position. His opposition had much ammunition that could be brought into the election against Brinkley. In September, the old parties decided to abandon their whispering campaign against Brinkley and make more direct appeals to the people to desert the independent candidate for governor.<sup>26</sup> The main attack centered around the two old party candidates attacking Brinkley and Brinkley attacking both the old parties. And well might the old parties, led by Woodring and Landon, tremble a bit with fear, for Brinkley's strength in Kansas was great. A visiting reporter for a national magazine asked a number of political figures in the state the name of the one person who was most potent in the perpetually boiling state politics in Kansas. By unanimous consent that man was Brinkley. He was listed as a mystery man, the politicians' nightmare, and nobody knew how powerful he was, not even Brinkley. He had a ghost vote that

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<sup>25</sup> Letter from J. R. Brinkley to Ernest A. Dewey, August 11, 1932, from the Dewey files.

<sup>26</sup> Kansas City Journal-Post, September 24, 1932.



could not be counted or estimated with any degree of certainty.<sup>27</sup>

But there was one man in Kansas who had nothing to lose by attacking Brinkley, and he had no fear. One Charles H. Trapp, owner of a printing shop in Topeka, Kansas. Charles Trapp published a house organ known as The Pink Rag, the motto of which was "A Newspaper That Tries to Give the Devil His Due." This Pink Rag called a scandal sheet by many began a truly vicious series of attacks on Brinkley in August, 1932. The type of material published played on half truth and innuendo. To appreciate the type of attack and low humor involved it is necessary to follow a few issues of the paper, and as election time grew near practically the whole paper was devoted to attacks of some type upon the Milford candidate.

The paper's circulation boomed during the attacks and what was once a local paper with a very limited circulation became a paper with a state wide circulation and even a larger reputation. Some sample phrases from the August 26, 1932, issue: "Doc is about the finest thing that ever emasculated a goat," "Doc Brinkley is about the highest type of martyr. He has made money at martyring," "Please, Mr. Doc! When I am in jail for criminally libeling you, will you give me some

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<sup>27</sup> Walter Davenport, "Gland Time in Kansas," Colliers, 89:13, January 16, 1932.

lessons in martyring?"<sup>28</sup>

In the September 9, 1932 issue Trapp began "All bullies have yellow streaks down their backs . . . Doc Brinkley is getting in a tighter hole all the time . . . Possessed of a monstrous bump of egotism . . . he lied, and lied and lied."<sup>29</sup>

The following issue had a front page cartoon of a nanny goat saying, "Why should I vote for Brinkley. He made a widow out of me, darn him!"<sup>30</sup>

Trapp proved to his own satisfaction that Dr. Brinkley paid no taxes,<sup>31</sup> challenged and dared Brinkley to show him one starving person in Kansas as the doctor had declared,<sup>32</sup> that he hid behind his wife's skirts,<sup>33</sup> that Brinkley had been in a Carolina jail,<sup>34</sup> that he had deserted his first wife and their three small children, and that he was a bigamist.<sup>35</sup>

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<sup>28</sup> The Pink Rag (Topeka, Kansas), August 26, 1932.

<sup>29</sup> The Pink Rag, September 9, 1932.

<sup>30</sup> The Pink Rag, September 16, 1932.

<sup>31</sup> The Pink Rag, September 23, 1932. All the property was held in Mrs. Brinkley's name, but that didn't count according to Trapp.

<sup>32</sup> Loc. cit.

<sup>33</sup> The Pink Rag, September 30, 1932.

<sup>34</sup> The Pink Rag, October 7, 1932.

<sup>35</sup> The Pink Rag, October 28, 1932.

The September 30, issue of The Pink Rag noted that this issue of the paper was going to ten thousand new names with the subscriptions being paid for by interested people.<sup>36</sup> One issue stated in bold face type, page one, column one:

The Pink Rag is the "Scandal Sheet" Doc Brinkley is always whining about.

If the Pink Rag libels Doc -- why don't he sue the Pink Rag for 11 million dollars libel, as he sued the K. C. Star?<sup>37</sup>

A typical example of the type of character assassination that the Pink Rag was indulging in may be shown by one article that is representative of the whole group:

"I will wade through blood for the downtrodden and the starving people of Kansas." -- Doc Brinkley in one of his eloquent radio talks.

The Pink Rag sympathizes deeply with the good Doc in his affliction.

The Pink Rag realizes how difficult it is to get over to the multitude the depth, the length and the breadth (sic) of Doc's devotion to the forgotten man. It has determined to do all in its power to help Doc put over the idea. Even to the expenditure of its own extremely limited resources.

Therefore:

It has had its artist draw a picture of Doc wading thru BLOOD!

Above (at the top of the article is Brinkley wading through knee deep blood slaying goats) you will see Doc surrounded by a SEA of RED BLOOD. It would have printed the BLOOD in

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<sup>36</sup> The Pink Rag, September 30, 1932.

<sup>37</sup> The Pink Rag, October 21, 1932.

red ink, with Doc in Black, but red does not show up well on pink paper. It sort of grips my artistic temperament to print Doc's Red BLOOD in Black ink, but I hope Doc will forgive and forget and take into account the mechanical difficulties that surround me.

Anyway: Doc said he would "wade thru BLOOD for the downtrodden forgotten man!" As I am in favor of Doc wading thru BLOOD for the downtrodden and forgotten man, I wondered where he was going to get the BLOOD to wade in? Our artist has solved the difficult problem: In the picture above produced he suggests that Doc use the BLOOD of the 6 thousands he-goats he has sacrificed in his 4-phase-confounded operations on lecherous old coots, lay them (the goats, not the operations) end to end, drain the BLOOD into a pool and thus he will have plenty of BLOOD to wade in -- for the downtrodden and forgotten man.

Personally I do not see what good it is going to do for Doc to wade in the pool of BLOOD of the 6 thousand goats that were sacrificed that lecherous old coots might have 2 or 3 months of good time rampsing around the lot raising hell. But that part is Doc's business.

Doc wants to wade in BLOOD. No available supply of BLOOD being on hand, I am doing MY little best to supply the deficiency. No man can do more than his best.

So, Doc, here's your BLOOD!

Go ahead! Wade!<sup>38</sup>

In October, 1932, Trapp printed a small pamphlet which he sold at ten cents a copy giving the deposition of one James E. Crawford who had been an associate of Brinkley's. The deposition was used in the court case of Brinkley's lawsuit of Morris Fishbien and William S. Yates. Crawford being examined on the witness stand gave the following testimony.

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<sup>38</sup> The Pink Rag, September 23, 1932.

- Q. Tell us what you did? A. Our advertisements had stated that we were specializing in veneral and nervous diseases, and we purported to cure with "606" and "914". Actually we didn't use either one. We used, instead a colored solution of distilled water for injection.
- Q. Who did the injections? A. Dr. Brinkley.
- Q. Do you know what you charged these people that you treated with "sweetened water"? A. Twenty-five dollars for each injection.
- .....
- Q. What was the occasion for the arrest of yourself and John R. Brinkley? A. We were arrested for defalcation in paying the bills and for practicing medicine without a license.
- .....
- Q. How long had Brinkley been in jail? A. Approximately two weeks I should think.
- Q. What is your recollection as to the time that you were in jail at Greenville, South Carolina? A. You mean the date?
- Q. The approximate month and year? A. I believe it was in October, 1913. It might have been November, but I think it was October.
- .....
- Q. When was the next time you saw him that your recollection serves you clearly? A. The next time I met him was in the barbershop at the Biltmore Hotel -- I think in 1922.
- Q. What did you say to him and what did he say to you?  
A. . . . He informed me he was running a hospital in a little town in Kansas -- Milford, Kansas.
- Q. What else did he say at that time? A. He said he was making considerable money and that he was getting along fine, and I asked him if he was running this hospital on the order that we ran our office and he said: Very similar, or words to that effect.<sup>39</sup>

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<sup>39</sup> Charles H. Trapp, editor, The Pink Rag. Topeka, Kansas, October 10, 1932, pp. 4-9. From the Kansas State Historical Library, Topeka, Kansas.

This same deposition brought out the fact that Brinkley had married his second wife Minnie T. Brinkley, nee Jones, during this period, and that this was before Brinkley had received a divorce from his first wife.<sup>40</sup>

Of such stuff are elections made. It is impossible to estimate how important a part Trapp's constant attack on Brinkley played in the candidate's defeat. But it is probable that Charles Trapp contributed more than any other single person to Brinkley's defeat with the thousand of papers and pamphlets that went out across the state under the name of The Pink Rag.

To protect himself, Brinkley tried to find some skeleton in Trapp's closet. In his search, Brinkley found that Trapp had been arrested in Kansas City and thrown in jail and that he had been finger-printed and his picture put in the rogues gallery.<sup>41</sup>

One Mel-Roy attempted to heckle Trapp<sup>42</sup> and received a reply from Trapp in which the latter said:

What I can't understand is how Doc can be so raw about it and lay himself wide open. Any half-wit can see the pinch on the spindle. Wonder if I should go up to Milford and wise him up?

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<sup>40</sup> Ibid., p. 6.

<sup>41</sup> Letter from Jay E. Howe to Ernest A. Dewey, n.d. Dewey files. This did not stop Trapps' attacks or even soften them, he merely piled on more abuse.

<sup>42</sup> Letter from Mel-Roy to J. R. Brinkley, October 4, 1932, from the Dewey files.

He is running his circus wagon over the state and everywhere he loses votes. He is too blamed clean in person to talk to hayseeds. Tell him to put on a 10-gallon hat and stop polishing his fingernails.

I'd like to see him governor and what a circus I would have!

One yap has threatened to sue me for CRIMINAL libel over what I have said about Doc. I wish he would. Or you.

This is all a good t mper. I am for you and promise that if you don't interfere with my effort to keep Doc out of the state-house, you can go on yogi-ing and selling, 'em crystels (sic) till hell freezes over.

Doc got a dirty deal from the A.M.A. No man has a right to take away one man's right to free speech or beer or whiskey.

. . .

But Doc Brinkley for governor of Kansas! That's too strong a graft.<sup>43</sup>

Mel-Roy gave Brinkley the above letter and permission to use it. Brinkley was contemplating using it against Trapp, possibly by running it in the newspapers about two weeks before election in an attempt to show that Trapp was attacking Brinkley not because he thought Brinkley was unfit to be governor but because he (Trapp) didn't want him to be governor.<sup>44</sup>

To explore again Brinkley's campaign style would be fruitless, but let it be said that in 1932, he appeared much less the amateur

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<sup>43</sup> Letter from Charles H. Trapp to Mel-Roy, August 31, 1932, from the Dewey files.

<sup>44</sup> Letter from J. R. Brinkley to Ernest A. Dewey, October 7, 1932, from the Dewey files.

in politics and much more the seasoned campaigner. Also he talked far more about the issues involved in the election and less about his persecution and religion than in the election of 1930. A cursory glance of the press in July, August, September, and October will show that Brinkley while still full of caustic wit, talked mostly about the proposed state income tax amendment, the burden of real estate taxes, reduction in state expenditures, corruption in the state highway department, free textbooks, and graft in the state administration. He still opened his meetings with a prayer as he rolled around the state in his famous Ammunition Train No. I, but it was not the limited, vindictive Brinkley of 1930.

An example and critique of Brinkley in 1932 may be illustrated by choosing a typical campaign rally. Dr. Brinkley spoke July 20, 1932, at the free fair grounds in Topeka, Kansas. The meeting was opened with a prayer by the Reverend Cookson, and the audience sang 'America'. The speech was broadcast over two radio stations, and a crowd of between six and ten thousand appeared to hear the doctor. At the beginning of his speech he disavowed all forms of radicalism, and made an appeal for loyalty to organized state and national government. Sitting on the little platform in front of his microphone and in full view of the crowd, he didn't make a gesture -- there was no demonstrative outbursts from the speaker. He told the crowd that if he were governor he would let them know where their money went and when he found a faithless public servant,



he would not consider wear and tear on his Sunday pants in removing him. He lambasted the highway department, and told the people that it was fitting that he should be in Topeka on this day for it was the anniversary of the medical board hearings that had been held in the Kansas Hotel two years previously. Also, he spoke against the income tax amendment saying that it was just another tax and not designed to bring relief to real estate taxpayers, and then he told the audience about Governor Woodring's twelve cylinder state automobile on which the taxpayers had payed an extra twenty-eight dollars to have a monogram put on the door. Then he told them that Dr. Brinkley had a sixteen cylinder automobile and his monogram did not cost the taxpayers anything.

As the reporter watched Brinkley at work, his conclusions were that Brinkley was not an orator, but had the knack of getting ideas over to his listeners. He peddled as much hokum as other office seekers but not once during the hour did he rave or rant. Brinkley was quick as a cat in seizing an opportunity and capitalizing on it, and he played on the emotions and sympathies of his followers expertly.

The reporter concluded that Brinkley said the same things that were in his platform. But he was saying them far more effectively than when he was campaigning two years before. He just sat in front of the microphone and talked in his usual radio voice and made no attempt at oratory or stage gymnastics. The reporter also noted that the crowd was larger than the welcome for President

Wilson in 1912, Roosevelt in 1912, Taft in 1911, Charles Evans Hughes in 1916, and it equalled or surpassed the Al Smith audience of 1928.<sup>45</sup>

One last major "scandal" issue was to come before the people before election time, and that was when Thurman Hill, member of the public service commission, charged that Dr. Brinkley was either directly or indirectly receiving aid from Henry L. Doherty, Cities Service Company president.<sup>46</sup> Governor Woodring had during his administration ordered a special investigation of the price of natural gas, and it was his avowed purpose to get the price of gas lowered. Woodring believed, and undoubtedly had evidence of some sort, that Brinkley had been receiving some financial aid from Doherty, for on Thursday evening, October 20, 1932, at Pittsburg, Kansas, Woodring said that the utility corporation of Henry L. Doherty, was out to defeat him. He said that Brinkley was being backed by Doherty and that Doherty was drawing money out of the Cities Service Company account J-329, Miscellaneous Publicity, to help pay for Brinkley's campaign. He also claimed that the Wichita Beacon and the Kansas City Journal-Post were being paid by Doherty, mainly through huge advertising accounts to campaign against him.<sup>47</sup>

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<sup>45</sup> Topeka State Journal, July 21, 1932.

<sup>46</sup> A. P. Files, September 19, 1932.

<sup>47</sup> Parts of a speech made by Governor Harry H. Woodring, at the Shrine Mosque, Pittsburg, Kansas. Thursday evening, October 20, 1932 from the Dewey files. This is a public stenographer's transcript.

Brinkley knew that Thurman Hill was going to begin attacking him as a tool of Doherty's. A letter from Brinkley to Ernest A. Dewey throws some light on the matter:

I have a letter from Hotchkiss in which he says that Thurman Hill is going to explode on me that I have received \$100,000.00 from Doherty and that this information comes from the inside.

I wonder what in the devil this gang is driving at because I can't see how a man can be accused of something that he never got. Two years ago I gave Burt Comer \$500.00 towards his campaign fund and the man who got it never gave it to him. Burt didn't know anything about it until this summer.

I wonder if some dirty-son-of-a-gun has collected from City Service some big contribution for me that I know nothing about, because the Lord knows that I have never received any.<sup>48</sup>

Sometimes during the campaign Henry L. Doherty did give Dr. Brinkley a twenty-five thousand dollar campaign contribution.<sup>49</sup> The details of this transaction are not known, but presumably the contribution was made after the Brinkley letter that is quoted above.

As the campaign progressed into September observers were convinced that Brinkley would be elected. The Nation magazine reported that all signs in Kansas point to the election of Dr. John R. Brinkley as governor.<sup>50</sup> The Nation summed up their

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<sup>48</sup>Letter from J. R. Brinkley to Ernest A. Dewey, September, 1932, from the Dewey files.

<sup>49</sup>Letter to the author from Ernest A. Dewey, July 11, 1952. Dewey was a close confidant of Dr. Brinkley and was in a position to know the truth on the above question.

<sup>50</sup>R. H. Bailey, "Dr. Brinkley of Kansas," Nation 135:254, September, 1932.

coverage saying that many more people are openly for Brinkley than there were two years ago when no one was quite willing to admit having voted for him. The farmers seem to be almost solidly behind him especially the wheat raising belt in central and western Kansas. There were indications that the Republicans felt that his election was probable and his impeachment possible (the August primaries were distinguished by the largest list of candidates for lieutenant-governor in the state's history).<sup>51</sup>

As best illustrating the fear in the old parties, William A. White rushed into the breach to attack Brinkley. From his pen came the rallying call "every patriotic voter who fears the domination of Brinkleyism must play safe, cast his vote in the largest pile and vote for Landon. . . . Every vote for Harry Woodring exposes Kansas to the menace of John R. Brinkley. . . ." <sup>52</sup>

On election day Dr. Brinkley celebrated with an eight station radio hookup in Kansas, and in his talk he polished off every opponent and brushed aside all opposition. Ernest A. Dewey announced for Brinkley that the independent candidate would poll 371,325 votes. According to the Topeka Daily Capital, Dewey's estimate certainly showed up the other campaign managers.<sup>53</sup>

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<sup>51</sup> Loc. cit.

<sup>52</sup> Hays Daily News, November 2, 1932. This is a reprinted editorial from the Emporia Gazette. In the election of 1930 White's son, W. L. White ran for the Kansas House of Representatives.

<sup>53</sup> Topeka Daily Capital, November 8, 1932.

On November 10, the newspapers noted that Dr. Brinkley was running third in the election.<sup>54</sup> The Topeka Daily Capital added that there was little doubt in the minds of Kansas political observers that if the election had been held in the middle of September, perhaps at late as October 1, Dr. Brinkley would have been elected hands down. The central and western Kansas farmers appeared crazy over the candidate from Milford. Then all at once he just started slipping. Observers reported it, county candidates noted it, the doctor denied it vigorously -- but he slipped to third place.<sup>55</sup> The Capital in an editorial crowed that the election of 1932 proved that thousands of votes were not thrown out in 1930 because in the election just past (1932), Brinkley had received "precisely the same percentage of total votes cast for all candidates for Governor as he received two years ago, when it was necessary to write his name in. . . ."<sup>56</sup>

When the final official results were tabulated for the three candidates the results were Alfred M. Landon, 278,581; Harry H. Woodring, 272,944; and John R. Brinkley, 244,607.<sup>57</sup> Out of a total vote of 800,026, Brinkley received thirty per cent. In 1930

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<sup>54</sup> Topeka Daily Capital, November 10, 1932.

<sup>55</sup> Loc. cit.

<sup>56</sup> Topeka Daily Capital, November 11, 1932.

<sup>57</sup> Twenty-Eighth Biennial Report of the Secretary of State, 1931-1932, Topeka, Kansas. The vote for H. M. Perkins, Socialist, was 3,892, and two votes were listed as "scattering."

out of a total vote of 621,235, Brinkley had received 183,278 or twenty-nine and five tenths per cent of the total vote. As a comparison between the two elections, 178,791 more votes were cast for the office of governor in 1932 than were cast in 1930.<sup>58</sup>

It is interesting to note that the presidential vote in Kansas for 1932 was 791,978 indicating that 8,048 more votes were cast for governor than were cast for the presidency which is a very unusual circumstance. If the vote for governor is compared with the vote for United States Senator from Kansas, there were 79,618 more votes cast for governor than for senator.

So John R. Brinkley had lost again and in the newspaper comment on the post-election period one thing seemed sure to the writers of political prophesy and that was that John R. Brinkley was politically dead!

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<sup>58</sup> All the above figures are drawn from the Biennial Reports of the Secretary of State which gives the official figures. Percentages are the author's.



## CHAPTER VI

### IF YOU CAN'T BEAT 'EM JOIN 'EM

John R. Brinkley had moved from the scene in person and property before he left Kansas politically. In October, 1933, Dr. Brinkley announced that he was shaking the dust of Kansas from his feet, which was good news for the master strategists of both political parties in the state.<sup>1</sup> He moved to Del Rio, Texas, where he could broadcast through his station XER, "The Sunshine Station Between the Nations."<sup>2</sup> The announced reason at the first part of October was that the move was made for economy. Brinkley's radio license for KFKB, Milford, Kansas, had failed of renewal and he had sold the station. During the campaign of 1932, he had broadcast daily over XER, Villa Acuna, Mexico, by remote control. This had been costing him \$10,000 a month which according to Brinkley was too great an expense.<sup>3</sup> However, Brinkley did not close his hospitals in Milford until January 1, 1934. After the election of 1932, he announced that he had nothing to say about the political situation in Kansas because it was too early in "the game for that."<sup>4</sup>

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<sup>1</sup> New York Times, October 13, 1933.

<sup>2</sup> John R. Brinkley, Doctor Brinkley's Doctor Book, 1933, p. 86.

<sup>3</sup> New York Times, October 13, 1933.

<sup>4</sup> Topeka Daily Capital, October 29, 1933.



The Kansas City Star noted that Dr. Brinkley had left behind a bitter Milford. The Star quoted Brinkley as saying that he had been supporting the whole town, and that he received no gratitude for it.<sup>5</sup> The Topeka Daily Capital was more generous and quoted Brinkley's reasons for leaving as business considerations, the fact that he had been sitting on a powder keg in Kansas, and the chances of ever getting his medical license back were nil. But the paper also added the doctor's quote, "Our position in Milford became untenable because too many people were expecting us to support them. . . ." <sup>6</sup> Dr. Brinkley may have been gone but, he was not forgotten -- nor had he forgotten how close he had been to the governor's chair.

On June 20, 1934, Dr. John R. Brinkley once again filed as a candidate for governor. But with a difference, for this time he filed for the Republican nomination. Dr. Brinkley's declaration of candidacy was filed by Burt Comer of Wichita.<sup>7</sup>

In a statement from Del Rio, Texas, Dr. Brinkley said that he would not take an active part in the campaign and that he had permitted his name to be filed only for the purpose of party affiliation. He was quoted as saying:

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<sup>5</sup> Kansas City Star, December 7, 1933.

<sup>6</sup> Topeka Daily Capital, December 7, 1933.

<sup>7</sup> Kansas City Star, June 20, 1934.

It is not my intention to make a campaign. I have lived in Kansas for 17 years. I have appeared in person in every county in the state. The people of Kansas know me and know what I stand for; there is no need of my restating my principles of cleaning out, cleaning up and keeping clean. I am leaving for an extended vacation in Maine and Nova Scotia and if the candidates of both party tickets will also leave Kansas and not annoy the voters, . . . I am sure everybody will be pleased.

I ask my friends not to write me or solicit my entry into the state. The weather is too hot and we need a vacation. Lets all have a good time. If I have not filed, the campaign would have been a droll affair.<sup>8</sup>

The announcement of candidacy immediately raised the question of whether or not Brinkley was a citizen of Kansas. The decision of whether or not a person is a resident must be decided by the state contest board, composed of the secretary of state, attorney general and auditor. In his declaration of candidacy, Brinkley gave his home as Milford, Kansas, and stated that he was "temporarily living at Del Rio, Texas."<sup>9</sup>

On June 25, J. W. Densford of Salina, Kansas, filed a protest against Brinkley's name being placed on the ballot. The protest alleged that Brinkley was not a resident of Kansas, and also that Brinkley was not a Republican.<sup>10</sup>

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<sup>8</sup> Associated Press Files, Topeka, Kansas, June 20, 1934. Hereafter cited A. P. Files.

<sup>9</sup> A. P. files, June 20, 1934.

<sup>10</sup> Loc. cit., June 25, 1934. Densford was a salesman for a Salina, Kansas, typewriter firm, and had never been active in politics. Seemingly it was his own idea to protest as there is no indication that he was asked to do so, in fact it was rather embarrassing to the Republicans. Later Densford was found to be a Democrat, see Topeka Daily Capital, June 28, 1934.

The most interesting speculation during July was what will Brinkley do? When objections were raised to his name being placed on the Republican ballot he was "boiling mad", and said he would make a campaign.<sup>11</sup>

The filing of Dr. Brinkley was not a great surprise, for he had in the previous month given indications that he would run. The Topeka Daily Capital noted that the doctor was now placing himself in a strange position in running as a Republican since he had castigated that party so severely in past elections.<sup>12</sup>

The Republicans had every intention of allowing Brinkley to run. Brinkley prematurely accused Governor Landon of intriguing to keep him out of the primary, but Landon and the party had too much political sense to play the doctor's game. They invited him to run.<sup>13</sup>

On July 8, 1934, the state contest board ruled that Brinkley's name would be on the ballot, The Republican party leaders took no part in the contest proceedings. They stated publicly that they had not sponsored the objections filed, and all Republicans were welcome to participate in the primaries. Governor Landon also said he had no objections to Brinkley's running in the primary.<sup>14</sup>

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<sup>11</sup> Topeka State Journal, July 24, 1934.

<sup>12</sup> Topeka Daily Capital, June 22, 1934.

<sup>13</sup> Topeka Daily Capital, June 28, 1934.

<sup>14</sup> Topeka Daily Capital, July 9, 1934.

When Brinkley returned from his three weeks' vacation he came to Kansas and on July 31, spoke to the people of Kansas over a three station hook-up, KLBF, Kansas City, Kansas; WIBW, Topeka, and KFBI, Abilene. Brinkley spoke from Kansas City, Kansas, and gave a twenty minute talk in which he charged that Governor Landon had not fulfilled his campaign pledges. Brinkley also said that Landon's investigation into the Kansas bond scandals had been insincere. (This refers to the infamous Finney bond scandals). Brinkley stated that he had hoped to retire from politics, but the "quarter of a million loyal people who voted for him in 1932 demanded that this year he become their candidate for governor."<sup>15</sup>

Brinkley said in his radio speech that the \$25,000 spent by the legislature in investigating the highway department had not had any results. He also claimed that the sole qualification for office holding in Kansas under Landon was, "can the applicant be of use to Landon, personally."<sup>16</sup> Brinkley promised that if elected, he would investigate and fumigate the state government.<sup>17</sup>

The following night Brinkley was on the radio attacking Landon again. He stated, "The paramount question in this primary election is whether you are going to elect a governor to serve you,

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<sup>15</sup> Kansas City Times, August 1, 1934.

<sup>16</sup> Loc. cit.

<sup>17</sup> Loc. cit.

or a governor to rule you."<sup>18</sup> Brinkley claimed that Landon was a friend of bootleggers, and that the governor was carrying an army of officials on the public payrolls to build up a personal political machine. He finished by stating the Republican party meant nothing to Landon, except a means to acquire fame, fortune, and prestige.<sup>19</sup>

On August 3, the Kansas City Times noted that Brinkley threatened to bolt the Republican party unless he received the gubernatorial nomination. On the same occasion Brinkley allegedly said that if he were not nominated as the Republican candidate he would support the Democratic nominee.<sup>20</sup>

On August 4, Brinkley flew to Wichita on a speedy projected tour of the state, but was forced to abandon plans to hold conferences in Dodge City and Clay Center because of airplane motor trouble.

At a news conference Brinkley analyzed his support by saying:

In the last election there were 250,000 Kansans who voted for me, conceding that perhaps 100,000 of these were Democrats

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<sup>18</sup> Topeka Daily Capital, August 3, 1934.

<sup>19</sup> Loc. cit.

<sup>20</sup> Kansas City Times, August 3, 1934. In the Times of the following day Brinkley claimed to have been misquoted, and said he would not bolt or endorse any Democratic candidate. Eventually Brinkley did support Omar Ketchum, the Democratic nominee.

and will naturally go into their own primary this year, it still leaves 150,000 Republican votes. Through my absences from the state I may have dropped 25,000 of these Republican votes, but that will be more than offset by the 25,000 or more Republicans who have been driven from their party by the gang in Topeka, and who will support me. This would give me a primary total of 150,000 votes, enough to nominate a governor in either party in Kansas.

If I am defeated this time I intend to stay in Kansas. I have several political debts to settle, involving certain of my enemies who have yet to learn what may happen when I'm fully aroused, as I am at this time.<sup>21</sup>

Throughout the primary race Governor Landon campaigned but little, and he expected to score an easy victory over Brinkley. Brinkley had carried on his campaign almost entirely by radio in the last week of the election, and the "issues" he raised were all personal attacks on Landon which failed to arouse any enthusiasm among most of his followers.<sup>22</sup>

August 7, election day, was a scorching hot day with the thermometer hitting 111 degrees at three o'clock, and though Brinkley was the most optimistic of the candidates<sup>23</sup> he had little reason to be. The headlines of August 8, 1934, read, "LANDON IN WALK-AWAY"<sup>24</sup> but the most important news story was that all Kansas counties were now classified by the national government as

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<sup>21</sup> Salina Journal, August 4, 1934.

<sup>22</sup> Kansas City Times, August 7, 1934.

<sup>23</sup> Salina Journal, August 7, 1934.

<sup>24</sup> Salina Journal, August 8, 1934.

emergency drought counties.

It became apparent to some in the last days of the campaign that Brinkley's radio broadcasts, seeking the Republican nomination for governor, were more specifically an attempt to aid Burt Comer's candidacy for the Republican nomination for attorney general. But the campaign on Brinkley's part had been more or less of "a dud."<sup>25</sup>

The Kansas City Times reviewing Brinkley's campaign said that it had been too hot to listen to political broadcasts at night. Besides static had interferred. The Times in writing finis to Brinkley's political career in Kansas noted. "The Brinkley strength, shown four years ago and two years ago, has died a normal death. In old strongholds of Brinkley sentiment it was said today there was no stir, no interest; that the few radio broadcasts had fallen flat. It was the most colorless primary campaign Kansas had seen for many years."<sup>26</sup>

On such a note of failure, Brinkley's attempts to lead in Kansas politics ended. Brinkley sentiment still existed in parts of the state, and to some Brinkley was to remain a symbol, and a constantly recurring gubernatorial possibility in the turbulent Kansas political scene. Witness a news story of 1937, in which the Independent Voters' League of Kansas announced that it would sponsor a mass meeting for the purpose of promoting the candidacy of John R.

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<sup>25</sup> Kansas City Times, August 5, 1934.

<sup>26</sup> Kansas City Times, August 5, 1934.

Brinkley for governor of Kansas subject to the general election in November, 1938.<sup>27</sup> But in Kansas politics Brinkley was as dead as the proverbial dodo. The primary results gave Landon 233,956 votes, and John R. Brinkley, 58,983 votes, a far cry from the 150,000 that he had predicted he would receive.<sup>28</sup>

The exodus of John R. Brinkley from Kansas politics was not the last that the nation heard of him. In Del Rio, Texas, he developed bigger and more highly advertised hospital for treating prostate trouble than he had had in Kansas.<sup>29</sup> He had quit entirely the transplanting of goat glands but he never lived down the early rejuvenation publicity and in news accounts was almost invariably called the goat-gland quack or specialist. Brinkley carried on a running battle with the United States Government over his high powered Mexican radio station, XER, for a number of years, until he was eventually removed from the air waves. He developed a hospital in Little Rock, Arkansas, and took periodic long cruises on one of his yachts, becoming a noted world traveler.

In 1941, Brinkley was declared a bankrupt,<sup>30</sup> and in 1942, his leg was amputated. On May 26, 1942, he died of a heart attack

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<sup>27</sup> Topeka Daily Capital, November 9, 1937.

<sup>28</sup> Twenty-Ninth Biennial Report of the Secretary of State, 1933-1934, p. 27.

<sup>29</sup> Brinkley, Doctor Brinkley's Doctor Book, op. cit., p. 77.

<sup>30</sup> Topeka State Journal, February 1, 1941. See also Topeka Daily Capital, March 27, 1941, for outcome of bankruptcy hearings.



at San Antonio, Texas.<sup>31</sup>

For the first time in his life Dr. Brinkley of Milford, Del Rio, and Little Rock, received an almost universal favorable press. Through Time in an obituary called him a "goat-bearded goat-gland medico-politico,"<sup>32</sup> the Kansas City Star went easy on him, perhaps having learned a lesson. The Star did not use the word quack interchangeable with the name Brinkley for the first time since their campaign against him in 1930 began; they referred to him merely as a goat gland doctor.<sup>33</sup>

William Allen White in the Emporia Gazette, who had gained some fame as an obituary writer, wrote of Brinkley:

The death of John R. Brinkley recalls the day when sudden calamity and almost total economic collapse . . . turned (the people) to this demagogic quack and almost elected him governor of Kansas. He liked to claim he was elected. Probably thousands of his ballots were thrown out, more than enough to elect him, but thousands of other ballots were also thrown out, probably enough to defeat him.

Anyway in 1930 he made a big stir in Kansas. In 1932, people got on their feet again and his defeat was conspicuous. In 1934 he just fizzled out. His political strength lasted less than three years.<sup>34</sup>

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<sup>31</sup> Kansas City Star, May 26, 1942.

<sup>32</sup> "Obituary", Time 39:53, June 8, 1942.

<sup>33</sup> Kansas City Star, May 26, 1942.

<sup>34</sup> Kansas City Times, May 28, 1942. An editorial reprinted from the Emporia Gazette.

White concluded that he made no lasting mark on Kansas, not a dot or a dent. He will be remembered in Kansas by historians only as a sign that the people of Kansas during the economic collapse were amazed, confused, confounded, and desperate; disgusted with themselves and their leaders.<sup>35</sup>

White, in a later editorial called attention to the fact that no newspaper belittled him in death, and "In burying Brinkley, the Kansas newspapers were at their best."<sup>36</sup>

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<sup>35</sup> Loc. cit.

<sup>36</sup> Kansas City Times, June 1, 1942.

## CONCLUSION

Like a will-o'-the-wisp, any positive conclusions about this fabulous character elude the searcher.

There is no doubt that certain newspapers persecuted him, but a considerable element of doubt exists as to whether the persecution was justified. There is no doubt that the Kansas City Star was instrumental in bringing to an end Brinkley's medical and radio career in Kansas.

Was he a charlatan -- a quack? Within the limited meaning given these terms by the orthodox medical societies, he was. But the final decision must rest on whether there was good in his operation, and learned medical men who read of the surgery and saw the operation, and laymen who underwent the operation were unable to agree. There is no final answer as yet, and some parts of the operation may have been of value. As to the actual transplantation of glands and its usefulness, it is wise to let the final answer rest with Brinkley. He gave up the transplantation of glands in favor of what was in his own estimation a better and easier method. But the name Brinkley will always be linked with goats and goat glands.

Brinkley changed the campaigning methods in Kansas. He used the radio, sound-truck, and airplane to meet the voters and to get votes, where other candidates had been content to follow a routine pattern of hand-shaking, limited public addresses, and personal appearances.

In regard to the election of 1930, though there is no way of knowing, politicians and the people at large either believe Brinkley won the election though the necessary ballots to win were thrown out, or that he was responsible for Woodring's winning. If Woodring had not won the election of 1930, he would not have gone on to enter national politics. And if Woodring had not won in 1930, it is almost a certainty that Landon would not have been elected governor in 1932, for Haucke would have received party support for a second term. In that event, it is a certainty that Landon would not have become the presidential candidate in 1936. While this might not have changed the fate of the nation, it could well have modified it considerably.

A. B. C.

Brinkley, John R., Fast Food. New York: Doubleday, 1958. 194 pp.

Several paragraphs refer to John R. Brinkley, in readable and accurate but in no way sensational coverage. The information on the operation of 1938 is based on direct inquiry from W. G. Cigarette's knowledge.

Brinkley, John R., The Brinkley Experiment. Chicago: Rand McNally, 1937. 224 pp.

This work contains a review of Brinkley's four years' experimental operation of a hospital from 1932 to 1936. The author's dealing with the subject is based on Brinkley's own and Mrs. Brinkley's accounts, with some reports of the operation given in interviews by Brinkley. The work contains a history of the operation, and a lengthy treatment of patients' views on the operation, establishment, and recovery. Derived from the library of Congress.

SELECTED BIBLIOGRAPHY

Brinkley, John R., Dr. Brinkley's Healing Hands. 1933. 80 pp.

Was the place of publication of publisher. Purpose is to have been diagnosis and treatment issued but is actually propaganda for the Brinkley hospital at Hot Springs, Home. Contains information of the Brinkley family, the operation as it has evolved, and public opinion III. Derived from the library of Congress.

Brinkley, John R., Science and Healing. Milford, Kansas: Dr. J. R. Brinkley, 1935. 24 pp.

A somewhat unusual attempt at alleged cures derived by unusual methods. Contains a discussion of glands, information on how to get to Milford, publications listed that published Brinkley's writings, and an article on Brinkley's research in cancer.

Chapman, William W., Revels in Democracy. New York: Macmillan, 1934. 194 pp.

An expert observer and an eye witness to Brinkley's famous claims. Gives essential background material, interpretation of events, and sound opinion.

Wood, William, The Life of a Man. Kansas City, Missouri: Andrew Publishing Company, 1936. 124 pp.

A full account of Brinkley's life up to 1936. This is a very good source giving a complete coverage of Brinkley's early life. It is a highly readable and well-written account. Was written as requested by the author. Generally follows the facts but the interpretation is extremely biased. It is well illustrated in outline.

## A. BOOKS

Bracke, William B., Wheat Country. New York: Duell, Sloan, and Pearce, 1950. 309 pp.

General background information on John R. Brinkley, is readable and accurate but it is a superficial coverage. The information on the election of 1930 in Kansas is drawn largely from W. G. Clugston's accounts.

Brinkley, John R., The Brinkley Operation. Chicago: Sydney B. Flower, 1922. 90 pp.

This work contains a resume of Brinkley's four phase compound operation as it had been developed up to 1922. The sections dealing with the operation were written by Brinkley himself and are almost identical with other accounts of the operation given in interviews by Brinkley. The book contains diagrams of the operation, and a lengthy testimonial by publisher Flower on his operation, convalescence, and recovery. Received from the Library of Congress.

Brinkley, John R., Dr. Brinkley's Doctor Book. 1933. 88 pp.

Has no place of publication or publisher. Purports to be a home diagnosis and treatment manual but is actually propaganda for the Brinkley hospital at Del Rio, Texas. Contains information on the Brinkley family, the operation as it has evolved, and radio station XER. Received from the Library of Congress.

Brinkley, John R., Shadows and Sunshine. Milford, Kansas: Dr. J. R. Brinkley, 1923. 94 pp.

A pseudo-medical account of alleged cures derived by unnamed patients. Contained a discussion of glands, information on how to get to Milford, publications listed that published Brinkley's writings, and an article on Brinkley's research in cancer.

Clugston, William G., Rascals in Democracy. New York: Richard R. Smith, 1940.

An expert observer and an eye witness to Brinkley's Kansas career gives essential background material, intpretation of events, and sound opinion.

Wood, Clement, The Life of a Man. Kansas City, Missouri: Goshorn Publishing Company, 1934. 332 pp.

A full account of Brinkley's life up to 1934. This is the only source giving a complete coverage to Brinkley's early life. It is a highly sentimental and emotionalized account. Wood was paid an estimated \$5,000 to write the book. Generally reliable as to facts but the interpretation is extremely biased. It is autobiographical in nature.

## B. PERIODICAL ARTICLES

Bailey, R. H., "Dr. Brinkley of Kansas," Nation, 135:254, September 21, 1932.

Not completely reliable source on the election of 1932. Gives prophecy of Brinkley winning in 1932. Shows photostatic copy of a Brinkley handbill.

"Brinkley Bubble," Newsweek, 17:18, April 7, 1941.

Good summary of Brinkley's bankruptcy. Contains an error in fact regarding the number of times Brinkley ran for governor of Kansas.

"Brinkley's Trial," Time, 33:46-48, April 19, 1939.

Tells of radio station XER, description of Brinkley's Del Rio, Texas house. Fair account of Brinkley's suit against Morris Fishbien, and some reference to the Kansas elections of 1930, 1932, 1934.

Davenport, Walter, "Gland Time in Kansas," Colliers, 89:12-13, 49-51, January 16, 1932.

Good general and specific material on Brinkley. Brinkley's background covered and good interpretation of Brinkley's strength in Kansas politically.

Furnas, J. C., "Country Doctor Goes to Town; Dr. J. Brinkley Sells Operations by Air From Mexico," Saturday Evening Post, 212: 44, 46, 48-50, April 20, 1940.

Most complete treatment found of Brinkley after his move to Texas. Excellent coverage of station XER, the Brinkley environment, effect on Del Rio, Texas, and the Little Rock, Arkansas, hospital. Seven excellent pictures.

"Goat Glands & Sunshine," Time, 18:40, November 16, 1931.

Some background of Kansas Medical Board hearings. Good on Brinkley's welcome to Del Rio, Texas, and stations broadcasting from Mexico.

"John R. Brinkley -- Quack," Journal of the American Medical Association, 90:134-137, January 14, 1928.

Essential for an understanding of the controversy engendered by Brinkley, and the A.M.A.'s views of Brinkley. A chronological treatment of Brinkley's alleged nefarious practices. Article uses innuendo and some distortion of fact to create the picture of a quack. Contains Brinkley letterheads, and photostatic copies of educational transcript, and newspaper article about Brinkley.

The Journal of the American Medical Association, 94:1339-1341, April 26, 1930.

Comments on the A. B. Macdonald expose of Brinkley.

The Journal of the American Medical Association, 96:547-548, February 14, 1931.

Good summary of the Brinkley Pharmaceutical Association and how it worked. Income from association discussed, ownership of radio station explained, and typical broadcasts of the "Medical Question Box" are included. Prejudiced but informative.

The Journal of the Kansas Medical Society, 31:383-384, October, 1930.

Gives the complaint against Brinkley and the citation which revoked Brinkley's medical license. Lists the members of the Kansas Board of Medical Examination and Registration.

The Journal of the Kansas Medical Society, 36:341-343, August, 1934.

Gives a summary of the court case, Brinkley vs. Hassig, et. al. up to the time of publication. Some information on Brinkley's operation. Prejudiced.

"Kansas Caprice," Time, 17:40, March 23, 1931.

Tells of Brinkley's decision to run in the election of 1932. Announcement not official. The usual superficial treatment given by this magazine to individuals.

"Obituary," Time, 39:53, June 8, 1942.

Cursory glance at Brinkley's career. Gives a multi-adjective description of Brinkley.

Time, 20:15, October 17, 1932.

Tells of fears of Kansas politicians of Brinkley. Gives example of typical night of Brinkley campaigning for governor in 1932.

#### C. DOCUMENTS

Kansas Reports, 130:874-8, February 15, 1930 to June 13, 1930.

John R. Brinkley vs. J. F. Hassig et. al. as members of the State Board of Medical Registration and Examination. Court decision ruling on the legal right of the board to hold hearings to revoke Kansas medical license of the plaintiff.

Kansas Reports, 134:833-8, October 16, 1931 to March 6, 1932.

John R. Brinkley vs. Morris Fishbien and William S. Yates. Libel suit decision.

Kansas Reports, 151:855-882, December 22, 1939 to May 4, 1940.

Bernard A. Herken vs. John T. Glynn. Court action to decide the question of whether inmates of the National Soldiers' Home could legally vote in a Kansas election.



Twenty-Seventh Biennial Report of the Secretary of State, 1929-1930,  
 Topeka: Kansas State Printing Plant, 1930. 147 pp.  
 Results of the Kansas primary and general elections. Specifically  
 the general election of 1930.

Twenty-Eighth Biennial Report of the Secretary of State, 1931-1932,  
 Topeka: Kansas State Printing Plant, 1932. 193 pp.  
 Results of the Kansas primary and general elections with a county  
 breakdown of the voting. Specifically used results of the general  
 election of 1932 for governor.

Twenty-Ninth Biennial Report of the Secretary of State, 1933-1934,  
 Topeka: Kansas State Printing Plant, 1934. 153 pp.  
 Results of the Kansas primary and general elections with a  
 county breakdown of the voting. Specifically used results  
 of the Republican primary of 1934.

#### D. PAMPHLETS

Campaign platform of John R. Brinkley for the election of 1932,  
 (no title, no date). 16 pp.  
 Lists the planks in Brinkley's political platform for the 1932  
 election. Published for public distribution.

Kansas Statutes Relating to the Practice of Medicine and Surgery;  
With Revised Rules and Regulations of the Kansas State Board of  
Medical Registration and Examination, Topeka: Ferd Voiland, Jr., Stat  
 Printer, 1946. 30 pp.  
 Compilation of Kansas medical statutes.

Principles of Medical Ethics of the American Medical Association,  
 Chicago: American Medical Association, 1949. 29 pp.  
 Rules of conduct and procedure of the A.M.A. and regarded by the  
 Kansas medical board as the criteria of what constitutes good  
 professional conduct.

## E. NEWSPAPERS

Associated Press Files, Topeka, Kansas, 1930-1935.

Contained undated news releases, teletype copy, and Associated Press copy clipped from unnamed newspapers. Material on every phase of Brinkley's career is included.

Hays Daily News, 1930-1934.

Election comment for the general elections of 1930 and 1932 and the Republican primary of 1934.

Kansas City Kansan, 1932.

Select articles on election of 1932.

Kansas City Journal-Post, 1930-1934.

Select election comment, and material on KFKB.

Kansas City Star, 1930-1942.

Began Brinkley expose April, 1930 and continued until May, 1942.

Kansas City Times, 1930-1942.

Select material on the entire Brinkley career.

Life and Letters, December, 1923.

"Interview of John R. Brinkley of Milford," by John W. Gunn, in Volume 2, page 1.

New York Times, May, 1942.

Obituary and resume of Brinkley's life.

New York Tribune, May, 1942.

Obituary and resume of Brinkley's life.

The Pink Rag, August, 1932; November, 1932.

Deposition in pamphlet form but printed under newspapers title. Contains in pre and post election newspapers vicious attack on Brinkley.

Salina Journal, August, 1930; August, 1934.

Election news articles and editorials.

Topeka Daily Capital, 1930-1942.

Excellent coverage of elections of 1930, 1932, 1934. Good coverage of Brinkley after the move to Del Rio, Texas.

Topeka State Journal, 1930-1942.

Good coverage of the elections of 1930, 1932, 1934.

Wichita Beacon, 1932.

Select articles on election of 1932.

## F. MISCELLANEOUS

"John R. Brinkley -- Quack," Journal of the American Medical Association, 90:1-4, January 14, 1928.

This is a modification of the same article found in volume 90:134-137. It was printed for public distribution by the A.M.A.

Dewey Files, Collection of Ernest A. Dewey, Hutchinson, Kansas. Contains material relative largely to the election of 1932. Included letters from Brinkley to various persons, sheet music, campaign cartoons, canceled checks, invoices, confidential reports, and a scrapbook of newspaper clipping which are not identified by the name of the paper. Mr. Dewey was Dr. Brinkley's publicity director during the election of 1932.

Interview with W. G. Clugston, Topeka, Kansas, June 16, 1952.

Mr. Clugston had valuable information on the Kansas Medical Board hearings and the elections of 1930 and 1932. As a newspaperman he was an eyewitness to the board hearings, and covered the elections of 1930 and 1932.

Letters from Ernest A. Dewey, Hutchinson, Kansas, to the author, July 11, and July 21, 1952.

Mr. Dewey answered numerous questions about the elections of 1930, 1932, 1934, and about the personal characteristics of Dr. Brinkley.

Photostatic copy of the State of Kansas vs. John R. Brinkley, defendant, Criminal Docket F., No. 56, page 59, in the Kansas State Historical Library, Topeka, Kansas.

Legal record of conviction of J. R. Brinkley of bootlegging.

Typed transcript of the State of Kansas vs. John R. Brinkley, Case No. 5422, Temporary Restraining Order, and Case No. 5572, Recognizance to Keep the Peace, in the District Court, Eighth Judicial District, Geary County, Kansas, attested to by the clerk of the district court, in the Kansas State Historical Library, Topeka, Kansas.

Legal record of J. R. Brinkley's parole after a bootlegging conviction.

APPENDIX

Year	Month	Day	Event	Location	Notes
1911	Jan	1	...	...	...
1911	Jan	2	...	...	...
1911	Jan	3	...	...	...
1911	Jan	4	...	...	...
1911	Jan	5	...	...	...
1911	Jan	6	...	...	...
1911	Jan	7	...	...	...
1911	Jan	8	...	...	...
1911	Jan	9	...	...	...
1911	Jan	10	...	...	...
1911	Jan	11	...	...	...
1911	Jan	12	...	...	...
1911	Jan	13	...	...	...
1911	Jan	14	...	...	...
1911	Jan	15	...	...	...
1911	Jan	16	...	...	...
1911	Jan	17	...	...	...
1911	Jan	18	...	...	...
1911	Jan	19	...	...	...
1911	Jan	20	...	...	...
1911	Jan	21	...	...	...
1911	Jan	22	...	...	...
1911	Jan	23	...	...	...
1911	Jan	24	...	...	...
1911	Jan	25	...	...	...
1911	Jan	26	...	...	...
1911	Jan	27	...	...	...
1911	Jan	28	...	...	...
1911	Jan	29	...	...	...
1911	Jan	30	...	...	...
1911	Jan	31	...	...	...

...

...

## ELECTION OF 1930

## ELECTION OF 1932

Counties	Brinkley <sup>1</sup>	Woodring <sup>1</sup>	Haucke <sup>1</sup>	Brinkley <sup>2</sup>	Brinkley Estimate <sup>3</sup>	Woodring <sup>2</sup>	Landon <sup>2</sup>
Allen	1,658	2,462	2,936	2,621	2,800	2,686	3,638
Anderson	881	2,343	1,674	1,634	1,500	2,356	2,121
Atchison	1,808	3,465	3,194	2,560	2,800	3,851	3,874
Barber	1,321	1,054	930	1,882	1,200	1,009	1,349
Barton	2,422	2,241	1,966	2,905	2,500	2,820	2,579
Bourbon	1,235	4,015	2,479	3,451	2,400	2,958	3,600
Brown	736	3,075	3,292	1,387	2,000	2,930	4,301
Butler	5,765	2,808	3,472	5,364	4,800	3,903	4,934
Chase	892	1,045	874	967	900	1,073	1,214
Chautauqua	644	1,296	1,305	1,357	1,000	1,391	1,703
Cherokee	1,118	4,158	3,566	3,746	3,000	4,630	3,233
Cheyenne	324	600	1,029	1,181	648	949	681
Clark	375	412	541	527	500	752	844
Clay	2,407	1,802	1,390	2,474	2,400	1,970	2,284
Cloud	1,841	1,933	2,178	2,465	2,000	2,847	2,462
Coffey	1,333	2,403	1,598	1,558	1,300	2,554	2,272
Comanche	654	550	610	777	700	525	902
Cowley	4,779	3,248	4,820	5,594	4,000	4,323	7,288
Crawford	4,229	5,570	5,224	6,724	6,000	5,609	6,040
Decatur	571	1,415	1,074	1,290	1,000	1,608	1,028
Dickinson	3,714	2,999	2,416	3,844	4,900	3,480	3,629
Doniphan	639	1,461	1,966	1,275	1,200	1,922	2,054
Douglas	1,076	3,881	3,420	2,105	2,500	4,298	5,880
Edwards	1,013	610	1,035	1,012	1,100	1,029	1,152
Elk	929	1,381	1,248	1,243	1,000	1,347	1,626

(Continued)

## (Continued) ELECTION DATA

Counties	ELECTION OF 1930			ELECTION OF 1932			
	Brinkley <sup>1</sup>	Woodring <sup>1</sup>	Haucke <sup>1</sup>	Brinkley <sup>2</sup>	Brinkley Estimate <sup>3</sup>	Woodring <sup>2</sup>	Landon <sup>2</sup>
Ellis	862	2,479	776	1,071	1,100	3,378	1,523
Ellsworth	1,401	1,316	1,037	1,718	1,300	1,669	1,255
Finney	649	717	1,397	1,419	1,000	1,383	1,697
Ford	2,014	1,878	1,977	2,659	2,000	2,712	2,564
Franklin	1,678	3,395	2,731	2,421	3,000	3,296	4,059
Geary	2,514	798	938	2,586	2,500	1,092	1,173
Gove	405	577	829	674	600	930	731
Graham	954	890	960	1,394	850	1,161	992
Grant	242	244	398	518	240	289	367
Gray	678	454	682	886	700	746	707
Greeley	91	113	303	351	150	128	364
Greenwood	2,581	2,225	2,029	2,629	2,000	2,358	2,906
Hamilton	204	404	622	729	320	481	576
Harper	1,571	1,013	1,492	2,064	1,500	1,000	2,189
Harvey	2,731	2,137	2,512	2,293	2,700	3,193	3,001
Haskell	285	196	292	468	300	303	386
Hodgeman	500	457	624	571	600	707	610
Jackson	1,468	1,771	2,026	1,625	900	2,457	2,708
Jefferson	1,412	2,606	1,454	1,670	1,900	2,268	2,389
Jewell	1,040	2,356	2,010	1,111	1,100	3,248	2,636

(Continued)

## ELECTION OF 1930

## ELECTION OF 1932

Counties	Brinkley <sup>1</sup>	Woodring <sup>1</sup>	Haucke <sup>1</sup>	Brinkley <sup>2</sup>	Brinkley Estimate <sup>3</sup>	Woodring <sup>2</sup>	Landon <sup>2</sup>
Johnson	464	5,836	3,282	1,806	3,000	5,991	5,021
Kearny	334	292	504	685	330	282	462
Kingman	1,774	1,392	1,061	1,913	1,600	1,699	1,612
Kiowa	607	701	786	699	900	690	1,171
Labette	2,737	4,925	3,110	4,115	3,200	5,350	4,274
Lane	476	426	433	589	600	462	577
Leavenworth	1,717	6,620	4,745	3,213	4,000	7,235	5,511
Lincoln	1,241	1,179	892	1,565	1,200	1,349	1,203
Linn	372	2,304	2,023	1,431	1,300	2,261	2,244
Logan	337	364	630	763	400	538	688
Lyon	2,801	4,617	2,746	3,355	3,800	5,102	4,302
Marion	2,261	1,719	1,796	2,479	2,000	2,932	2,375
Marshall	1,779	3,797	2,816	1,976	1,500	4,917	3,635
McPherson	2,147	2,755	2,306	2,683	2,500	3,564	3,155
Meade	489	584	571	787	380	686	1,078
Miami	545	3,637	2,756	1,875	2,000	3,784	2,789
Mitchell	985	2,247	1,727	1,393	1,100	2,217	2,340
Montgomery	2,098	5,107	7,018	6,258	4,000	6,503	7,783
Morris	1,376	1,464	1,969	1,641	1,800	1,574	1,994
Morton	208	460	779	727	300	486	592
Nemaha	994	3,262	1,966	1,264	1,200	4,070	2,481
Neosho	2,404	3,360	2,244	3,345	2,500	3,265	3,348
Ness	934	925	872	1,169	1,100	1,160	1,024
Norton	872	1,321	1,488	1,741	1,000	1,695	1,752
Osage	2,420	2,727	2,057	2,885	3,000	2,483	2,857

(Continued)

## (Continued) ELECTION DATA

Counties	ELECTION of 1930			ELECTION OF 1932			
	Brinkley <sup>1</sup>	Woodring <sup>1</sup>	Haucke <sup>1</sup>	Brinkley <sup>2</sup>	Brinkley Estimante <sup>3</sup>	Woodring <sup>2</sup>	Landon <sup>2</sup>
Osborne	1,152	1,463	1,103	1,559	1,200	1,445	2,005
Ottawa	1,553	1,180	1,182	1,561	1,500	1,737	1,348
Pawnee	1,280	1,048	1,166	1,595	1,500	1,498	1,454
Phillips	1,284	1,271	1,468	2,264	1,284	1,227	1,895
Pottawatomie	1,466	2,580	1,921	2,017	2,500	2,862	2,557
Pratt	2,129	1,202	1,124	2,115	1,900	1,653	1,731
Rawlins	364	990	990	1,280	500	1,246	837
Reno	7,212	3,022	5,831	7,264	8,000	5,019	7,163
Republic	1,272	2,252	1,907	1,621	1,600	3,369	1,849
Rice	2,113	1,475	1,795	2,254	2,000	1,563	2,582
Riley	2,621	2,446	2,654	2,941	2,300	2,634	4,149
Rooks	1,077	1,216	1,102	1,251	1,200	1,472	1,593
Rush	1,024	1,199	992	1,262	1,000	1,419	1,131
Russell	1,749	1,147	1,103	2,093	1,700	1,359	1,292
Saline	4,252	2,899	2,785	4,549	3,200	4,850	3,453
Scott	372	401	401	775	500	535	458
Sedgwick	24,316	6,879	6,879	18,921	20,000	16,498	17,491
Seward	734	742	742	1,202	700	757	1,087
Shawnee	11,907	4,718	4,718	13,420	12,000	9,555	13,856
Sheridan	416	931	931	915	500	1,186	628

(Continued)



Counties	ELECTION OF 1930			ELECTION OF 1932			
	Brinkley <sup>1</sup>	Woodring <sup>1</sup>	Haucke <sup>1</sup>	Brinkley <sup>2</sup>	Brinkley Estimate <sup>3</sup>	Woodring <sup>2</sup>	Landon <sup>2</sup>
Sherman	452	904	929	1,354	800	1,314	767
Smith	1,252	1,985	1,666	2,265	1,000	1,825	2,187
Stafford	1,377	968	1,460	1,543	1,400	1,648	1,613
Stanton	77	226	286	494	100	221	325
Stevens	349	442	579	888	450	487	537
Sumner	4,287	2,759	2,403	4,413	3,700	3,230	4,083
Thomas	641	993	1,014	1,453	1,000	1,119	864
Trego	724	720	689	1,135	800	871	780
Wabaunsee	1,601	1,109	1,492	2,003	1,600	1,245	1,660
Wallace	188	276	478	434	300	481	459
Washington	1,388	2,549	1,955	1,566	1,700	3,625	2,504
Wichita	117	282	336	455	220	225	483
Wilson	1,850	2,399	2,090	2,810	2,000	2,587	2,486
Woodson	913	1,329	1,207	1,182	1,000	1,478	1,484
Wyandotte	1,698	16,710	15,765	12,314	8,000	24,122	20,827
Absent vote	55	165	289	282	--	668	1,174
TOTALS	183,278	217,171	216,920	244,607	212,872	272,944	278,581

<sup>1</sup> Twenty-Seventh Biennial Report of the Secretary of State, 1929-1930, Topeka, Kansas: Kansas State Printing Plant, 1930, pp. 102-103

<sup>2</sup> Twenty-Eighth Biennial Report of the Secretary of State, 1931-1932, Topeka, Kansas: Kansas State Printing Plant, 1932, pp. 130-131.

<sup>3</sup> Taken from Dewey files, collection of Ernest A. Dewey, Hutchinson, Kansas.